



Report of the Chief Planning Officer

PLANS PANEL NORTH AND EAST

Date: 27th March 2014

Subject: Application 13/04249/FU – Residential development of 32 one and two bed apartment units with associated landscaping and parking on land at the junction of East Park Road and Charlton Grove, Burmantofts.

APPLICANT

Leeds City Council –
Regenerations Programme,
City Development

DATE VALID

18th September 2013

TARGET DATE

18th December 2013

Electoral Wards Affected:

Burmantofts and Richmond Hill

Yes

(Ward Members consulted
referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE approval to Chief Planning Officer subject to the conditions specified and the expiration of the further statutory publicity period, subject to no new significant issues being raised in representations.

1. Time limit
2. Plans schedule
3. External materials to be agreed
4. Surfacing materials to be agreed
5. Drainage details to be agreed
6. Flood risk measures
7. Contamination conditions
8. Parking areas to be provided and maintained
9. Closing off of redundant accesses
10. Maximum driveway / parking gradient
11. Construction method statement
12. Landscape conditions (implementation and management)

Full wording of the conditions to be delegated to the Chief Planning Officer, including any revisions and additional conditions as may be required.

1.0 INTRODUCTION:

- 1.1 The Council is pursuing a £52m Council Housing Growth Programme across the city, including new build housing, primarily aimed at providing housing on brownfield sites. The application is presented to Plans Panel as a major development where the City Council is the applicant and where officers are minded not to require any additional planning obligations.
- 1.2 The wider Council Housing Growth Programme seeks to increase the amount of council housing in Leeds across the city by approximately 400 dwellings by 2018. Executive Board approved the commencement of a new build project to deliver approximately 100 new Council homes across the city over the next 3 years. The application site has been identified as the first site for the development under this project.
- 1.3 The application proposes 32 one and two bed flats, with associated landscaping and car parking. The scheme entirely comprises Affordable Housing units and is the first to come forward as part of the Council Housing Building programme. The development is to take place on a site allocated for housing purposes (phase 1) in the UDP Review. The application site is a 0.5ha brownfield site in East End Park, which historically comprised back-to-back properties, which were cleared in the early 1990s. The northern part of the allocation was developed with houses in two schemes in the late 1990s, though the rest of the site (the majority) has remained undeveloped until now.

2.0 PROPOSAL:

- 2.1 The proposal essentially involves the creation of one new street between East Park Drive and East Park Road (parallel to the street alignment of the former back-to-backs demolished in the 1990s). The buildings are all two-storey and include one long block of a terraced appearance on the northern side of the street which will contain 10 two bed flats on the ground floor and 10 one bedroom flats on the first floor. Two smaller blocks are to be located on the south side of the proposed street, each with 3 two bed flats on the ground floor and 3 one bed flats on the first floor. The ground floor units of the block on the northern side will benefit from rear garden areas for their exclusive use. The two blocks on the south side will benefit from a communal garden area.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is a brownfield site, formerly occupied by back-to-back housing, cleared in the 1990s. The land has subsequently been grassed over and is bounded on the three sides by highways – East Park Drive, Charlton Grove and East Park Road. The highway boundaries comprise low level Armco barriers (motorway crash barriers). The northern part of the cleared area was re-developed in the late 1990s (land either side of Glensdale Grove). The dwellings immediately to the north of the current application site are semi-detached and two-storey in height. The north-western boundary of the application site comprises a 1.8 metre high close boarded fence. The site is set on a very slight fall to the south west. Other features of note

include the existing CCTV camera on a mast at the northernmost corner of the site and a bus stop on East Park Road, adjacent to the south west boundary.

- 3.2 The area surrounding the site is predominantly residential in character, comprising traditional terraced back-to-back properties (such as along the south east side of Charlton Grove), as well as some infill areas of later semi-detached and terraced areas of development. The Leeds to York railway line is located to the south of East Park Road and is in a deep cutting bordered by vegetation at this point.

4.0 PLANNING NEGOTIATIONS:

- 4.1 The applicant sought pre-application advice prior to submission of the formal planning application in order to refine the approach to the layout and design of the scheme.
- 4.2 A Statement of Community Involvement has been submitted with the application which states that a public exhibition event was held in August 2013 where the vast majority of comments were positive. The applicant has also engaged with Ward Members at both pre-application and post application stage. Planning officers have presented the scheme at the Inner East Area Committee Planning sub group and most recently attended a joint meeting with the applicant and Ward Members (Cllrs Asghar Khan and Maureen Ingham). The Ward Members present were supportive of the scheme and the layout and design of the development. Members are also keen to work with the applicant (ultimately the Council's Housing Management section) to ensure that the correct local tenancy policies are in place in order to prevent problems around noise and anti-social behaviour. Whilst a detailed landscape scheme is to be secured by condition, Members were keen to ensure that any tree or shrub planting was appropriate and would not result in onerous management and/or cost issues for the Council in the long term.

5.0 RELEVANT PLANNING HISTORY:

- 5.1 21/323/96/FU - 10 three bedroom semi-detached dwelling houses (south of Glensdale Grove) – Approved 2/10/97.
- 5.2 21/95/94/FU - 17 dwelling houses (south of Glensdale Mount) – Approved 8/8/95.

6.0 PUBLIC/LOCAL RESPONSES:

- 6.1 The application was advertised by site notices posted adjacent to the site dated 27th September 2013. The application was also advertised in the Yorkshire Evening Post edition of 10th October 2013. No letters of representation have been received in response to the public notification process.
- 6.2 By virtue of the increase of an additional two units in the scheme, the application is to be formally re-advertised. A verbal update will be provided to Members of any comments received. Subject to Members agreeing to the recommendation, it is proposed to delegate approval of the application to the Chief Planning Officer, subject to no new significant issues being raised.

7.0 CONSULTATIONS RESPONSES:

7.1 **Statutory:**

None

7.2 **Non-statutory:**

Yorkshire Water: - Initial objection relating to the impact of the development to existing on-site sewers (remaining following clearance of the former housing). This was later withdrawn on receipt of further details and clarification between the developer and Yorkshire Water.

Highways: - The latest comments state that the highway layout is generally acceptable. However, it is noted that by virtue of the location of the site, it does not quite meet all of the accessibility standards contained within the Core Strategy.

Flood Risk Management: - The details submitted with the application are considered acceptable and a condition is suggested requiring full details of the surface water drainage scheme to be submitted and approved.

Metro: - Residential MetroCards (scheme A) are sought to be secured for future residents at a cost of £462.00 per unit (£14,784 for 32 units).

Contaminated Land: - No objection, conditions are recommended.

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.

8.2 The adopted Development Plan for the area consists of the adopted Unitary Development Plan Review (UDPR) and the Natural Resources and Waste DPD, along with relevant supplementary planning guidance and documents.

8.3 The application site is allocated as a Phase 1 housing site on the UDPR proposals map. In addition, the following policies are considered to be of relevance:

GP5: Requires development to address all general issues.

GP7: Use of planning obligations.

H11: Provision of affordable housing

H12: Affordable housing type to be negotiated

H13: Affordable housing to remain in perpetuity

N2: Greenspace hierarchy.

N4: Provision of greenspace.

N12: Urban design principles to be followed.

N13: Design of new buildings to be high quality.

N23: Seeks to ensure incidental open space and existing landscape features are provided / included.

N38a: Prevention of flooding.

N38b: Flood Risk Assessments.

N39a: Sustainable drainage.

T2: New development and highways considerations.

T5: Safe access for pedestrians and cyclists.

T7: Development and cycle routes.

T7A: Requirement for secure cycle parking.

LD1: Landscape schemes.

- 8.4 **Leeds City Council: Supplementary Planning Guidance / Documents:**
SPG4 Greenspace relating to new housing development (adopted).
SPG3 Affordable Housing (adopted) and Affordable Housing interim policy (applicable to all applications received after July 2008)
SPG10 Sustainable Development Design Guide (adopted).
SPG13 Neighbourhoods for Living (adopted).
SPG22 Sustainable Urban Drainage (adopted).
SPD Street Design Guide (adopted).
SPD Designing for Community Safety (adopted).

Emerging Local Development Framework Core Strategy

- 8.5 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 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination.
- 8.6 The Core Strategy has now been the subject of independent examination (October 2013) and its policies therefore attract some weight, albeit limited by the fact that objections have been made and the Inspector's report has yet to be received (it is currently anticipated in Spring 2014). The Inspector has produced a schedule of Main Modifications. The following policies are considered to be of relevance:

SP1: Approach to the location of new development.

SP7: Distribution of housing land and allocations.

H1: Managed release of housing sites.

H3: Density of residential development.

H4: Housing mix.

H5: Affordable housing.

P10: Adherence to good design principles.

G3: Standards for open space, sport and recreation.

G4: New greenspace provision.

EN1: Climate change and carbon dioxide reduction.

EN2: Sustainable design and construction.

National Planning Policy

- 8.7 National Planning Policy Framework (NPPF, March 2012) gives a presumption in favour of sustainable development and has a strong emphasis on high quality design. Acknowledges that viability is an important issue and should be taken into consideration as part of the decision making process. On 6th March 2014 the final version of the National Planning Policy Guidance (NPPG) was launched – practice guidance available through an accessible website. In the written ministerial statement which accompanied the launch Nick Boles MP stressed the importance of bringing brownfield land into use.

9.0 MAIN ISSUES

1. Principle of development
2. Impact on design, visual amenity and character
3. Impact on residential amenity
4. Highway implications
5. Planning obligations

10.0 APPRAISAL

Principle of development

- 10.1 The site is allocated as a Phase 1 housing site under UDPR policy H3-1A.18. The northern part of the allocation has already been re-developed with housing in the late 1990s, along Glensdale Mount and Glensdale Grove. Accordingly, the principle of residential development on the remainder of the site is considered to be acceptable.

Impact on design / visual amenity / character

- 10.2 The proposed development is to be located on a site which was previously occupied by linear terraces of back-to-back housing, following the morphology of the existing streets (Glensdales and Charltons) to the north and south of the site. The proposed new street would logically run across the site, parallel to the former and existing street pattern, linking East Park Road to East Park Drive.
- 10.3 The proposed buildings are all two storey in height and include one long block of a terraced appearance on the northern side of the street which will contain 10 two bed flats on the ground floor and 10 one bedroom flats on the first floor. Two smaller blocks are to be located on the south side of the proposed street, each with 3 two bed flats on the ground floor and 3 one bed flats on the first floor. The ground floor units of the block on the northern side will benefit from rear garden areas for their exclusive use. The two blocks on the south side will benefit from a communal garden area.
- 10.4 The detailed design of the block along the northern half of the site is relatively contemporary in its appearance, comprising a rhythmical pattern of twin two storey gables, linked by one-and-a-half storey entrance elements. The block is terminated at each end by a single two storey gable element. The design benefits from generous window proportions to both the front and rear elevations, which ensure adequate daylight penetration, as well as increasing the ratio of solid wall to window proportions, benefitting the overall appearance of the building. It is also noted that care has been taken to step up each element of the building to run with the very slight incline towards East Park Drive. Detailed samples of materials can be secured by condition. Nevertheless, the applicant is proposing brickwork to the external elevations, including a string course. The windows themselves are proposed to be grey uPVC with solid panels to the lower elements.
- 10.5 The detailed design of the two blocks on the southern half of the site is different in form, being more simple, but with single projecting gable elements in the centre of the front and rear elevations. However, the design of the windows and their detailing is the same as for the longer block, described above. The materials are also proposed to follow the same discipline as that for the longer block.
- 10.6 The proposed boundaries around the development include brick walls to the sides of private garden areas where these abut adjacent highways, dwarf wall, railings and piers around side garden areas and most of the communal garden areas around the blocks on the southern side. Railings and piers are proposed along the southern side of the proposed street.
- 10.7 The bin store areas for the block on the northern side of the site were initially proposed to be located internally. However, following discussion with the housing management section of the Council, concern has been expressed about the potential management and security implications of these areas. Consequently, the proposals now seek to locate bin store areas externally in purpose built timber bin stores. These

are proposed to provide sufficient space for landfill and recycling bins for each flat. It is noted that the ground floor flats have use of private garden areas and external communal space is provided adjacent to each rear entrance, which can accommodate green waste bins. For the south side of the development, similar bin stores are provided for landfill and recycling bins. However, the communal garden areas will be managed by the Council and there is therefore no need for green waste bins on site. At the time of writing, officers are seeking to negotiate revisions to the bin stores such that they comprise more robust brick walls to the side and rear elevations. The changes to the bin store provision have freed up space within the block and thus have enabled the provision of two additional flats.

- 10.8 One off street car parking space is provided for each flat within the scheme and there is also the ability to provide 6 visitor parking spaces within Charlton Grove, which currently has very low levels of on street parking. The allocated parking spaces on the northern side of the site are at right angles to the highway and in front of the proposed flats, meaning that the spaces are well overlooked. Buffer planting is also proposed to create an element of defensible space between the front of the building and the proposed parking spaces. Given that 20 flats are proposed within this block, officers have sought to break up the parking areas to avoid long runs of parking. The parking areas have therefore been broken down into runs of a maximum of four spaces, each separated by pedestrian paths, tree planting and bin stores. The off street spaces on the southern side of the site are accommodated within the landscape setting around the blocks.
- 10.9 Overall, it is considered that the layout and design of the development is now acceptable.

Impact on residential amenity

- 10.10 As discussed above, the development forms part of the Council Housing Growth Programme. Within this, the housing needs of older people and the response to the impacts of Welfare Reform through the provision of 1 bed properties was identified as a key housing delivery driver for the project. This has led to the development of a flexible one bed apartment, which on the footprint of a 2 bed apartment can be converted to a 2 bed should there be a requirement to do so in the future. The submitted proposals provide for 16 two bed units at ground floor level and 16 one bed units at first floor level, but these clearly have flexibility built in for the future. It has been stated that allocations of the completed units will respond to local demand at the time and officers will aim to ensure that balanced and mixed communities are created by the new developments. In order to achieve this, housing officers will consult with Ward Members to develop a local lettings policy. This will help to prevent conflicts between different types and ages of householders in terms of noise and potential anti-social behaviour.
- 10.11 The form of development is all two storey in height and given that there are only very slight level changes across the site, it is considered that the development will not appear over-dominant or overbearing when viewed from adjacent properties. The proposed block on the northern side of the development is set 21 metres away from the rear elevations of the semi-detached properties on Glensdale Mount, in accordance with the space standards set out in Neighbourhoods for Living. All of the proposed windows overlook front and rear garden areas or communal spaces. It is noted that the private garden areas to the ground floor flats on the northern side of the development will inevitably be overlooked by the first floor flats. Nevertheless, this is considered acceptable as there is a robust housing rationale for providing smaller

family units with garden space on the ground floor and one bedroom flats for single and/or older people on the first floor.

- 10.12 Whilst some provision has been made for private amenity space in the form of private gardens and communal space, the UDPR also sets out a requirement for greenspace provision in relation to a development of this size. The site itself is too small to accommodate on site greenspace and in these circumstances, an off site greenspace contribution would normally be sought. East End Park is close to the site and fulfils the purpose of Policy N2.2 and N2.3 and so it is only a contribution towards N2.1 which is required. Following the formula set out in the greenspace SPG, this equates to a financial contribution of £46,787 which is required. This matter is dealt with in more detail under the planning obligations section.
- 10.13 The design and layout of the development has been revised through negotiation to ensure that garden areas, communal spaces and car parking are all overlooked and that appropriate boundary treatments are used in order to prevent crime and anti-social behaviour. Overall, the proposals are considered to offer an acceptable level of amenity to future occupiers and will not have a detrimental impact on the amenity of existing nearby occupiers.

Highway implications

- 10.14 The proposals have been designed such that one off street car parking space is provided for each flat within the scheme. The plans also indicate the ability to provide 6 visitor parking spaces within Charlton Grove, which currently has very low levels of on street parking. Highways officers have previously stated that the submitted scheme is generally acceptable, but are currently assessing the revised proposals although these are essentially very similar.
- 10.15 From an accessibility perspective, it is noted that due to the geographical location of the site, it does not quite meet the accessibility standards set out in the Core Strategy. The site is within 600m of two primary schools and is within the recommended distance to secondary education. It is also noted that the bus stop along the frontage with East Park Road offers 20/30 minute services. However, there are otherwise limited local services close to the site, although it is within 200m of a medical centre.
- 10.16 Following consultation with Metro, it is requested that bus only MetroCards are provided for future residents. At a cost of £462.00 per unit, this would equate to a total contribution of £14,784 for 32 units. This matter is dealt with in more detail under the planning obligations section.
- 10.17 Overall, the proposals are considered acceptable from a highways and accessibility perspective.

Planning obligations

- 10.18 The planning obligations normally sought for a development of this scale are;
1. Greenspace contribution - £47,787
 2. Residential MetroCards (bus only) - £14,784
- 10.19 From 6th April 2010 guidance was issued stating that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:

- Necessary to make the development acceptable in planning terms - Planning obligations should be used to make acceptable, development which otherwise would be unacceptable in planning terms.
- Directly related to the development - Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement. And:
- Fairly and reasonably related in scale and kind to the development - Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.

10.20 The contributions listed above have been calculated in accordance with relevant guidance. However, officers are mindful of the following key aspects:

- The proposed development is to be for 100% Affordable Housing.
- The applicant has indicated that it would otherwise have to undertake a viability study to assess whether it would be possible to fund these requirements and implement the development.
- The site is an allocated Phase 1 housing site which was previously cleared in the 1990s and has since remained undeveloped and would otherwise likely remain undeveloped for the foreseeable future. A key aim from both Central Government and the Council's perspective is the delivery of housing on brownfield sites – this was restated by the Planning Minister on 6th March in launching the NPPG.
- East End Park is a short distance away, to the east of East Park Parade and performs the necessary functions under Policy N2.2 and N2.3. This is a substantial area of greenspace which is considered to be capable of servicing the needs of future residents without significant further investment.

10.21 In considering the position with respect to planning obligations, it is a matter of planning balance. In this particular instance, significant weight is attached to the regeneration objectives that would be fulfilled by the development, the delivery of housing and particularly a one hundred percent Affordable Housing scheme that meets identified needs. These matters are considered to carry such significant weight that they are sufficient to set aside the provision of greenspace contributions and MetroCards. On balance, it is considered that given the nature of the development with the circumstances set out above, it is acceptable to set aside the normal requirements of planning policy in order to facilitate the deliverability of this much needed housing development.

11.0 CONCLUSION

11.1 It is considered that the proposed development offers an opportunity to secure a one hundred percent Affordable Housing scheme to meet identified housing needs on a brownfield allocated housing site which has remained undeveloped for a significant period of time. The development is robust to be adapted for future housing needs and is well designed in terms of its layout and visual appearance. It is considered that the

proposed development has the ability to offer good quality homes and will not have any detrimental impact on the amenity of nearby occupiers. Sufficient provision is made for car parking and the scheme is considered to be acceptable in highway terms. For the reasons stated above, it is considered that the planning balance dictates that the planning obligations that would ordinarily be sought should not be required in this particular instance. In light of the above, the application is considered to be acceptable and the recommendation to Members is to defer and delegate approval to the Chief Planning Officer, subject to no significant new issues being raised as a result of the re-consultation.

Background Papers:

Application file: 13/02572/FU.

Certificate of Ownership – Signed as applicant.



Rev	By	Detail - Pre Contract	Date
E	AH	Revised to incorporate client comments	11/12/13
D	AH	Site plan revised to incorporate planning comments	27/11/13

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PROJECT
**HRA New Housing
 East Park Road**

DRAWING TITLE
**Proposed
 Site Layout**

DRAWING NUMBER
14-1-1071 [90] 01

DATE	SCALE	SIZE	DRAWN
15.7.13	1:200	A1	
DRAWING NUMBER	CHECKED	REVISION	
14-1-1071 [90] 01	KAP	E	

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