



SOUTH AND WEST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 9th November, 2017
at 1.30 pm

MEMBERSHIP

Councillors

S Arif	J Bentley	B Anderson	R Finnigan
D Congreve		R Wood	
M Coulson			
P Davey			
C Gruen (Chair)			
D Ragan			
C Towler			

**Agenda compiled by:
Andrew Booth
Governance Services
Civic Hall
Tel: 0113 37 88665**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p data-bbox="678 322 975 353">SITE VISIT LETTER</p> <p data-bbox="678 465 1404 533">APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p data-bbox="678 577 1382 719">To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p data-bbox="678 763 1386 904">(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

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

Item No	Ward	Item Not Open		Page No
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence (If any)</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To consider and approve the minutes of the previous meeting held on 5th October 2017.</p> <p>To follow</p>	
7	Otley and Yeadon		<p>APPLICATION 17/06220/FU - 20 WESTON RIDGE, OTLEY, LS21 2EG</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a detached dwelling with associated parking.</p>	3 - 12
8	Bramley and Stanningley		<p>APPLICATION 17/04846/RM - LAND TO THE NORTH OF THE RIVER AIRE (PLOTS E/F), KIRKSTALL FAORGE, ABBEY ROAD, KIRKSTALL</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a reserved matters approval comprising 112 houses and apartments (Use Class C3), circa 2,925 square metres of commercial space.</p>	13 - 42
9	Adel and Wharfedale		<p>APPLICATION 17/02312/RM - LAND OFF BREARY LANE EAST, BRAMHOPE, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a reserved matters application for residential development of 319 dwellings, a convenience store and public open space.</p>	43 - 64
10	Ardsley and Robin Hood		<p>APPLICATION 17/04308/RM - LAND OFF BRADFORD ROAD, EAST ARDSLEY, WF3</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a reserved matters application for 299 dwellings with appearance, landscaping, layout and scale.</p>	65 - 82

Item No	Ward	Item Not Open		Page No
11	Horsforth		<p>APPLICATION 17/03692/FU - CLARENCE ROAD, HORSFORTH, LS18 4LB</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application to demolish extensions, shed and garages at Low Wood and Four Gables and the erection of eight dwellings with associated landscaping and parking.</p>	83 - 100
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Thursday 7th December 2017 at 1.30pm in the Civic Hall, Leeds.</p> <p><u>Third Party Recording</u></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <ol style="list-style-type: none"> 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. 	

This page is intentionally left blank

To all Members of South and West
Plans Panel

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

Contact: David Newbury
Tel: 0113 378 7990
david.m.newbury@leeds.gov.uk

Our n

Dear Councillor

SITE VISITS – SOUTH AND WEST PLANS PANEL – THURSDAY 9th NOVEMBER 2017

Prior to the meeting of the above South and West Plans Panel the following site visits will take place:

Time	
9.20am	Depart Civic Hall
9.40am – 9.50am	17/04308/RM – Land Off Bradford Road, East Ardsley, WF3 2JA
10.15am – 10.25am	17/04846/RM – Land to the North of the River Aire (Plots E/F) Kirkstall Forge, Abbey Road, Kirkstall
10.50am – 11.00am	17/06220/FU – 20 Weston Ridge, Otley, LS21 2EG
11.15am – 11.35am	17/02312/RM – Land off Breary Lane East, Bramhope
12.00 noon	Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at 9.20am. Please notify David Newbury (Tel: 0113 378 7990) if you wish to take advantage of this and meet in the Ante Chamber at 9.15am. If you intend to make your own way to any of the sites please let me know and we will arrange a meeting point.

Yours sincerely

David Newbury
Group Manager

This page is intentionally left blank



Originator: Carol
Cunningham
Tel: 0113 24 77998

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 9th November 2017

Subject: Application number 17/06220/FU –Detached dwelling with associated parking on land adjacent to 20 Weston Ridge, Otley, LS21 2EG

APPLICANT	DATE VALID	TARGET DATE
LJS Macfield Properties Ltd	21 st September 2017	16 th November 2017

Electoral Wards Affected:

Otley & Yeadon

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Time limit on full permission
2. Development in line with approved plans
3. Samples of walling and roofing materials to be submitted
4. Area to be used by vehicles to be laid out
5. Detail of cycling/motorcycle facilities
6. Surfacing materials to be submitted.
7. Details of surface water drainage to be submitted
8. Phase 2 site investigation report to be submitted
9. Amended remediation statement if required
10. Verification report for remediation to be submitted
11. Details of importation of any soil
12. Details of waste collection provision
13. Details of boundary treatment to be agreed
14. Construction hours and parking of construction vehicles

1.0 INTRODUCTION:

- 1.1 The application is for one detached dwelling with associated parking. The application is brought to Plans Panel at the request of Councillor Campbell due to impact on the street scene.

2.0 PROPOSAL:

- 2.1 The application is for a detached three bedroom house in the side garden of an existing property. The house is shown to have a footprint of 8 metres by 8.9 metres and will be 4.59 metres in height to the eaves and 6.2 metres overall. The property will be constructed from red brick and red tiles to match the existing house next door and its roof form will be hipped on all four elevations.
- 2.2 The proposal includes two car parking spaces to the front and a garden to the rear. There will also be two car parking spaces to the front of the original property.
- 2.3 A previous application for a house on this site was refused in March 2017 and no appeal was made in relation to this refusal
- 2.4 The application was refused due to the impact on the street scene in terms of design. The design of the property has now changed with the roof design changing from a gable to hipped design and the materials changing from render to red brick. The property is the same size and in the same position as the refused scheme.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is a side garden to an existing semi-detached property. This area previously housed a garage and parking but is now fenced off from the existing property. The existing property is a red brick semi-detached house in a line of 5 pairs of similar semis. On the opposite side of the road the properties vary in terms of size, design and materials.
- 3.2 On the eastern side of the site is a hedge and an area of public open space before the road junction. To the rear of the site are residential properties that are separated from the site by the car parking for these properties. The area is residential in nature and is not located in a conservation area or green belt.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 16/07097/FU – Erection of one detached property refused 16th March 2017 for the following reasons

The Local Planning Authority considers that the proposed dwelling due to its design, size, materials and location on this narrow plot of land will have a detrimental impact on the street scene and does not comply with policies H2 and P10 of the Adopted Core Strategy (2014) and the relevant paragraphs in the National Planning Policy Framework

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Since the previous refusal officers have negotiated with the applicant in terms of the design of the proposal.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by a site notice which was erected on 13th October 2017 and expired on 3rd November 2017.
- 6.2 Councillor Colin Campbell has objected to the scheme concerned with the following matters:
- This part of Weston Ridge comprises a row of semi-detached houses with large front gardens (partly used for parking) and smaller rear gardens. The proposal removes the front garden space from the existing dwelling and replaces it with car parking while also removing the side and a substantial part of the rear garden to squeeze in an extra house.
 - The dwelling due to its design, size, materials and location on this narrow plot will have a detrimental impact on street scene and does not comply with policies H2 and P10 of the Core Strategy and the NPPF
- 6.3 Otley Town Council object concerned with the following
- The development will spoil the street view and look overcrowded
 - Overdevelopment of the site
 - Loss of garden
 - Loss of public amenity
- 6.4 One letter of objection concerned with
- Increased traffic due to building works will make traffic on this busy street worse and there are many young children living here and I feel it is already unsafe
 - A detached dwelling does not match the rest of the street which are semi-detached houses

7.0 CONSULTATION RESPONSES:

Highways – No objections subject to conditions

8.0 PLANNING POLICIES:

Development Plan

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

Core Strategy

- 8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered the most relevant;

Spatial policy 1: Location of development

Policy H2: Development of housing on non allocated sites

Policy P10: Design

Policy T2: Accessibility requirements and new development

Policy EN2: Sustainable design and construction

Policy EN5: Managing flood risk

Natural Resources and Waste Local Plan (January 2013)

8.3 The following policies are considered relevant:

WATER 1: Water efficiency
WATER 2: Protection of water quality
WATER 7: Flood risk assessments
LAND 1: Contaminated land
LAND 2: Development and trees

Saved Policies - Leeds UDP (2006)

8.4 The following saved policies within the UDP are considered most relevant to the determination of this application:

GP5: Development proposals should resolve detailed planning considerations.
BD2: Design of new buildings should complement and enhance existing views
BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.

Relevant supplementary guidance:

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

Street Design Guide SPD
Neighbourhoods for Living SPG

National Planning Policy Framework (NPPF)

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

8.7 The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.8 The NPPF confirms that at its heart is a presumption in favour of sustainable development. For decision taking, this means approving proposals that accord with the development plan without delay and where the development plan is silent, absent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted.

- 8.9 The NPPF establishes at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental of which the provision of a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations is identified as a key aspect of the social role. Within the economic role, it is also acknowledged that a strong and competitive economy can be achieved by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.
- 8.10 Paragraph 17 sets out twelve core planning principles, including to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, ensuring high quality design but also encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

9.0 MAIN ISSUES:

1. Principle of development
2. Streetscene
3. Highways
4. Residential amenity
5. Representations
6. CIL

10. APPRAISAL:

Principle of development

- 10.1 The site is unallocated in the Unitary Development Plan and the Core Strategy. Therefore Policy H2 from the Core Strategy is applicable which relates to new housing on non allocated sites. This policy states that a number of criteria need to be met including:
- i) The number of dwellings does not exceed the capacity of transport, educational and health infrastructure. *This application is for one house so will not have a detrimental impact on existing infrastructure. For these reasons the application complies with this part.*
 - ii) Should accord with accessibility standards. *The site is located within walking distance of bus stops on Weston Drive and is located in an existing residential urban area. The site therefore complies with accessibility standards.*
 - iii) Relates to site within green belt. *The site is not within green belt.*

The other two criteria relate to if a scheme is proposed on greenfield land which state:

- a) Should not be developed if it has intrinsic value as amenity space or for recreation or for nature conservation, or makes a valuable contribution to the visual, historic and/or spatial character of an area. *The site is the side garden to an existing residential property and does not make a valuable contribution to the area.* or
- b) May be developed if it concerns a piece of designated green space found to be surplus to requirements by the Open Space, Sport and Recreation Assessment. *The site is not designated green space*

- 10.2 Overall it can be concluded that the development complies with policy H2 of the Core Strategy and the principle of development for residential on this site is considered acceptable.

Streetscene

- 10.3 The NPPF attaches great importance to the design of the built environment. It states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments
- ... add to the overall quality of the area
 - ... respond to local character ... reflect the identity of local surroundings and materials
 - ... are visually attractive
- 10.4 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.
- 10.5 Policy P10 of the Core Strategy also deals with design stating that good design should be appropriate to its location, scale and function. Developments should respect and enhance ...streets, spaces. The policy progresses to sets out that:
- Proposals will be supported where they accord to the following key principles:
- Size, scale and design are appropriate to its context and respect the character and quality of the surrounding buildings, the streets and spaces ... of the wider locality.
 - The development protects the visual, residential and general amenity of the area
- 10.6 The site is the side garden of an existing semi-detached house. It is the end house in a row of five pairs of semi-detached houses and this property, and the semi-detached at the other end of the row, both have a similar space to the side. Both properties had a side extension and garage on these pieces of land and this has been demolished on the application site. Both properties also have an area of public open space beyond their boundaries. These 10 properties and their relationship with the street scene are unique in the immediate area and the spaces at either end of the row and the relationship with the public open space are in symmetry with one another. Accordingly the development will impact upon the spatial setting of the dwelling and the established spatial characteristics of the area. The issue is whether that impact is harmful.
- 10.7 In addition the building of a detached house at one end of this row will impact on the symmetry of this row of houses. However, the two ends of the row are well separated from one another and are not read together in the street scene due to the separation distances. This piece of land also did have garage on it until recently and a small extension on the side of the existing house. So this space was previously occupied by buildings and so the development of this land is not necessarily out of keeping with the street scene.
- 10.8 On the opposite side of the road the street scene is mixed with detached and semi-detached properties, bungalows and houses being constructed from a mixture of artificial stone, render and red brick.

- 10.9 The proposed design of the property is in keeping with the design of the existing row of semi-detached houses. Whilst it is a detached property the roof has changed since the previous refusal and now has a sloping hipped roof which matches the neighbouring property. The materials have also been altered from brick/render to all brick so the design and the materials now match the existing property and can be secured by condition.
- 10.10 Whilst the paving of front gardens for parking can have a negative impact on the streetscene a significant number of other properties in the locality have already done this. The existing property's front garden, whilst not formally laid out as parking, is hard landscaped with gravel and paving and does not contain any landscaping. Accordingly it is considered that it would be difficult to justify a refusal on this point. Furthermore suitable boundary treatment to sides of the parking area would help offset the visual impact of any parked cars.
- 10.11 On balance it is considered that the proposed house will appear acceptable in the streetscene and complies with policy P10 of the Core Strategy and the relevant paragraphs in the NPPF mentioned above.

Highways

- 10.12 The proposal is a small three bedroomed house so requires two car parking spaces. These spaces are provided to the front of the property and there are also two car parking spaces provided in front of the existing property. This ensures that there is adequate parking for both the existing and proposed property. The access to the new house and the existing are also acceptable and located an adequate distance from the nearest junction. The application therefore complies with policy T2 of the Core Strategy.

Residential amenity

- 10.13 The property will have a garden length between 8 and 8.9 metres which is less than the recommended distance in Neighbourhoods for Living, however to the other side of the boundary is a car park and there is adequate distances to the houses to the rear. The area of garden provided to the rear is also 99% of the proposed floorspace which is well in excess of the 66% that is required in Neighbourhoods for Living. The existing house garden to the rear that remains is 98% of the houses floorspace. Whilst the existing property is losing its side garden the rear garden remaining is in line with the garden sizes of the other semi-detached houses in this row. The application therefore complies with policy GP5 of the Unitary Development Plan.

Representations

- 10.14 The vast majority of the concerns from the representations have been addressed above except for the following:
- Increased traffic due to building works will make traffic on this busy street worse and there are many young children living here and it is already unsafe – *this is a temporary matter during building works and does not go to the principle of development. However a condition is attached to control hours of construction and parking of construction vehicles.*

CIL

10.15 The Community Infrastructure Levy (CIL) Charging Schedule was adopted on 12th November 2014 with the charges implemented from 6th April 2015 such that this application is CIL liable on commencement of development at a rate of £90 per square metre of chargeable floorspace. The amount for this scheme will be £8,721.31. In any event, consideration of where any Strategic Fund CIL money is spent rests with Executive Board and will be decided with reference to the Regulation 123 list.

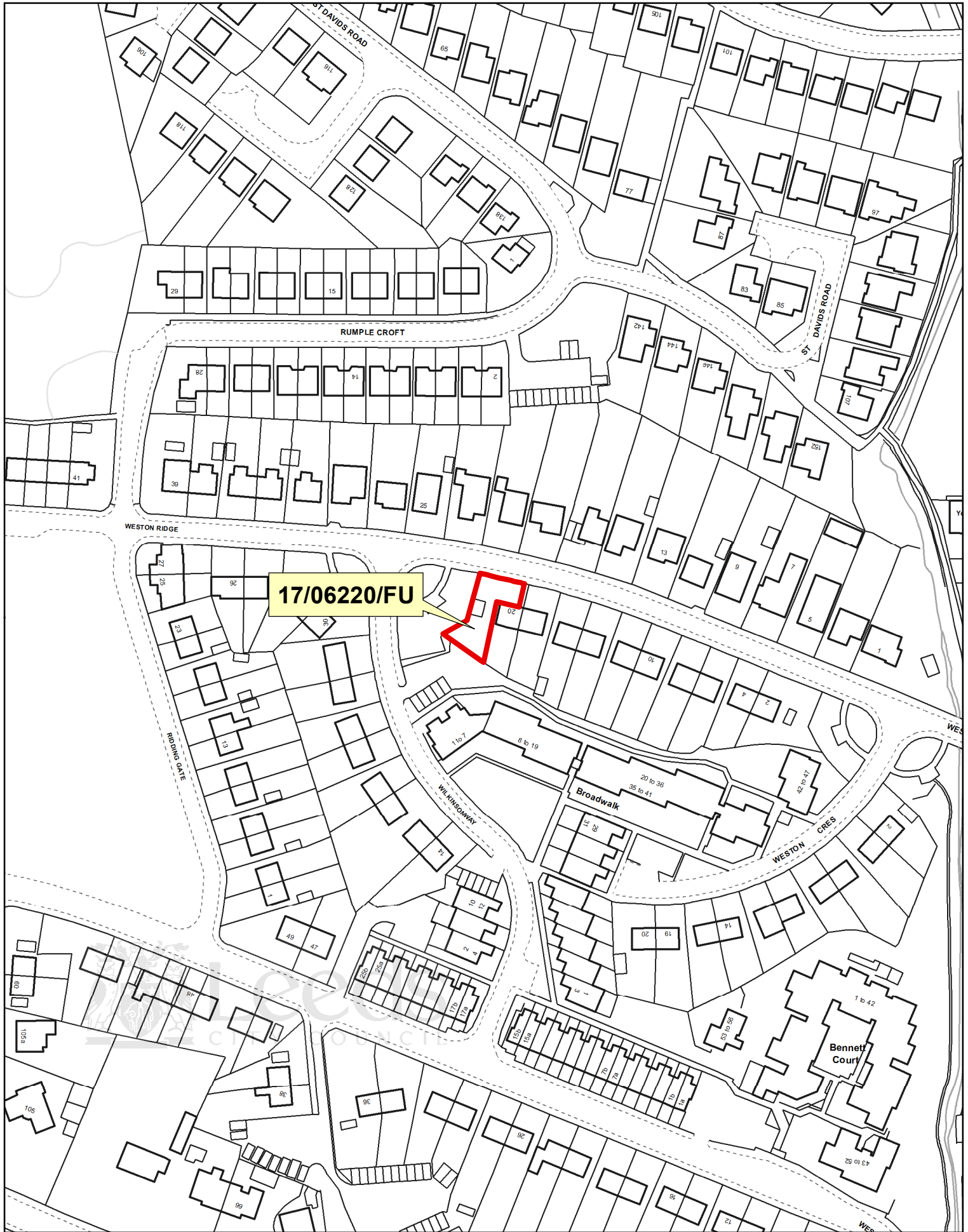
11.0 CONCLUSION

11.1 To conclude it is considered that this residential development is acceptable in principle and complies with the criteria within policy H2 of the Core Strategy. The application is considered acceptable in terms of design and impact on the street scene so complies with policy P10 of the Core Strategy. There will not be a detrimental impact on highway safety so the proposal complies with policy T2 of the Core Strategy and there will be no detrimental impact on residential amenity so complies with policy GP5 of the revised Unitary Development Plan. Overall the scheme is considered acceptable.

Background Papers

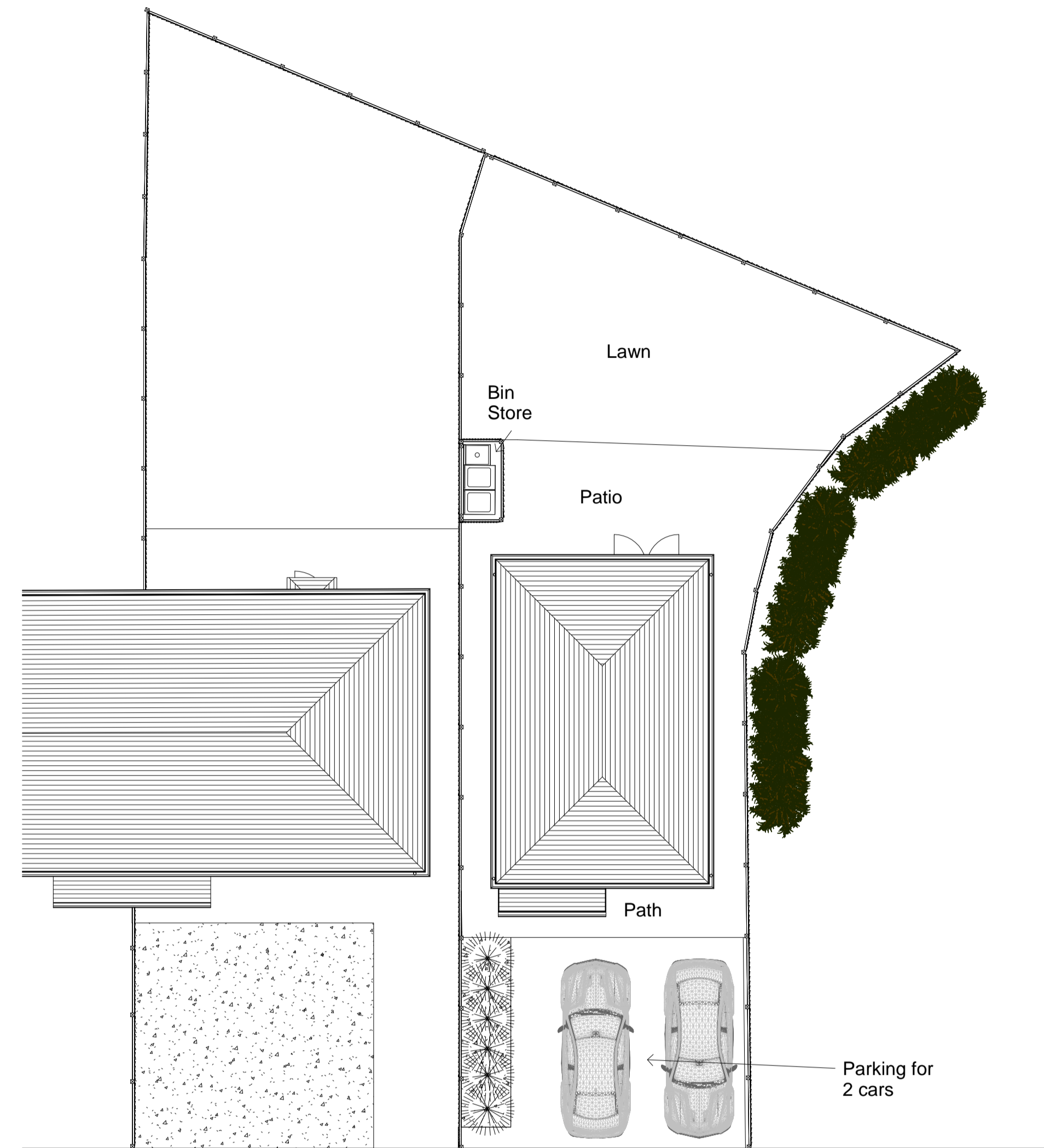
Certificate of ownership: signed by applicant.

Planning application file: 17/06220/FU



SOUTH AND WEST PLANS PANEL





1 Site
1 : 100

NOTES:
CONTRACTOR TO VERIFY ALL SIZES ON SITE BEFORE COMMENCEMENT.
PLEASE DO NOT SCALE FROM THIS DRAWING

Party Wall Act
Notices under the Party Wall Act are most likely required and are to be served by or on behalf of the building owner.
For further clarification on the Party Wall etc Act 1996 contact:
Caim Wharf Consultancy Ltd, 1st Floor,
33 - 35 Cross Green, Otley, Leeds, LS21 1HD.
T: 01943 468922 M: 07739 576181
cw@caimwharf.com
For further information on the Party Wall etc Act 1996:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc_Act_1996_..._Explanatory_Booklet.pdf

Building Contract
It is recommended that a formal written agreement is put in place between the building owner and the building contractor.
A typical agreement that protects both owner and builder would be produced by the JCT.
For further information on building contracts contact:
Caim Wharf Consultancy Ltd, 1st Floor,
33 - 35 Cross Green, Otley, Leeds, LS21 1HD.
T: 01943 468922 M: 07739 576181
cw@caimwharf.com

CDM 2015 Regulations
The Construction (Design and Management) Regulations 2015 now applies in full to all construction work and the client must now appoint a Principle Designer and a Principle Contractor and the project must have a written construction phase plan.
For further information on the CDM 2015 Regulations contact:
Caim Wharf Consultancy Ltd, 1st Floor,
33 - 35 Cross Green, Otley, Leeds, LS21 1HD.
T: 01943 468922 M: 07739 576181
cw@caimwharf.com

GENERAL NOTES
Materials to match existing.
These notes do not comprise a full specification. The drawings are for building regulation purposes only and are not working plans. They do not comprise of a complete specification for the whole of the works. Their primary function is to assist the local authority inspector to determine compliance in line with building regulation standards.
Where further clarifications are required contractor shall refer to the client for details and instruction.
All dimensions must be checked by the contractor and any discrepancies noted in writing to MAS Design Consultants Ltd.
All works must be carried out in accordance with current Building Regulations, Codes of Practice and Planning Officers requirements.
All materials must comply with current British Standards in situations used.

REV	Description	DATE
		

LJS MACFIELD PROPERTIES LTD

PROPOSED DETACHED DWELLING

LAND ADJACENT
20 WESTON RIDGE
OTLEY
LS21 2EG

PLANNING

PROPOSED SITE PLAN

Date 06/2017

2459/A201/

Scale @ A1 1 : 100



Originator:	Kate Mansell
Tel:	0113 378 8019

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 9th November 2017

Subject: 17/04846/RM - Reserved matters application comprising 112 houses and apartments (Use Class C3), circa 2,925 square metres of commercial space, (Use Classes A1, and/or A2, and/or A3, and/or A4, and/or A5, and/or B1, and/or D1 and/or D2), amenity space and a new public square to form Phase 2 of the Kirkstall Forge Development (Plots E and F) on land to the north of the River Aire (Plots E/F) at Kirkstall Forge, Abbey Road, Kirkstall.

APPLICANT	DATE VALID	TARGET DATE
GMV Twelve Ltd.	31.07.2017	30.10.2017

Electoral Wards Affected:

Bramley and Stanningley
Kirkstall
Horsforth

Yes Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT APPROVAL subject to the following conditions:

1. Development in accordance with the approved plans.
2. Large scale details of glazing and window reveals.
3. Provision of electric vehicle charging points.
4. Details of the external lift within the Stitch Square including a management plan.
5. Details of new planting and fencing within the Mill Race Woodland.
6. Detailed planting scheme for the remainder of the site.
7. Construction strategy for the Mill Race Terrace patios and retaining structures to protect existing retained trees.
8. Car park ventilation strategy.
9. Mechanism for the long-term management and maintenance of private roads.

1.0 INTRODUCTION

- 1.1 This application is brought to the South and West Plans Panel on the basis that it represents the second phase of development at Kirkstall Forge and the first phase of residential development on the site as part of a mixed-use scheme.
- 1.2 This application is a Reserved Matters submission effectively pursuant to an outline planning permission (15/04824/FU) to consider the details of the appearance, layout, scale and landscaping of Phase 2. The principle of development and the means of access into the Kirkstall Forge site as well as the highway impact of the development have been previously approved such that they do not form a matter for consideration as part of this application.
- 1.3 Members may also recall that a pre-application presentation in relation to this proposal was made to the South and West Plans Panel on 22nd December 2016. The minutes from that meeting record that Members were broadly supportive of the scale and layout of the development although some concerns were expressed by some Members with regard to the spacing between housing, the number of houses in some blocks as well as some concern that the design approach resulted in an austere and bland appearance. It was felt that more detail was necessary in relation to the architecture and the materials to be used before a judgment could be given on the appearance. At that time, Members also sought some further details in relation to the delivery of the Section 106 agreement pursuant to the original outline planning approval, with particular regard to affordable housing. These matters are fully addressed in the report below.

2.0 PROPOSAL

- 2.1 This is a Reserved Matters application to discharge conditions 1, 2 and 3 of 15/04824/FU in relation to the second phase of development at the Kirkstall Forge site on Plots E and F, which extends to 3.09 hectares to comprise the following:
- 112 new residential units comprising 75 terraced houses (15 x 5 bedroom units, 22 x 4 bedroom units and 38 x 3 bedroom units), 19 courtyard houses (15 x 3 bedroom units and 4 x 2 bedroom units) and 18 apartments (2 x studios, 5 x 1 bedroom units and 11 x 2 bedroom units). Phase 2 effectively comprises three linear elements of development running parallel to the river in correlation with the contours of the valley as well as a central courtyard space providing a strong perpendicular connection. The housing is located along a top terrace (Mill Race Terrace), a middle terrace and a Riverside Terrace with two courtyard blocks flanking the new 'Stitch Square' at the centre of the phase. The Mill Race, River Terrace and Middle residential terraces extend up to 3 storeys in scale and the courtyard block between 4 and 6 storeys with commercial uses on the ground floor. Their appearance is contemporary utilising simple built forms with large window openings set within a perceptible window reveal and detailed with projecting metal balconies and parapets that provide accessible roof gardens to a number of dwellings. The houses are to be constructed in a light brick in a colour to resemble local stone.
 - 2925 square metres of commercial floorspace within any of the following Use Classes: A1 (retail), and/or A2 (financial and professional), and/or A3 (café/restaurant), and/or A4 (public house/bar), and/or A5 (hot-food take-away), and/or B1 (office), and/or D1 (non-residential institution e.g. art gallery, crèche, health centre) and/or D2 (leisure) and amenity space. The original

permission restricts the extent of A1 floorspace to 1449 square metres by virtue of Condition 25 of 15/04824/FU such that only a proportion of this commercial floorspace could fall within Use Class A1. The commercial floorspace is located within and around the new 'Stitch Square' with the focus being the construction of a new pavilion at the heart of the square; this is seen as a covered extension of the public space comprising two floors of commercial space within a double-height building that is constructed in Corten steel and detailed with a diagonal pitched gable resulting in two irregular gables designed to reflect the previous industrial form of development on site. The remaining commercial units will sit below the residential courtyard blocks at ground level facing towards the pavilion.

- The creation of a new public square (the 'Stitch Square'), which is a continuation of 'The Stitch' a key public space within the Kirkstall Forge masterplan that provides a primary connection across the site and a link to the new Kirkstall Forge Station.
- The creation of a new pocket park, providing natural play activities for a range of age groups.
- The inclusion of 'mini-stiches', which provide perpendicular connections across the site from north to south.
- Car parking for the residential dwellings is provided in undercroft garages and car parks and a total of 185 private residential parking spaces is proposed. The houses along the Mill Race Terrace, River Terrace and Middle Terraces are each provided with 2 spaces per dwelling whilst the courtyard houses and apartments deliver car parking at a ratio of 1 per dwelling. In addition, 31 on-street visitor parking spaces are indicated on the site layout; 19 on the Mill Race Terrace, 4 on the eastern sloping street, 6 on the new river road and 3 on the Western Entrance road. For the commercial units, a further 2 short-stay spaces are provided in each of the two loading bays, which are located on either side of the main access road adjacent to the Stitch Square.

2.2 In terms of the scope of this application, to discharge Conditions 1, 2 and 3 of 15/04824/FU, Condition 1 of 15/04824/FU requires the following:

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

Siting of the buildings

External Appearance

Scale

Landscaping

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

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

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

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

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

This application therefore seeks approval for the layout of Plots E and F (Phase 2), the appearance of the buildings, their scale and the landscaping of this phase (the 'Reserved Matters'). Means of access, which is defined as the means of accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulations routes and how these fit into the surrounding access network (the transport impact of the development) was approved in accordance with 11/01400/EXT and 15/04824/FU with further details required by planning condition(s) and such matters are therefore not for consideration as part of this application.

2.3 Condition 2 of 15/04824/FU states the following:

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

In assessing the Reserved Matters, it is therefore important to ensure that Phase 2 is in accordance with the approved Design Statement originally approved in accordance with 11/01400/EXT.

2.4 Condition 3 of 15/04824/FU requires the following:

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

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

2.5 The implementation of this phase of development at Kirkstall Forge (and any subsequent phase) is subject to (a) the details of the Reserved Matters being agreed (as sought in this application in relation to Phase 2) and (b) compliance with all other pre-commencement conditions imposed by 15/04824/FU and the Section 106 Legal Agreement. With specific regard to the conditions, they include the following, which are required pursuant to each phase:

- i. Details of vehicular access arrangements including servicing, car parking and cycle storage (Condition 10g);
- ii. Sustainability appraisal (Condition 10a);
- iii. Drainage (Condition 10b);
- iv. Tree works and tree protection measures (Condition 10e);

- v. Nature conservation and enhancement works (Condition 10i);
- vi. Footpath and cycle links (Condition 10j);
- vii. Details of any open space (10j);
- viii. Material samples (Condition 23);
- ix. Woodland management strategy (condition 20).

Accordingly, prior to each phase commencing, the above details will need to be agreed for that phase by means of the submission of a Discharge of Condition application(s). Such details are therefore considered separately to this application for Reserved Matters. The provision of affordable housing on the Kirkstall Forge site is a matter that is dealt with by the Section 106 Agreement and it is also not for consideration as part of this application albeit that the report explains the affordable housing position for Members information.

2.6 Members are also advised that this application has been revised in the course of the application, principally to address comments raised as part of the consultation process. The principal changes include the following:

- a. An extension to the red line boundary to include the woodland to the north of the Mill Race; this enables the woodland management of this area to be considered as part of Phase 2 and a woodland management strategy will be required for this area prior to the commencement of the phase;
- b. Modifications to the extent of the gardens to the Mill Race Terrace to ensure that the woodland to the rear of these houses remains as an open woodland rather than being incorporated within the gardens of future residents. It can then be managed accordingly;
- c. Additional planting and seating opportunities within the Stitch Square;
- d. The inclusion of a turning head at the end of the spine road;
- e. The introduction of an additional 3 visitor parking spaces on the western entrance road.

3.0 SITE AND SURROUNDINGS

3.1 In its entirety the Kirkstall Forge site extends to 22.93 hectares of land situated circa 6km (3.7 miles) to the north west of Leeds City Centre. The site is broadly rectangular in shape extending from the north-west to south-east between the Leeds to Shipley/Ilkley Railway and the A65 Abbey Road. The Leeds-Liverpool canal and the Leeds-Shipley/Ilkley railway line all run through the Aire Valley in parallel with the River Aire.

3.2 Since the granting of planning permission, the site has been levelled and remediation works have been undertaken in accordance Condition 5 of the outline permission, which was approved as part of application 14/02638/COND. In addition, the Kirkstall Forge Railway Station has been operating since June 2016, presently providing services to Leeds and Ilkley. The western road access onto the A65 Abbey Road, including the installation of traffic lights to this junction, has also been completed. Additionally, the first phase of development at Plot J1, a seven-storey office block providing 15,534 square metres of office space within Use Class B1, is now complete and recently partially occupied as a Head Office by Zenith, who were previously located in Calverley.

3.3 Phase 2, the focus of this application, extends to 3.09 hectares. The site is positioned immediately to the north and east of the eastern access road that provides the current point of vehicular access into the site from Abbey Road. To the north, Phase 2 includes the Mill Race, which runs through the woodland and extends to the northern edge of the site adjacent to Abbey Road. To the east of Phase 2 are Plots C and D, which will form a future phase of what is anticipated to be further residential development. The topography is a key aspect of the site with a level change of between 10 and 12 metres across this site from south to north.

4.0 RELEVANT PLANNING HISTORY

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

4.2 15/04824/FU: Application under Section 73 of the Town and Country Planning Act 1990 comprising the variation of Condition 9 (a) lighting, (c) boundary treatments and (d) signposting, Condition 10 (a) sustainability appraisal (b) foul and surface water drainage, (c) surface water run-off limitation, (d) works to the River Aire, (e) nature conservation works, (f) provision of footpath and cycle links, (i) existing and proposed levels, (j) tree works and tree protection measures and (k) measures to protect the river during construction, Condition 12 (Timescale for the completion of both the eastern and western accesses), Condition 13 (Timescale for the delivery of a bus route through the site), Condition 17 (Provision of an interpretation board), Condition 19 (Programme for works for the refurbishment of the Listed Buildings), Condition 23 (Materials) and Condition 27 (Construction of a flood risk channel) of 11/01400/EXT for each phase of development to allow the earliest development on site. Approved: 17th December 2015.

This application was identical to 11/01400/EXT retaining (with the exception of the amended conditions above) the same conditions and Section 106 Heads of Terms established by the 11/01400/EXT. Because a Section 73 application results in the issue of a new permission, it is this application that is subsequently referred to for the future discharge of Reserved Matters applications and condition discharge applications.

4.3 24/96/05/OT: Outline application to erect mixed use development comprising residential, offices, leisure, hotel and bars and restaurants, including access, site remediation, construction of bridges and river works, car parking and landscaping. Approved: 20th July 2007.

This was the original outline planning permission for the re-development of Kirkstall Forge with details of access only approved as part of this outline and matters of design, layout, appearance, landscaping reserved for future consideration. The indicative development at that time comprised the following elements:

- 1,355 dwellings (1,109 apartments and 246 townhouses/ maisonettes);
- 146,000 square feet of offices;
- Support facilities including bars, restaurants, small scale retail, health and fitness and spa, banking, hotel, a crèche and accommodation for social community uses totalling 104,000 square feet;
- Preservation and change of use of existing grade 2 listed lower forge building to provide food and drink uses;

- Change of use grade 2 listed stables to residential.
- Areas of amenity green space;
- Wildlife and ecological enhancements;
- Park and ride for approximately 150 cars;
- Improvements to vehicular junctions, allowing access to the A65;
- Internal access roads, catering for new bus services;
- Network of pedestrian and cycle routes, enabling connections to the national cycle network and canal towpath, including new footpaths alongside the former abbey mill race;
- New pedestrian and vehicular bridge across River Aire;
- Site remediation works;
- Riverside improvement works and creation of flood relief channel.

4.4 11/01400/EXT: Extension of Time pursuant to 24/96/05/OT for mixed use development comprising residential, offices, leisure, hotel and bars and restaurants, including access, site remediation, construction of bridges and river works, car parking and landscaping. Approved by Plans Panel West on 18th August 2011 with the decision finally issued on 4th April 2014 following resolution of the Section 106 agreement.

This application was identical in terms of the extent of development to the original outline planning permission with the exception of an amendment to the Section 106 agreement to provide additional funding for the new Kirkstall Forge train station.

4.5 15/03561/RM: Reserved Matters application 15/03561/RM for a seven-storey office block with basement parking (Phase 1) at Plot J1. Approved by South and West Plans Panel on 17th September 2015.

This first phase of development has now been completed on site and first occupation has recently commenced.

5.0 HISTORY OF NEGOTIATIONS

5.1 The developer, Commercial Estates Group, have engaged in a series of pre-application discussions with Officers in relation to the details of Plots E and F and its compliance with a Design Framework/Masterplan for the wider development site.

5.2 The proposals for Phase 2 were also the subject of a pre-application presentation pursuant to PREAPP/16/00513 made to the South and West Plans Panel on 22nd December 2016 as noted in the introduction above.

6.0 PUBLIC/LOCAL RESPONSE

6.1 The application was advertised by means of a press notice in the Yorkshire Evening Post, published on 11th August 2017 and by means of site notices posted on 18th August 2017. In addition, the applicant has submitted a 'Summary of Community Involvement' document, which confirms that CEG exhibited in the marquee at Kirkstall Festival in July 2017; this included some visual information in relation to Phase 2.

6.2 No representations from members of the public have been received.

- 6.3 The Leeds Civic Trust has responded to express their support for the scheme; they note that it is a 'refreshing change to see a development, which has been well-designed in a non-traditional and innovative manner'. The Civic Trust does, however, raise a number of comments on the proposal, noted below:
- a. The terraces' orientation can take advantage of winter solar gain and the large windows on the south sides do this. But shading may be needed in summer.
 - b. The orientation would also lend itself to provision of extensive solar panels and photo-voltaic panels, but no mention is made of these. In fact there is no indication of how the heating would work. If not solar, then some form of CHP must be an obvious possibility for this layout.
 - c. The "Mill Race" street along the top terrace looks an attractive proposal, but with tandem garages, most will probably leave at least one car on the road, taking up street parking there.
 - d. Issues like this and putting bins back in after collection, suggest that some form of resident agreements may be needed to ensure that the shared communal spaces are treated as they should be.
 - e. The central underground street is less attractive. Open vents, perhaps in the corners of gardens over, and in the communal garden of the flats, would be a good way of providing ventilation, natural light and some surveillance.
 - f. It appears from the drawings, though this is not indicated in the Design and Access Statement, that the flats and houses by the Stitch could be wheelchair accessible, with a communal lift from the car park and space for a platform lift in the houses. If this is the case it is to be welcomed, though access to the communal lift is a little circuitous.
- 6.4 Ward Members have been advised about the application. No specific representations have been received at the time of the writing of this report.

7.0 CONSULTATION RESPONSES

- 7.1 Highways: No objection to the proposal; some minor amendments were sought by Highways in relation to the provision of a turning head at the end of the spine road and clarification as to whether or not the spine road will be built to adoptable standards. Concerns were raised over the lack of visitor parking for some elements of the scheme and whether one space per dwelling for the courtyard units was sufficient. This is addressed in the report below.
- 7.2 Landscape: The Council's Landscape Officer raised some initial concerns about the interface with the woodland at the rear and also, in relation to the design of the retaining element, which have been resolved in the course of the application. This is addressed in the report below.
- 7.3 Travelwise: No comments as the TravelWise Team have agreed an updated Travel Plan for Kirkstall Forge with CEG.
- 7.4 Flood Risk Management: No comment as the drainage conditions imposed upon the original consent are still applicable and will require formal discharge before the development of this phase commences.

- 7.5 Nature Conservation: The Council's Nature Conservation Officer raised some initial concerns about the removal of the woodland strip to the north of the Mill Race Terrace and a concern that the inclusion of this area within the gardens of the Mill Race Terrace will mean that the woodland cannot be managed as intended under Condition 20 (Woodland Management) of the original permission. This matter has been resolved in the course of the application and it is discussed in the layout section below.
- 7.6 West Yorkshire Metro: Metro note that the detailed public transport requirements for the site were set out in 7.0 the Design and Access Statement submitted with the outline application and subsequent extension of time application for the Kirkstall Forge site. They note that the Kirkstall Forge Station opened in June 2016 commenting that the rail station provides rail links to both Leeds and Bradford and as the development of the Kirkstall Forge site grows, the business case for increasing the number of trains that stop at the station will grow which in turn will improve the accessibility of the site. Metro also acknowledge that Conditions 12 and 13 of the original application set out the trigger points for the completion of the access points into the site and bus route and infrastructure. They raise a concern that the development programme may be phased in a way to delay this infrastructure / bus service being provided, which would not be in the spirit in which this agreement was made but comment that it would be useful, in terms of bus network planning to get an indicative date when the triggers for the bus are likely to be met. They also note that the layout plan does not appear to show any indicative bus stop locations and whilst the bus route may not be required at this point, they consider that indicative stop locations need to be provided to remove any challenge to the locations when the infrastructure is required.

8.0 PLANNING POLICIES

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds comprises the Adopted Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).
- 8.2 In its entirety, the Kirkstall Forge site comprising the boundary of the outline planning application comprises land within the main urban area. A small part of the western site is allocated as part of the existing employment supply under Policy E3A:28 and designated as Policy N38 Washland. The southern part of the site (south of the river is designated under Saved UDP Policy N8 as Urban Green Corridor. A small part of the site to the northern and western boundary is also designated as Green Belt. A small strip of the woodland within the red line boundary of this Phase 2 application immediately adjacent to Abbey Road is designated as Green Belt but it is unchanged by this Phase 2 development and remains in situ. To the south of the wide site boundary lies a designated nature reserve LNA 020 (Bramley Fall & Newlay Quarry) and the designated SSSI 009 (Leeds/Liverpool Canal), which are unaffected by this proposal.

Adopted Core Strategy

- 8.3 Given that the principle of the development and means of access into the site have been clearly established by the previous consents, such that this application is to consider matters of layout, appearance, scale and landscaping only, the following

Core Strategy policies are considered most relevant to the assessment of this Reserved Matters application:

Policy P10: Design

Policy P12: Landscape

Saved Policies - Leeds UDP (2006)

- 8.4 The following saved policies within the UDP are considered most relevant to the determination of this application:

GP5: Development Proposals should resolve detailed planning considerations.

BD2: Design of new buildings.

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

LD1: Detailed guidance on landscape schemes.

Relevant supplementary guidance:

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

Street Design Guide SPD

Neighbourhoods for Living SPG13

Sustainable Design and Construction SPD

Parking Standards SPD (January 2016)

National Planning Policy Framework (NPPF)

- 8.6 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), published March 2014 replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.
- 8.7 The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.8 The NPPF establishes at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental of which the provision of a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations is identified as a key aspect of the social role. Within the economic role, it is also acknowledged that a strong and competitive economy can be achieved by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.
- 8.9 Paragraph 17 sets out twelve core planning principles, including to proactively drive

and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs and ensuring high quality design.

9.0 MAIN ISSUES

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

- i. Principle of development – Policy and Land Use;
- ii. Layout;
- iii. Appearance;
- iv. Scale;
- v. Landscaping;
- vi. The residential amenity of future residents;
- vii. Internal highway layout
- viii. Response to representations.

9.2 The report also provides details of the Section 106 agreement associated with the original outline approval with specific regard to the delivery of affordable housing on the basis that South and West Plans Panel Members requested clarification on this matter at the pre-application presentation of these proposals in December 2016.

10.0 APPRAISAL

Principle of development

10.1 The outline planning permission granted in accordance with 11/01400/EXT in April 2014 and the subsequent Section 73 permission 15/04824/FU includes permission on this site for up to 1,355 dwellings (1,109 apartments and 246 townhouses/maisonettes) and support facilities including bars, restaurants, small scale retail, health and fitness and spa, banking, hotel, a crèche and accommodation for social community uses totalling 9661 square metres. The only limitations on floorspace imposed by these previous consents relates to the proportion of A1 retail space, which is limited by Condition 25 of 15/04824/FU. Condition 25 states that the Class A1 retail floorspace shall not exceed 1,449 square metres and shall consist of a medium sized supermarket of not more than 750 square metres gross together with a number of smaller units unless otherwise agreed in writing by the Local Planning Authority. This Reserved Matters application proposes 112 dwellings and circa 2925 square metres of commercial floorspace, which is entirely within the scope of the previous outline permission and Section 73 planning permission. It is also compliant with the scope of the Environmental Impact Assessment approved as part of the outline permission. It is therefore determined that the principle of development, including the assessment of the impact of any development within the site on the Green Belt at the edges of the site, is already established and no further assessment of policy in this regard is necessary. Therefore, the only matters for consideration are whether the layout of this phase of development, the appearance of the buildings, the scale of development and the landscaping is acceptable.

Layout

10.2 Within the Adopted Core Strategy, Policy P10 establishes a requirement for new development that is based on a thorough contextual analysis to provide good design

that is appropriate to its scale and function; that respects the scale and quality of the external spaces and wider locality and protects the visual, residential and general amenity of the area. These policies reflect guidance within the NPPF.

- 10.3 The layout of Phase 2 follows a linear grain that is determined by the topography of the site such that it broadly comprises three rows of residential development, which follow the natural form of the land established by the woodland to the north and the River Aire to the south, juxtaposed with the central commercial area, which provides an important perpendicular connection through the site.
- 10.4 The linear residential development comprises the River Terrace houses, the Middle Terrace house and the Top Terrace houses, each of which are detailed below.
- 10.5 The River Terrace dwellings front the road that provides the current main access route to the Kirkstall Forge Station (now known as Exhibition Way). The front facades of these dwellings are south facing looking towards the River Aire with the rear elevations looking northward towards the woodland. These terraced houses are set back a distance of between 7 and 14 metres from the back edge of the Exhibition Way footway, separated by grass verge and a wide pavement that provides a pedestrian point of access to each house and a small front garden. The car parking for these dwellings is located to the rear of the terraces within an underground parking court. This parking area also accommodates the car parking for the Middle Terrace such that the River Terrace and Middle Terrace are effectively connected by this underground parking area, which lies to the rear of the ground floor of the River Terrace and to the basement level of the Middle Terrace. Above this covered mews is a platform that provides the rear garden areas for both the River Terrace (at first floor level) and the Middle Terrace (ground floor level).
- 10.6 The front elevation of the Middle Terrace faces northwards onto the Mill Race Terrace, which is to be designed as a quiet and gently curving 'shared space' street that is intended as a pedestrian and landscape dominated street rather than being readily utilised for on-street parking. Because the car parking for the Middle Terrace houses is provided within the basement, these dwellings present an active frontage to the Mill Race Terrace with typically the front door and kitchen overlooking this street. The Middle Terrace comprises both 3 bedroom and 5 bedroom units with the 5 bedroom dwellings (of which there are 5 on the Middle Terrace) each provided with a south-facing roof terrace to supplement the front and rear gardens.
- 10.7 At the top of the site lies the Mill Race Terrace, which follows the contours of the valley and the line of the Mill Race. The 31 dwellings on this level are designed with undercroft parking and their front doors at road level with the first floor living space looking towards the woodland and the mill race to the rear with an open plan design. The 3-bedroom units are provided with an undercroft garage with two parking spaces (one behind the other) and a clear width inside of 3.3 metres to ensure that vehicles can easily reverse onto the street; the front door lies adjacent to the garage opening. The 5-bedroom units are typically provided with a 5.5 metre wide automated garage door. Seven of these dwellings also benefit from south-facing roof terraces.
- 10.8 This linear form of development created by these three residential terraces is broadly consistent with the layout of development envisaged at outline planning stage, with the development blocks following the topography and form of the valley such that the layout of these terraces is entirely appropriate in this regard. Indeed, Core Strategy Policy P10 advises that 'developments should respect and enhance

existing landscapes, waterscapes, [etc] according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing' to which this phase of development is considered to be compliant.

- 10.9 In contrast to the linear form of the terraces, the new Stitch Square reinforces the north-south connections across the site that was established within the outline planning permission. 'The Stitch' itself is identified within the Masterplan at outline planning stage as an important connective perpendicular route through the site and a primary pedestrian thoroughfare. In its present form, it comprises the main pedestrian route from Kirkstall Forge Station that extends immediately to the front of Plot J1 (the recently completed office block that constitutes the first phase of development) as a wide pedestrianised space and then narrows to a pedestrian footpath route on the bridge across the River Aire before opening out again into this new Stitch Square. This is a significant public space separating the eastern and western terraces of Phase 2; in its entirety, it extends to a width of circa 35 metres and a depth of circa 42 metres occupied by a corten steel double-height pavilion that extends to approximately 50% of the space and provides a commercial unit with a range of retail and food offers that can spill out onto the surrounding square. To the south of the pavilion is a broad open plaza that is 35 metres x 11 metres immediately adjacent to the access road and providing the clear visual connection to the Stitch adjacent to Plot J1 and the bridge across the River. This southern plaza accommodates a subtle circa 300mm level change from the upper plaza to the north of the pavilion, which is connected via a series of steps and planted terraces. For the purposes of public access, a 24-hour weather protected external lift is provided on the north-eastern side of the plaza to ensure that the significant change in levels does not impact upon wider accessibility. Beyond the northern Plaza and across the Mill Race Terrace, this hard-surfaced public space becomes a landscaped Pocket Park that provides a transition to the woodland and the Mill Race continuing the north-south connection into the woodland at the northern fringes of this phase. In addition, the layout incorporates a series of five 'mini-stitches', which run north-south at the end of the terraced blocks of housing; allowing both pedestrian connections through the site and also a visual connection between the river and the woodland at the northern edge of the site.
- 10.10 On the east and west side of the square, the courtyard blocks effectively book-end the Riverside and Middle Terraces; these 'c' shaped blocks are set around a central courtyard garden. On the ground floor of each block are commercial units of varying sizes fronting the Stitch Square; 3 on the western side of the square and 4 to the east with apartment and duplex units above and an underground car park below. To the east of the eastern courtyard block are further houses that follow the line of the Middle and River Terraces – 4 on the eastern courtyard and 6 on the western courtyard, the latter with back to back gardens and underground parking and the former sharing the courtyard gardens and provided with roof terraces or balconies.
- 10.11 In considering the layout, it is determined that it is entirely appropriate for the site layout to respond to the topography of the site such that the provision of the upper, middle and river terraces to which the houses have a frontage ensures a contextual response to the natural landscape. Moreover, the inclusion of the Stitch Square and courtyard elements, the mini-Stitch routes and the continuation of the Square into the woodland as the pocket park ensures that a key objective established within the outline planning permission of a clear perpendicular route north to south through the site is reinforced resulting in strong public spaces and clear permeability through the site. It is therefore concluded that the proposed layout of Phase 2 is based

upon a thorough contextual analysis and provides a sound basis for future development on adjacent plots in accordance with Core Strategy P10 and guidance within the NPPF.

Appearance

- 10.12 Core Strategy Policy P10 establishes a requirement for good design. This is reflected in the NPPF, which advises at Paragraph 56 that good design is indivisible from good planning and should contribute positively to making places better for people. In considering the matter of appearance, it is to assess the aspects of the building that determine the visual impression the building makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 10.13 The Masterplan approved at outline planning stage states that an intentionally diverse mix of residential accommodation is proposed on this site and in terms of appearance, it notes that a 'contemporary architectural style has been proposed' with the percentage of glazing to be greater where elevations need to respect the key views to the river and the privacy facing facades and accommodation. In terms of materials, the document refers to identifying a palette of materials that are appropriate to the scale, density and varying use of development through the site but with the need to establish a common thread. In this regard, the Masterplan identifies red, orange or buff brickwork to be used in panels of single colour only, with variation provided by relief specials or variation in bond as well as render, metal and glass.
- 10.14 In this case, the design and appearance of the houses and apartments follows the original ambition for a contemporary design solution across the site, which, given its isolated location away from any existing streetscene, it has the capacity to create and deliver its own character. Indeed, the submitted Design and Access Statement for Phase 2 notes that inspiration has been taken from Saltaire and the steep terraced streets found in other Yorkshire towns with the external forms and elevations designed to be simple with a sense of solidity and durability. Overall, the facades to the dwellings and apartments/courtyard blocks are very ordered in their appearance, typically with large expanses of glazing to maximise river and valley views and the facades being simply detailed with the windows set within a recessed panel to provide order and shadowing relief. They are further detailed with simple metal balconies, brick relief to the parapets and the capacity in places for roof terraces to further soften the built form. Additionally, the internal layout of the dwellings maximises the location with many dwellings benefiting from gardens and terraces on different levels to take advantage of the sloping site and kitchens and living areas on upper levels to open up onto these outside spaces. In terms of materials, whilst Condition 23 of 15/04824/FU requires samples of all materials for Phase 2, it is intended that the dwellings and courtyard blocks will be constructed in a consistent buff brick to deliver a contemporary appearance whilst also resembling the local stone used in the area. The coping details to the roof are likely to be precast stone or brickwork with aluminium composite windows and metal balustrades. Roofs are typically indicated as metal standing seam. Overall, having regard to the original intentions for the design of the housing, it is considered that that the appearance of Phase 2 does meet the objective of achieving contemporary and robust design that is simple in form but, with sufficient detailing to deliver elevations that are well-articulated and attractive to constitute a high quality design approach in accordance with Core Strategy Policy P10 and the NPPF. For this reason, it is recommended that conditions seeking details of the window glazing,

balustrade design and windows reveals are secured as a condition of this recommendation.

- 10.15 Additionally, the pavilion at the heart of the Stitch Square is a double-height space that is intended to function as a covered extension of the public space such that the paved surface of the square will extend into the inside beyond the external glazing and activity from within will spill out into the square to activate and enliven the external space. The pavilion is designed with two irregular sized front gables and a diagonal pitch and it is to be constructed in corten steel to replicate the industrial history of the site. It is considered that this combination of design and material will deliver a striking high quality building that provides an appropriate and visible contrast to the buff brick of the surrounding housing and an appropriate centre-piece for the Stitch Square in accordance with Core Strategy Policy P10 and the NPPF.
- 10.16 With regard to climate change and carbon dioxide reduction, Members are advised that the outline application pre-dates the adopted Core Strategy such that there is no specific requiring to secure carbon emission reductions with the exception that Condition 10 of 15/04824/FU requires the submission of a sustainability appraisal prior to the commencing of this phase of development, which will provide the opportunity to ensure that full consideration is given to measures such as improving insulation and construction to reduce heat gains and losses and to provide efficient housing to minimise energy use.
- 10.17 Overall, it is considered that the Reserved Matters submission clearly demonstrates that the appearance of Phase 2 (Plots E and F) is consistent with the objectives of the Design Framework approved as part of the outline planning permission to deliver a contemporary design solution to housing provision within the site and introducing a pavilion of architectural merit within the public open space that will also contribute positively to place making at Kirkstall Forge in accordance with the objectives of both Policy P10 of the Adopted Core Strategy and guidance within the NPPF.

Scale

- 10.18 In considering the scale of Phase 2, in terms of its height, width and length in relation to its surroundings, Saved UDP Policy BD2 advises that the design and siting of new buildings should complement and, where possible, enhance existing vistas, skylines and landmarks. In addition, Core Strategy Policy P10 advises that new development must be of a size and scale that is appropriate to its context and respects the character and quality of surrounding buildings, the public realm and the wider locality.
- 10.19 The Design Framework approved as part of the outline planning permission includes a plan of maximum storey heights. On this part of the site, heights range from 2 to 4 storeys along adjacent to the woodland, up to six storeys fronting the western access road and seven to nine storeys fronting the access road along the River frontage. In this case, the scale of development ranges from 2 to 3 storeys along the Mill Terrace, 3 storeys along the Middle and River Terrace with the apartments centred around the pavilion ranging from 4 to 6 storeys. This massing is entirely within the parameters of the previous outline planning permission and the scale of development within Phase 2 is therefore considered acceptable in accordance with Saved UDP Policy BD2 and Core Strategy Policy P10.

Landscaping

- 10.20 Policy P12 of the Core Strategy advises that the character, quality and bio-diversity of Leeds' townscapes and landscapes will be conserved and enhanced. Within the UDP, Policy LD1 provides advice on the content of landscape schemes, including the protection of existing vegetation and a landscape scheme that provides visual interest at street level.
- 10.21 The natural landscape within which Phase 2 is sited in terms of its topography, the woodland setting and Mill Race to the north and the River Aire to the south is conceivably one of the most significant influences upon the design and layout of Phase 2. There has been a strong focus on creating the appropriate landscape and public realm context for this phase to establish not only a high quality urban environment but also, to integrate the development within the surrounding landscape and institute the landscape framework for future phases.
- 10.22 There are eight elements to the landscape and public realm within Phase 2, summarised below:
- (i) The Stitch Square*
- 10.23 Designed to become a key public space within the Kirkstall Forge site, the Stitch Square will form a continuation of the station square that lies to the east of Plot J1 and a primary route through the site from north to south. It provides the setting for the Stitch Pavilion and comprises a large plaza to the south of the pavilion and a smaller plaza to the north that are connected through a series of steps and planted terraces. Tree planting is proposed along a north-south orientation to reinforce movement through the site and a connection to the Mill Race woodland to the north. Linear pockets of planting are proposed on the western side of the plaza to help define the seating areas and create a more intimate seating environment whilst the eastern portion is more open, creating more generous spill out spaces. In terms of accessibility for all, the Design and Access Statement submitted with the application notes that access provisions for people with disabilities is complicated by the excessive natural gradients of the site, which varies by up to 3 metres in places across the square. Nevertheless, it notes that the features and design has been reviewed to ensure that full and reasonable access provisions are provided to assist all users. However, the gradient is such that a ramp is not feasible within the public space as the levels, space and length of the ramp would be unduly arduous. It is therefore proposed that a lift be located on the primary eastern side of the square, opposite the main commercial hall within the pavilion; the lift will be designed and protected for use during all hours with appropriate failsafe systems put in place to ensure the safety for all users; further details of the lift and the failsafe management system will be required by condition. The applicant advises that this is sufficient to meet the reasonable provisions required by the Equalities Act.
- (ii) The Embankment Pocket Park*
- 10.24 Positioned to the north of the Stitch, the Pocket Park is positioned into the existing embankment of the Mill Race woodland and it is designed to work within the existing topography as it slopes upwards towards the Mill Race. It essentially comprises three elements; opposite the upper plaza of the Stitch Square is an area of lawns and gardens that are designed to maximise their south facing location. Beyond that, a series of natural grassed terraces will be created offering views back over the Stitch Square. Above that, the woodland edge up to the Mill Race will be left in a relatively natural state with informal pathways. The Pocket Park is intended as a natural play area rather than incorporating play equipment; the Design and Access

Statement notes that 'features that encourage climbing, balancing, jumping and group activities will be referenced throughout the design' and designed to encourage such use. Tree planting is principally to the eastern and western edges to maximise the opportunity for evening sunshine to the lawn terraces.

(iii) The Mill Race Woodland

- 10.25 Due to the natural topography of the site, the Mill Race Terrace is effectively constructed at the bottom of the wooded slope that lies to the south of the Mill Race and the proximity of these dwellings demands some management of this Mill Race Woodland and some removal of trees as part of that management. The works have been extensively discussed with both the Council's Landscape Officer and Nature Conservation Officer to minimise any detrimental impacts on the woodland or bio-diversity and the scheme has been revised in the course of the application to reflect these discussions. One of the most significant revisions to the original submitted plans for this phase is the removal of part of the woodland to the rear of the houses from within private gardens; instead, the gardens to the Mill Race Terrace now constitute a 4 metre deep deck/patio space. Because the levels change from east to west as well as north to south, the patios will either be constructed with fill over made ground to tie into existing levels or they will be suspended on decks to avoid specific tree roots of trees that require protection. Beyond these decks, the woodland up to the Mill Race will not be sub-divided as originally proposed but it will remain open as an informal woodland area for use by the residents only, controlled by means of managed gated access points and visually protected from the footpath that will run along the northern edge of the Mill Race by a range of native species of varying heights and densities (details to be conditioned) to achieve an appropriate level of screening to the Top Terrace windows. A timber post and wire fence will also run along the southern edge of the Mill Race to discourage access over the Mill Race.
- 10.26 In terms of tree removals, 13 trees and 2 groups of trees that are categorised within the tree survey to be dead will be removed from this woodland. A further 11 sycamores and 2 groups of sycamores are proposed for elective removal as part of a managed phased removal to allow room for adjacent Oak and Birch to flourish. A further six groups of trees are to be selectively thinned as part of a Woodland Management Plan, details of which are required by Condition 20 of 15/04824/FU. A further 14 trees and seven groups of trees of varying quality are to be removed on the grounds that they cannot practically be retained due to the proximity of the houses and patio space.
- 10.27 In terms of replacement planting, this will come forward as part of the Woodland Management condition noted above. These revisions address the concerns raised by both the Landscape Officer and Nature Conservation Officer in the course of the application and in addition to the requirements of Condition 20 of 15/04824/FU in relation to woodland management, further conditions are proposed as part of this application with regard to the means of construction of the retaining features to the gardens of the Mill Race Terrace as well as details of new hedge planting, deck construction and any new access points.

(iv) The Mini-Stitches

- 10.28 Perpendicular connections from south to north as noted within the layout section of the report above.

(v) The Mill Race Shared Street

- 10.29 This is a shared surface street punctuated by street trees that have been coordinated with below ground service routes and easements. Along the north side of the street, the design allows for a tree at a distance of approximately every two dwellings ensuring that they are sited well away from access routes into driveways but to still create an attractive street environment.

(iv) The Sloping Street

- 10.30 A similarly designed shared street surface with focal trees to the gardens that adjoin the Sloping Street, a permanent wildflower verge to the western side and a temporary wildflower verge to the eastern side, which will ultimately be integrated into the next phase.

(vii) The Riverside Walkway extension

- 10.31 The Riverside Walkway within Phase 2 essentially provides a further section to the walkway that presently exists on site along the western access road that was constructed as part of Phase 1. The street furniture elements used in Phase 1 in terms of the Corten steel benches and bollards will continue and they will be reinforced by a 1.4 metre wide linear planted verge to the north of the loop road, comprising semi-mature trees and shrub planting to create a buffer to the housing. Four parallel parking bays are proposed along this section of the loop road, with trees proposed between the bays to soften the highway environment.

(viii) The Western Woodland approach

- 10.32 This is effectively the planting to be installed on the eastern side of the existing Western Access, the current main entrance to the site. The principle is to create a green verge along the edge of the road that will incorporate three visitor parking bays with tree pits integrated between the bays to create a tree lined boulevard as well as a planting zone to provide a natural edge to Phase 2 on arrival into the site.
- 10.33 Following the revisions to the landscape and woodland scheme, it is considered that considerable attention has been given to the design of the landscape strategy for Phase 2 to ensure that it integrates well with the established topography and existing woodland and provides a continuation of the high quality public realm that has been installed for Phase 1, as well as establishing a strong framework for the future landscape strategy across the site. The Reserved Matter landscape details are therefore considered to accord with Core Strategy Policy P12 and Saved UDP Policy LD1.

Residential Amenity

- 10.34 Policy GP5 of the UDP advises that development proposals should resolve detailed planning considerations including seeking to avoid problems of loss of amenity. The application site does not adjoin any existing residential development such that the sole consideration in relation to residential amenity is that of future occupiers of Phase 2, principally in terms of privacy distances and garden sizes having regard to guidance set out in the Council's Neighbourhoods for Living SPD.
- 10.35 In terms of standards for site layouts to protect privacy and amenity, the Council's Neighbourhoods for Living: A Guide for Residential Design in Leeds offers guidance

in respect of amenity space provision and recommends a number of key privacy distances between dwellings including the following:

- (i) Private gardens should have a minimum of two-thirds of total gross floor area of the dwelling (excluding vehicular provision);
- (ii) A minimum of 10.5 metres between main ground floor windows (living room/dining room) to the boundary where dwellings face each other (a distance of 21 metres between main facing windows);
- (iii) A minimum of 7.5 metres between secondary windows (ground floor kitchen/bedroom) and the boundary.

10.36 In this case, the following is noted:

- (i) Between the rear elevation of the houses of the River Terrace and the rear elevation of the Middle Terrace to the west of the Stitch Square, the distance between main facing windows is circa 16 metres;
- (ii) There is a distance of approximately 21 metres between the rear elevations of the north and south flanks of the courtyard blocks;
- (iii) Between the rear elevation of the houses of the River Terrace and the rear elevation of the Middle Terrace to the east of the Stitch Square, the distance between main facing windows is between 16 and 20 metres;
- (iv) The gardens between the River Terrace and Middle Terrace vary in depth between 6 and 9 metres in length and are between 38 and 50 square metres in size. This equates to between 19% and 25% of the gross internal area although in addition, eight of the 5-bed Middle Terrace houses benefit from additional external space in the form of a 20 square metre roof terrace. To the rear of the Mill Race Terrace, the formal gardens are constrained due to the topography of the site to 4 metres in depth and circa 30 square metres with seven of the 5-bed Mill Terrace also benefitting from a 20 square metre roof terrace. The Courtyard Houses are afforded shared amenity space within the courtyard garden as well as private roof terraces/balcony areas of between 8 and 40 square metres. These courtyard gardens incorporate a central lawn space as well as seating areas that maximise the southerly aspects. With the exception of the 2 studio apartments and one of the 1 bedroom units, who will also utilise the courtyard gardens, all of the remaining apartment units are provided with either a balcony or roof terrace of between 4 and 11 square metres.

10.37 In considering the distance between dwellings on this site, it is very important to acknowledge that the site at Kirkstall Forge establishes its own context; there is no relationship to any existing residential development and consequently, it has no impact upon the amenity of existing properties. It is therefore simply a determination as to whether the scheme offers an appropriate level of amenity to future residents. It is evident from the measurements noted above that Phase 2 does not meet the generic guidance on privacy distances set out within the Council's Neighbourhoods for Living SPG in terms of 21 metres between main facing windows. However, it is considered that Neighbourhoods for Living, whilst appropriate to more suburban housing schemes, is not so applicable to the dense urban form of development that is delivered at Kirkstall Forge, which is more akin to a City Centre or urban periphery development, particularly given the proximity of the Kirkstall Forge station and the

surrounding commercial development. Indeed, it is noted that other urban schemes within the City have been approved with significantly lower distances between dwellings than those recommended within Neighbourhoods for Living; for example, the scheme at Clarence Road, Hunslet, (16/02420/FU) approved by City Plans Panel has some separation distances as low as 5 metres although more typically, the separation distances between four storey blocks is 10 to 15 metres. The scheme at Low Fold in Hunslet (15/00415/FU) is similar such that there is precedent for accepting a more urban form of development with distances between dwellings that take account of context and are below those set out within Neighbourhoods for Living. Furthermore, the layout of Phase 2 is such that the relationship at first floor level between the River Terrace to the Middle Terrace dwellings is typically bedroom (secondary room) facing towards a bedroom (secondary) where Neighbourhoods for Living would recommended a minimum distance of 15 metres, with which the scheme complies. Between the Middle Terrace and the Mill Race Terrace it is typically bedroom windows (secondary) facing kitchen windows (secondary), where a privacy distance of 15 metres would also be considered reasonable. Within this context, it is considered that Phase 2 does provide an acceptable level of amenity for future residents in terms of privacy.

10.38 Having regard to private amenity space, it is acknowledged that the dwellings predominantly fall below the guidance set out in Neighbourhoods for Living in terms of garden depth, due to the topographical constraints of the site and also in overall size. However, the latter is, in part, a consequence of the internal space sizes, which are above the minimum standards set by the Government, as detailed in the paragraph below. Moreover, given the quality of the housing proposed, the dense urban grain that is delivered by the Kirkstall Forge site, which is appropriate given the wider regeneration vision for the site as well as the Pocket Park and Stitch Square that serves Phase 2 and the informal woodland area that lies to the rear of the Mill Race Terrace that will be accessible to them, it is considered that taking a balanced overall view and having due regard to the urban rather than suburban form of development that is created, the level of private amenity space is acceptable in this context.

10.39 With regard to the Government's Technical Housing Standards – the nationally described space standards, which were published on 27th March 2015, it is noted that these standards cannot be given any weight in the decision making process at this stage as they have not yet been adopted as part of the local plan and they must still be subject to public consultation. Nevertheless, the table below summarises compliance with the space standards and it is provided for information:

House Type	Bedrooms (Persons)	Space Standard (m ²)	Actual size (m ²) GIA	Compliance
Top Terrace	3 (6p)	108	177	✓
Top Terrace	5(10p)	134	240-260	✓
Middle Terrace	3(6p)	108	168	✓
Middle Terrace	5(10p)	134	205	✓
Riverside	4 (8p)	130	202	✓
Courtyard	2 (4p)	70	84.5	✓
Courtyard	3 (6p)	95	113	✓
Studio		39	39.9	✓
Apartment	1 (2p)	50	48.5-55.8	2 no 3 yes

Apartment	2 (4p)	70	58.4-71	7 no 4 yes
-----------	--------	----	---------	------------

- 10.40 Members will note from the table above that 103 of 112 units (92%) are compliant with the Government's space standards with only 9 apartments falling just below the standards. Furthermore, the size of many of the dwellings is significantly above the standards – particularly those on the Top Terrace, which is considered to compensate, in part, for the reduced amount of private external space that is available.
- 10.41 Overall, for the reason set out above, it is therefore concluded that Phase 2 will provide residential units of architectural merit and detail that typically exceed internal space standards and in the context of delivering a high density urban form of development, the housing will provide a sufficient level of amenity in terms of their size in accordance with Saved UDP Policy GP5.

Phase 2 Highway Layout

- 10.42 As noted in the introduction to this report, means of access in relation to the Kirkstall Forge development, including the highway impact of the development was approved in accordance with 11/01400/EXT and then 15/04824/FU such that it does not form a matter for consideration as part of this application. Furthermore, details of car parking and cycle parking in relation to this phase is actually required for submission prior to the commencement of development as part of Condition 10(g) of 15/04824/FU; it will therefore be determined as the subject of a separate discharge of condition application as noted above. However, details of the highway layout, parking provision, servicing and refuse provision for Plots E and F (Phase 2) are set out below for information.
- 10.43 Phase 2 will be accessed utilising the already constructed signalised western access road (named Exhibition Way) from the A65 Abbey Road, which also serves Plot J1 and the Kirkstall Forge Railway Station. This main access road between the A65 and the railway station has been constructed under a Section 278 Agreement such that it is an adopted highway. For information, Members are advised that it is intended that the main spine road through this site, which will eventually connect with the eastern access that was also approved in principle at outline stage, will be adopted; the construction of the eastern access is determined by Conditions 12 and 13 of 15/04824/FU and it is essentially triggered when a certain volume of development is occupied on site; for example, it would be triggered by the full occupation of the Phase 1 office development at Plot J1 and the occupation of 354 dwellings; it will certainly not be triggered by this Phase 2 development.
- 10.44 In terms of providing access to the residential dwellings within Phase 2, the highway layout constitutes two main streets; Exhibition Way running alongside the River and the Mill Race Terrace Street, both of which run east-west along the topographical grain of the site. Exhibition Way is the primary route and Phase 2 will deliver a further portion of this loop road and Riverside Walk introduced as part of Phase 1; this will include a continuation of the contemporary corten steel street furniture introduced as part of Phase 1. The Mill Race Terrace Street is designed as a shared street along its full length to create a pedestrian friendly environment; this is to be achieved by means of a unified paving surface of 4.8 metres in width that is narrowed in places to 4 metres by the careful positioning of street trees and furniture to create pinch points and slow the traffic naturally. These pinch points are located at each mini-stitch and will allow a single vehicle to pass across the space. In addition, a 2.5 metre footpath is provided along the southern edge of the street. On

the eastern edge of Phase 2 is a perpendicular sloping street providing north-south vehicular access and effectively creating a loop along the riverside, up the sloping street and along the Mill Race Terrace back onto the western access road. These smaller access roads within Phase 2 will be priority controlled junctions from the main western access road and it is intended that they will be privately managed rather than adopted. In order to address the matter of private roads and any future implications for their maintenance, a condition is proposed seeking details of a mechanism to secure details of their future management and maintenance to effectively ensure that neither the owner of the site nor any future tenants/owners of the dwellings can ever serve notice on the local highway authority requesting the highway authority to take responsibility for the maintenance of these roads.

- 10.45 With regard to parking provision, Members are advised that the Design Framework approved as part of the outline application includes a broad parking strategy and identifies that a total of 2175 car parking spaces would be provided across the site. It also acknowledges that the concept for the Kirkstall Forge development is based around a sustainable community such that the mix of uses is designed to realise an environment that combines a significant degree of a live/work/play ethic and the strong possibility that residents of the site may undertake all these activities without leaving the site boundaries. It also acknowledges that the site is well served by public transport routes, further reducing the dependence on the private car. The Framework accepts, however, that it is unrealistic to suggest that there will be no private car use into and out of the site such that it identifies the need for a design code to prioritise the concealment of cars wherever practical. It also acknowledges the need for short term parking to serve future shopping facilities and a concealed multi-storey to serve the influx of site population generated by the commercial uses. Indeed, the long-term vision for the provision of car parking to serve the commercial development within the site is the provision of a multi-storey car park most likely to be provided in a single location on the southern side of the river with the current preferred location being land to the west of the temporary station car park.
- 10.46 In the interim, for this phase of development, a total of 185 spaces are provided for the 112 residential dwellings, comprising 2 for each terraced house, 1 for each courtyard house and 1 per apartment (except for the two studios). Car parking for all of the residential dwellings is provided either in undercroft garages (on the Mill Race Terrace) or underground car parks to meet the original masterplan objective of concealing car parking. The undercroft garages on the Mill Race Terrace have been carefully designed such that where the garages are designed to allow cars to park one behind the other, the garages have an internal clear width of 3.3 metres and they are circa 10 metres in depth; the width of these garages is approximately 0.5 metres wider than the minimum internal width set out within the Leeds Street Design Guide with a 2.7 metre wide automated garage door in order to promote easy maneuverability and encourage their use. The Transport Statement submitted with this application notes that the level of parking for the terraced houses is provided in accordance with the Council's Street Design Guide and whilst the level of provision at 1 space per unit for the courtyard houses and apartments is lower than the standard, given the proximity of the dwellings to Kirkstall Forge Train Station, it is considered to be in line with that of City Centre residential dwellings. In addition, a further 32 visitor spaces are provided – 19 on the Mill Race Terrace, which are nestled into pockets of tree and shrub planting, 4 on the eastern sloping street, 6 on Exhibition Way (Riverside) and 3 on the western entrance road. For the commercial units, a total of 4 short-stay spaces are provided.

- 10.47 Although details of servicing arrangements are required by Condition 10(g) of 15/04824/FU such that they are not a matter for consideration as part of this application, it is noted that the applicant has prepared a full residential and commercial refuse strategy, which details how refuse and servicing will be managed. In essence, the Mill Race Terrace dwellings will simply pull their wheelie bins onto the road whilst those on the Middle and Riverside Terrace will move them to a central collection point and the refuse vehicle will reverse into the site to collect the bins. For the courtyard blocks, an estate management company will move larger euro bins from the communal bin stores to a collection point. For the commercial units, the Design and Access Statement advises that this part of the scheme has been carefully designed to allow the majority of units to have a rear service access for refuse and most of the units will share a central bin store that they can access from the rear of their premises. It is noted that it is expected that deliveries will be made through the shop fronts and will be restricted to certain times through the lease rather than requiring a specific condition. The service access provides an alternative rear delivery route when required or outside of restricted hours. In addition, two dual purpose loading/drop-off bays are proposed on each side of the Stitch Square on Exhibition Way to further serve the commercial units, which will be time restricted by traffic regulation orders.
- 10.48 In terms of overall parking numbers, the original aspirations of the outline planning permission, to, in effect, create a sustainable community are noted and this site will ultimately deliver a range of services and facilities to serve future residents. It is also in close proximity to the Kirkstall Forge railway station with a direct link into Leeds and beyond. In this context, it is a sustainable location such that the level of car parking that is proposed in terms of two spaces per dwellinghouse and 1 space per courtyard units, is justified. Furthermore, it is in accordance with the Council's parking standards (January 2016), which are maximum standards in any event rather than establishing a minimum requirement. It is acknowledged that the primary concern of the Highways Officer in relation to this phase of development is the lack of visitor parking for the Riverside and Courtyard apartments. However, the Council's Street Design Guide, which sets out the guidelines on parking in new residential development as referred to within the Council's Parking SPD recommends that visitor car parking be provided at a rate of 1 space per 5 units, which would equate to 23 spaces for 112 units; it is actually the case that 31 on-street visitor parking spaces are provided and although these are primarily on the Mill Race Terrace (19) with the remaining 4 on the eastern sloping street, 6 on the new river road and 3 on the western entrance road, they will still be accessible to the Riverside and Courtyard units. In addition, there are already a further 8 time-limited visitor spaces on the spine road delivered as part of Phase 1, which will further assist with visitor spaces such that overall, the provision does accord with adopted guidance.

Affordable Housing

- 10.49 In the course of the pre-application presentation to the 22nd December 2016 Plans Panel, Members of that Panel sought clarification with regard to the provision of affordable housing within the Kirkstall Forge development. As Members will appreciate, the provision of affordable housing is a matter pursuant to the Section 106 Legal Agreement secured as part of the original outline planning permission such that it does not form part of the assessment of this Phase 2 Reserved Matters submission. However, the following is advised for information only.

10.50 The Section 106 Legal Agreement secured in accordance with 11/01400/EXT (with the provisions carried through as part of the Section 73 approval 15/04824/FU) proposes that a financial sum of £4.67 Million (index linked) is payable to the Council when specific development triggers are met. The Council is then entitled in its absolute discretion to decide how this money is spent in relation to the following six matters: (a) the provision of footpaths between the railway station and canal towpath (completed) and to Kirkstall Abbey; off-site highway works to mitigate highway impacts associated with the development, primary and secondary education, affordable housing, community benefits and a Travel Plan monitoring fee.

10.51 For the purposes of affordable housing as well as the off-site highway works, education provision and community benefits, the Council is not entitled to call for payment of the contribution until the development reaches the trigger calculated in accordance with the following formula:

(A (Dwellings occupied)) + (4.72 x B1 GFA square metres occupied/100) is equal or greater than 750 dwellings

Phase 1 (Plot J1) delivers the B1 floorspace referenced within this formula. Plot J1 has a gross internal area of 14,736 square metres. For the purposes of this calculation, however, it is appropriate to exclude the basement parking area from this figure as it does not constitute B1 floorspace so the gross internal area of B1 office space that can be occupied within Plot J1 is 12,730 square metres.

10.52 Accordingly, pursuant to the formula, if Plot J1 is fully occupied a total of 149 dwellings could also be occupied before the Council is entitled to call for the Contribution to be paid. This Reserved Matters application for Plots E/F comprises 112 dwellings. Therefore, even with Plot J1 fully occupied, the Contribution would not be triggered until after Plots E/F was also fully occupied such that it will not be triggered by this phase of development. The payment of the contribution is therefore likely to be triggered in the phase following Plots E/F (i.e. Plots J3/J4). The contribution (or part of it) could then be used to buy properties from within the next residential phase of the development on site or off-site at the Council's discretion.

Response to representations

10.53 A response to the representation submitted by the Civic Trust has been sought from the applicant, as detailed below:

(i) *The terraces' orientation can take advantage of winter solar gain and the large windows on the south sides do this. But shading may be needed in summer.*

The applicant has advised that they are specifying low solar gain glass and have conducted overheating analysis on the properties, both using current climate data and predicted future climate data to take account of climate change. This has shown that natural ventilation through the properties is sufficient to reduce overheating risk in line with technical guidance without needing any solar shading other than the deep brick reveals of the windows. The majority of properties are also designed to benefit from cross-flow ventilation with opening windows/doors on both sides.

(ii) *The orientation would also lend itself to provision of extensive solar panels and photo-voltaic panels, but no mention is made of these. In fact there is no indication*

of how the heating would work. If not solar, then some form of CHP must be an obvious possibility for this layout.

The applicant has prepared some additional sustainability and energy information in relation to Phase 2. They principally advise that due to this first housing phase being burdened with some initial costs including the restoration of the Mill Race, the public realm works, the construction of the pocket park, they advise that it is not possible to achieve the carbon reduction targets set out in Policy EN1 of the Core Strategy, to provide a minimum of 10% of the predicted energy needs of the development from low carbon energy although they note that future phases can more easily accommodate such sustainable measures. It is considered that whilst it is disappointing that Phase 2 cannot achieve even 10%, it is noted that Condition 10(a) of 15/04824/FU requires the submission of a sustainability appraisal prior to each phase of development in any event and it may be necessary to consider the sustainability of Kirkstall Forge as an entire site rather than a single phase; indeed, Phase 1 (Plot J1) was designed to the equivalent of achieving a BREEAM rating of Excellent. Moreover, the outline permission pre-dates the adoption of the Core Strategy and specifically the introduction of Core Strategy Policy EN1 (carbon dioxide reduction) such that it would not be feasible to refuse the application on this basis but it is a matter that will be pursued through the sustainability appraisal for future phases.

(iii) The "Mill Race" street along the top terrace looks an attractive proposal, but with tandem garages, most will probably leave at least one car on the road, taking up street parking there.

This is addressed within the report above.

(iv) Issues like this and putting bins back in after collection, suggest that some form of resident agreements may be needed to ensure that the shared communal spaces are treated as they should be. Will this be self-managing?

CEG's (effectively the applicant) estate management company will own and manage the non adopted roads and communal spaces, so they advise that they will work hard to ensure that they are used appropriately although they note that it should also be self-managing.

(v) The central underground street is less attractive. Open vents, perhaps in the corners of gardens over, and in the communal garden of the flats, would be a good way of providing ventilation, natural light and some surveillance.

The applicant advises that for the gardens, it is not desirable to connect them with the covered mews below, especially for acoustic reasons. The applicant notes that they obviously wants these spaces to be as positive as possible and they are looking at adding some openings to assist with ventilation but the technical resolution of this is on-going and will be subject to condition.

(vi) It appears from the drawings, though this is not indicated in the Design and Access Statement, that the flats and houses by the Stitch could be wheelchair accessible, with a communal lift from the car park and space for a platform lift in the houses. If this is the case it is to be welcomed, though access to the communal lift is a little circuitous.

The applicant advises that access to all of these dwellings is possible by wheelchair as they all have level thresholds. All houses are designed as Part M category 1 “visitable dwellings”. Access to communal lifts is also quite direct for E3 from the River Boulevard and for E2 from the Mill Race Terrace.

- 10.54 In response to the comments made by WYCA regarding their concern that the development may be phased in a way to delay the infrastructure / bus service being provided, WYCA have not submitted any evidence to support this view and as advised at Paragraph 10.41, the construction of the eastern access and the provision of a bus route through the site is clearly controlled by Conditions 12 and 13 of 15/04824/FU and it is not a matter for consideration as part of this application. It is also considered unnecessary at this stage to consider the provision of indicative bus stop locations, which will be more appropriately determined when both the eastern and western accesses are in place, when the bus service route is defined and there is certainty over the location and form of future development.

11.0 CONCLUSION

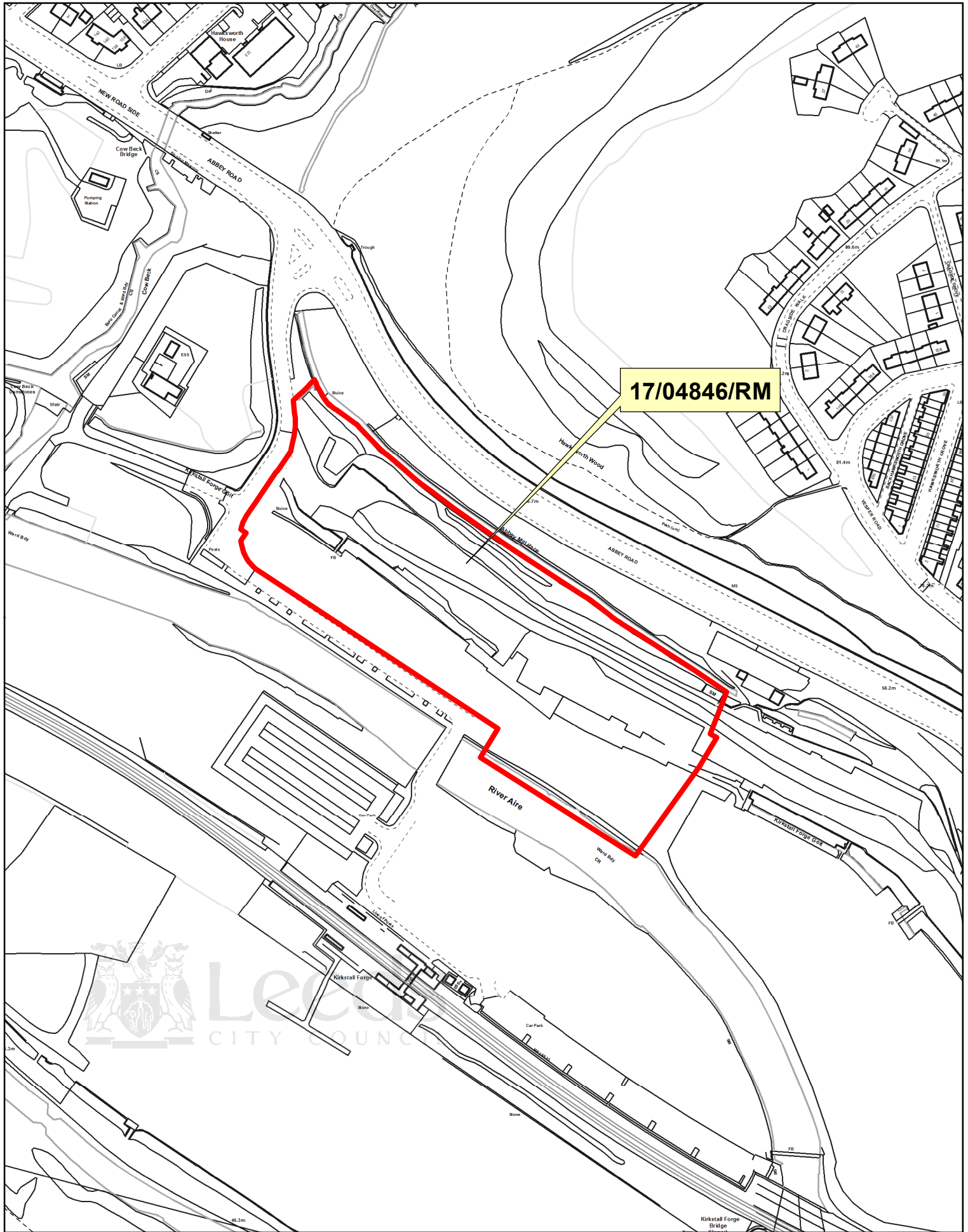
- 11.1 This is a Reserved Matters application to consider details of appearance, layout, scale and landscaping as required by Conditions 1, 2 and 3 of 15/04824/FU pursuant to the second phase of development within the Kirkstall Forge site – comprising 112 houses and apartments (Use Class C3), circa 2,925 square metres of commercial space, (Use Classes A1, and/or A2, and/or A3, and/or A4, and/or A5, and/or B1, and/or D1 and/or D2), amenity space and a new public square
- 11.2 Means of access in relation to the Kirkstall Forge development, including the highway impact of the development, was assessed and approved in accordance with 11/01400/EXT and subsequently as part of the Section 73 permission 15/04824/FU such that it does not form a matter for consideration as part of this application.
- 11.3 The extent of and location of the residential and commercial accommodation proposed within this application is entirely within the scope of the outline planning permission 11/01400/EXT and 15/04824/FU. It is therefore determined that the principle of development is clearly established by the outline permission and no further assessment of policy or principle is necessary in this regard.
- 11.4 It is concluded that this Reserved Matters application sufficiently demonstrates that the layout of Phase 2 has sufficient regard to the position of future development. It responds appropriately to the topography of the site and ensures a contextual response to the natural landscape. It is therefore considered to be based upon a thorough contextual analysis and provides a sound basis for future development on adjacent plots in accordance with Core Strategy P10 and guidance within the NPPF.
- 11.5 The scale of development is entirely within the parameters of the previous outline planning permission and ensures that the development maximises existing vistas and delivers a massing of development that is appropriate to its function and context in accordance with Saved UDP Policy BD2 and Core Strategy Policy P10.
- 11.6 With regard to its appearance, the design of Phase 2 is consistent with the objectives of the Design Framework approved as part of the outline planning permission to deliver a contemporary design solution to housing provision within the site and to contribute positively to place making in accordance with the objectives of both Policy P10 of the Adopted Core Strategy and guidance within the NPPF.

- 11.7 There has been a considerable emphasis upon securing a high quality landscape across Phase 2 to ensure that it is consistent with the objectives of the originally approved Design Framework. In this context, and subject to a review of species and planting density to be sought by condition, it is considered that it will enhance the natural landscape of Kirkstall Forge, provide a high quality public realm and deliver visual interest at street level across the site in accordance with Core Strategy Policy P12 and Saved UDP Policy LD1.
- 11.8 The Reserved Matters application is therefore considered to sufficiently meet the objectives of up-to-date policies within the Development Plan. It is also concluded that the details of scale, appearance, layout and landscaping submitted for this application demonstrate that Phase 2 will meet the intentions of the Design Framework approved in accordance with the outline planning permission. It will contribute to the objective of achieving a high quality aesthetic with buildings that are that 'robust and timeless, making reference to the local architectural heritage yet interpreted in a contemporary manner'. For the reasons set out in the report above, the application is recommended for approval subject to conditions.

Background Papers:

Application and history files.

Certificate A signed by the agent.



SOUTH AND WEST PLANS PANEL

© Crown copyright and database rights 2017 Ordnance Survey 100019567

PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

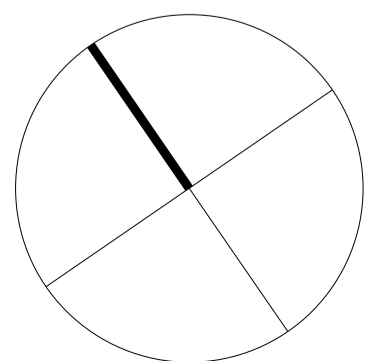
Page 40

SCALE : 1/2500





Amendment	Date
J - Planning amendments	16.10.2017
H - Revised site boundary line	21.09.2017
G - Revised planning submission	17.08.2017
F - Planning submission	20.07.2017
E - Draft planning submission	17.03.2017
D - Issued for Stage 3	14.03.2017
C - General Issue	15.12.2016
B - Updated Design	30.11.2016
A - Issued for Stage 2	13.10.2016



FieldenCleggBradleyStudios
LLP
Bath Brewery
Toll Bridge Road
Bath BA1 7DE
t 01225 852545
f 01225 852528
e bath@fcbstudios.com

KIRKSTALL FORGE HOUSING
SITE PLAN LEVEL 2
Do not scale
Original printed at A1

Job/Drawing No
1437-3/ P/005 J
Amendment
Scale 1:500 (1:1000 @ A3)
Date October 2017
Drawn STUDIO | BATH
All dimensions to be checked on site

This page is intentionally left blank



Originator: Carol
Cunningham
Tel: 0113 378 7964

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 9th November 2017

Subject: Application number 17/02312/RM - Reserved Matters application for residential development of 319 dwellings, a convenience store and public open space at Breary Lane, Bramhope

APPLICANT	DATE VALID	TARGET DATE
Miller Homes	10 th April 2017	16 th November 2017

<p>Electoral Wards Affected:</p> <p>Adel and Wharfedale</p> <div style="border: 1px solid black; display: inline-block; padding: 2px;">Yes</div> Ward Members consulted (referred to in report)	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
--	--

RECOMMENDATION: GRANT APPROVAL subject to the following conditions:

1. Plans to be approved
2. Details of opening hours for the proposed store
3. Details of delivery hours for the proposed store
4. Details of a scheme to ensure 20mph through the site and waiting and loading restrictions between the proposed roundabout on the A660 and the roundabout within the site.
5. Details of proposed lighting for the store
6. High Ridge Way not to be used by vehicular traffic except by emergency vehicles
7. Construction management plan including construction hours
8. Details of traffic management measures on the Poplars to be submitted

The development will also be subject to the conditions attached to the outline grant of planning permission

1.0 INTRODUCTION

1.1 Outline planning permission for residential development on this site has already been granted on appeal in December 2016. This application is a reserved matters

application. A reserved matters application is an application that deals with some or all of the outstanding details of the outline application proposals. This application seeks approval for the details of a development of 319 houses, a store and public open space. As the principle of development has already been established the only matters that fall to be considered as part of this application are:

- *appearance* - aspects of a building or place which affect the way it looks, including the exterior of the development
- *means of access* - covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site
- *landscaping* - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen
- *layout* - includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development
- *scale* - includes information on the size of the development, including the height, width and length of each proposed building

1.2 The application is brought to Plans Panel due to the significance and scale of the proposal.

2.0 PROPOSAL:

2.1 Outline planning permission for a residential development was granted at appeal in December 2016. The outline application that was approved was for the principle of residential development with all other matters including access reserved for future submission and consideration. The approval was for a residential development of up to 380 dwellings and the provision of a store.

2.2 For information the outline approval also included a section 106 agreement which was signed by all parties and covered the following matters:

- Provision of affordable housing at 35%
- £40,000 towards two bus stops
- Metrocards
- £35,000 for off-site highway improvement at the junction of A660 and A658
- £10,000 to cycle storage at Bramhope Primary School
- Travel plan and travel plan monitoring scheme
- Land reserved for a two form entry primary school

2.3 This current application is the reserved matters application and is for 319 houses which comprise 207 market houses and 112 affordable houses and a small convenience store. The market housing comprises the following:

2 x 2 bedroom flats
30 x 3 bedroom houses
113 x 4 bedroom houses
62 x 5 bedroom houses

The affordable housing units comprise:

1 x 2 bedroom flat
50 x 2 bedroom terraced houses
61 x 3 bedroom terraced houses

- 2.4 The affordable units will be located to the south of the site behind the proposed shop, through the centre of the site and finally a cluster to the north west of the site opposite part of the ancient woodland.
- 2.5 The proposed access to the site will involve a large new roundabout off the A660 which will then be an A class road for the first 100 metres into the development, when there is a second roundabout. The access to the proposed store will be off this first 100 metres and the store will have a small car park to the side.
- 2.6 From this second roundabout there will be a loop road through the development which will have a number of side roads branching from it. This second roundabout also forms the access to the proposed play area and Bramhope Park. If land is required for a school it will be located on the land shown for Bramhope Park and this would be covered by a separate reserved matters application and does not form part of this application.
- 2.7 To the north of the site on Breary Lane East will be a large area of greenspace consisting of an orchard and village green with pond. This area of greenspace will then extend into the site and form a T shape of landscaping in the middle of the site. The development is also set back from the A660 with an area of extensive planting. Alongside the area of greenspace on Breary Lane East will be an extension of the ancient woodland which will fill the field between the existing ancient woodland and the public footpath of Breary Lane East. The level of greenspace on the site is over 200 square metres per dwelling. The greenspace proposed will be managed by a management company.
- 2.8 To the south of the roundabout and access road there will be a balancing pond and landscaping alongside the A660. Next to this is a proposed park area which will also include a small play area and car park. This area could be used for a proposed school if required. There will be a 5 metre landscaping buffer which will be located on the boundary with the existing residential development.
- 2.9 High Ash Way is an existing cul de sac and is proposed to be used as a cycling/pedestrian access and will have bollards which can be used by the emergency services in an emergency.
- 2.10 There will be a mix of materials on the site, on the edge of the development alongside existing development on Breary lane East and Creskeld Lane and the eastern edge of the development alongside the Ancient woodland the materials will be white render and grey rooftiles with charcoal grey windows and black doors and rainwater goods. The store will be single storey and constructed from artificial stone.
- 2.11 There will be an inner circle of development alongside the spine route and branching into the area behind High Ash Way which will be artstone with grey rooftiles, white windows and navy doors. The inner core will be facing brick with grey roofs, white windows and black doors. Finally the store will be reconstituted stone with grey roof and grey windows.
- 2.12 The majority of the site will be 2 storey development with a small number of 2 and a half storey houses.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is an area of open fields located to the south of Breary Lane East and east of the A660. The site is used for agriculture at the current time. The land slopes upwards from the southern part of the site (A660) to the north of the site (Breary Lane East). To the east of the site is existing ancient woodland and beyond this open countryside. There is a line of residential properties which front part of the northern boundary and the western boundary. Beyond these rows of houses are the main areas of housing in Bramhope.
- 3.2 The site for the park or proposed school is located within green belt and has been put forward as a potential housing site through the Site Allocations process. The site is within the Site Allocations Plan reference HG2-17 as a phase 3 site for 376 residential units with the provision for a school on the site. The SAP also states that there should be a significant buffer on the northern part of the site to separate the development from the conservation area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 13/05134/OT – outline planning application refused 28th August 2014. Allowed on appeal December 2016.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 Officers have been negotiating on the reserved matters application since its submission in relation to design, layout, impact on neighbouring residents, impact on the conservation area and the green belt. This has also included the involvement of Ward Members. The discussions with a Ward Member have included changes to the scheme to reduce the impact of the development on residents of High Ridge Way.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by a major site notice which was erected on 12 May 2017 and expired on 2 June 2016. The application was also advertised in the Yorkshire Evening Post on 26 April 2017 which expired on 19 May 2017.
- 6.2 Councillors Barry and Caroline Anderson have objected to the application stating:
- The proposed footpath through to Breary Lane East is neither desirable nor safe as Breary Lane East has no street lighting and it would be inappropriate to light a footpath at this location due to the nature of this road and the road has no pavement.
 - Object to the proposed footpath through High Ridge Way which has no street lighting and is a quiet cul de sac which will be spoiled by allowing pedestrian and cycle access. Would be preferable to keep solely as an emergency access with no pedestrian right of way.
 - The siting of the store must be sympathetic to the surroundings. It is questionable if this store is required for the development or whether it has been added to attract passing trade. Hours of business need to be carefully considered. Cars and opening and closing of car doors will impact on nearby residents and Bramhope has a number of shopping facilities less than half a mile away.
 - The land set aside for the school is not large enough to accommodate a 2 form entry school along with parking areas, playing field etc. The land could easily be left as a wildlife/green area would help to make the development look more green.

- The buffer zones, tree planting, hedge planting, protection of trees, new bulb planting must be thought through and handled carefully to ensure existing ecology, habitats are not damaged.
- The Woodland Trust objection sets out the reasons why this development is not acceptable in its current form in order to protect the Ancient Woodland of Spring Wood. This must be taken into account and given a large degree of weight.
- House types and styles are not compatible with an area that lies adjacent to the Bramhope Conservation Area.
- The gardens of the new houses are not large enough to fit with the current style and character in the whole of the surrounding area
- Clear lack of infrastructure to support the extra housing, Bramhope primary school is full and the Council are dragging their feet with helping the school to make a decision whether to expand on the existing site or move to a new site. The land set aside for the school is not big enough and a 2 storey school would not enhance the landscape or visual amenity.
- GP surgery at Bramhope is already very busy and its location means that anyone who is unwell would have to travel from this development via car thus increasing the amount of traffic that accesses the surgery.
- There is no post office in Bramhope with a number of branch banks closing, most notably the Nat West in Otley and Adel the Post Office is one alternative that could have been used. The nearest Post Offices are in Adel or down in Pool.
- The bus service X84 is not sufficient to serve the additional population due to this development. It is very erratic and unreliable service. If new developments in Otley go ahead and people use public transport as the planners would have us believe, then it will be full by the time it gets to this end of Bramhope.

6.3 Councillor Campbell has commented stating:

- The development will significantly increase traffic flows on the A660 leading to increased congestion and pollution along the entire corridor into Leeds.
- Requires a comprehensive survey on the effect of development on junctions into Leeds and mitigate against this.
- Undertake a survey of car based pollution along the corridor.
- Highways work adjacent to the site should be wholly on the developers land.
- Need to prioritise bus movements through the new junction.
- Standard housing types are bland and uninspiring, need to have a bespoke design for the site.

6.4 Arthington Parish Council has commented on the scheme and support some of the proposal and object to other parts as follows:

(i) Support

- The provision of a 5 metre buffer between the existing and proposed development
- Support the construction of dry stone walls on the entrance but there should be hedging and planting behind the walls and bulbs planted in all grass verges
- Support removal of footpaths within the ancient woodland
- Support the extension of Spring Wood to the north of the site
- Support the provision of a pond and consider a second pond more appropriate than an underground tank

(ii) General comments

- Existing dry stone wall on northern and eastern boundary should be retained

- Western and southern side of the woodland needs a zone of planting at least 15m wide in line with Natural England advice
- Field to the south of the woodland should remain in green belt
- Need buffer of planting on the fields eastern boundary
- Dry stone wall on northern and eastern boundary should be retained
- Footpath between pond and Breary Lane East should be removed
- All trees within vicinity of pond should be retained
- Hedging and trees should be retained or replaced
- Height of mature hedgerows should not be reduced
- Tree and hedge survey required to be submitted
- The design of the houses should respect the area
- Any dwellings higher than 2 storey should be limited
- Adequate off street parking should be provided
- Boundary fencing which forms part of streetscene should be open in character
- Provision of store should not affect existing shops
- Lighting pollution should be kept to a minimum
- New bus shelters should have the same design as existing
- Need traffic management scheme to prevent rat running
- Provision of a park and ride at Boddington should be included

(iii) Object

- Mature sycamore tree between 12 and 14 Breary Lane East should be retained
- Need additional planting of standard trees and hedging including evergreens along the northern boundary and in the adjacent green corridor
- Opposes the provision of 'onsite' play areas
- Opposes the provision of the car park adjacent to the play area as walking to the park should be encouraged
- Seating within orchard close to no 32 Breary Lane East should be removed.
- Urban core design not acceptable

An updated comment has recently been received from the Parish Council in relation to the revised plans stating

- Further landscaping for the proposal is required
- Support the protection of the open space via a Biodiversity Enhancement Management Plan which should include the bat commuting route to the north of the site and the whole field to the south of Spring Wood.
- There should be no public access into Spring Wood
- Traffic management measures for the Poplars should be introduced at same time as construction of the roundabout
- Permitted development rights should be removed for garage conversion
- Requires older peoples affordable housing
- Support comments made by the Woodland Trust.

6.5 Bramhope & Carlton Parish Council:

- Support the 5m buffer zone but needs larger trees for immediate effect
- Existing fences on the buffer zone boundaries should remain
- Buffer zone should extended to cover other properties
- Existing trees in the buffer zone should remain
- Mature sycamore tree between 12 and 14 Breary Lane East should remain
- Support dry stone walls on southern boundary with planting behind the wall required
- Need significant landscaping buffer on land off A660

- Bulb planting on grass verges
- Footpath needed from eastern side of the northern pedestrian crossing to the store
- Significant planting needed on Breary Lane boundary and between some of the new development and the existing
- Existing dry stone wall on Breary Lane should be extended
- A 15m buffer zone should be provided alongside Spring Wood
- Support expansion of Spring Wood to the north
- Further clarification needed on the future maintenance of Spring Wood
- Removal of footpaths from Spring Wood supported
- Land for Bramhope Park should remain in green belt
- Spring Wood needs an buffer into this area of land
- And a buffer to the field to the east
- Balancing pond should also contain water for biodiversity
- Object to the play area due to encouragement of anti social behavior
- Seating in orchard close to housing should be removed
- Path between duck pond and Breary Lane East should be removed
- Area around duck pond should remain natural
- All existing trees and hedgerows should be retained
- Any 2 and a half storey houses should be carefully located
- Proposed urban core and houses at the entrance are unacceptable in design terms
- Houses adjacent to High Ridge Way also unacceptable in design terms
- Hedges and shrubs should define boundaries to houses
- Store will affect viability of other shops in Bramhope
- Lighting pollution should be kept to a minimum around the store
- New or replacement shelters should have same design as existing
- New roundabout should be landscaped
- 20mph zone needed on estate

Bramhope and Carlton Parish Council have also supplied additional comments regarding the revised plans stating

- Additional landscaping is required
- Biodiversity Enhancement and Management plan should include the bat commuting corridor and land to the south of spring wood
- Endorses the comments made by Woodland Trust
- Access to Spring Wood should be prevented
- Traffic management measures for the Poplars should be introduced at the same time as the construction of the roundabout
- Affordable housing for the elderly required

6.6 There have been 79 objections to the scheme and 8 general comments concerned about the following matters:

- New roundabout too close to existing roundabout
- Will cause standing traffic in both directions
- Only traffic control will be one pedestrian crossing
- Impact on local highway network
- Single access point for so many houses seems unacceptable
- Will increase rat run through the back roads in Bramhope via The Birches/ The Poplars, Wynmores and Tredgolds
- High Ridge Way seems better option for the access
- Development of green space
- Noise, dust, mess during construction

- No need for convenience store in the village
- Primary school oversubscribed
- Doctors surgery full
- Design of houses not in keeping with the village
- Will transform Bramhope from a village to a small town
- Loss of green belt
- Huge adverse environmental impact
- The houses are the wrong size need affordable homes for young people not 4 plus homes
- Brownfield sites should take higher priority
- Public transport already poor through Bramhope this will make things worse
- What benefits will this bring to the community of Bramhope
- Drainage
- Impact of convenience store on other shops in the village
- Pedestrian access along High Ridge Way should be minimum width to prevent it being used as a cut through
- Layout of houses near High Ridge Way will increase crime risk to these properties
- Bramhope is in the conservation area and the development should respect that
- Impact on residents due to noise from airport as housing located on flight path
- The majority of the properties should be rendered to match Bramhope
- 5m buffer not adequate when diverging architectural styles are to be employed
- Who will own and maintain the 5m buffer
- 3 storey properties should not be allowed at the edge of the development
- Refer you to the inspectors report for housing on the opposite side of the road
- Convenience store car parking will encourage antisocial behaviour
- Traffic flows submitted are inadequate and inaccurate
- The affordable units where not be remotely affordable in any meaningful sense
- High Ridge Way will be surrounded by affordable homes in close proximity to existing properties and not given the same treatment as existing properties along Breary Lane East.
- Overlooking
- New pedestrian access along High Ridge Way will have detrimental impact on existing residents in terms of noise, privacy, loitering,
- Concerned High Ridge Way will become full access at some point
- Buffer needs to be planting as mature development
- Off road cycleway should be provided between the development and Golden Acre Park
- Request that road works don't start till after Christmas
- If the school goes ahead it will create more traffic
- Convenience store should not have a café
- Concerned about light pollution as most of Bramhope doesn't have street lighting
- Trees within orchard to close to existing properties
- Seating in orchard will cause antisocial behaviour
- Concerned regarding on site play areas and the antisocial behaviour they can attract
- People should walk to Bramhope Park so the car park should be removed
- Shop will attract people driving past the site and has no benefit to residents of Bramhope
- Urban core character not characteristic of the area
- The development includes a lot of small gardens
- Object to the inclusion of the north westerly footpath which connects to Breary Lane East due to community safety
- Adequate space needed for parking and bin storage
- Limited public consultation

- Increase in air and noise pollution
- The 5 metre buffer should be the responsibility of a management company
- Houses too close to Breary Lane East
- Construction traffic will add to congestion
- Insufficient preservation of wildlife habitat
- A mix of housing to reflect aging population of Bramhope would be more appropriate
- The convenience store should not be licenced to sell alcohol
- The character of the conservation area in terms of character area 5 should be consistent along its entire boundary
- The property type, proximity and materials differ along this boundary and this isn't acceptable
- All of the properties with a boundary to character area 5 should be rendered
- Five properties on High Ridge Way are positive buildings and this should be reflected in the new properties on the development
- Why is the increased density of houses behind High Ridge Way acceptable
- Planning restrictions for two storey development should be applied to the properties adjacent to High Ridge Way
- Why has the link footpath to Breary Lane East been removed
- Security implications for having garages and driveways behind High Ridge Way
- Why cannot there be street lighting on Breary Lane East
- The gateway into the conservation area should be maintained and not compromised by the roundabout and the new shop
- Why have the plans changed significantly for the proposed houses adjacent to High Ridge Way since 2013.

7.0 CONSULTATION RESPONSES:

- 7.1 West Yorkshire Combined Authority require £20,000 for upgrade of one bus stop and a real time display for another and a MetroCard contribution of £48,125
- 7.2 Highways – Proposed access agreed in principle subject to design. The internal layout is also considered acceptable.
- 7.3 Flood Risk Management – Further information required regarding impact on downstream culvert and watercourse which can be covered by the conditions sited on the appeal decision
- 7.4 Travelwise – require the following in the s106 agreement:
 Travel Plan
 Travel Plan review fee of £3,585
 Metrocard scheme of £491.15 per dwelling
 £10,000 for cycle storage at Bramhope Primary School
- 7.5 Woodland Trust – have commented in relation to the impact of the development on the ancient woodland which is to the eastern side of the site.

They object that the proposed landscaping and layout does not offer sufficient protection for Spring Wood due to

- Intensification of recreational activity of humans and their pets causing disturbance to habitats
- Development provides non-native plants and aids their colonisation
- Noise and light pollution

- Where the wood edge overhangs public areas it may give rise to potential safety issues which threatens the longer term retention of the woods trees
- Where gardens abut the woodland there is a tendency for garden waste to be dumped in the woodland
- Changes to hydrology including pollution and contamination of surface water
- All can act cumulatively on the ancient woodland

Therefore the buffer zone to the woodland should be increased to 50m

- 7.6 Neighbourhoods and Housing – potential for noise from the convenience store so need a noise assessment to cover this matter and conditions to control sound insulation, lighting and litter plus conditions regarding construction hours and methods to prevent mud and dirt on the highway
- 7.7 Metro – improvements and relocations of bus stops required at a cost of £40,000.

8.0 PLANNING POLICIES:

Development Plan

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

UDP designation/Emerging Site Allocations Plan

- 8.2 The application site is designated as a Protected Area of Search in the UDP with part of the site within green belt. Within the draft Site Allocations Plan (reference HG2-17) it is allocated for housing within phase 3 with an indicative capacity of 376 units and a primary school under policy HG2. The site is located within the Outer North West Characteristic Area which should have 2000 dwellings throughout the plan period. Within the SAP it is stated that a significant buffer should exist between Breary Lane East and the development and finally part of the site should be retained for the provision of a primary school.

Adopted Core Strategy

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

Policy H3 – Density of residential development
 Policy H4 – Housing mix
 Policy H5 – Affordable housing
 Policy P10 - Design
 Policy P11 – Listed buildings and conservation
 Policy P12 – Landscape
 Policy T1 – Transport management
 Policy T2 - Accessibility requirements and new development
 Policy G4 – New green space provision
 Policy G8 – Protection of important species and habitats
 Policy ID2 – Planning obligations and developer contributions.
 Policy EN2 – Sustainable design and construction

Policy EN5 – Managing flood risk

Saved Policies - Leeds UDP (2006)

- 8.4 The following saved policies within the UDP are considered most relevant to the determination of this application:

Policy GP5 - Development Proposals should resolve detailed planning considerations.

Policy T7A – Cycle parking guidelines

Policy T7B – Motor cycle parking

Policy BD2 – Design and siting of new buildings

Policy BD5- Amenity and new buildings

Policy LD1 – Landscaping schemes

N23, N24 and N25 – Landscape design and boundary treatment

N33 – impact of development in green belt

Relevant supplementary guidance:

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

Neighbourhoods for Living SPG (adopted as a material planning consideration December 2003)

Designing for community safety – a residential guide (adopted as a material planning consideration May 2007)

Public Transport Improvements and Developer Contributions (adopted as a material planning consideration August 2008)

Street Design Guide (adopted as a material planning consideration August 2009)

Guideline Distances – Development to Trees (adopted as a material planning consideration March 2011)

Bramhope Conservation Area Appraisal (adopted as a material planning consideration May 2011)

Bramhope Village Design Statement (check title) (adopted as a material planning consideration October 2001)

National Planning Policy Framework (NPPF)

- 8.6 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), introduced March 2014 replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.
- 8.7 The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.8 The National Planning Policy Framework (NPPF) gives a presumption in favour of sustainable development and has a strong emphasis on achieving high quality

design. Of particular relevance, the national planning guidance attaches great importance to the design of the built environment and view this as being indivisible from good planning (paragraph 56 NPPF). The advice also seeks for development proposals to add to the overall quality of the area, create attractive and comfortable places to live and respond to local character (paragraph 58 NPPF). In addition, advice is contained within chapter 4 (Promoting sustainable transport) that deals with sustainable transport modes and avoiding severe highway impacts; and, chapter 6 (Delivering a wide choice of high quality homes) which includes housing supply/delivery and affordable housing provision; chapter 8 (Promoting healthy communities) in relation to access to existing open/ green space; and, chapter 10 (Meeting the challenge of climate change and flooding) which includes matters of flood risk and promote renewable energy sources. Paragraph 90 also refers to development within the green belt.

9.0 MAIN ISSUES

1. Principle of development and green belt
2. Means of access
3. Appearance, layout, scale and Bramhope Conservation Area
4. Landscaping
5. Residential amenity
6. Ancient woodland
7. Drainage
8. School
9. S106 requirements
10. Store
11. Representations
12. CIL (not however a material consideration)
13. Footpath provision

10.0 APPRAISAL

Principle of development

- 10.1 In late December 2016 the Council received three appeal decisions related to residential development with one of these being this site at Breary Lane East, Bramhope along with Leeds Road, Collingham; and Bradford Road, East Ardsley. The appeals were allowed and it was concluded by the Inspector that Leeds is presently unable to demonstrate a 5 year housing land supply. (5YHLS).
- 10.2 This application is the reserved matters application (see 1.1 above) for the outline application which was granted permission in December 2016 so the principle of residential development of this site has been accepted.
- 10.3 Part of the site is located within the green belt and it is proposed to remove this area from green belt as part of the Site Allocation Plan process. The area covered by Green Belt involves the land to be used for either the park or school and the balancing pond and a small section required for the proposed roundabout. The previous application was refused due to the impact on the green belt, however, the Inspector has approved the scheme in principle so the development of the green belt land has been accepted in principle.

10.4 The allocation in the SAP is for 376 houses and this development is lower than that at 319 houses. However the site does have some constraints such as the adjoining Bramhope Conservation Area, the Ancient woodland, the Green Belt and the need for a primary school. A more dense development would put more pressure on the ancient woodland and would not be in keeping with the general area. For this reason 319 houses is considered acceptable.

Means of access

10.5 The scheme at the public inquiry involved one access to the site in the form of a roundabout off the A660. However the principle of access was not approved at the outline stage and was reserved for approval. The Inspector did however consider that a development of 380 dwellings and a potential primary school could be accommodated on the surrounding highway network without any detrimental impact.

10.6 This application involves a roundabout of the A660 but its location has been moved south from the plan discussed at the appeal and it is now opposite the existing street known as The Poplars. In highway terms this new location allows for a roundabout to be constructed that in highway safety terms is in a more appropriate position. Residents have concerns that the new location will make The Poplars attractive for rat running. However, this residential route is very tortuous and as such it is questionable whether the re-routing of traffic will occur. The anticipated volume of queuing on the surrounding junctions is not expected to be at a level that would encourage highway users to divert off the A660. Having said this a condition can be attached for the introduction of traffic management measures if this was to occur.

10.7 The internal layout needs to have a limit of 20mph and the developer is to fund the costs to ensure that any road markings, signage and speed limit order are implemented. The internal layout roads are wide enough to accommodate adequate visitor parking and the parking provision for the individual houses is generous.

10.8 Overall it is considered that the scheme is acceptable in highway safety terms and complies with policy T2 of the Core Strategy.

Appearance, layout and scale

10.9 The site is located adjacent to the Bramhope Conservation Area forming the boundary on the northern and western side of the site. There are two character areas within the conservation area that adjoin the site being character area 3 for Creskeld Lane and character area 5 for High Ridge Way and Breary Lane East. The wider area is typified by housing of a traditional design with a mix of materials.

10.10 The characteristics for these areas include:

- Large detached or semi-detached houses within generous plots
- Large back gardens and front gardens
- Two storey layout
- Stone and render
- Stone walls
- Ornate detailing
- Timber windows and doors

10.11 Whilst the site is not within the Bramhope Conservation Area itself the proposed layout has taken on board the conservation area in terms of the above characteristics. There is also a 5m buffer between the rear gardens of the

application site and the existing development which will help to separate the two and provide softening of the new development for existing residents. The layout alongside the conservation area boundary involves rendered properties with features that are characteristic of this part of the conservation area such as gables and bays. The properties are also two storey in scale. The properties do have artificial stone plinths and artificial grey roof tiles which is considered acceptable as the site itself is not within the conservation area and render is the dominant material. The properties proposed alongside Breary Lane East and Creskeld Avenue take on board the scale of the properties in the conservation area in terms of being detached with larger gardens. The design of these properties is also reflected on the eastern side of the site adjacent to the existing ancient woodland.

- 10.12 In terms of the proposed properties adjacent to High Ridge Way originally these were proposed as brick which was considered unacceptable as the properties on High Ridge Way are rendered. This area has now been changed to rendered properties and some artificial stone which is considered more appropriate to its setting. The properties proposed in this area are smaller houses with smaller gardens but their design does take on board the characteristics of this part of the conservation area just on a smaller scale. There is two pair of semi-detached houses which are side facing towards High Ridge Way whilst all the other properties on the edge of the site are rear facing with existing gardens meeting proposed gardens. The reason for this is that one pair of semi-detached houses front onto the A660 elevation and this provides an important frontage to the site. The other pair are so positioned to avoid a rear parking court which was shown on the original plans and raised security concerns.
- 10.13 The rest of the site is broken down into two more design areas. There is a spine road which travels in a circle though the site and the materials for this area are artstone facing and grey roofs. Again these properties take on board design features from the area such as gables and bay windows and are two storey in height. The properties in this area are detached and semi-detached and the layout is not as spacious as the outer area.
- 10.14 The final area is the inner core of the site which will be constructed from brick. These properties are generally semi-detached and terraced houses with the area of gardens smaller reflecting the smaller size of properties proposed. These properties are simple in design but are located in the centre of the site away from the main area of Bramhope and are considered acceptable.
- 10.15 The site will be visible in the street scene in two areas with the rest of the development backing onto existing gardens. These two areas are visible in the existing street scene area alongside the A660 to the south of High Ridge Way and to the north off the site on Breary Lane East.
- 10.16 The site will have a major impact on visual amenity on the A660 which is within the Bramhope Conservation Area and is a gateway into Bramhope. This is due to the insertion of a large roundabout and associated road widening. The visual impact of these engineering works cannot be avoided. This is the only location for an entrance to the site and the number of houses and school proposed require a roundabout of this size plus outline planning permission has already been granted for the residential development.
- 10.17 In terms of the houses and store these are located away from the A660. To the south of the roundabout alongside the A660 there will a large retaining pond and behind this a new park. A school could be located in this park area but this will still

be set back some 70 metres from the road with the retaining pond and significant planting helping to soften the development alongside the A660.

- 10.18 On the northern side of the roundabout the development will involve a retail unit which is single storey and 8 semi-detached houses. These will have their frontage onto the A660 which provides some presence in the street scene but they will also be set back from the A660 by between 13 and 28 metres of landscaping.
- 10.19 On Breary Lane East the development is set back from the road by between 28 and 48 metres. Along Breary Lane East there will be an orchard, pond and landscaped area occupying this piece of land. This will ensure that the rural feel is maintained along this boundary especially as Breary Lane East is used as a public footpath for Ebor Way.

Part of the site as mentioned above is located in the green belt and the principle of development on the green belt has been accepted by the outline consent. The application involves a very small section of the green belt being used for part of the proposed roundabout, however the vast majority of the site will be used for the park, balancing pond and landscaping. These features retain the openness of green belt and is considered acceptable on the land that is currently in green belt.

- 10.20 In light of the above, the overall appearance of the buildings, layout of the development and the scale of the buildings are considered acceptable and complies with policy P10 of the Core Strategy.

Landscaping

- 10.21 The site will have extensive landscaping both on the edges of the development and within the site. On the A660 frontage the development will be set well back from the road allowing for landscaping and trees. On the strip of road between the main roundabout entrance and the smaller roundabout for the start of the loop road the buildings will be set back allowing for landscaping on the road frontage. The loop road itself will have a wider pavement on one side which will allow for planting and trees. There will be a T shaped belt of planting in the middle of the site and extensive planting on the landscaped belt on Breary Lane East. Finally there is a 5 metre landscaping buffer between the existing properties adjoining the site and the new properties which will help to soften the development to existing residents.

Residential Amenity

- 10.22 The proposed layout exceeds the distances within Neighbourhoods for Living (NfL) in terms of separation distances between the proposed new houses and existing houses. The new properties are closest to the existing houses on High Ridge Way with the distance being 17 metres and this is from the rear of the existing property and the side gable of a proposed property where the NfL requirement is 12 metres.
- 10.23 For the vast majority of the development the new properties (95.3%) comply with NfL in terms of distances between properties, garden lengths and garden areas. Some of the smaller semi-detached houses (3.45%) have garden lengths that are less than the required 10.5 metres however this does not affect residential amenity to a significant extent. There are also a handful of smaller properties (0.94%) where the garden areas are also less than the 2/3rds requirement but again due to the small size of the house, which are likely to be for couple or small families, this is considered acceptable. In terms of the internal layout of the properties the space provided spacially is in excess of the national and local prescribed space standards.

- 10.24 A new pedestrian/cyclist access will be created from the development onto the small residential street of High Ridge Way. This will not be an access for vehicular traffic except for emergency services if the main access to the site is closed for whatever reason. Bollards will be erected to prevent vehicular access and a condition will be attached to prevent the use of this access by vehicles.
- 10.25 Residents on High Ridge Way have objected to this access due to the additional noise and disturbance it may create and the potential for rubbish and security to the properties may be at risk. There will be an increase in noise and disturbance due to this pedestrian access from the comings and goings of pedestrians and cyclists but it is not the only access from the development with a pedestrian access through the proposed development close by which will also be nearer to the repositioned bus stop. The new access within the development will also be lit whilst the access through High Ridge Way is not lit.
- 10.26 This pedestrian access was shown on the indicative masterplan for the outline scheme and the application was not refused for this reason and the Inspector at the appeal did not raise any negative comments about it.
- 10.27 In terms of security this street is currently off the A660 and is a quiet cul de sac. The increase in people going along High Ridge Way will increase natural surveillance so it is considered there will not be a greater security risk to properties.
- 10.28 Overall the layout is considered acceptable in terms of residential amenity and complies with policy GP5 of the Unitary Development Plan.

Ancient woodland

- 10.29 To the east of the site is Ancient woodland. The Woodlands Trust has objected to the scheme due to the impact of the development on the ancient woodland stating that there should be a buffer of 50 metres between the Ancient woodland.
- 10.30 The landscaping buffer shown varies in width from 2 metres to 10 metres with the majority of the buffer being around 5 metres in width. However, to the south of the site is the proposed park and to the majority of the western side of the ancient woodland is the road. Consequently the majority of the houses are well over 10 metres away from the Ancient woodland. There is one house in close proximity to the Ancient woodland being only 5 metres away. To the north of the site is an extension to the Ancient woodland which is a very positive measure. The buffer is required to manage public access into the ancient woodland and it is considered that the proposed widths are acceptable subject to appropriate fencing on the landscaping buffer edges to prevent access until the proposed vegetation has established.
- 10.31 There will be an entrance into Spring Wood but this ensures that access is contained on the proposed paths with the ecology in the other areas to be left undisturbed. This is covered by conditions on the outline permission.
- 10.32 Overall the level of landscaping proposed is considered acceptable and it complies with policies G8 and P12 of the Core Strategy.

Drainage

- 10.33 The surface water drainage for the site will be drained into a large retention basin/balancing pond to the south eastern corner of the site. From here it will then outfall into the existing watercourse and culvert located nearby. This is acceptable in principle but further information is required into the quantity and control of this outfall. The Planning Inspector attached conditions to do with foul and surface water drainage so the precise details on how the detention pond will operate can be dealt with under these conditions.

Potential school

- 10.34 The outline permission and associated section 106 agreement make provision for the land on the site to be dedicated for a two form entry primary school if required. The identified site would be where Bramhope Park is shown on the plan with its own access off the second roundabout. The school does not form part of this application and would be a separate planning application with the issues relating to the school being dealt with at that time. This application does allow for the site to be developed for this number of houses and land plus access available for the school if it is required.

Section 106 agreement requirements

- 10.35 A section 106 agreement was signed with the outline consent and it covered the following matters:
- Provision of affordable housing at 35% - The number of houses proposed on the site equates to 35% and the proposed split is also in line with the section 106 agreement
- The following are to be provided before occupation of the dwellings
- £40,000 towards two bus stops - Metrocards – This is provided before occupation of the dwellings
 - £35,000 for off-site highway improvement at the junction of A660 and A658 – £10,000 to cycle storage at Bramhope Primary School
 - Travel plan and travel plan monitoring scheme
 - Land reserved for a two form entry primary school – discussed above
- 10.36 The level of greenspace provided as part of the scheme is higher than the requirement of 80 square metres in terms of policy G4 of the Core Strategy.

Proposed store

- 10.37 The outline consent included the provision of a store and this is to be located at the entrance of the site. Accordingly the principle of this building has been established. The building will be constructed from artificial stone and will be single storey so will not dominate the entrance. There have been objections to the provision of the store and the impact on the existing businesses in Bramhope, however this was a matter that was dealt with at the public inquiry. There have also been objections that it will attract passing traffic and should be located further into the site. The applicant has stated that it is required in this location so they can market the property plus it creates less disturbance to residents which it would if it was located further into the site.

Representations

10.38 Most of the matters raised in the representations have either been addressed above or are detailed matters that would be addressed through the proposed conditions. The matters not covered above are as follow:

- The proposed footpath through to Breary Lane East is neither desirable nor safe as Breary Lane East has no street lighting and it would be inappropriate to light a footpath at this location due to the nature of this road and the road has no pavement – *this has been removed from the scheme due to land ownership issues*
- Opposes the provision of ‘onsite’ play areas – *there is one on the site which is not located near residential properties so this should not have a detrimental impact on residential amenity.*
- Opposes the provision of the car park adjacent to the play area as walking to the park should be encouraged – *without the car park adjacent to the park it could lead to on street parking within the development*
- Object to the play area due to encouragement of anti-social behavior – *The play area is located away from residential properties so if any antisocial behavior does occur it is located away from residents and should not impact on residential amenity*
- Lighting pollution should be kept to a minimum around the store – *a condition for lighting is proposed*
- Primary school oversubscribed – *land for a school is being provided but provision of a new school does not form part of this application.*
- Doctors surgery full – *the provision of local services is not a planning matter and the Inspector did not consider this was a matter to refuse the scheme at outline stage*
- Layout of houses near High Ridge Way will increase crime risk to these properties – *The layout involves a 5 metre landscaping strip which will restrict access into these gardens. There was a parking court located near to this boundary but this has been removed from the scheme.*
- Refer you to the inspectors report for housing on the opposite side of the road – *the site already has outline planning permission*
- Convenience store car parking will encourage antisocial behaviour – *this is a security matter for the occupiers of the store*
- Concerned High Ridge Way will become full access at some point – *this is not the intention as it is considered that High Ridge Way does not have safe access onto the A660 for the number of traffic involved.*
- Convenience store should not have a café - *this doesn't form part of this application and would require planning permission*
- Concerned about light pollution as most of Bramhope doesn't have street lighting – *lighting is required on the development due to safety and security*
- Planning restrictions for two storey development should be applied to the properties adjacent to High Ridge Way – *this would require planning permission so no need to have a condition to cover it*
- Why cannot there be street lighting on Breary Lane East – *no requirement for it as part of this scheme*
- Why have the plans changed significantly for the proposed houses adjacent to High Ridge Way since 2013 – *the layout in 2013 was an indicative layout and the detail was not approved and a reserved matters application has therefore been submitted*

CIL

10.39 The Community Infrastructure Levy (CIL) Charging Schedule was adopted on 12th November 2014 with the charges implemented from 6th April 2015 such that this

application is CIL liable on commencement of development at a rate of £90 per square metre of chargeable floorspace. This scheme will generate a total of £3,301,450. In any event, consideration of where any Strategic Fund CIL money is spent rests with Executive Board and will be decided with reference to the Regulation 123 list.

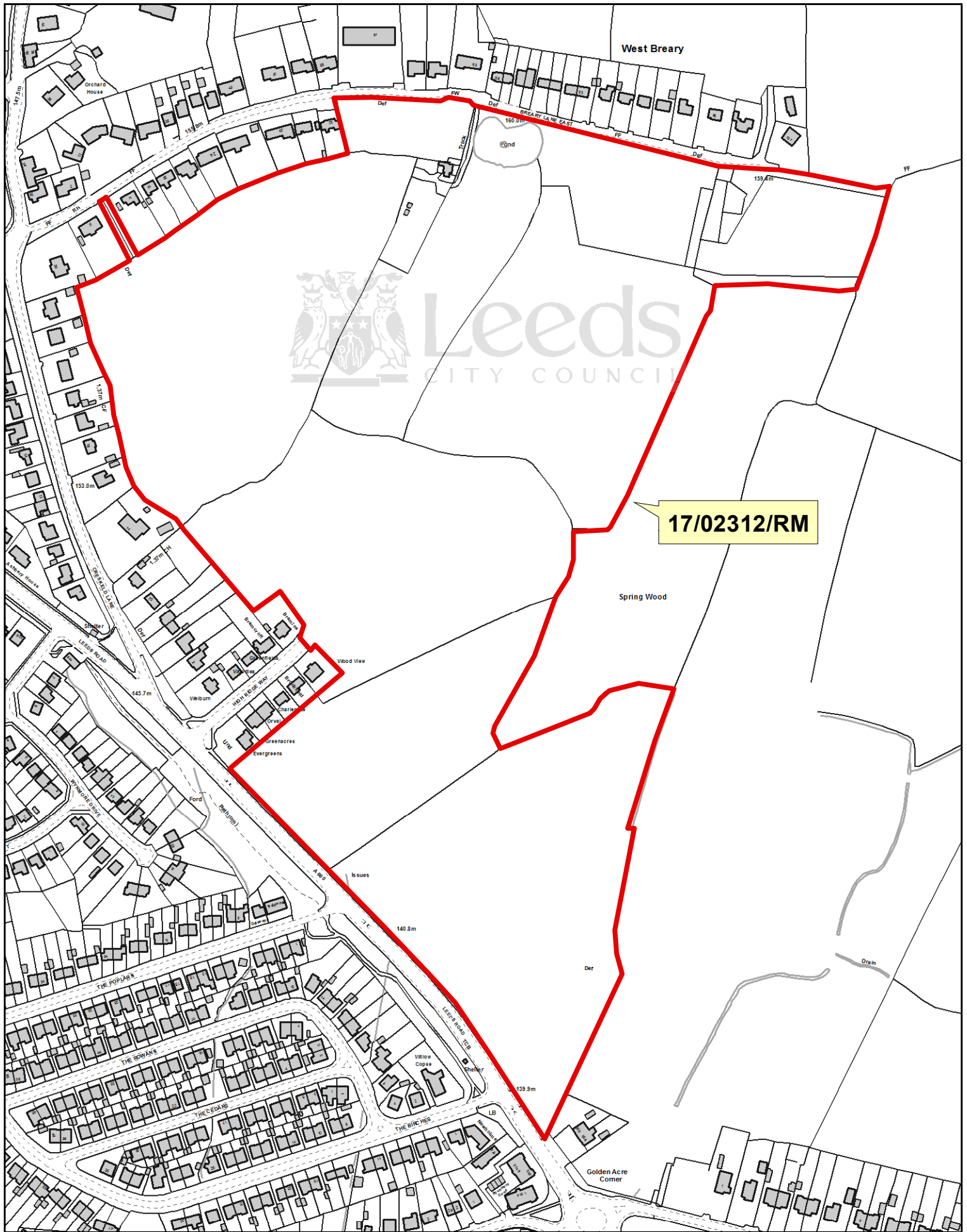
11.0 CONCLUSION

- 11.1 It is considered that this reserved matters application for residential development and a store is considered acceptable subject to some additional conditions.
- 11.2 There will not be any harm in terms of highway safety, there will be no detrimental harm to residential amenity, and the impact on trees and ecology is considered acceptable. The proposed layout and design is also considered acceptable in this location close to Bramhope Conservation Area, green belt and the ancient woodland.
- 11.3 As such and having regard to all the representations received, the proposal is considered to accord with the Development Plan and other material consideration including the NPPF referred to above and is therefore recommended for approval subject to appropriate conditions.

Background Papers:

Certificate of ownership: signed by applicant.

Planning application file.17/02312/RM



SOUTH AND WEST PLANS PANEL





Village Green

Retained views from pond to the south. Rolled stone gravel path crossing through green space and connecting the PROW path to the orchard.

Existing pond enhanced through proposed marginal planting to improve its character. Seating area provided to allow users to enjoy views.

LAP provided adjacent to proposed path with seating for supervision.

Orchard

Community orchard planting stocked with local varieties of apples, pears and damsons.

Seating available under existing mature Sycamore tree.

Walking route through orchard over rolled stone gravel and mown grass.

Boundary planting strengthened with native hedge planting to provide more privacy to adjacent residents.

Landscape buffer

5m buffer provided on ends of proposed plots to mitigate the impact of the development on the existing residents.

To be consisted of small trees where possible to screen views and a native hedge mix.

KEY

- Planning application boundary
- Proposed school site boundary
Area: 2.0ha
- Existing trees to be protected and retained during works as per arboricultural report
- Proposed standard tree planting
- Proposed specimen shrub planting
- Existing Spring Wood woodland
- Extension of Spring Wood with native woodland mix planting
- Existing vegetation to be retained and maintained
- Existing overgrown hedge to be retained and maintained through laying and gapping up
- Proposed meadow grass mix: maintained long
- Proposed amenity grass mix: maintained short
- Proposed shrub and groundcover planting
- Proposed marginal and aquatic planting
- Landscape buffer to Spring Wood edge
- Proposed hedge planting
- Proposed tarmac road
- Proposed rolled stone gravel footpath with timber edging restraint
- Existing pond
- Proposed attenuation pond
- Drystone wall to be rebuilt at back of footpath. Refer to Architect's drawings for details
- Refer to the Ecological Estate BEMP

NOTES

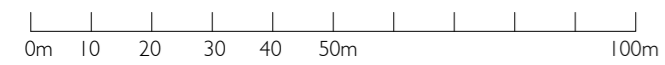
1. For plant species and specification refer to drawings 488D_03-11 & 488D_14-16 planting schedules.
2. Existing drystone wall along the Leeds Road frontage to be rebuilt at the back of the proposed footpath.

L.E.A.P.

See drawing 488D_12 for details.

SuDS

Attenuation pond and underground tank collecting surface water from the whole site.



This page is intentionally left blank



Leeds
CITY COUNCIL

Originator: Kathryn Moran

Tel: 0113 3787953

Report of the Chief Planning Officer

SOUTH AND WEST PANEL

Date: 9 November 2017

Subject: Planning Application 17/04308/RM - Reserved matters for 299 dwellings with appearance, landscaping, layout and scale at land Off Bradford Road, East Ardsley, WF3 2JA

APPLICANT

Barratt David Wilson Homes
& Ramsden Partnership

DATE VALID

30 June 2017

TARGET DATE

10 November 2017

Electoral Wards Affected:

Ardsley and Robin Hood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT APPROVAL subject to the following conditions:

1. Carry out in accordance with approved plans
2. Details and samples of materials
3. Revoking Class A permitted development rights
4. Landscape Management Plan
5. Primary School Access to be derived to and from the connector road 43-80m from the junction with Bradford Road
6. Details of emergency access route
7. Access road bend to be 35m radius 20m from Bradford Road
8. Surfacing of roads
9. Details of Electric Vehicle Charging Points
10. Retention of garages
11. Statement of Construction Practice
12. Details of Access, storage, parking, loading of contractors equipment, materials etc.
13. Details of cycle parking

1.0 INTRODUCTION

- 1.1 This application is a Reserved Matters application to consider the outstanding matters of layout, scale, appearance and landscaping pursuant to the approval of outline planning permission (including details of access) for residential development and public open space on land off Bradford Road pursuant to planning permission 13/05423/OT. The scheme was allowed at appeal following refusal by the Council on 8 August 2014. This Inspector's decision was upheld by the Secretary of State on 22 December 2016. The appeal decision for the outline application established the principle of residential development to which this Reserved Matters application relates.
- 1.2 A reserved matters application is an application that deals with some or all of the outstanding details of the outline application proposals. As the principle of development has already been established the only matters that fall to be considered as part of this application are:
- *appearance* - aspects of a building or place which affect the way it looks, including the exterior of the development
 - *landscaping* - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen
 - *layout* - includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development
 - *scale* - includes information on the size of the development, including the height, width and length of each proposed building
- 1.3 It is brought to South and West Panel due to the scale of the site and number of dwellings proposed.

2.0 PROPOSAL

- 2.1 This application seeks Reserved Matters approval for the layout, scale, appearance and landscaping of 299 dwellings on land off Bradford Road pursuant to Condition 1 of outline permission allowed at appeal. Means of access into the site and the principle of residential development were both agreed as part of the outline scheme.
- 2.2 It is also relevant that Condition 2 states that the development permitted shall comprise no more than 299 dwellings.
- 2.3 This Reserved Matters submission proposes the construction of 299 dwellings comprising the 45 affordable dwellings and 254 market dwellings with a mix of 2, 3 and 4 bedroom dwellings.
- 2.4 The layout of the development reflects the latest plan considered at appeal stage which comprised housing development in the north of the site and 2ha of public open space (POS) to the south of the housing. The POS will include children's play equipment. The south west of the site is allocated for the future provision of a primary school.
- 2.5 The access to the site, which was accepted by the Planning Inspector, is from Bradford Road in the south west of the site. The proposed road layout includes a

vehicular loop in the western part of the site. There are also several private drives proposed serving some of dwellings. A separate emergency access is proposed from Bradford Road to the north of the approved access.

- 2.6 The proposed dwellings are two storey and a mix of detached, semi-detached and terraced properties is proposed. Each dwelling has access to private amenity space (rear gardens) and benefits from off street parking spaces to the front or side of the dwelling. Many of the dwellings also have detached or integral garages.
- 2.7 In accordance with the appeal decision, the land to the south of the site is allocated for a primary school. However, this does not form part of this Reserved Matters application and the future development of this part of the site is the responsibility of the council and Children Services.

3.0 SITE AND SURROUNDINGS

- 3.1 The application site comprises open land to the east of Bradford Road and to the south of New Lane. The site is broadly rectangular in shape and in total the application site measures 13.56ha.
- 3.2 The application site is dominated by three large arable fields, which are immediately bordered by hedgerows and field margins. Each of the fields is then separated from one another by public footpaths. The land is relatively level, however, the land slopes up towards the south eastern site boundary, towards St Michael's Church (listed building).
- 3.3 The surrounding land uses are residential to the east and south and St. Michael's Church to the south east. To the north is the unmade footpath section of New Lane, beyond which is agricultural land. To the north west of the site is the large Country Baskets store which occupies a mill building (Amblers Mill), and is also a Grade II listed building.
- 3.4 The site lies close to East Ardsley Local Centre which is located to the south of the site.

4.0 RELEVANT PLANNING HISTORY

- 4.1 An outline planning application was submitted for this site in 1975 to erect residential development. This application was refused in January 1976 (planning application reference H23/888/75).
- 4.2 13/05423/OT - An application for outline consent for means of access from Bradford Road and to erect residential development on land off Bradford Road, East Ardsley was refused at City Plans Panel on 8 August 2014. The application was refused for the following reasons:
1. The Local Planning Authority considers that the release of the site for housing development would be premature, being contrary to Policy N34 of the adopted Leeds Unitary Development Plan Review (2006) and contrary to Paragraph 85, bullet point 4 of the National Planning Policy Framework. The suitability of the site for housing needs to be comprehensively reviewed as part of the preparation of the ongoing Site Allocations Plan. The location and/or size of the site means that the proposal does not fulfil the exceptional criteria set out in the interim housing delivery policy approved by Leeds City Council's Executive Board on

13th March 2013 to justify early release ahead of the comprehensive assessment of safeguarded land being undertaken in the Site Allocations Plan. Furthermore, the ongoing Site Allocations Plan identifies other potential sites which are directly related and share a boundary with the application site which if allocated will need to be comprehensively planned, including any infrastructure requirements, which may be prejudiced if not considered together, with reference to Policies GP5, T2, Street Design Guide SPD and Neighbourhoods for Living.

2. The proposal is contrary to the Core Strategy which seeks to concentrate the majority of new development within and adjacent to the main urban areas and major settlements. The Site Allocations Plan is the right vehicle to consider the scale and location of new development and supporting infrastructure which should take place in East Ardsley which is consistent with its size, function and sustainability credentials. Furthermore, the Core Strategy states that the "priority for identifying land for development will be previously developed land, other infill and key locations identified as sustainable extensions" which have not yet been established through the Site Allocations Plan, and the Core Strategy recognises the key role of new and existing infrastructure in delivering future development which has not yet been established through the Site Allocations Plan e.g. doctors surgeries, schools, roads. As such the proposal is contrary to Core Strategy Policy SP1.
3. The Local Planning Authority considers that the applicant has so far failed to demonstrate that the local highway infrastructure is capable of safely accommodating the proposed access and absorbing the additional pressures placed on it by the increase in traffic, cycle and pedestrian movements which will be brought about by the proposed development. The applicant has also failed to show that the proposed development will not lead to issues of safety for pedestrians and cyclists or provide adequate accessibility to public transport. The proposal is therefore considered to be contrary to Policies GP5, T2, T2B and T5 of the adopted UDP Review
4. In the absence of a signed Section 106 agreement the proposed development so far fails to provide necessary contributions for the provision of affordable housing, education, Greenspace, public transport, travel planning and off site highway works contrary to policies of the Leeds Unitary Development Plan Review (2006) and related Supplementary Planning Documents and contrary to policies of the Draft Leeds Core Strategy and the National Planning Policy Framework. The Council anticipates that a Section 106 agreement covering these matters will be provided prior to any appeal Inquiry but at present reserves the right to contest these matters should the Section 106 Agreement not be completed or cover all the requirements satisfactorily.

4.4 An appeal against this decision was lodged. This appeal formed part of the conjoined appeals at Breary Lane, Bramhope and Leeds Road Collingham (the 'Ken Barton Conjoined Appeals'), which were allowed by Planning Inspector Ken Barton on 20 Sept 2016. The Secretary of State issued his decision on these conjoined appeals in December 2016 and agreed with the Inspector's conclusions that the appeals should be allowed.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 The applicant met with ward members prior to submission of the application and officers met with ward members shortly after submission of the application. Comments from members were incorporated into the scheme.
- 5.2 During the course of this application revised plans have been submitted to address officers' concerns regarding the road layout and overdevelopment of the site.
- 5.3 Officers required greater spacing between properties, larger gardens, and a reduction in the prevalence of frontage car parking and provision of defensible space for the dwellings. The previous layouts were considered to represent overdevelopment of the site.
- 5.4 The applicant has revised the proposed layout in light of officers' advice and has provided a layout which seeks to comply with the guidance in Neighbourhoods for Living SPD.

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 The application has been advertised by Site Notices (Major Development) and Neighbour Notification Letter and advertised in the Yorkshire Evening Post. The neighbour notification letters were posted out on 4th July 2017 and the site notices were posted on 20 July 2017. The press notice was printed on 19 July 2017. The publicity period expired on 11 August 2017.
- 6.2 Ward Members have also been consulted on the application and have not submitted an objection.
- 6.4 32 objections have been received from local residents raising the following concerns:
- All local primary schools full
 - Local doctors surgery has long waiting lists
 - Local Infrastructure does not have extra capacity
 - Need for sufficient public services
 - 200 houses is more appropriate
 - Scale of development is unsustainable
 - School needs to be built
 - Loss of green fields used by dog walkers
 - Turning into a busy and noisy area
 - Drainage points already installed
 - Increase in traffic
 - Up to 400 cars
 - There is sufficient brownfield to support housing need
 - The traffic survey in last application was inaccurate as bridge was closed
 - Lack of public transport services
 - A650 is busy at all times
 - Traffic survey needs to be done during term times
 - School will exacerbate traffic problems
 - Improvements should be made to bus stops
 - No details of children's play or seating areas
 - Houses are too tightly packed
 - More affordable housing needed

- Church needs additional burial space
- The new school will be oversubscribed
- Bridleway adjacent to Country Baskets should be reinforced as a green corridor
- Defensible space for children within the estate is needed
- Skylark which regularly flies over Church fields – protection of ecology
- Can the entrance be moved 100 yards to the right (south)
- Neighboring properties are not currently overlooked from rear
- Impact on privacy of garden and rear bedroom windows
- overshadowing
- Increase in noise
- Increase in odour and pollution if each dwellings has at least one car
- Long term blight during construction period
- Lack of consultation
- Separation distances do not meet standards
- Height of land of application site higher than the properties in this street
- Tree cover is sparse in winter months, allow light in winter
- Overshadowing and loss of light to habitable rooms at ground floor level of properties in Forsythia Avenue
- Insufficient spacing between proposed houses
- Flood risk and impact on neighbours
- New houses will tower over this property
- Buffer zone of 50 yards to maintain privacy

7.0 CONSULTATION RESPONSES

- 7.1. Historic England: No objection
- 7.2 Environment Agency: No objection
- 7.3 Natural England: No comments
- 7.4 Yorkshire Water: No objection
- 7.5 Highways: No objection
- 7.6 Flood Risk Management: Details of drainage is to be dealt with under Condition 9.
- 7.7 Conservation No objection
- 7.8 Nature Team: Further information required [Ecology will be dealt with under condition 12 of the Outline Permission]
- 7.9 West Yorkshire Police: No objection
- 7.10 Travel Wise: Travel Plan is to be agreed
- 7.11 Landscape Team: No objection subject to conditions
- 7.12 Parks and Countryside: Request to be involved in the layout of the Public Open Space which is to be agreed via condition 15 of the Outline Permission.

7.13 Public Rights of Way: Objection regarding the claimed bridleway running through the site.

8.0 PLANNING POLICIES

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

8.2 The site is identified on the Local Plan Policies Map as a Protected Area of Search.

Adopted Core Strategy

8.3 The following Core Strategy policies are considered most relevant:

Policy H3: Residential Density
Policy H4: Housing Mix
Policy G4: On-site Greenspace
Policy P10: Design
Policy P11: Conservation
Policy P12: Landscape
Policy T2: Accessibility

Saved Policies - Leeds UDP (2006)

8.4 The following saved policies within the UDP are considered most relevant to the determination of this application:

GP5: Development Proposals should resolve detailed planning considerations.
BD5 – Amenity
N14 – Listed Buildings
N17 – Listed Buildings
N24: Transition Planting
LD1: Landscaping

Submission Draft Site Allocations Plan (SAP)

8.5 The site is allocated in the Draft Site Allocations Plan as a site which has existing planning permission for residential development (HG1-387). The site is proposed in Phase 1 for release.

Relevant supplementary guidance:

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

- Neighbourhoods for Living SPG

- Street Design Guide
- Parking Standards

National Planning Policy Framework (NPPF)

- 8.7 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), published March 2014 replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.
- 8.8 The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.9 The National Planning Policy Framework (NPPF) gives a presumption in favour of sustainable development and has a strong emphasis on achieving high quality design. Of particular relevance, the national planning guidance attaches great importance to the design of the built environment and view this as being indivisible from good planning (para.56, NPPF). The advice also seeks for development proposals to add to the overall quality of the area, create attractive and comfortable places to live and respond to local character (para.58, NPPF). In addition, advice is contained within chapter 4 (Promoting sustainable transport) that deals with sustainable transport modes and avoiding severe highway impacts; and, chapter 6 (Delivering a wide choice of high quality homes) which includes housing supply/delivery and affordable housing provision; chapter 8 (Promoting healthy communities) in relation to access to existing open/ green space; and, chapter 10 (Meeting the challenge of climate change and flooding) which includes matters of flood risk and promote renewable energy sources.

9.0 MAIN ISSUES

- 9.1 The main issues to consider in the determination of this application include the following:
- Principle of development
 - Layout, Scale and Appearance
 - Landscaping
 - Public Open Space
 - Impact upon amenity and future occupiers
 - Highways safety
 - Public Rights of Way
 - Response to representations

10.0 APPRAISAL

Principle of development

- 10.1 The application seeks Reserved Matters approval to consider the outstanding matters of layout, scale, appearance and landscaping in relation to the approval of

outline planning permission for residential development on land of Bradford Road, East Ardsley pursuant to Condition 1 of 13/05423/OT, allowed at appeal, for up to 299 dwellings.

- 10.2 The principle of residential development has very clearly been established by the appeal decision which also approved the means of access for the development. This application proposes the delivery of 299 dwellings and public open space within the same red line boundary as the outline planning permission and utilising the same access point approved by the Inspector at outline stage. It is therefore considered that the principle of development has already been accepted and no further assessment of policy is necessary in this regard. Accordingly, this report is focused solely on matters of layout, scale, appearance and landscaping of the site. Matters of housing density and housing mix have also been considered.
- 10.3 Core Strategy Policy H3 establishes minimum density standards. In this instance, the site to be developed for housing has an area of 8.8 hectares (it excludes the POS and land allocated for the school). To accord with Policy H3, it should achieve a minimum requirement of 30 units per hectare in smaller settlements. This scheme proposes 299 dwellings, which equates to 29 dwellings per hectare across the site taking into account that the Council's minimum amenity distances have also been incorporated into the layout, the proposed density is considered sufficiently appropriate to comply with Policy H3.
- 10.4 With regards to housing mix, Core Strategy Policy H4 advises that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term, taking account of the nature of the development and character of the location. In terms of guidance, Policy H4 recommends that houses constitute a minimum of 50% and a maximum of 90% of the units and apartments provide a minimum of 10% of units and a maximum of 50%. In terms of dwelling size, Policy H4 provides guidance on the preferred housing mix (as set out in the table below) but also states that 2 bedroom units should comprise a minimum of 30% and a maximum of 80%, 3 bedroom units should comprise a minimum of 20% and a maximum of 70% and 4 bedroom (+) houses should not exceed the maximum of 50% of the total housing mix.
- 10.5 The proposed housing mix is as follows:

Type	No. of Units	H4 Target %	Proposed %
Houses	299	75	100
Flats	0	25	0
1 Bed	0	10	0
2 Bed	38	50	13
3 Bed	137	30	46
4 Bed	124	10	41

- 10.6 The proposed housing mix falls short of the Council's preferred housing mix. The applicant is not proposing any flats on the basis that houses are more appropriate within the character or the local area and the local housing market. The provision of flats would also increase the storey heights to some of the properties which would have a visual impact on the scheme.
- 10.7 The provision of two bedroom dwellings does not comply with the Council's preferred target of 50% of the scheme. The proportion of 4 bed dwellings also

exceeds the Council's target of 10%. The Council's 2010 Strategic Housing Market Assessment (SHMA) published in 2012 recognised that the south-west sub-area, within which this site is located, was the third highest area of housing need in the City with the highest demand across the City being 2 and 3 bedroom properties. So, whilst this development is not meeting the required proportion of 2 bedroom homes, it is addressing the demand for 3 bedroom dwellings. The proportion of 4 bed dwellings does not exceed the maximum percentage of 50% as set out in H4. On the basis that Policy H4 sets out only a preferred mix, it is considered that overall the proposed housing mix is acceptable and that a refusal with regard to Policy H4 could not be sustained.

- 10.8 Affordable housing provision for this site is to be secured by the Unilateral Undertaking in accordance with Core Strategy Policy H5, which requires the provision of 15% in this area, equivalent to 45 units. These 45 units have been indicated on the layout plan and whilst they are not individually pepper-potted throughout the site, their provision is distributed in groups across the site (which will assist the Registered Social Provider in terms of management) and comprising a mix of 2 and 3 bed dwellings. This provision of affordable housing is therefore considered acceptable in principle in accordance with Policy H5.

Layout, Scale and Appearance

- 10.9 Within the Core Strategy, Policy P10 sets out the requirement for new development that is based on a thorough contextual analysis to provide good design that is appropriate to its scale and function; that respects the scale and quality of the external spaces and wider locality and protects the visual, residential and general amenity of the area. These policies reflect guidance within the NPPF, which also highlights the importance of good design at Paragraph 56. In this context, matters of layout, scale and appearance are considered below:

- 10.10 The proposed site layout is similar to the indicative layout considered by the Planning Inspector at appeal with the POS located to the south of the housing development. The proposed layout has been subject to negotiation and several revisions of the proposed layout have been provided during the course of the application; namely to provide sufficient spacing between properties, reduce the prevalence of frontage car parking, increase the size of gardens, avoid overlooking and provide defensible space. The previous layouts were considered to represent overdevelopment of the site.

- 10.11 In terms of standards for site layouts, the Council's SPG Neighbourhoods for Living: A Guide for Residential Design in Leeds recommends a number of key distances between dwellings to ensure privacy between existing and proposed houses, which has an impact on layout. The most relevant to this site are the following:

- i) Private gardens should have a minimum of two-thirds of total gross floor area of the dwelling (excluding vehicular provision);
- ii) A minimum of 10.5 metres between main ground floor windows (living room/dining room) to the boundary;
- iii) A minimum of 7.5 metres between a secondary window (ground floor kitchen/bedroom) to the boundary;
- iv) A minimum of 4 metres from a ground floor main window or secondary window to a highway
- v) A minimum of 12 metres from a main ground floor window (living room/dining room) to a side elevation;

- vi) A minimum of 2.5 metres between a side elevation and the boundary.
- 10.12 In this case, the application has been revised to address the guidance above such that the following is noted:
- i) The dwellings have rear gardens which meet or exceed the minimum requirement of two-thirds of the total gross floor area of the dwelling.
 - ii) The majority of dwellings achieve 10.5 metres between the main ground floor windows to the boundary
 - iii) The majority of dwellings achieve a minimum of 7.5m between the secondary windows to the boundary.
 - iv) The majority of properties achieve a set back from the highway of 4m. There are some dwellings which are located 2m from the back of the pavement. However defensible space between the dwellings and the pavement would still be maintained.
 - v) The majority of dwellings achieve 12m from the main ground floor windows to a side elevation
 - vi) The majority of dwellings achieve 3-4m in between the side elevations of the dwellings.
- 10.13 The dwellings which share a rear boundary maintain a separation distance of a minimum of 20m between rear ground floor windows. It is considered that the separation distance is sufficient to ensure the privacy of future residents is safeguarded.
- 10.14 Overall it is concluded that the revised layout is sufficiently compliant with the guidance set out within the Council's Neighbourhoods for Living document to ensure privacy and amenity between existing and proposed dwellings and in this regard, the layout is therefore considered acceptable.
- 10.15 The prevailing character in this area is two storey residential properties, predominantly terraced or semi-detached with regular spacing in between properties. All dwellings are two storey and therefore the scale of the proposed development is appropriate within its context. The dwellings on the prominent corners plots are double fronted so no dead frontages will be created. The design and appearance of the dwellings is considered compatible with the local area and therefore acceptable. Details and samples of materials will be required by condition. A condition revoking Class A permitted development rights to ensure appropriate spacing between dwellings is maintained. This is in accordance with the NPPF.

Landscaping

- 10.16 Policy P12 of the Core Strategy advises that the character, quality and bio-diversity of Leeds' townscapes and landscapes will be conserved and enhanced whilst saved Policy LD1 of the UDP seeks to ensure the submission of high quality landscape. UDP policy N24 requires a positive transition between the development and the surrounding open space. A 10m buffer zone is required along the northern and eastern boundaries.
- 10.17 Condition 1 of the outline permission requires details of landscaping to be provided as reserved matters. A landscaping masterplan has been provided as part of this application. It is considered that the opportunities for soft landscaping have been maximised and includes the provision of trees, shrubs and grass verges along the

street and semi mature trees surrounding the POS to the south. Along the north and east boundaries and part of the western site boundary, planting is proposed.

- 10.18 Condition 16 of the outline permission requires submission of details of the landscaped buffer zone on the northern boundary. The proposed landscape masterplan does show the planting buffer along the northern site boundary varies in width from 2.5m at the most narrow to 15m. Whilst the minimum width of 10m is not maintained for the length of the boundary, it is considered the proposed boundary is acceptable in this location and provides a positive transition landscaping plan is considered acceptable in accordance with Policy N24 of the UDP. A landscape management condition is recommended to ensyre

Open Space Provision

- 10.19 Policy G4 advises that on site provision of green space of 80 square metres per dwelling on development sites of 10 or more dwellings will be required for those sites in excess of 720 metres from a community park and for those sites located in an area deficient of open space (such as this site). Accordingly, to comply with Core Strategy G4, a development of 299 dwellings would require the provision of 2 hectares of on-site greenspace.
- 10.20 This application delivers 2 hectares of open space and it is therefore compliant with Core Strategy Policy G4. The POS is located to the south of the housing development, in line with the Outline consent and is accessible for both future residents of the development and existing local residents. LEAP children's play equipment is proposed in the south west corner of the POS which is welcomed. A detailed layout of the POS is required under Condition 15 of the Outline Permission..

Amenity of existing and future occupiers.

- 10.21 Paragraph 17 of the NPPF places an emphasis on seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and building. Policy GP5 of the UDP advises that development proposals should resolve detailed planning considerations including seeking to avoid problems of loss of amenity. Furthermore, Policy BD5 advises that all new buildings should be designed with consideration given to both their own amenity and that of their surroundings. This should include usable space, privacy and satisfactory penetration of daylight and sunlight.
- 10.22 As noted in the layout section above, the proposed scheme does sufficiently meet the minimum standards recommended within the Neighbourhoods for Living document such that it will not be detrimental to the amenity of both future and existing residents by virtue of lack of amenity and over-bearing to the boundaries of the adjoining existing dwellings. The Reserved Matters submission is therefore considered to accord with Policy GP5 and BD5 of the UDP and guidance within the NPPF and the Council's Neighbourhoods for Living document SPG.
- 10.23 Consideration has been given to the Government's Technical Housing Standards – 'Nationally Described Space Standard' deals with internal space within new dwellings and is defined as being suitable across all tenures. These standards cannot be given any weight in the decision at this stage on the basis that the standards have not yet been adopted as part of the local plan process and they must still be subject to public consultation.

- 10.24 The proposed dwelling sizes are as follows:
- Two bedroom dwellings range from 57m² to 63m²
 - Three bedroom dwellings range from 73m² to 96m²
 - Four bedroom dwellings range from 99m² to 122m²
- 10.25 The Government's Technical Housing Standards for two storey dwellings require a minimum of 70m² for 2 bedroom dwellings, 84m² for 3 bedroom dwellings and 97m² for 4 bedroom dwellings. It is noted that all of the two bed dwellings and 82 of the 3 bed dwellings fall below the Government's standards. However the proposed dwellings are considered to provide an acceptable layout and standard of accommodation with the smallest dwellings providing bedrooms of 10m² and 8m² and living room and kitchens of 23m². Given that the space standards are not adopted at this point in time and therefore have very limited or even no weight, it is considered that this Reserved Matters submission could not be refused for failing to comply with Nationally Described Space Standards at this time.
- 10.26 The proposed development has been assessed in terms of the impact on existing neighbouring properties. A sufficient gap between the new dwellings and existing dwellings to the west along Bradford Road, and to the south is maintained. It is therefore considered there would be no impact on the amenity of these properties in terms of privacy, outlook and daylight and sunlight.
- 10.27 Objections have been received from properties to the east of the development including properties in Forsythia Avenue raising concerns over the distance from the rear boundary of these properties and the potential impact on their privacy and daylight and sunlight, particularly given the dense spacing between the properties.
- 10.28 The proposed dwellings, namely plots 83-85 are located 10.5m from the rear boundary with the properties to the east. At the closest point Plots 83 and 84 are located 18m from the rear windows of No. 86 Forsythia Avenue. The applicant has provided cross sections showing the existing and proposed ground levels at plots 73, 76, 82 and 84 in relation to the existing properties to the east, namely The Bauhaus and No. 102 New Lane and 86 and 88 Forsythia Avenue. The cross sections show the existing and proposed ground levels in these locations. Although the ground level is to be slightly raised at No. 73, it will sit below the Bauhaus with a separation distance of 31m. The ground level is to be lowered at plots 83 and 85. The proposed dwellings will sit level or slightly higher than the existing dwellings. However, given the separation distance it is not considered the proposed dwellings will result in loss of light, overshadowing or over dominance. A 1.8m high boundary fence and planting along the boundary will prevent overlooking from ground floor windows. The separation distance between first floor secondary windows and neighbours' ground floor windows (18m at the closest) complies with the guidance set out in the SPD Neighbourhoods for Living which requires 17.5m to be maintained. Furthermore, following revisions to the layout, gaps of approximately 3m are maintained between dwellings in plots 83-85, rather than 1.5-2m as originally proposed. This further reduces the impact of the development on neighbours.

Highways safety and accessibility

- 10.29 Core Strategy Policy T2 advises that new development should be served adequately by existing and programmed highways and will not create or materially add to problems of safety, environment or efficiency on the highway network. The NPPF

notes that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 10.30 As part of the outline consent the provision of a single access from Bradford Road was approved. The proposed layout for consideration under the reserved matters application is in accordance with the approved outline scheme which allowed the provision of this access for up to 299 dwellings and a future primary school.
- 10.31 The internal road layout has been subject to significant negotiation at pre-application stage and during the course of the application. The internal road leading from the site access to the housing development has been revised to provide a smoother bend rather than a 90 degree angle, although further details of this are required by condition to ensure it complies with the Street Design Guide. The access road is 6.5m in width, reducing to 5.5m in width on entry to the estate. The internal routes within the housing development are generally 5.5m in width with pavements approximately 2m in width. The internal road layout generally complies with guidance in the Council's Street Design Guide.' Several dwellings would be accessed via private driveways. An emergency access road is also proposed running from Bradford Road to the south of the south western property (Glyngarth). Details of this emergency access including the gate to prevent unauthorised access and connection to the public highway are required by condition. The internal roads are to be built to adoptable standards and offered for adoption under Section 38 of the Highways Act at a 20mph design speed.
- 10.32 The future provision of the primary school, whilst not part of this application, has been considered, given that the housing and school will utilise a single access point from Bradford Road. It is considered that any parking and drop off/pick up and waiting for the school should be wholly contained within the allocated part of the site. Discussions have taken place with highways and education officers to establish that this will be feasible, although the layout is to be designed and agreed as part of the future school application. The applicant has also confirmed that future residents of the dwellings will be made aware of the plans for the primary school in the marketing information. Highways officers have requested a condition to ensure means of access and egress from the school site shall be provided from the proposed access route between 43m and 80m from its junction with Bradford Road.
- 10.33 The proposed layout provides sufficient parking for each dwellings either curtilage parking and in many cases a detached or integral garage. Electric charging points are also provided for each dwelling. There is one parking court proposed to serve plots 231 -234. Visitor parking bays are also proposed across the site. No details of cycle parking are provided. It is anticipated the larger garages are sufficient in size to accommodate cycle parking. Nevertheless details are required and should be provided in accordance with Parking SPD. A draft Travel Plan has been submitted. A final Travel Plan is still required for approval as part of the Unilateral Undertaking for the Outline application. The proposed layout is considered acceptable in highways terms subject to conditions.

Public Rights of Way

- 10.34 There are two PROWs running through the site; Morley footpath 75 which runs north to south and Morley Footpath 112 which runs east to west. A definitive bridleway is located along the northern boundary of the site.

- 10.35 PROW officers have stated that footpath 75 will be affected by the development and the provision of the new estate road. Therefore a Public Footpath Diversion is required. The applicant has confirmed that they will be submitting an application to divert this PROW. The applicant has also removed a structure previously proposed to prevent motorcyclists from gaining access to the site. Therefore the PROW from New Lane to the north is maintained open to pedestrians.
- 10.36 PROW officers have also advised that a Definitive Map Modification Order Application was received in September 2017 to upgrade Footpaths 75 and 112 from public footpath to public bridleway. Local residents claim that the bridleway has been used for horse riding since 1975. PROW officers have a duty to investigate the bridleway claim and have objected to the application on the basis that the public may have acquired bridleway access over the two footpaths. PROW officers require the footpaths are dedicated as a public bridleway, resurfaced and provided at a width of 3m. The applicant disputes that this bridleway has existed and oppose the introduction of a bridleway through the housing estate which would threaten the enjoyment and safety of children and pedestrians using the site and residents of the houses.
- 10.37 The bridleway claim is assessed under the Wildlife and Countryside Act 1982: Section 53. As the application for a Definitive Map Modification Order has not yet been approved it cannot be afforded material weight at this stage. Therefore it is not considered reasonable to refuse this Reserved Matters application on this basis.

Response to representations

- 10.38 Many of the objections relate to the principle of the housing development and the implications of a large scale housing scheme in a small settlement i.e. capacity of existing infrastructure and public services (schools and doctors) and traffic. Local residents have also objected to the loss of the green space. However, given the site has outline consent for up to 299 dwellings this application could not be refused on these grounds.
- 10.39 Objections have also been received regarding the proposed layout of the development. Concerns have been raised on the grounds that houses are too tightly packed, no children's play space is proposed, the impact on amenity of existing residents in terms of overlooking, daylight and sunlight and flooding. Objections also relate to the number of dwellings proposed. Most of these matters have been addressed in the report. Flood risk and drainage matters are to be dealt with under a Condition 9 of the Outline Permission. The application has been revised to provide greater spacing between dwellings and now includes a children's play area. The Inspector allowed the provision of up to 299 dwellings and therefore, subject to an acceptable layout, the number of dwellings could not be resisted.

11.0 CONCLUSION

- 11.1 The application considers the Reserved Matters of appearance, scale, layout and landscaping pursuant to Condition 1 of outline planning approval 13/05423/OT for the residential development of the land. The principle of residential development and means of access was established by the outline planning approval.
- 11.2 The scale, layout and appearance of the revised scheme is considered appropriate to the site's scale and function. It is considered to respect the scale and quality of the external spaces and wider locality and to also protect the visual, residential and

general amenity of the area in accordance with Policy P10 of the Core Strategy, guidance within the Council's Neighbourhoods for Living SPG and guidance within the NPPF. The landscape scheme is also considered generally acceptable in accordance with Core Strategy P12 and UDP Policy LD1 and N24.

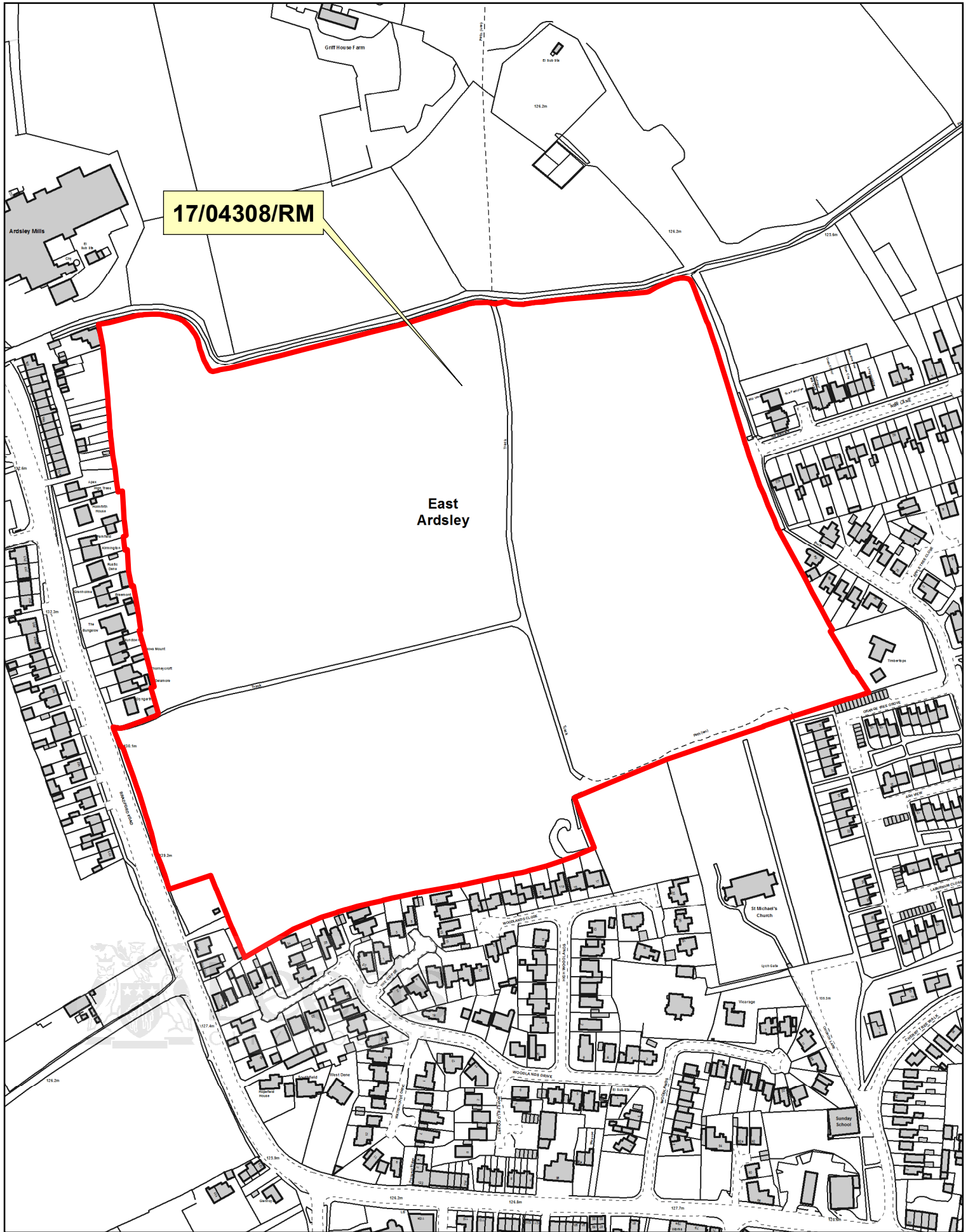
- 11.3 Accordingly the Reserved Matters submission in relation to appearance, scale, layout and landscaping submitted as part of this application is considered to comply with up-to-date policies within the Development Plan such that the application is recommended for approval subject to conditions.

Background Papers:

Planning application file: 17/04308/RM

Certificate of Ownership: Signed by applicant

Appeal Decision dated 20 December 2016.



SOUTH AND WEST PLANS PANEL





- PLANNING LAYOUT LAYERS KEY:**
- 1800mm BRICK WALL
 - 1800mm BRICK WALL & FENCE
 - 1800mm TIMBER FENCE
 - 1200mm PROPERTY DIVISION
 - 900mm - 200mm METAL RAILINGS
 - SITE BOUNDARY
 - PILLARS
 - GATE
 - BIN COLLECTION POINT
 - AFFORDABLE
 - BLOCK PAVING
 - ELECTRIC CHARGING POINTS
 - 'A' BARRIER (DETAILS TO BE SPECIFIED)

- PLANNING LAYOUT AREAS:**
- GROSS AREA = 13.56 hectares / 33.52 Acres
 - NETT AREA = 8.8 hectares / 21.75 Acres
 - USABLE POS AREA = 2.00 Hectares / 4.96 Acres
 - LANDSCAPE BUFFER AREA = 0.25 Hectares / 0.62 Acres
 - SINGLE SIDED ROAD = 0.089 Hectares / 0.22 Acres
 - TOTAL HIT SOFT = 290778 sqft
 - COVERAGE = 13369 sqft per Acre

AFFORDABLE HOUSE TYPES:

HOUSETYPE	BED	NO.
67 (End 614 sqft Mid 615 sqft) 2 STOREY SEMI/TERRACE	2 BED	29 No.
69 (787 sqft) 2 STOREY SEMI/TERRACE	3 BED	16 No.
TOTAL NO.	45 UNITS	

OPEN MARKET HOUSE TYPES:

HOUSETYPE	BED	NO.
ROSEBERRY (679 sqft) 2 STOREY SEMI/TERRACE	2 BED	9 No.
MAIDSTONE (830 sqft) 2 STOREY SEMI DETACHED	3 BED	58 No.
MAIDSTONE (830 sqft) 2 STOREY DETACHED	3 BED	8 No.
DERWENT (920 sqft) 2 STOREY DETACHED	3 BED	33 No.
ENNERDALE (916 sqft) 2 STOREY DETACHED	3 BED	11 No.
ENNERDALE (916 sqft) 2 STOREY SEMI DETACHED	3 BED	2 No.
CHESTER (1032 sqft) 2 STOREY DETACHED	3 BED	9 No.
KINGSLEY (1079 sqft) 2 STOREY DETACHED	4 BED	23 No.
WINDERMERE (1074 sqft) 2 STOREY DETACHED	4 BED	19 No.
GLOUCESTER (1067 sqft) 2 STOREY DETACHED	4 BED	10 No.
HALTON (1268 sqft) 2 STOREY DETACHED	4 BED	17 No.
RADLEIGH (1317 sqft) 2 STOREY DETACHED	4 BED	32 No.
ALDERNEY (1225 sqft) 2 STOREY DETACHED	4 BED	23 No.
TOTAL NO.	299 UNITS	

REV	DATE	DESCRIPTION	BY	CHECK
E	27.10.17	TURNING HEADS UPDATED.	EW	LM
D	24.10.17	SCHOOL AREA AND POS AREA UPDATED IN LINE WITH SCHOOL ACCESS DESIGN.	EW	LM
C	10.10.17	WHOLE LAYOUT HAS BEEN ALTERED IN LINE WITH PLANNING AND HIGHWAYS COMMENTS.	EW	LM
B	10.09.17	THE WHOLE LAYOUT HAS BEEN ALTERED TO PROVIDE A MINIMUM OF 2m BETWEEN ALL DWELLINGS.	RAN	JRP
A	23.08.17	PLANNING AND/OR HIGHWAYS COMMENTS. TRAFFIC CALMING MEASURES UPDATED IN LINE WITH HIGHWAYS COMMENTS.	EW	LM

Client: BARRATT LEEDS

Project: PROPOSED RESIDENTIAL DEVELOPMENT BRADFORD ROAD, EAST ARDSLEY

Drawing: PROPOSED SITE LAYOUT

Drawing Number: P12:4567:01 - E

Scale: @ A4: 1:500

Drawn: ENDSOHN

Checked: EW/LM

Date: JUN 17

14 MARINER COURT / CALDER PARK / WAKEFIELD / WF4 3FL
 01924 383322 / www.jpasoc.co.uk / info@jpasoc.co.uk

01 / PROPOSED SITE LAYOUT



Originator: Carol Cunningham

Tel: 0113 378 7964

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 9th November 2017

Subject: Application number 17/03692/FU – Demolition of existing extensions, shed and garages at Low Wood and Four Gables and erection of 8 new dwellings with associated landscaping and parking at Clarence Road, Horsforth, LS18 4LB

APPLICANT

Barnardo's

DATE VALID

7th June 2017

TARGET DATE

8th September 2017

Electoral Wards Affected:

Horsforth

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Time limit on full permission
2. Development in line with approved plans
3. Samples of walling and roofing materials to be submitted
4. Stone panel to be erected on site
5. Samples of surfacing materials to be submitted
6. Feasibility study into use of infiltration drainage to be submitted
7. Details of surface water drainage to be submitted
8. Means of vehicular access to and from the site shall be shown on the approved plans
9. Details of proposed sight lines shall be submitted for approval
10. Details for proposed method of closing off and making good all redundant accesses
11. Details of cycle/motorcycling parking
12. Retention of garages
13. Condition survey of Clarence Road to be submitted
14. Provision for contractor during construction
15. Vehicles spaces to be laid out

16. Details of proposed Traffic Regulation Order to be submitted including the adopted section of Clarence Road and the provision of a new turning head
17. Formal closure of existing adopted turning space in front of Four Gables to be obtained
18. Submission and implementation of landscaping
19. Arboricultural method statement
20. Landscape management plan
21. Protection of existing trees/hedges/bushes during construction
22. Preservation of retained trees/hedges/bushes
23. Provision for replacement trees/hedges/bushes
24. Details of any proposed asbestos removal to be submitted
25. Fencing and walling to be provided in line with approved plans
26. Details of proposed construction hours to be submitted
27. Details to prevent noise, dust and odour to be submitted
28. No site clearance of vegetation during bird nesting season of March to September without bird nesting survey
29. New windows on Four Gables to be obscured glazed

1.0 INTRODUCTION

1.1 In November 2016 Plans Panel approved a residential development which involves conversion of existing office buildings to flats and new houses to form a total of 22 units subject to a section 106 agreement for affordable housing, provision and maintenance of greenspace and contribution to a bus stop at this site. The planning application number for this development is 15/07633/FU. This section 106 agreement is still not complete and is on hold until this new planning application has been determined. This planning application is to demolish extensions to the main office buildings and erect 8 new houses. The application is brought to Panel due to the fact that it made the decision on the previous scheme.

1.2 Consideration of this application was deferred at the Plans Panel on 5th October 2017 to seek clarification from the applicant over their intentions for the future use of the office buildings. In reply the applicant has set out the following:

As we understand it the scheme is policy compliant as submitted and thus there is no basis for planning gain. Accordingly any unilateral undertaking will be outside the requirements of the planning system and thus we are advised that it may be construed by the Charity Commission as contrary to the provisions of the Charities Act and perhaps even the Bribery Act. Our Counsel do not recommend that we engage in any discussion that might prejudice the wider operation or reputation of our organisation and thus we should request that the scheme proceeds to committee at the next opportunity. I would like to represent Barnardo's at the meeting to explain both our position and how beneficial the proceeds of the scheme will be for children and young people.

1.3 Accordingly, the applicant has requested that the application be determined on the basis of the submitted scheme.

2.0 PROPOSAL:

2.1 As explained above Panel has approved a scheme for conversion and new build at this site. There are two existing buildings on the site known as 'Four Gables' and 'Low Wood' and were until recently used as offices and are now vacant. The previous application involved conversion of these two buildings to form 12

apartments. The application also involved the demolition of a large extension attached to Four Gables and the demolition of an annex attached to Low Wood. There was also demolition of an existing garage close to Low Wood and a garage and shed behind Four Gables. The previous scheme had a new build element which was an annex to Low Wood to create 3 apartments and 7 new houses in the grounds of both buildings.

- 2.2 This application now involves 7 new houses within the grounds of both buildings which are in the same position and of the same design as the previous scheme which Panel approved. This involved 1 four bedroom detached house plus 6 four bedroom semi-detached houses. The proposed houses will have the car parking within the curtilage of the properties. The new houses will be constructed from stone and slate and will all be two storey. The houses will have gables to the front elevation taking on design elements from the existing buildings on the site.
- 2.3 The difference between this scheme and the previous scheme is that one detached house is proposed in the position of the previously approved annexe adjacent to Low Wood. This new house will be two storey on the elevation facing into the site and three storey to the rear. It will be 6 metres to the eaves and 8.5 metres to the apex on the front elevation and 9 metres to the eaves and 11.5 metres to the apex at the rear. The property will have four bedrooms and its design will match the other houses in terms window form, roof form and materials of stone and slate. There is a single storey flat roof part to the rear with the flat roof element being used as a sitting area. This part will have rendered walls.
- 2.4 The car parking for the offices will be the same as proposed on the previous scheme. This will be 13 car parking spaces for Four Gables and 13 car parking spaces for Low Wood.
- 2.5 There will be 8 trees that need to be removed as part of the scheme which are individually covered by a Tree Preservation Order and three groups of trees also covered by a Tree Preservation Order. These trees were also approved for removal as part of the previous approval.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located at the end of Clarence Road, there are two large buildings on site along with tennis courts, landscaping and trees. Four Gables which was recently in office use but is now vacant is a 3 storey building. The building is constructed from stone and render and has small dormers in the roof space. It has two gables to the front elevation and takes the form of a detached villa. There is a three storey flat roofed extension to the side which will be demolished as part of the scheme. The current car park for this building is located to the east between this building and number 24 Clarence Road. The other building currently on the site is Low Wood which was also used for offices until recently. This building also takes the form of a villa and is 3 storey. This building has a part single storey and part two storey building to the side which will be demolished as part of this scheme. This building has car parking to the front. To the rear of this building is an extensive garden area which is covered in trees.
- 3.2 Both Four Gables and Low Wood were constructed between 1851 and 1908 with the modern extensions subsequently added to the buildings. Both buildings are positive structures within the Newlay Conservation Area.

3.3 At this lower end of Clarence Road there are a few large residential houses with substantial grounds. Closer to New Road Side the properties are cottages and semi-detached houses all facing onto Clarence Road. The Froebelian school is also on Clarence Road on the other side from the application site. There is a pedestrian access track beyond the application site on Clarence Road linking it to Newlay Lane. To the north of the site is Newlaithes Gardens which are semi-detached houses which have their rear gardens backing onto the application site. These houses are two storey and have a variety of extensions to the rear. The boundary treatment along here is mixed.

4.0 RELEVANT PLANNING HISTORY:

4.1 15/07633/FU – change of use of existing office building to apartments and 7 new houses to form 22 dwellings – approved by Plans Panel on 24th November 2016 and awaiting completion of s106 agreement

4.2 PREAPP/15/00451 – application to convert existing buildings and build 7 dwellings to a maximum of 22 units. Issues raised by officers included:

- principle of development
- highways and parking
- conservation area
- trees
- landscaping

5.0 HISTORY OF NEGOTIATIONS

5.1 During the processing of the application negotiations between the officers and applicant have been ongoing. These have been in relation to highway matters and revised plans have been received to cover this matter.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised by a major site notice which was posted on 7th July 2017 and expired on 28th July 2017. The application was also advertised in the Yorkshire Evening Post on 28th June 2017 which expired on 21 July 2017.

6.2 Councillor Cleasby has commented stating:- As this is an established historical conservation area that is residential in nature, there is no reason to allow a change of use to employment. Virtually all offices in the Ward are populated beyond the parking capacity of their neighbourhood. Cllr. Townsley and I have tried for years to get resident only parking in this neighbourhood. The nearby school has been a problem for years in this regard. The owners have neglected the site for some time causing concern and alarm with residents. The historical use of this site is residential. Councillor Cleasby also believes that there should be no permitted development rights attached to the offices if the dwellings are approved.

6.3 Horsforth Town Council – neither supports nor objects to the application

6.4 16 letters of objection have been received from 9 properties concerned with the following matters:

- No consultation with neighbours
- The OS base used is inaccurate and does not include existing extensions
- Overlooking
- Noise and light pollution from the car parks

- Lack of affordable housing
- Impact on existing wildlife
- Manipulation of the planning rules as the offices can be converted to flats at a later date and avoid payment of affordable housing
- No evidence that conservation officer involved in previous application
- Who will maintain the wall on the rear boundary
- Wildlife surveys now two years out of date
- Removal of trees
- Privacy from Four Gables
- Impact on security from proposed car parks on garden boundaries
- Noise pollution from offices in summer when office windows are open
- Noise pollution from offices cars/traffic
- Tree inaccurately plotted on the plan, looks like it is to be removed but it is in residents garden
- Children need to play safely in our gardens without being overlooked
- Urge a clause that the offices should never be converted into living accommodation
- The site was allocated for 5 dwellings in the issues and options plan
- No justification for a fivefold increase in houses in the SAP
- Site should be considered for older persons housing/independent living
- Policy H4 states there should be a mix of housing on sites
- Welcome removal of modern annexes
- Proposed replacement building on Low Wood not in line with conservation area
- New windows will impact on privacy
- Future management of tree on the site
- The previous application is not legally approved suggesting the obligations and the s106 requirements cannot be agreed.
- No continued demand of offices within the area.
- Previous scheme had conservation officer's objections, members were advised verbally that the conservation officer was happy with the scheme but after freedom of information request there is no evidence to back this up. Members and the planning panel were therefore misled.
- No comment from conservation officer on this current scheme
- The two units B should be reoriented to face the street scene as more appropriate for conservation area and less impact on residents to the rear
- Villas on plot 9 and 10 do not conserve or enhance the conservation area
- Overdominance and overbearing
- New unit A over 20 metres in height, 3 storey and will be unduly prominent and will overlook
- Require a condition to remove permitted development rights for conversion of offices to houses so planning permission required and affordable housing sought
- The distance between the new house and our property is inaccurate on the plan
- The new unit A is almost identical in stature to the existing property of Low Wood. To have 2 buildings side by side on such a small site is not in keeping with the Victorian era and will damage the conservation areas appearance.
- Overshadowing
- All windows facing towards Newlathes Crescent should be opaque due to inadequate distances
- New wall/fence required on the boundary to protect privacy
- Tree reports now two years old and trees have grown significantly since then
- No maintenance on the site since the applicant vacated the site
- All comments in relation to the previous application should be taken on board
- Application doesn't make clear the proposed hours of office use

6.5 Ward Members have been consulted regarding the application and so far no comments have been received

7.0 CONSULTATION RESPONSES:

7.1 Highways – No objections subject to the imposition of appropriate conditions.

7.2 Landscape team – No objections subject to the imposition of appropriate conditions.

7.3 Contaminated land – No objections subject to the imposition of appropriate conditions.

7.4 Conservation officer – The scheme will enhance the conservation area, accordingly no objections are raised.

8.0 PLANNING POLICIES:

8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires development, as a whole, to preserve or enhance the appearance or character of Conservation Areas.

Development Plan

8.3 The Development Plan for Leeds comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made neighbourhood development plan.

The application site has no specific allocations or proposals other than being in the Conservation Area.

Adopted Core Strategy

8.4 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered most relevant

Spatial Policy 6 – Housing requirement and the allocation of housing land

Spatial Policy 7 – Distribution of housing land and allocations

Policy H1 – Managed release of housing sites

Policy H2 – Housing on non-allocated sites

Policy H3 – Density of residential development

Policy H4 – Housing mix

Policy H5 – Affordable housing

Policy P10 - Design

Policy P11 – Conservation

Policy P12 – Landscape

Policy T2 - Accessibility requirements and new development

Policy G4 – New green space provision

Policy G8 – Protection of important species and habitats

Policy ID2 – Planning obligations and developer contributions.

Saved Policies - Leeds UDP (2006)

- 8.5 The following saved policies within the UDP are considered most relevant to the determination of this application:

Policy GP5 - Development Proposals should resolve detailed planning considerations

Policy N18A – Conservation areas and demolition

Policy N18B – Conservation areas and demolition

Policy N19 – New building within Conservation areas

Policy N20 – Conservation areas and retention of features

Policy T7A – Cycle parking guidelines

Policy T7B – Motor cycle parking

Policy BD2 – Design and siting of new buildings

Policy BD5- Amenity and new buildings

Policy BC7 – Development in conservation areas

Policy LD1 – Landscaping schemes

Natural Resources and Waste Local Plan (January 2013)

- 8.6 The following policies are considered relevant:

WATER 1: Water efficiency

WATER 2: Protection of water quality

WATER 6: Flood risk assessments

WATER 7: Surface water run off

LAND 1: Contaminated land

LAND 2: Development and trees

Site Allocations Plan

- 8.7 The site is allocated in the SAP as a phase 1 site under HG2-44 with a site capacity of 25 units. The site is considered suitable for older persons housing/independent living due to be located within the urban area.

Relevant supplementary guidance:

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

Neighbourhoods for Living SPG

Affordable housing

Designing for community safety – a residential guide

Public Transport Improvements and Developer Contributions

Street Design Guide

Parking

Horsforth Design Statement

Newlay Conservation Area

Horsforth Design Statement (November 2010)

Newlay Conservation Area Appraisal and Management Plan (November 2008)

Guideline Distances – Development to Trees

National Planning Policy Framework (NPPF)

- 8.9 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), introduced in March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.
- 8.10 The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.11 The NPPF confirms that at its heart is a presumption in favour of sustainable development. For decision taking, this means approving proposals that accord with the development plan without delay and where the development plan is silent, absent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted.
- 8.12 The NPPF establishes at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental of which the provision of a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations is identified as a key aspect of the social role. Within the economic role, it is also acknowledged that a strong and competitive economy can be achieved by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.
- 8.13 Paragraph 17 sets out twelve core planning principles, including to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, ensuring high quality design but also encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 8.14 Paragraph 137 relates to development within conservation areas stating that new development should preserve and enhance and make a positive contribution to the area.

9.0 MAIN ISSUES

1. Principle of development
2. Conservation area, design and massing
3. Highway safety
4. Affordable housing
5. Greenspace
6. Residential amenity
7. Trees
8. Ecology
9. Representations

10.0 APPRAISAL

Principle of development

- 10.1 The site is unallocated within the Unitary Development Plan but is identified as a phase 1 housing site within the emerging Site Allocations Plan. Members have previously accepted the principle of development for residential development on this site in November 2016 as well as much of the detail for example in relation to trees and car parking. Whilst this application must be considered on its own merits, the previous resolution of Panel should be afforded significant weight. Since that Plans Panel decision the Site Allocation Plan has been submitted for Examination in public and hearings are due to commence on 10 October 2017 and so it now carries more weight in the decision making process.
- 10.2 The site is within the Site Allocation Plan as a phase 1 site with a site capacity of 25 dwellings. Objections have been received to this proposed allocation as this is a five-fold increase on its proposed capacity set out in the issues and options document. The reason for this increase was that the site had been reassessed in light of the existing building becoming available for conversion. This application is now for 8 dwellings which is below the site capacity of 25 in the SAP. The reason for this is the fact that the 25 dwellings took into account the conversion of the two buildings on the site to residential which is no longer forms part of the proposal. The applicant is intending to market the buildings for offices which is the existing use. Without the buildings for conversion to residential the land surrounding these buildings is limited for development. The site has constraints such as trees and the conservation area and to insist on a development of larger than 8 houses would put further pressure on the trees plus the houses would not be in keeping with the characteristics of this part of the conservation area. In light of all of these matters a scheme of 8 dwellings within the curtilage of the two offices building is considered to be an acceptable proposal.
- 10.3 The Site Allocations Plan also identifies the application site as being suitable for older person's housing/independent living however it is not allocated for such. This site requirement has been added to all of the sites within the SAP which are located in the urban area. The applicant has previously submitted information as to why this site is not suitable for elderly accommodation including the site constraints such as retention of the existing building and trees whilst operators tend to seek larger sites so resident's facilities and amenity space can be provided. The site is not level so may not be suited for the needs of elderly people. The nearest bus stop is 200m away and the site topography and steep approach to the nearest bus stop do not make it an attractive route for the elderly. These reasons were previously accepted by Panel in November 2016. These reasons are still valid for this application and it is considered that if the site was to be used for elderly persons/independent living housing the conversion of the existing buildings on site would be more appropriate. The new houses proposed are family houses and not for the elderly persons/independent living market. To provide elderly persons/independent living accommodation would involve smaller properties which are not a characteristic of this part of the conservation area.
- 10.4 For all the above reasons it is considered that the principle of development on the site is still considered acceptable and is in line with emerging planning policy.

Conservation area, design and massing

- 10.5 Section 72 of the Planning (Listed Building and Conservation Areas) act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. There are two elements to the proposed scheme which need to be considered in terms of design and the impact on the conservation area. These relate to the demolition of existing buildings and the proposed new build. The demolition of the existing building has been previously approved in principle by Plans Panel and the new build for plots 2 to 8 has similarly been approved in principle by Plans Panel. Therefore the additional element of the scheme not previously considered relates to the replacement of the apartment block adjacent to Low Wood with a single house. The previously resolution of Panel carries weight in the determination of this application.
- 10.6 As background, the site is within Newlay Conservation Area and within the appraisal document the site is located within character area 1. Both Four Gables and Low Wood are identified as positive structures within this conservation area. This part of the conservation area is characterised by Victorian villa development and represents Newlay's 'historical core'. The detailing of these structures involves the following characteristics:
- Locally produced ashlar sandstone
 - Slate roofing
 - Villas of 2 and 3 stories
 - Set within expansive grounds
 - Variations on detached and semi detached
 - Decorative details
 - Gothic details are common
 - Enhanced by partial or full render

Whilst demolition of the existing building and some of the new build have previously been accepted by Panel the basis for these decisions is set out for Members further information.

i) Demolition of existing buildings.

- 10.7 Panel have previously approved the demolition of the existing buildings in November 2016. This decision related to a three storey flat roof extension attached to Four Gables. This is a later addition to the building and its design detracts from the design of the main building. Its removal will improve the visual amenity of this building and will have a positive enhancing impact on the conservation area.
- 10.8 The second building to be demolished is a building attached to Low Wood. The building is single storey to the front and two storey to the rear. Its design and appearance does not match the main building and its removal will also have a positive enhancing impact on the conservation area. There are also two garages and a shed which need to be removed to facilitate development of the site. These buildings have no merit in the conservation area and their loss will enhance the visual amenity of the conservation area and complies with s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as the NPPF.
- 10.9 Overall the demolition of all these structures is considered acceptable.

ii) New build

- 10.10 The previous Panel resolution related to one detached house and 6 semi-detached houses. This was based on the following details. The proposed detached house has

a single gable to the front and matches the existing gables on Four Gables property which is adjacent. The property will be two storey in height and will be traditional in appearance using materials which match the surrounding area. Its appearance in design terms is also as a villa and blends into the existing street scene.

- 10.11 The semi-detached houses design appear as one villa property which matches the characteristics within the conservation area described above. They have gables and bay windows to the front which match the gables on 'Four Gables'.
- 10.12 All of the new proposed properties stand within their own grounds and are separated from the other properties by trees or gardens. The layout is characteristic of the surrounding conservation area which consists of villa properties and is a characteristic mentioned with the Newlay Conservation Area Appraisal. Whilst the properties themselves and gardens are not to the same scale as the existing villas and gardens in the conservation area they are in similar proportions to one another and appear as a scaled down version of the existing area.
- 10.13 Objections have been received that plots 2 and 3 are not in keeping with the conservation area as they do not have their main frontage onto Clarence Road and have a side gable onto the street scene which is generally not a feature in the conservation area. This is generally the case although there are other examples of side gables onto the street scene including number 22 and 24 Clarence Road located close to the site. The side gable will generally be hidden from view by existing and proposed trees on this section of Clarence Road. If the property was turned round these trees could be under threat as the houses would not have sufficient light and outlook from their front rooms. By having a side gable this mitigates this concern. Also the rear windows would overlook properties on Newlathes Gardens where-as there are no such overlooking issues from a side gable.
- 10.14 The materials for the development include natural split faced stone with natural stone ashlar window surrounds with slate roofing tiles. The windows will be white UPVC heritage vertical sliding sash conservation windows. These materials are considered acceptable for the proposed location within the conservation area.
- 10.15 As well as these 7 houses which were approved in November 2016 the difference between the previous scheme and this current planning application involves the replacement of an apartment block with a single house. This house will be of similar proportions to the apartment block that was approved. It will incorporate design features off the other proposed houses with materials to match. It will also appear as a villa within its own grounds which is a feature of this part of the conservation area. To the rear there is a modern flat roofed extension which is generally not a design feature of this part of the conservation area. However, it is located to the rear of the property and will not be generally visible in the conservation area and so is considered acceptable.
- 10.16 There are two car parking courts proposed for the existing offices which in visual amenity terms are not ideal. However these are set back from the street scene and existing and proposed trees will generally shield these car parks from views in the conservation area so are acceptable. These car parks were also approved in principle in the previous decision from November 2016.
- 10.17 Overall it is considered that the new build is in line with the characteristics of the existing conservation area and therefore the development is acceptable as it both preserves and enhances the appearance and character of the conservation area

and thus complies with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as the NPPF. It also complies with policies P10 and P12 of the Core Strategy.

Highways

- 10.18 The offices will be reduced in size due to the extensions that will be demolished so the traffic generated by the office use will be reduced. The introduction of 8 new houses along with the reduced office floorspace will not generate traffic that will have a greater detriment than the existing offices in terms of traffic generation.
- 10.19 There are two existing accesses off Clarence Road one serving Four Gables and the other one serving Low Wood. The existing access to Low Wood will remain and this will serve the existing offices, two of the new semi-detached houses and the new detached house.
- 10.20 The existing access for Four Gables will be altered and will be the access to one of the semi-detached houses only. A new access further along Clarence Road will be formed to provide access to a new car park for the existing offices and the new access will be wider than the existing access improving visibility. The remaining houses will have accesses direct onto Clarence Road itself. All these accesses are considered acceptable on this part of Clarence Road.
- 10.21 All the accesses will have controlled gates so that the parking is for the sole use of the occupants and offices. There are a couple of visitor's car parking spaces which are not beyond the gated control so visitors can park without having access to the main car park which is considered adequate for this scale of development.
- 10.22 The scheme also proposes a condition regarding details of a Traffic Regulation Order in the form of new waiting restrictions on Clarence Road to prevent on street car parking to the front of the development which is required due to the proposed development. The precise nature of this is not known at this stage until a scheme has been drawn up but it will help to keep access to this part of Clarence Road clear off parking vehicles.
- 10.23 A direction will also be attached rather than a condition suggesting that the surface on the path leading to Newlay Lane is improved, however due to the steepness of this path it is not considered appropriate to encourage the use of this path.
- 10.24 For all the above reasons the scheme is considered acceptable in highway terms and complies with policy T2 of the Core Strategy.

Residential amenity

- 10.25 The scheme needs to be assessed in relation to the distances between existing properties and the new properties and the distances between the new properties themselves.
- 10.26 As mentioned earlier the layout in terms of all the houses and the location of the car parking has not changed since Panel previously approved the scheme. The OS survey base has now been updated to include all the extensions that are on the properties to the rear. Whilst these were not on the original OS base officers had taken them into account in the previous recommendation.

- 10.27 In terms of the proposed layout previously approved by Panel the distances between the new properties are in excess of the guidelines required within Neighbourhoods for Living. The proposed gardens areas are also greater than the required guidelines in Neighbourhoods for Living. Garden lengths are acceptable except for the rear garden length of plot 4 which is just short of 10 metres in length when the requirement is 10.5 metres. However boundary planting is proposed which will prevent detrimental overlooking into the garden to the rear.
- 10.28 In terms of distances to existing houses there is a row of semi-detached houses to the rear of the site on Newlaithes Lane. Residents along here have objected to the scheme and are concerned regarding the impact of the new development in terms of overlooking, overdominance and overshadowing.
- 10.29 In terms of the proposed semi-detached houses on plots 2 and 3 this has its end gable facing towards the rear of these existing semi-detached houses. The closest property (number 27) has a kitchen window which is situated 10.6 metres away from this gable when the required distance is 9 metres. Members may recall visiting this kitchen window at the site visit last year. This property therefore complies with the distances in Neighbourhoods for Living.
- 10.30 As mentioned above the detached house (plot 4) has a shorter garden than guidelines required but due to new boundary treatment this should not have a detrimental impact on residential amenity. There is 17.5 metres to the nearest window which is a kitchen and this is in excess of the guidance within Neighbourhoods for Living.
- 10.31 In relation to the four semi-detached houses (plots 5 to 8) which have their rear elevations facing towards Newlaithes Gardens. These gardens lengths are between 18 and 20 metres long, well above the required 10.5 metres.
- 10.32 The existing property to the east of these properties (number 22 Clarence Road) faces onto the end gable of the proposed semi-detached house on plot 8; however the distance between is well in excess of the distance required in Neighbourhoods for Living.
- 10.33 The change since the previous scheme involves the new house next to Low Wood which also complies with distances with Neighbourhoods for Living. This proposed house is 0.5 metre higher and 2 metres nearer to the existing properties on Newlaithes Gardens than the scheme approved by Plans Panel. However, the nearest distance between this property and number 21 to the rear is 21 metres and this is corner of building to corner of building. The distances between window to window is greater than the 18 metres required from the ground floor window at number 21 and the bedroom window on the new property. There will therefore be no detrimental impact in terms of overlooking and privacy.
- 10.34 The development meets the required distances to prevent overlooking and overdominance of the new houses on the existing houses in line with guidance within Neighbourhoods for Living.
- 10.35 In terms of overshadowing the proposed houses are south of number 22 and 24 Clarence Road so there is potential for some limited overshadowing from plot 5 to 8 during the middle part of the day. As this is for a limited time it will not have a detrimental impact on residential amenity. These four plots are a significant distance away from the properties on Newlaithes Gardens so they impact on overshadowing is limited.

- 10.36 In terms of the new detached house on plot 4 this is east of numbers 29 and 31 Newlathes Gardens. There will be some overshadowing to the rear garden of this property but this will be limited in a morning and there is considerable existing overshadowing of these gardens caused by the trees that exist close by which will be retained as part of this development.
- 10.37 Plots 2 and 3 are the closest houses to the properties on Newlathes Gardens especially numbers 29 and 31. The new plots will be east of these gardens and there will be overshadowing in the morning. However the greatest overshadowing will be to kitchen windows and the small garden areas in front of these kitchen windows. The main garden areas will only have limited overshadowing for a small amount of time during the morning which will not have a detrimental impact on residents.
- 10.38 Finally in relation to plot number 1 this is a significant distance away from the houses on Newlathes Gardens. Any overshadowing caused will be for a limited time in a morning and will not have an unduly detrimental impact.
- 10.39 Overall it is considered that the scheme will not have a detrimental impact on the residential amenity of both surrounding existing residents and proposed residents in terms of overlooking, privacy, overdominance and overshadowing and complies with policy GP5 of the Unitary Development Plan and Neighbourhoods for Living.

Trees

- 10.40 The impact on the trees is the same impact as the previous application as the position of the development has not changed. This decision was based on a total loss of 8 trees to facilitate the development with 6 of these being category B trees and 2 being category U trees. There is also the removal of two group of category U trees and one group of category C trees. All of these are covered by a tree preservation order.
- 10.41 Negotiation had been ongoing during the previous application to ensure that a profitable development can be accommodated on the site with the minimum loss of trees. The scheme had been revised to ensure that the most important trees on the site remain and their long term health is ensured. Whilst there is some tree loss there are a large number of trees that will remain on the site and these along with proposed replanting will help to create a very attractive setting for the proposed development.
- 10.42 The layout has also been revised to ensure that the new buildings can be erected ensuring that there is no detrimental impact on the trees during construction and the long term health of the relevant trees.
- 10.43 Overall the scheme is acceptable in terms of the impact on trees.

Ecology

- 10.44 A bat survey and phase 1 habitat survey have been submitted as part of the previous application. Its conclusion is that only birds are present on the site and it recommends that vegetation clearance should take place outside of the bird nesting season and a condition can be attached to control this.

Affordable housing and greenspace

- 10.45 As this application relates to only 8 houses it is below the threshold required for the provision of affordable housing. Objections have been received that the applicant may apply for a permitted development change of use from offices to residential once this application has been approved and the extensions demolished. This would result in an overall housing development of a number which would, if subject to one permission, require the provision of affordable housing. There is no evidence that this will happen, but in any event, the planning regime through permitted development rights allows it.
- 10.46 In terms of greenspace provision, this is only required on developments of over 10 houses. Having said that, if the offices are changed to apartments pursuant to permitted development rights then there is a significant area of land behind Low Wood which would meet the requirements of greenspace provision in any event.

Representations

- 10.47 The majority of the issues raised in the representations have been covered above except for the following matters.
- No consultation with neighbours – *The NPPF does advise that applicants consult neighbours regarding proposed development, however the application has been advertised by site notices and neighbour consultation letters and neighbours have had opportunity to comment on the proposal*
 - The OS base used is inaccurate and does not include existing extensions – *The OS base has been updated and is now correct*
 - No evidence that conservation officer involved in previous application – *the conservation officers comments were fully considered in assessing the previous application*
 - Wildlife surveys now two years out of date – *The previous application was decided in November 2016 and little has changed in wildlife terms since the last decision*
 - Privacy from Four Gables – *this is remaining as offices and does not require planning permission so is not a matter to be discussed as part of this application*
 - Impact on security from proposed car parks on garden boundaries – *The car parks will be gated and the proposed houses overlook these car parks so there will be surveillance*
 - Noise pollution from offices in summer when office windows are open – *The offices do not require planning permission*
 - Noise pollution from offices cars/traffic - *The offices do not require planning permission*
 - Tree inaccurately plotted on the plan, looks like it is to be removed but it is in residents garden – *The tree on the plan is a new tree to be planted on the application side. The trees in residents gardens will not be affected*
 - Children need to play safely in our gardens without being overlooked – *This comment is in relation of overlooking from the offices which do not require planning permission as it is an existing use*
 - Urge a clause that the offices should never be converted into living accommodation – *There is no planning justification for this request*
 - Policy H4 states there should be a mix of housing on sites – *This is a small scheme of 8 houses and smaller houses would be out of character with this part of the conservation area and increase traffic along Clarence Road.*
 - Future management of tree on the site – *condition attached for landscape management plan*

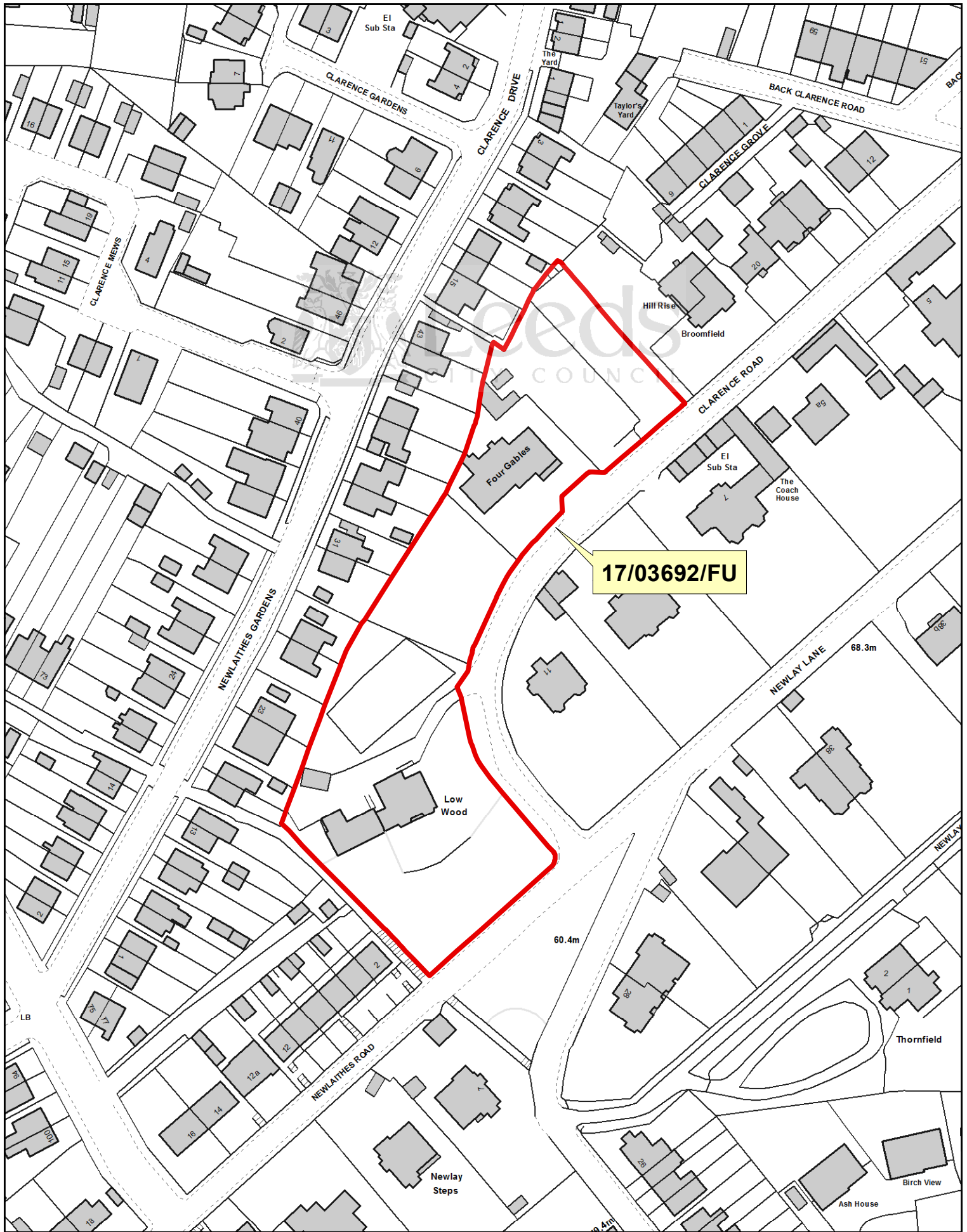
- The previous application is not legally approved suggesting the obligations and the s106 requirements cannot be agreed – *the s106 agreement is on hold pending the outcome of this planning application*
- No continued demand of offices within the area – *this is not relevant to the determination of the application*
- Previous scheme had conservation officer's objections, Members were advised verbally that conservation officers were happy with the scheme but after freedom of information request there is no evidence to back this up. Members and the planning panel were therefore misled. – *this is not relevant to the assessment of this application*
- No comment from conservation officer on this current scheme – *there is now*
- New unit A over 20 metres in height, 3 storey and will be unduly prominent and will overlook – this property is two storey on one side and three storey on the other. – *the property is 8.5 metres to the front elevation and 11.5 metres to the rear*
- Require a condition to remove permitted development rights for conversion of offices to houses so planning permission required and affordable housing sought – *no planning justification for this*
- The distance between the new house and our property is inaccurate on the plan – *amended layout corrects this*
- All windows facing towards Newlaithes Crescent should be opaque due to inadequate distances – *no requirement to do this as meet or exceed distances in Neighbourhoods for Living*
- New wall/fence required on the boundary to protect privacy - *no requirement to do this as meet or exceed distances in Neighbourhoods for Living*
- Tree reports now two years old and trees have grown significantly since then – *last consent was in November 2016 when members visited the site and saw the trees, there has not been significant growth since this time*
- No maintenance on the site since the applicant vacated the site – *this is not relevant to the assessment of the application*
- Application doesn't make clear the proposed hours of office use – *offices do not require planning permission so no hours of use need to be submitted*

11.0 CONCLUSION

- 11.1 To conclude it is considered that the principle of the development accords with local and national planning policy, that the development given its scale, design and location will enhance the conservation area and surroundings, that there will not be any harm in terms of highway safety and that there will be no harm to residential amenity, and that the impact on trees and ecology is considered acceptable. As such the proposal is considered to comply with the terms of the development plan when read as a whole and is therefore recommended for approval, subject to conditions.

Background Papers:

Certificate of ownership: signed by applicant.
 Planning application file.



SOUTH AND WEST PLANS PANEL



Notes | Sketch schemes may be based on plan information of unknown origin and is subject to verification and survey. Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be scaled. Use figured dimensions only. Ensure digital versions are plotted at 'Actual Size'. Building areas are liable to adjustment over the course of the design process due to ongoing construction detailing developments. Subject to statutory approvals and survey. The bar above is to check that the drawing has been printed to scale.



Accommodation Schedule		NIA Area (m ²)
Low Wood to remain as existing		
Type A		
1	4 Bed, detached, 2 storey	238.5
Type B		
2	4 Bed, Semi detached, 2 storey	124
3	4 Bed, Semi detached, 2 storey	124
Type C		
4	4 Bed, detached, 2 storey	154.5
Four Gables to remain as existing		
Type B		
5	4 Bed, Semi detached, 2 storey	124
6	4 Bed, Semi detached, 2 storey	124
7	4 Bed, Semi detached, 2 storey	124
8	4 Bed, Semi detached, 2 storey	124
Total Building Area		1137
Site Area		1.69



- KEY**
- Proposed trees to be removed
 - Root protection zone for trees 70-74
 - Proposed new tree
 - Electric Car Charging Point
 - Cycle Store
 - Bin Store comprising 240litre General / Recycle & Garden waste
 - Bin Store comprising 4 No 1100 litre

Rev	Date	Description	Drawn	Checked
C	07/08/17	OS plan updated & cycle storage lockers added & extra EV charging points added	AH	AH
B	27/07/17	Disabled car parking / visitors spaces / cycle stores / electric charging points & bin stores highlighted	AH	AH
A	23/05/17	Existing Properties updated	AH	AH

Project **Barnardo's, Clarence Road, Horsforth, Leeds, LS18 4LB**
 Drawing **Proposed Site Plan**
 Client **Barnardo's**
 BIM Suitability Description **SUITABLE FOR INFORMATION** BIM Suitability Code **S2**

Status **Planning** 2 Riverside Way 175-185 Grays Inn Rd
 Date **02/05/17** Whitehall Waterfront Bloomsbury
 Drawn **YA** LEEDS LONDON
 Checked **AH** L51 4BH W1X 8JJE
 Scale (A2) **1:500** 1 0113 819 8041 1 020 781 20677
 Project Director **0483 - EA - A - P903 - C** Drawing No. **100** Rev.

edward architecture