



## Report of the Chief Planning Officer

### Plans Panel West

Date: 9<sup>th</sup> January 2014

**Subject: APPLICATION NUMBER 12/04008/OT: Outline Application for residential development including means of access and demolition of existing buildings,**

**At: Department For Work and Pensions, Government Buildings, Otley Road, Leeds**

#### APPLICANT

Telereal Trillium Limited

#### DATE VALID

04.09.2013

#### TARGET DATE

15.01.2014

#### Electoral Wards Affected:

Adel and Wharfedale

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**DEFER AND DELEGATE to the Chief Planning Officer subject to the completion of the Section 106 agreement within 3 months of the date of the Panel resolution for affordable housing at 15% of the total number of dwellings with a 50/50 split between sub market and social rented (if commenced in accordance with Interim policy), on site provision of greenspace and off site contribution in accordance with the formula and worked out at Reserved Matters stage, off site highway works as detailed in the report below at section 9.12, education in accordance with the formula and worked out at Reserved Matters stage, travel planning measures and monitoring fee, local employment clauses, Metro Cards and public transport infrastructure in accordance with the formula and worked out at Reserved Matters stage and the following conditions**

1. Standard 3 year outline permission
2. Submission of Reserved Matters for Layout, Appearance, Landscaping, Scale
3. Details of approved plans
4. Walling and roofing, surfacing materials to be submitted and approved
5. Tree protection conditions
6. Levels conditions
7. Submission and implementation of a landscaping plan
8. Landscape maintenance schedule

9. Tree replacement condition
10. Submission and approval of surface water drainage details
11. No building within 4m of either side of the centre line of the sewer which crosses the site.
12. Prior to the commencement of development a detailed method statement for the protection of all watercourses on or adjacent to the site from any physical or chemical disturbance or pollution during all site operations shall be submitted to and agreed in writing with the LPA. The method statement shall thereafter be implemented.
13. No development shall take place until a scheme to attenuate surface water, utilising SUDS principles as set out in the submitted FRA has been submitted to, and approved by the LPA
14. Details of bin and cycle storage to be submitted and approved
15. Details of boundary treatments to be submitted and approved
16. Areas to be used by vehicles to be laid out, hard surfaced and drained
17. Parking spaces shall be unallocated for the lifetime of the development
18. Construction management plan including programme for demolition
19. Details to prevent mud, grit and dirt being carried out onto the Public Highway, during the construction process to be submitted to and approved by the LPA/
20. The access improvements to Adel Lane shall be completed before the occupation of any dwelling
21. Provision for contractors during the construction period
22. Maximum gradients to access and driveway
23. Phase 2 site investigation report
24. Amendment of remediation statement
25. Submission of verification statements
26. Prior to demolition all bat roost features to be resurveyed and details to be submitted to the LPA
27. Prior to the commencement of development, a plan shall be submitted to and approved in writing by the LPA of Bat roosting and bird nesting opportunities
28. No site clearance, demolition or removal of trees, shrubs or other vegetation during the period 1 March to 31 August.
29. Prior to commencement of development an appropriately updated Sustainability Statement (SS) following the guidelines of the SPD 'Building for Tomorrow Today' shall be submitted which will include a detailed scheme comprising (i) a proposal to use the Waste and Resources Programme's (WRAP) Net Waste Tool kit, (ii) a Site Waste Management Plan for the construction stage, (iii) a pre-assessment using the Code For Sustainable Homes(CfSH) assessment method to an agreed CfSH standard for the residential dwellings, (iv) an energy analysis showing the proposed energy target including an agreed carbon reduction target and the percentage of on-site energy that will be produced by Low and Zero Carbon (LZC) technologies for the development and approved by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme; and
  - (a) Prior to the occupation of the development a post-construction review statement for that phase shall be submitted by the applicant including a BRE certified CfSH final assessment and associated paper work and approved in writing by the Local Planning Authority
  - (b) The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the National Planning Policy

Framework, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

H4, H11, H12, H13, N2, N4, GP7, GP5, GP5, T2, T5, SG4  
Neighbourhoods for Living

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

## **INTRODUCTION:**

- 1.1 This application is brought to West Plans Panel due to the local interest in the scheme and the scale of the proposed development. The site is located within the Adel and Wharfedale ward but is also adjacent to the Weetwood Ward. Accordingly, members of both wards have been consulted to keep them informed of the development proposals.
- 1.2 Members will recall that this application was brought to Plans Panel on 5<sup>th</sup> December 2013 as a position statement. At this point in time the package of off-site highway works was unresolved, and Officers sought the views of Members on the proposed level of off-site highway works offered by the applicant. Since this Panel the applicants have agreed to further off-site highway works which are detailed in Section 9.12 of this application.

## **2.0 PROPOSAL:**

- 2.1 The proposal seeks Outline planning permission for residential development. All matters are reserved except for Access which is applied for in detail. The vehicular access proposals would utilise the two existing accesses, one onto Otley Road and the second on to Adel Lane.
- 2.2 In design terms, an indicative masterplan has been submitted which shows a layout of circa 121 units, mainly semi-detached and detached dwellings (101 units in total) with 20 apartments located in two blocks. The development is situated around four main loop roads. The dwellings would likely be mostly 2 and 2.5 storey in height. Members should note that the masterplan is indicative and would not form part of the approved set of drawings.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is currently in use as office accommodation for the Department of Works and Pensions. The site comprises a number of buildings, which are predominantly single storey in height. These buildings are flat roofed prefabricated structures which are linked together by corridor sections. The site is partly occupied at present with approximately 300 staff. The buildings are sited within the site, away from the frontage with Otley Road. The site was developed in the 1950's. The south-western part of the site contains a concrete civil bunker which was also constructed in the 1950's and was decommissioned in 1990. Parking areas lie between the buildings, with a main parking area located to the front of the site, adjacent to Otley Road.

- 3.2 There are substantial TPO'd trees located along the north, south and eastern boundaries of the site. A number of large trees which existed on the site were removed by the owners in the summer of 2103. The immediate adjacent area is predominantly two storey residential in character though there are some commercial and non residential premises within the locality. The general locality comprises of large detached properties which are located within spacious plots. The locality is also characterised by mature trees and other vegetation.
- 3.3 The adjacent site to the south, is locally known as the Boddington Hall site which until recently accommodated a student halls of residence development. This site is currently been developed by Barrett's Homes for executive styled housing. To the west of the site, across Otley Road lies Lawnswood Cemetery. To the north lies residential properties which lie on Lawns Hall Close, and The Meadows. To the east lie the rear gardens of the properties which front onto Adel Lane. The site is well screened to all sides by mature trees and other vegetation.
- 3.4 The access from Adel Lane, lies between two detached properties which face onto Adel Lane, numbers 133 and 137. The existing property at 137 Adel Lane has been acquired by the applicants and included into the red line boundary of this application site. The ownership of this property allows improvement to visibility, and for part of the rear garden to be developed.

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

- 4.1 There are records of a number of minor applications to the existing DWP site for alterations such as signage and fencing, which have no relevance to this proposal. This is the first application which is concerned with the redevelopment of the site.
- 4.2 Outline planning consent was granted in 07.09.12 for outline residential planning consent with access only on the adjacent Bodington Hall site. Reserve Matters approved for all outstanding details for 106 properties was granted on 06.03.13. A separate Reserve Matters application for a further 20 properties is currently pending the consideration of this department. It is anticipated this will be approved under delegated powers in the very near future.

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

- 5.1 The Local Planning Authority first was approached by the landowners and their agents of the site, and had an initial meeting on 17th August 2012 to discuss redevelopment options for the site. At this time, we were led to believe that the site was owned by the Department For Work and Pensions, and as such the site benefited from Crown Immunity and as such provisional TPO could not be issued.
- 5.2 The provisional Tree Preservation Order was placed after complaints were received that large mature trees were being felled at the site, in the summer of 2013. At this time the Local Planning Authority learned that the site was now owned by a private third party who was leased back the site to the DWP.
- 5.4 As the site did not benefit from Crown Immunity (as it was not owned by the DWP) a provision TPO was then placed to ensure other mature valuable trees with high levels of amenity value at the site were not lost, before a full appraisal of the health and status of the trees on site could be made. The owners then applied to the Forestry Commission for a felling license which would effectively squash the provisional TPO.

To date no formal decision has been made by the Forestry Commission for this application.

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

6.1 The application was publicised by 11 site notices which were posted around the site on 13<sup>th</sup> September 2013. An advert was also placed in the local press on 19<sup>th</sup> September 2013. To date nine letters of representation have been received to the publicity of this planning application to date. The following issues have been raised:

- Objections over use of Adel Lane access into the site
- Concerns over using Adel Lane access
- Over-dominance of some plots
- Over-looking/ loss of privacy on existing adjacent properties
- Impact on schools, not enough school places, scheme should include a new school
- Not enough capacity on local amenities should as doctors
- Is there enough capacity in public transport to cope?
- Impact on surrounding trees
- Development should be restricted to 2 storey in height
- No further trees should be lost to accommodate this development
- Increase in cars in the surrounding roads
- Loss of views from existing adjacent properties
- Sustainability considerations and Highway safety
- Scheme should include a play area and small shop

## **CONSULTATION RESPONSES:**

### **6.2 Statutory Consultees**

Drainage	No objections in principle subject to conditions
Highways	No objection in principle but requires changes to the indicative masterplan which can be dealt with at Reserved Matters stage. Highways also require off site highway works in order to mitigate the impacts on the surrounding highway network. See Sections 9.8, 9.9 and 9.12 of this report.
Yorkshire Water	No objections subject to conditions, further details are required on the route of surface water disposal.
Environment Agency	No objections subject to conditions.

### **6.3 Non Statutory Consultee**

Landscape Team	Object to the indicative Masterplan due to loss of tree and proximity of some plot and the new access to these trees.
Nature Conservation	The Ecology Report is satisfactory and has highlighted a number of conditions which need to be addressed through

conditions such as the inspection of bat roosts, and opportunities for these to be provided for elsewhere

Transport Policy	Require Travel Plan Monitoring fee of £2500
NGT / Public Transport	Require commuted sum of £827 per unit which is in-line with the policy requirements of 'Public Transport Improvements and Developer Contributions'.
Local Plans	Require on site greenspace which equated to 0.004 ha per unit and off-site contribution of £1511.20 per unit to satisfy the policy requirements of N2.2 and N2.3.
Environmental Health	No objections
Affordable Housing	Require 15% on site provision, 50/50 split of sub-market and social rented, which is in-line with the interim policy.
Education Leeds	Require a commuted sum of £2972.32 per unit towards Primary School provision
Metro	The developers should fund £462 per unit to purchase Bus only Travel Cards, for one year only and bus shelter at a cost of £16 000 to an existing bus stop.
Contaminated land	Conditions recommended.

## 7 PLANNING POLICIES:

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

### Development Plan:

The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

SG4	Sustainable development principles
GP7	Planning obligations
GP5	seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
N2	Green space
N4	Greenspace
N12	Urban design priorities
N13	Design quality for new housing
H4	Windfall housing sites
H11	Affordable housing
H12	Affordable housing
H13	Affordable housing
T2	Highways issues
T24	Parking provision for new development

## **Relevant supplementary guidance:**

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  
Adel Neighbourhood Design Statement  
Public Transport Infrastructure SPD  
Travel Plan SPD (Draft)  
Education SPG  
Affordable Housing SPG (Interim Policy)

## **National planning policy**

National Planning Policy Framework: Paragraph 56 refers to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to the desire to optimise the potential of the site to accommodate development.

## **8 MAIN ISSUES:**

- Principle of the development
- Highways Issues
- Amenity Issues
- Layout/ Protected Trees
- Section 106 package
- Sustainability

## **9 APPRAISAL:**

### Principle of the development

9.1 The principle of residential development is considered acceptable. The site is an existing office development located in the main urban area. The principle of re-using the site for housing is acceptable and accordance with policy H4 of the UDP and sustainable development considerations of the National Planning Policy Framework. It is accepted that due to the pre-fabricated nature of the accommodation on the site that it would require major investment and improvement to meet modern day office standards and needs and therefore unlikely to be attractive to prospective office occupiers. The wider area is residential in character, and it is considered that the principle of the development is consistent with the adjacent Bodington Hall site which is currently being developed for housing.

### Amenity Issues

9.2 The proposed development is not considered likely to have a significant impact on the amenity of existing neighbouring residents. The site is fairly discreet and self contained given the extent of substantial TPO trees which are located along the site boundaries. Given the nature of the proposed end user it is not envisaged that the

future occupiers have significant effects on neighbouring dwellings through either noise and disturbance, comings and goings or through any over looking or loss of privacy.

- 9.3 Further design and highway layout works will be required but this will be dealt with at Reserved Matters stage when a house builder comes forward. The proposed access arrangements are not envisaged to impact on the existing neighbouring dwellings to any significant extent. The comings and goings from the use of the existing Adel Lane access should not result in serious impacts on the neighbouring residents, particularly when compared to the potential fall-back position of the application site, should it be fully occupied. The number of units which would be served from the Adel Lane access would be determined and fully considered at the Reserve Matters stage. The applicants have been made aware that the Local Planning Authority would not support a clear unobstructed route from the site, linking the access from Otley Road and Adel Lane.

#### Layout/ Trees

- 9.4 This outline application was submitted with an indicative Masterplan which showed the layout of a scheme of 121 units. This Masterplan indicated the removal of approximately 60 further trees, in addition to the trees already removed. The Tree Officer has objected to loss of some of these trees, as they are healthy, mature and of generally are of a high amenity value which contribute positively to the character of this locality. There is also concern regarding the proximity of some of the plots proposed, and access route through the site, in relation to the trees which are shown to be retained around the site boundaries.

- 9.5 The applicants have stated they do not wish for layout to be approved as part of this outline application as the site will be sold to a separate 3<sup>rd</sup> party developer who is likely to want to design their own scheme, and therefore wish for maximum flexibility through this outline application. In view of this, it is not considered the application can be refused due to the loss and / or impact on protected trees as this matter would be fully considered at the Reserve Matters stage. However it has been made clear to the applicant their indicative Masterplan would not gain the support of the Local Planning Authority, and this will not form part of the approved Outline consent. The need and duty to fully consider the retention of trees through the detailed design of the site has been made clear to the applicants.

#### Highways Issues

- 9.6 The highway access proposals are the main issues in the determination of this application, and sole matter seeking approval through this outline application. The use of Otley Road access is acceptable given it is existing and currently provides the main form of vehicular access into and out of the site. The site has a second access from Adel Lane. This access is also existing, and the indicative Masterplan shows a through route, linking these two access's. The majority of the objections received are based on the fact that access is also to be taken from Adel Lane, to the resulting increase of traffic along this road and increased safety risk to users of this highway.

- 9.7 Highway Officers have no objection to the use of the Adel Lane access, but are concerned that the site could be used as a short cut from drivers on Otley Road. Highways have suggested that this access only serves a limited number of units, with the remainder being served from Otley Road, or that the internal layout is designed in way which makes its harder and longer for drivers to navigate through the site between both access's, so physically it is not a shortcut. This approach was taken on the access through the adjacent Boddington Hall site. The applicants have



been made aware that the Local Planning Authority would not support a short, clear unobstructed route from the site, linking the access from Otley Road and Adel Lane. The number of units which would be served from the Adel Lane access would be determined and fully considered at the Reserve Matters stage.

- 9.8 The applicants have partly addressed this concern by agreeing to fund further speed calming measures along Adel Lane, between Church Lane and Farrar Lane in addition to the speed calming measures which have been secured through the Boddington Hall scheme. This will slow traffic speeds down and thus enable better visibility from the existing Adel Lane junction. Officers are happy in principle with this approach and consider that the proposed traffic calming measures to be deployed along Adel Lane (speed cushions and raised table top designs) will enable this access proposal to be acceptable for the development traffic. The cost of this has now been estimated at £150,000 and the applicants have agreed to make this contribution to a maximum cost of £150,000. Given the projected volume of traffic which will be generated from this development, travelling north along Adel Lane, the extent and subsequent cost of the contribution is considered to be reasonable. The duty to pay this sum will be made on the commencement of the development, to ensure all off-site highway works are constructed before the development is completed and occupied.
- 9.9 The applicants have also agreed to contribute to contribute £110,000 towards a crossing on the Ring Road, which will link this eastern side of Otley Road with the school on the western side, which is located further south of the application site. This will improve the connectivity from the site, and encourage future residents to walk to amenities in Far Headingley, West Park, and to allow safe access to the local facilities and in particular Lawnswood School. This sum will be pooled with a contribution which was secured from the developers of the Boddington Hall scheme. This sum is only sought if the NGT scheme is not carried out as this scheme provides signalised crossings to the Ring Road.

#### Section 106 Agreement

- 9.10 As this application is submitted in outline with all matters except access reserved, the Section 106 cannot specify specific amounts as numbers and types of units are not confirmed at this stage. The Section 106 will cover all the required policy areas where this development will need to make contributions towards including education, affordable housing, off site greenspace, and the laying out and maintenance of the on site public open space, off site highway works, public transport infrastructure and travel planning measures and the travel plan monitoring fee.
- 9.11 The applicant is proposed to make the full sought after contributions in respect of Affordable Housing, on and off site Green Space, Education provision, and Public Transport. These contributions and all the other agreed clauses (with the exception of the off-site highway works) are detailed below;
- Affordable Housing on site provision (15% of total number of dwellings with a 50/50 split in tenure type)
  - On-site Green space contribution (scheme to be devised at the Reserve Matters stage which equates to 0.004ha per unit )
  - Off-site Green Space towards district parks and children play area, £1, 511 per unit, which is fully in-line with policies N2.2 and N2.3

- £2972.31 per unit towards Primary School provision which is in-line with the Supplementary Planning Guidance 11.
- Metro Cards for each unit for a one year period at a cost of £462 per unit
- Local Employment Training Initiative clause
- Travel Plan and Travel Plan Monitoring Fee (£2,650)
- Public Transport Contribution of £827 per unit.

9.12 The off-site highway works has been subject to much negotiation between Officers and the applicants. Since this application was discussed at the last South and West Panel meeting on 5<sup>th</sup> December 2013, the following off-site highway works have now been agreed with the applicant. It is considered these contributions are required to mitigate the development.

- £110,000 towards a pedestrian crossing on the Ring Road, only payable if the NGT scheme does not materialise
- Maximum of £150,000 towards Traffic Calming measures on Adel Lane
- £16,000 towards new bus stop shelter at bus stop 11743 (which includes raised kerbing and footway construction).

9.13 Matters of principle such as sustainable construction must be addressed at Outline application stage and not as a Reserved Matters. Therefore to ensure sustainable construction outcomes are considered and appropriately delivered on site by the developer, a Planning Condition to this end is required on this Outline Planning Application. This is consistent with the approach which was taken on the Boddington Hall scheme and is good practice with regard to principles of sustainability.

9.14 An informative will also be added to the development to help highlight to the site's owners and developers that early and timely discussion with the Planning Authority would help to effectively and efficiently deliver the required sustainable construction proposals. This approach is considered the best way of overcoming this matter and moving the scheme forward in order to deliver a planning permission that will set clear aspirations for the Reserved Matters stage.

#### Other Issues

9.15 A number of points raised by the objectors relate to detailed issues which are not known at this stage, due to the outline nature of the application, such as height of the development, and subsequent impact on over-shadowing, loss of views, loss of privacy etc. Given the size of the site, it is considered a scheme can be devised which would not have a detrimental impact on adjacent occupiers in these respects. In any event majority of the site is enclosed by mature trees which will absorb and shield much of the impact of development site.

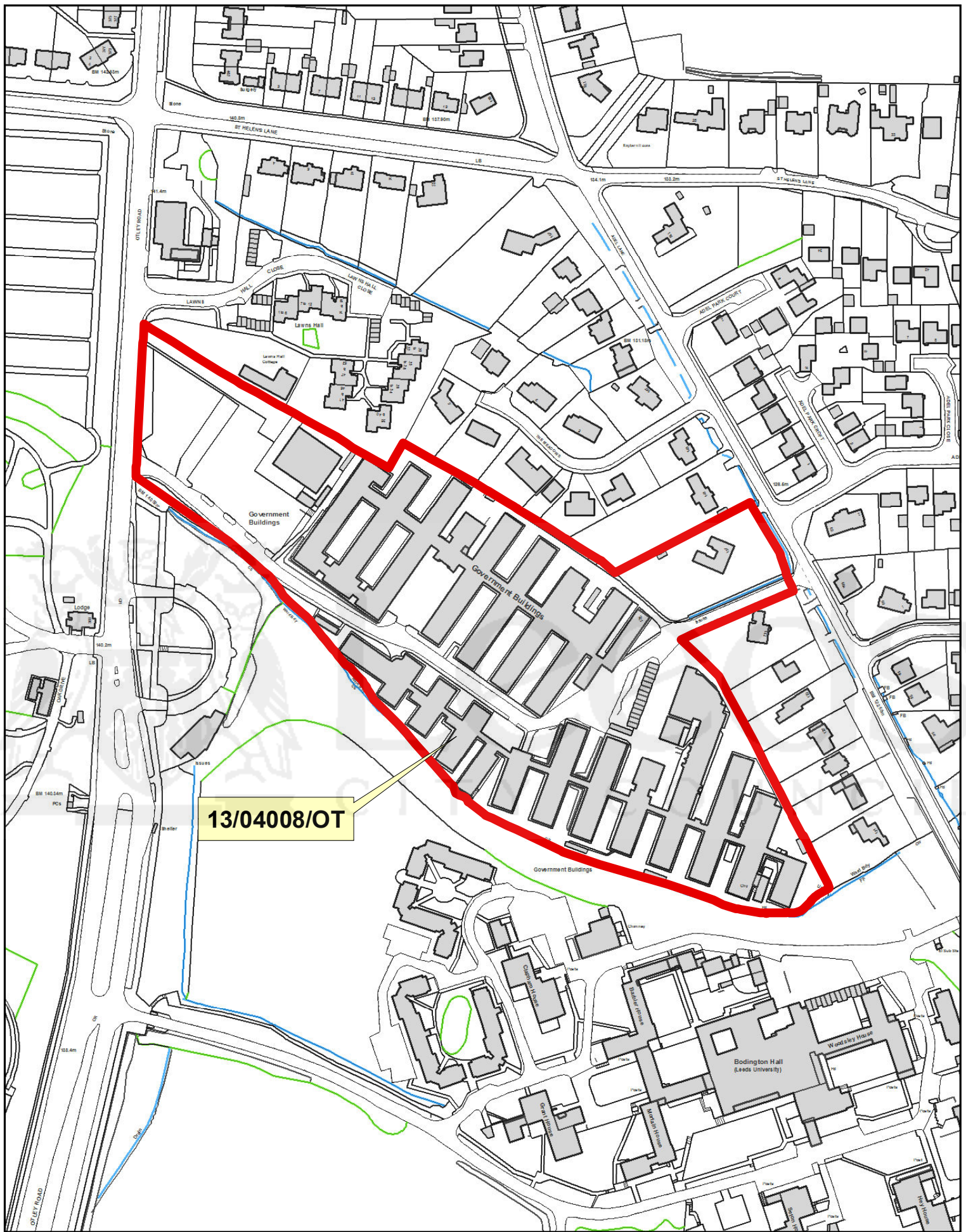
9.16 A number of objections have been received to the capacity of local services. Education Services have stated there is a need for additional Primary School places and a contribution towards this provision has been secured through this application. There are no policy requirements or duty through the planning system to provide additional health care facilities.

## **CONCLUSION:**

- 10.1 The proposal is considered to comply with relevant policy and to address the outstanding issues raised by the Council in the previous reasons for refusal. The merits of the scheme include the re-use of previously developed land, provision of family housing and a Section 106 package to mitigate the impacts of this development. On balance therefore planning permission is recommended.

### **Background Papers:**

Application and history files.



13/04008/OT

# SOUTH AND WEST PLANS PANEL

