



## Report of the Chief Planning Officer

### *CITY PLANS PANEL*

Date: 12<sup>th</sup> December 2013

**Subject: PRE-APPLICATION PREAPP/13/01175 – TWO RESIDENTIAL DEVELOPMENTS AT EAST AND WEST SCHOLES (UP TO 745 UNITS IN TOTAL)**

#### Electoral Wards Affected:

Harewood

Yes

Ward Members consulted

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: This report is brought to Panel for information. The Developer will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.**

## 1.0 INTRODUCTION

1.1 This pre-application presentation relates to the two Protected Areas of Search (PAS) sites in Scholes. The developers, GMI and Barratt David Wilson Homes, propose up to 745 homes across the two sites plus some sheltered housing, a new school and 'village hub' containing chemists, GP surgery and a small retail unit. Up to 45 homes are provided on the 'West Scholes' site with all the other development on the 'East Scholes' site.

## 2.0 SITE AND SURROUNDINGS

2.1 West Scholes is a 2 hectare PAS site to the southwest of Scholes bounded by the disused railway line and Leeds Nature Area, Scholes Brickwork Pond, to the west, Wood Lane to the south and the Scholes (Elmet) Primary School (along with its Protected Playing Pitch) and existing residential development to the east.

2.2 East Scholes is a large PAS site of approximately 32 hectares to the immediate east of Scholes. Rakehill Road enters the site toward the north and the site bounds the existing cricket pitch (UDPR designated Greenspace), bowling green (UDPR designated Protected Playing Pitch) and tennis courts. The southern boundary of the site abuts the Scholes Conservation Area.

2.3 Both PAS sites are greenfield sites.

### **3.0 HISTORY OF NEGOTIATIONS**

3.1 Planning officers have had three meetings with the developer including one Ward Member presentation. Officers stressed it would not be appropriate to bring forward these PAS sites at this stage but that they should be promoted through the site allocations process.

3.2 The developer has also carried out public consultation in Scholes in May 2012 and September 2013. Separate meetings with the local MP, Ward Members, Parish Council plus other local groups and service providers have also taken place.

### **4.0 PLANNING POLICIES**

#### **4.1 Development Plan**

4.2 The development plan includes the adopted Leeds Unitary Development Plan Review 2006 (UDPR) which is supplement by relevant supplementary planning guidance and documents. The site is allocated within the UDP as a 'Protected Area of Search' (PAS). Policy N34 is specifically relevant which restricts development to that which is necessary for the operation of existing uses together with such temporary uses as would not prejudice the possibility of long term development. Other policies which are relevant are as follows:

SA1: Secure the highest possible quality of environment.

GP5 all relevant planning considerations

GP7 planning obligations

GP11 sustainability

GP12 sustainability

H4: Residential development.

H11-H13: Affordable Housing.

N2: Greenspace

N4: Greenspace

N12: Relates to urban design and layout.

N13: New buildings should be of a high quality design and have regard to the character and appearance of their surroundings.

N23: Relates to incidental open space around new developments.

N24: Seeks the provision of landscape schemes where proposed development abuts the Green Belt or other open land.

N25: Seeks to ensure boundary treatment around sites is designed in a positive manner.

N26: Relates to landscaping around new development.

N35: Development will not be permitted if it conflicts with the interests of protecting the best and most versatile agricultural land.

N37A: Development within the countryside should have regard to the existing landscape character.

N38B: Relates to requirements for Flood Risk Assessments.

N39A: Relates to sustainable drainage systems.

N50: Seeks to protect, amongst other assets, Leeds Nature Areas.

N51: New development should wherever possible enhance existing wildlife habitats.

T2: Development should not create new, or exacerbate existing, highway problems.

T2C: Requires major schemes to be accompanied by a Travel Plan.

T2D: Relates to developer contributions towards public transport accessibility.

T5: Relates to pedestrian and cycle provision.

T24: Parking guidelines.

BD2: The design of new buildings should enhance views, vistas and skylines.

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

LD1: Relates to detailed guidance on landscape schemes.

4.3 The Development Plan also includes the Natural Resources and Waste Development Plan Document (2013): Developments should consider the location of redundant mine shafts and the extract of coal prior to construction.

#### 4.4 Relevant Supplementary Planning Guidance

4.5 Supplementary Planning Document: Street Design Guide.

Supplementary Planning Document: Public Transport Improvements and Developer Contributions.

Supplementary Planning Document: Travel Plans.

Supplementary Planning Document: Designing for Community Safety: A Residential Guide.

Supplementary Planning Guidance: Neighbourhoods for Living.

Supplementary Planning Guidance: Affordable Housing (Target of 15% affordable housing requirement).

Supplementary Planning Document: Sustainable Design and Construction "Building for Tomorrow, Today."

Supplementary Planning Guidance 4: Greenspace Relating to New Housing Development.

Supplementary Planning Guidance 11: Section 106 Contributions for School Provision.

Supplementary Planning Guidance 25: Greening the Built Edge.

#### 4.6 National Planning Guidance

4.7 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

#### 4.8 Emerging Policy

4.9 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26<sup>th</sup> April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and this examination has recently taken place.

4.10 As the Publication Draft Core Strategy has been examined some weight can be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the examination.

4.11 In line with the NPPF the Council may attach some weight to the document and its contents. The Core Strategy sets out a need for 70,000 new homes up to 2028 and

identifies the main urban area as the prime focus for these homes alongside sustainable urban extensions and delivery in major and smaller settlements.

4.12 Barwick-in-Elmet and Scholes Neighbourhood Development Plan

4.13 Barwick-in-Elmet and Scholes Parish has been designated a neighbourhood area and the Parish Council are currently preparing a neighbourhood plan.

4.14 Other Planning Policy – Interim PAS Policy

4.15 To support regeneration, economic growth and to help meet housing needs, the Council has been proactive in facilitating a range of actions to help stimulate the housing market. This has included the release of Phase 2 & 3 housing sites; the introduction of an interim affordable housing policy in order to help improve the viability of some sites; initiatives to bring forward City Council brownfield sites; an ambitious Core Strategy target; positive action to support Neighbourhood Planning and on-going dialogue with major housebuilders. An Executive Board report on 13<sup>th</sup> March 2013 set out additional recommendations to add to the range of these initiatives to support growth in suitable and sustainable locations prior to the progression of the Site Allocations DPD. As such, an interim policy has been introduced to assist in strengthening the supply of achievable housing land, pending the adoption of the Site Allocations DPD. As such, the new interim policy is as follows:

*In advance of the Site Allocations DPD, development for housing on Protected Area of Search (PAS) land will only be supported if the following criteria are met:*

- i) locations must be well related to the Main Urban Area or Major Settlements in the Settlement Hierarchy as defined in the Core Strategy Publication Draft.*
- ii) sites must not exceed 10ha in size ('sites' in this context meaning the areas of land identified in the Unitary Development Plan), and there should be no sub-division of larger sites to bring them below the 10ha threshold; and*
- iii) the land is not needed, or potentially needed, for alternative uses.*

*In cases that meet criteria (i) and (iii) above, development for housing on further PAS land may be supported if:*

- iv) it is in an area where housing land development opportunity is demonstrably lacking; and*
- v) the development proposed includes or facilitates significant planning benefits such as, but not limited to:*
  - a) a clear and binding linkage to the redevelopment of a significant brownfield site in a regeneration area;*
  - b) proposals to address a significant infrastructure deficit in the locality of the site.*

*In all cases development proposals should satisfactorily address all other planning policies, including those in the Core Strategy and it should be noted that there may be other material planning considerations which justify a refusal of planning. Permissions should also be conditioned to be commenced within 2 years of the date of permission.*

4.16 The interim policy is subject to a challenge in the High Court but pending the outcome of the hearing it can be regarded as a material consideration albeit that it is not part of the development plan or an SPD and has not been subject to consultation.

## 5.0 PROPOSAL

- 5.1 Up to 45 houses are proposed on the West Scholes site with an access taken via Morwick Grove adjacent to the existing school.
- 5.2 Up to 700 houses are proposed on the East Scholes site including 30 units of extra care residential accommodation and elderly bungalow accommodation along with circa 4 hectares of publicly accessible open space. The application also proposes a new 'Village Hub' within the centre of the application site to include a new primary school, GP surgery, dispensing chemist and small scale retail provision. Means of access is proposed via the existing Rakehill Road junction at the centre of the site and via a new dedicated junction on Main Street to the south. Storey heights range from single storey to a maximum three storeys for both residential and commercial elements, with the higher storeys focused near to the village hub within the centre of the site.
- 5.3 Both applications will provide the required 15% affordable housing either on site or via the equivalent financial contribution.

## 6.0 ISSUES

- 6.1 Scholes is defined as a 'Smaller Settlement' therefore the release of these PAS sites would not comply with the Interim PAS policy that only permits the release of PAS sites within the Main Urban Area and Major Settlements. In addition, the 32 hectare East Scholes site is significantly greater than the 10 hectare limit identified in the interim policy. The developer has been made aware of this and has been informed the sites should be progressed through the Site Allocation Development Plan Document. The 2 hectare West Scholes site proposed to be developed for up to 45 houses would clearly have less impact on Scholes and may therefore appear less problematic. However, there are other small PAS sites in Leeds such as Boston Spa, Clifford and Linton therefore any relaxation of the policy for a smaller PAS site in this instance could have significant implications on the application of the interim PAS policy elsewhere in the city.
- 6.2 **Do Members agree that the release of these PAS sites is premature and should be progressed through the Site Allocations DPD?**
- 6.3 Whereas the principle of development has not been supported by officers, the developers have maintained their intention to submit two outline applications therefore officers still request Members' feedback on other planning issues outlined below.
- 6.4 Development of this scale will clearly have a significant impact on the roads within Scholes and the wider highway network of East Leeds. Members will also be aware of other major developments in East Leeds and the proposal for the new East Leeds Orbital Road (ELOR). Highways officers have stressed the need for the developer to fully examine the highways implications taking into account these other developments.
- 6.5 The current masterplan for the East Scholes site includes vehicular access points from Rakehill Road and Main Street. This results in up to 700 dwellings being accessed by just two access points. The provision of just access points for such a large number of dwellings raises both highways and urban design concerns and the developers have been asked to incorporate additional access points.

**6.6 Do Members have any views on the highways implications of the proposed developments?**

6.7 The East Scholes application includes the provision of a new one form entry primary school in addition to the existing primary school in Scholes. However, other options are still being considered including an extension to the existing school, provision of a new two form entry school at the East Scholes site with the existing school being redeveloped for housing or public open space, or a financial contribution.

**6.8 Do Members have any views on the education provision currently under consideration by the developers?**

6.9 The East Scholes site includes 4 hectares of public open space provided in a number of different locations.

**6.10 Do Members have any views on the location of the proposed public open space?**

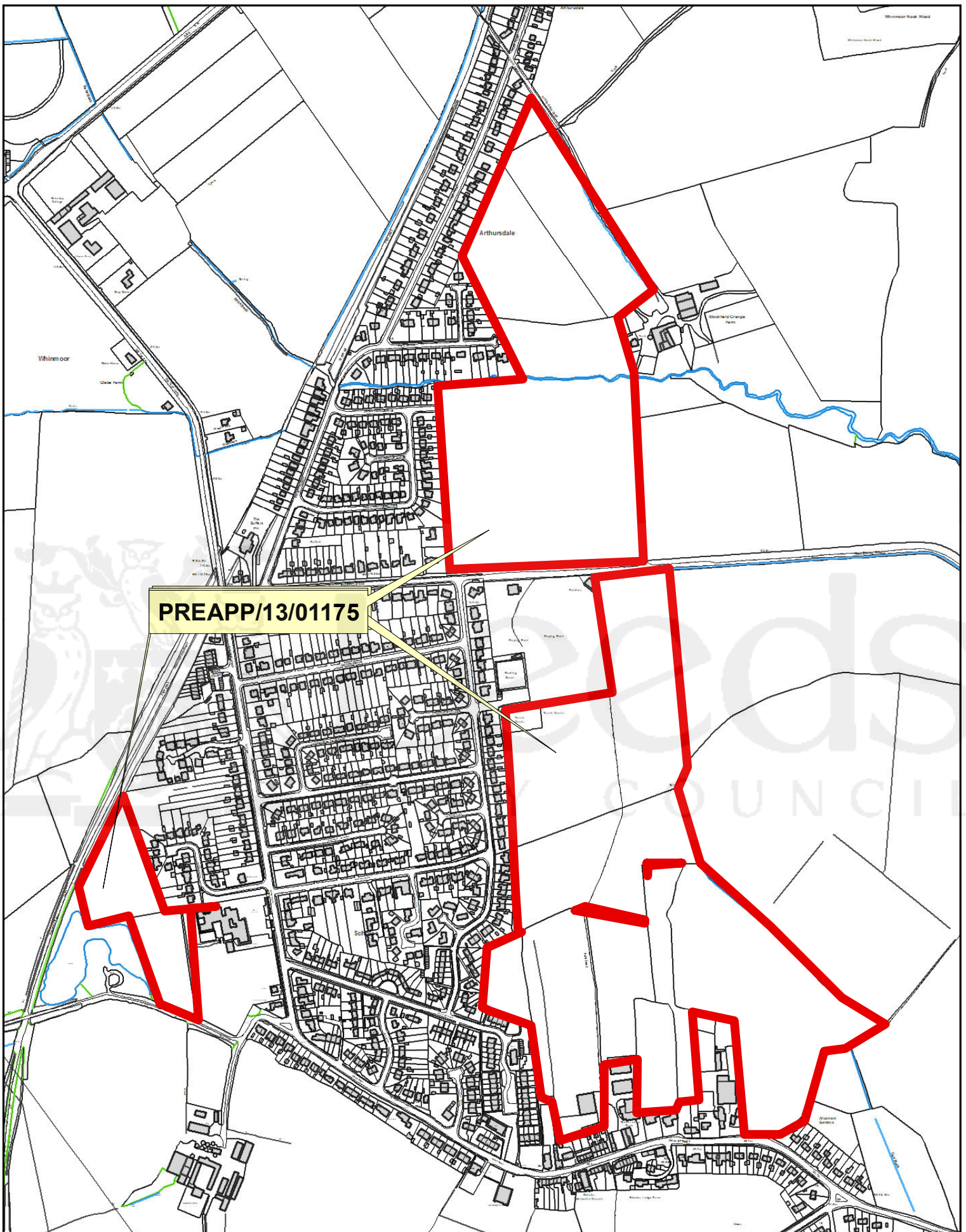
6.11 Station Road and Main Street provide the main amenities within Scholes including a convenience store, library, doctors, dentist and a pub. The East Scholes proposals include a commercial centre adjacent to the proposed school and largest area of public open space. The commercial centre includes a doctor's surgery, dispensing chemist and small retail unit.

**6.12 Do Members have any views on the location and content of the proposed commercial centre within the East Scholes site?**

**7.0 CONCLUSION**

7.1 Members are requested to consider the content of this report and the presentation provided by the developer and provide comment as appropriate and in response to the following questions:

- i. **Do Members agree that the release of these PAS sites is premature and should be progressed through the Site Allocations DPD?**
- ii. **Do Members have any views on the highways implications of the proposed developments?**
- iii. **Do Members have any views on the education provision under consideration by the developers?**
- iv. **Do Members have any views on the location of the proposed public open space?**
- v. **Do Members have any views on the location and content of the proposed commercial centre within the East Scholes site?**
- vi. **Are there any other comments that Members wish to make?**



# CITY PLANS PANEL

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