



Report of the Chief Planning Officer

PLANS PANEL NORTH AND EAST

Date: 17th April, 2014

Subject: Application 13/02572/FU – application to layout access roads and erect 44 dwelling houses on land formerly occupied by the Whitebridge Primary School off Cartmell Drive, Halton, Leeds

APPLICANT

Gleeson Regeneration –
Affinity Sutton

DATE VALID

17th June, 2013

TARGET DATE

16th September, 2013

Electoral Wards Affected:

Temple Newsam

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 completion of a Section 106 agreement to secure a contributions to be directed towards identified local priorities (to be agreed in consultation with Ward Members):

- **A contributions pot of £113,599**

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

1. Time limit
2. Plans schedule

3. External materials to be agreed
4. Boundary treatment to be agreed
5. Surfacing materials to be agreed
6. Drainage details to be agreed
7. Flood risk measures
8. Contamination conditions
9. Detailed access arrangements (including visibility and levels) to be agreed
10. Parking areas to be provided and maintained
11. Construction method statement
12. Protection of existing trees/vegetation
13. Landscape conditions (implementation and management)
14. Finished floor levels

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 application is presented to Plans Panel as a major development and in light of a shortfall in the S106 contributions triggered by the development, which has been the subject of a Viability Appraisal (VA) submitted by the applicant.
- 1.2 Members should therefore be aware that consideration of this application is to be accompanied by a separate report relating to the scheme's overall viability. The information contained within the separate report is confidential as it relates to the financial and business affairs of the applicant. It is considered that it is not in the public interest to disclose this information as it would be likely to prejudice the applicant's commercial position. It is therefore considered the viability report, when issued should be treated as exempt under Schedule 12A Local Government Act 1972 and Access to Information Procedure Rule 10.4 (3).
- 1.3 Notwithstanding the above, the main headlines as fall as the consideration of S106 issues is that a development of this scale would normally be asked to deliver the following contributions:
 - 5% Affordable housing (2 units)
 - Off-site greenspace contribution (£111,238)
 - Bus stop improvements - shelter and real time information (£20,000)*
 - Metro travelcards x 44 at £462 (£20,328)*

*Please note, both the bus stop improvements and travelcard requests from Metro are standard requests for major residential applications of this nature. As such, these requests are assessed on a site by site basis which includes a review of the public transport options and infrastructure available in the area.
- 1.4 As can be seen from the officer recommendation, a contributions pot of £113,599 is proposed following consideration of the VA to be directed towards local priorities as identified by Ward Members.

2.0 PROPOSAL:

- 2.1 The application is a detailed proposal relating to the erection of 44 dwelling houses and associated works. The site measures 1.41ha. The design of the dwellings comprises family housing, two storey in height in detached and semi-detached configurations containing a mixture of 2, 3 and 4 bedrooms. In all 9 house types/variations are proposed to be constructed in brick with tiled roofs and would have a traditional appearance.
- 2.2 The application proposes two separate cul-de-sacs. A third access proposes to extend the existing Appleby Walk. 10 houses to the site frontage will have direct access onto Cartmell Drive. Properties in general have individual driveways leading to integral or detached garages to the side and rear. Garden areas follow a traditional layout having a short front garden with a relatively longer rear (private) garden area.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is a brownfield site situated to the east side of Cartmell Drive. The site is enclosed by palisade metal fencing to three sides with a close boarded wooden fence to the remaining eastern boundary which separates the site from the recently constructed dwellings on Carden Grove and Sycamore Close. There are four groups of protected (TPO) mature trees on site comprising two close to the eastern boundary, one to the north western corner of the site with the final group in the south western corner. The latter group also extends into an adjacent site situated at the junction of Cartmell Drive and Neville Road. The site covers a total area of 1.41 hectares. The majority of the site is level, however the site slopes upwards increasing by approximately 2m in height towards the eastern boundary.
- 3.2 The northern boundary abuts Appleby Walk with an area of mature traditional brick built houses predominantly in local authority ownership with a more modern looking development of dwellings beyond the eastern boundary of the site. Land to the south of the site, now vacant, was formerly occupied by the remainder Whitebridge School complex and currently owned by the Council. The school site has been cleared of all buildings. To the west side of Cartmell Drive there is a protected Wyke Beck pathway with Corpus Christi High School further to the west. The site immediately to the south of the site situated to the corner of Cartmell Drive and Neville Road, is currently vacant and formerly part of the Whitebridge School complex. It is understood that this site is still within Council ownership but with potential for development for a community use. This area abuts the East Leeds Leisure Centre. The area is predominantly residential in character.

4.0 PLANNING NEGOTIATIONS:

- 4.1 The applicant sought pre-application advice prior to submission of the formal planning application. Due to the developer's time constraints this formal application was submitted before a response could be formulated. The Case Officer however informed the developer that the principle of development was (brownfield site) and advised on the documents required to support the proposed planning application submission. Negotiations took place during the application process relating to modest changes to the layout and highway considerations.
- 4.2 The developer has submitted a VA with the application which has been reviewed by the District Valuer (DV). This concluded that the development could not stand to

deliver the full requirement of contributions and remain viable. The DV calculated that the amount of £113,599 was figure the development could achieve whilst retaining an acceptable return for the developer and this figure has now been agreed.

- 4.3 Ward Members have been invited to comment / meet with Officers to express their views in relation to the scheme in general and the shortfall in the delivery of the full financial contributions required in support the development. At the time of writing such a briefing had not taken place as no responses had been forthcoming. Some initial feedback has however been received from Member's separately raising issues in relation to where funds would be allocated to form the green space element of the contribution; would there be a contribution towards education; and for more information regarding specific requirements for Metro in provision of the bus shelter including its frequency of use, the routes it operated for and the allocation of metrocards. Additional information has been provided more recently with Councillor Cummins indicating a briefing was needed. Officers are trying to facilitate such a briefing and will update the Panel verbally as to the outcome. Separationly Councillor Lyons has expressed the view the application should not be progressed to Panel until a briefing has taken place. Councillor Mitchell is understood to have been on maternity leave so has not been available.

5.0 RELEVANT PLANNING HISTORY:

None

6.0 PUBLIC/LOCAL RESPONSES:

- 6.1 Prior to submission of the planning application the applicant carried out a public consultation involving posting 350 leaflets in the local area around the site and held a public "walk in" event for local residents to ask questions and view the general outline of the proposals. The applicant states that the event was attended by 13 local residents, 6 of whom completed a prepared questionnaire resulting in feedback representing 100% in favour of the development going ahead.
- 6.2 The application was advertised by site notices posted adjacent to the site dated 28th June, 2013. The application was also advertised in the Yorkshire Evening Post Edition of 27th June, 2013. No letters of representation have been received in response to the public notification process.

7.0 CONSULTATIONS RESPONSES:

Statutory:

- 7.1 Environment Agency:
No objection subject to implementation of the details contained in the accompanying FRA and conditions relating to surface water run-off rates, identification of safe routes out of the site in the event of flooding, and finished floor levels.
- 7.2 The Coal Authority:
No objection subject to further site investigation works, and clarification through the VA that the coal recovery process would further contribute to rendering the development of the site economically unviable.

Non-statutory:

- 7.3 Yorkshire Water:

Initial objection relating to the impact of the development to on-site sewers. This was later withdrawn on receipt of revised details and clarification between the developer and YW.

- 7.4 Highways:
Potential works required to the existing traffic calming measures. Awaiting comments on the most recent revision to the layout of the site.
- 7.5 Flood Risk Management:
The details set out in the accompanying FRA for dealing with surface water drainage seem acceptable. No objections subject to condition for details to be submitted prior to the commencement of development
- 7.6 Metro:
Provision for Bus Shelter / Bus stop improvements to bus stop no. 12055 = £20,000;
Metro cards (bus only) 44 x £462 = £20,328
- 7.7 Contamination:
No objection. Conditions recommended.
- 7.8 Public Rights of Way:
Public Footpath No 56 Leeds City abuts part of the northern boundary of the site. The development does not directly affect the identified footpath.

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 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.
- 8.2 The application site has no specific allocation within the UDPR proposals map, however it is within an area identified for regeneration initiatives (R2) and falls within the broader Wyke Beck Policy Initiative Area. In addition, the following policies are considered to be of relevance:

GP5: Requires development to address all general issues.

GP7: Use of planning obligations.

H4: Residential development on non-allocated sites

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.

N10: Retention of existing rights of way.

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.

N25: Relates to retaining existing boundary features which are positive

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.

Leeds City Council: Supplementary Planning Guidance / Documents:

- 8.3 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

- 8.4 The Core Strategy was submitted to the Secretary of State for Communities and Local Government on 23rd April 2013. The Secretary of State appointed a Planning Inspector to conduct the examination of the plan, which commenced on 7th October and ended on 23rd October. The Inspector's report is awaited. At this stage the only issues which the Inspector has raised concerning the soundness of the plan relate to the affordable housing policy and the Council's evidence on Gypsies and Travellers. As the Core Strategy has been the subject of independent examination (October 2013) and its policies attract significant weight, albeit limited by the fact that the policies have been objected to and the Inspector's Report has yet to be received (currently anticipated in Spring 2014). The delivery of housing on brownfield sites and regenerations initiatives are nevertheless key issues.

National Planning Policy

- 8.5 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.

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. Flood Risk
6. S106 contributions

10.0 APPRAISAL

1. Principle of development

- 10.1 The application site, although now vacant, was formerly occupied by the Whitebridge Primary School thereby representing a brownfield site and therefore considered appropriate for redevelopment for residential purposes in accordance with national and local planning guidelines. In addition, the delivery of additional housing on a

brownfield site is welcomed from both a regeneration perspective and because of the contribution this site would make towards achieving the Council's wider housing targets. For these reasons the redevelopment of the site can be supported in principle in addition to the more detailed matters considered below.

2. Impact on design / visual amenity / character

- 10.2 The site is in a predominantly residential area characterised throughout by two storey housing. The overwhelming majority is constructed of red brick and traditional roof tiles, with the exception of a recent development of eco-housing abutting the eastern boundary of the site. This development is constructed to a painted rendered finish with shallow pitched cladded roof tops with strategically sited photovoltaic panels. The proposed development comprises detached and semi-detached units in a total of 9 different house types of a traditional design and constructed to a brick finish with variety of roof designs including dual pitched gables and hipped. In addition, the semi-detached units are not simply a handed version of the same design but in places use different house types attached to helping to create visual interest within the street scene. The broader layout adopts a cul-de-sac approach with the head of each presenting a robust visual presence contributing to an overall sense of place which is reflective of the general layout of housing in the surrounding area.
- 10.3 The layout has been designed to ensure that the existing landscape features are retained and the protected trees to the Cartmell Drive frontage will be complimented with additional planting in between the two groups to individual houses facing the highway. The applicant has sought to avoid large areas of hard surfacing within the layout, largely achieved by designing off-street parking facilities being entirely within individual curtilages and to the side of dwellings rather than directly in front, thereby avoiding street scenes being unduly dominated by the presence of motor vehicles. It is considered that the overall layout strikes a good balance between providing a quantum of houses in a spatially relaxed design that will accord with the aims and objectives for the family sized dwellings it is seeking to achieve whilst contributing in a positive vein the visual amenity of the site and the character of the area as a whole.

3. Impact on residential amenity

- 10.4 The proposed house types are wholly two storey in height, reflecting the height and scale of the recently constructed houses to the east of the site and the older housing elements to the north of the site on Appleby Walk. The proposed dwellings are partly arranged around the existing Appleby Walk and two centrally located cul-de-sacs. The layout affords adequate separation distances to the existing dwellings on the adjacent sites and the internal layout satisfactorily reflects the required separation distances when assessed against the Council's relevant design guidance – Neighbourhoods for Living. As such, the proposed development would not result in any adverse impact on the residential amenity of the occupants of surrounding residential properties by virtue of a loss of privacy through overlooking, overshadowing or development that could be viewed as being overdominant or overbearing.
- 10.5 The proposed dwellings are designed in accordance with the standards expressed by Secured by Design and the layout in particular offers natural surveillance of public and private areas within the site. The layout and the level of private amenity space afforded each dwelling is cognisant with the needs to support family styled housing and the Council's relevant space standards.

- 10.6 The detailed layout site does not propose or provide on-site areas of public amenity due to its relatively small size hence the requirement to contribute to the existing hierarchy of local green space provision. The Wyke Beck pathway to the west side of Cartmell Drive and the playing fields situated to the west side of Neville Road are nevertheless within a few minutes walking distance of the site.

4. Highway implications

- 10.7 Highway Officers have commented that the proposed development is acceptable in principle but initially highlighted issues relating to access, the internal layout, parking and the need to address off-site works in part relating to the existing traffic calming measures on Cartmell Drive. Officers did however comment that the site is considered to be accessible by alternative modes of transport. The revised layout addresses and the issues raised and believe that the scheme is now in accord with the relevant design guidance, in terms of off-street parking, visitor parking and accessibility.

5. Flood Risk / Drainage

- 10.8 The Leeds Strategic Flood Risk Assessment identifies that most of the site falls within Flood Zones 2 and 3. The Council's Flood Risk Management Team advise that the site is also located in the EASEL drainage strategy area, where stringent drainage requirements are applied. In accordance with the NPPF and additional technical guidance the applicant has submitted a comprehensive Flood Risk Assessment (FRA) which includes a sequential test carried out within the EASEL area. The test concluded that there were no alternative sites available in the target area that would be less likely to be the subject of flooding the application site.
- 10.9 The submitted FRA has been assessed and accepted by the Environment Agency and the Council's own Flood Risk Management Team subject to the development being implemented in accordance with the recommended measures relating to limiting surface water run off rates; provision of water storage; identification of safe routes into and out of the site to safe havens at times of flooding; and maximum finished floor levels. Conditions are recommended to achieve these measures.

6. S106 contributions

- 10.10 The scale of the application is such that contributions towards affordable housing (5%), off-site greenspace provision/improvements (£111,238), improvements towards local public transport infrastructure (bus stop at £20,000) and Metro travelcards would normally be expected.
- 10.11 In response to these requirements, the applicant as submitted a VA indicating the scheme cannot afford to deliver the full policy ask. A reduced offer of £113,599 has therefore been negotiated following assessment of the VA by the DV.
- 10.12 At the time of writing, it has not been possible for officers to meet with Ward Members to take them through the scheme or the conclusions of the VA in person but the basic headlines have been communicated to them in correspondence. Initial feedback from Members expressed concerns about the lack of contributions being delivered and also that contributions towards education have not been pursued in view of the clear capacity issues which are known to exist locally.
- 10.13 In responding to the above, officers are mindful however that under current adopted UDPR policies the development falls below the threshold of 50 houses which trigger a

contribution towards education services and also that central government policy clearly recognises viability can be considered as part of the planning application process.

- 10.14 For the purpose of this application, the applicant has submitted a VA in support of the reduced offer which the DV has concluded to be reasonable. The detailed conclusions in support of this position are reported to Members via the separate confidential report. Notwithstanding this and in recognition of the local pressures which exist, it is proposed to word the S106 so that the contribution figure is held in a central pot to be directed towards local priorities as highlighted by Ward Members - subject to the normal caveat that any payments are only directed towards items which would be compliant with the legal tests as set within the Community Infrastructure Levy regulations.

11.0 CONCLUSION

- 11.1 It is considered that the proposed development is acceptable in principle, is well designed creating an attractive visual presence in the street scene and contributing to the residential character of the area. In addition, the proposed development would not prejudice the residential amenity of neighbouring properties whilst providing a good standard of living accommodation and outdoor amenity space for the future occupants of the development without prejudicing the interests of highway safety. It is therefore recommended that approval be granted subject to the stated conditions and subject to securing the required S.106 contributions.

Background Papers:

Application file: 13/02572/FU.

Certificate of Ownership A completed.

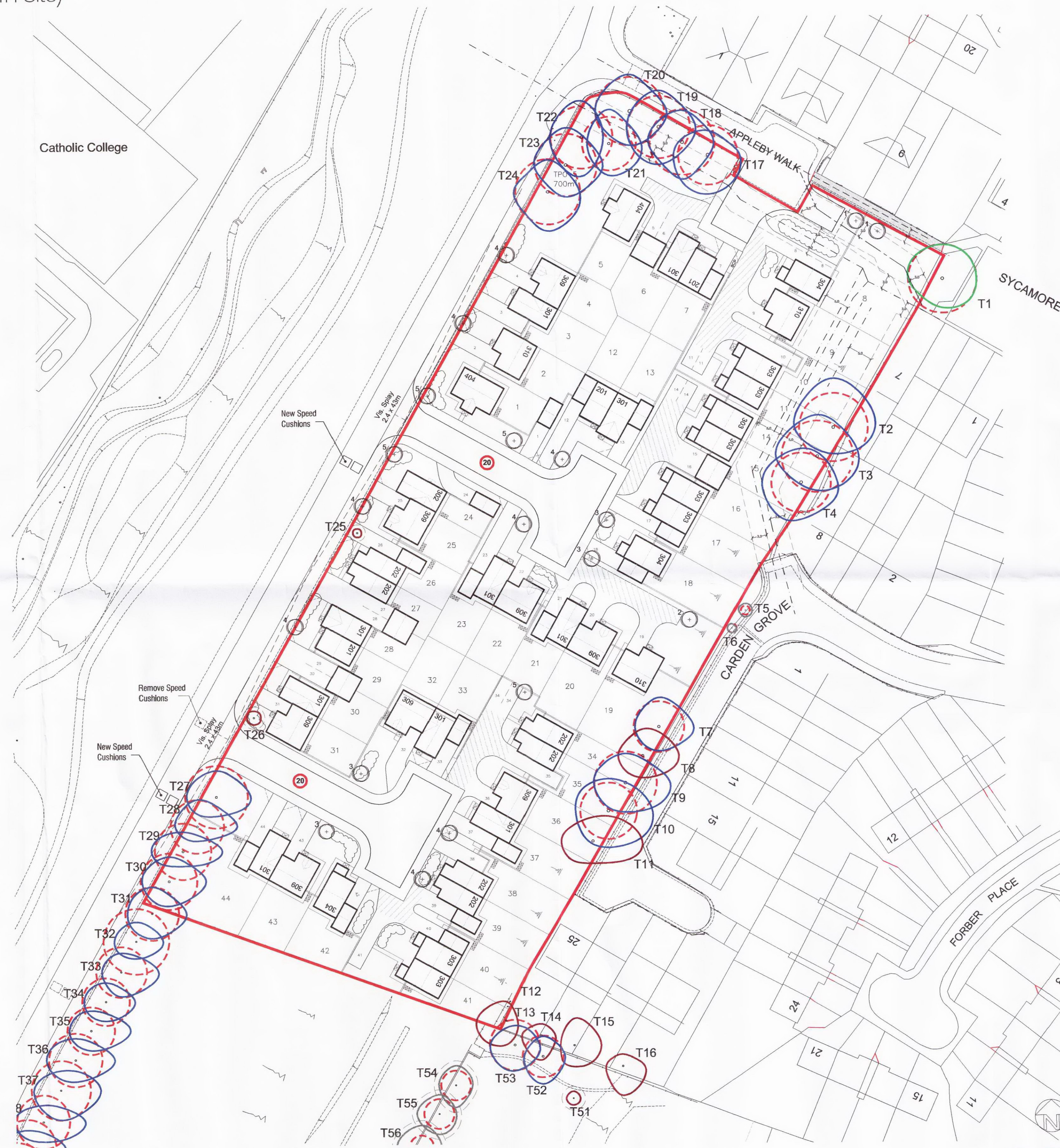
Planning Layout

Whitebridge School Halton Moor (Northern Site)

REVISED

Schedule

No.	Description	Ref.
3	2 Bedroom 2 Storey	
6	2 bed terrace/semi	201
6	2 bed terrace/semi	202
10	3 Bedroom	
1	3 bed terrace/semi	301
1	3 bed semi	302
8	3 bed terrace/semi	303
8	3 bed terrace/semi	309
3	3 Bedroom	
3	3 bed detached	304
3	3 bed detached	310
2	4 Bedroom	
2	4 bed detached	404
44	Total units on site	



Key

- Proposed Dwellings
- Plot Number
- House-type Ref
- Driveway
- NB Ganges Optional screen fence in Rev
- Level Access (Part m)
- New Trees
- To be read in conjunction with survey drawing supplied by Haycock & Todd: S7927 and Tree Report by Michael Cooper Arboricultural Consultant dated 22nd May 2013
- Category A
- Category B
- Category C
- Category U
- Existing trees removed
- Existing trees rpa
- Indicative Planting
- Bin Storage Point
- Bin Collection Point
- Shared surface
- Paths / Paving giving level threshold access to dwellings
- Screen Fence 1.8m high Hlt and Mts (Plot Divisions on Boundary also)
- Post and Wire 600mm high
- Crest Detail
- 1.5m Apron
- Social Rented
- Social Intermediate
- Easement Storm Sewer
- Easement
- Easement Foul Sewer
- Easement
- Easement Water Mains
- Easement

- Rev J Plot 1 position amended 04/12/13
- Rev I Separation distances of plots 10, 11, 14, and 15 to the garden areas of plots 7 and 13 increased as per planners comments 11/11/13
- Rev H Plot amendments to accommodate FRA Levels 11/10/13
- Rev G Sewers & easements clarified 11/09/13
- Rev F Plots Positions amended as per planner requests 10/09/13
- Rev E Easement dimensions indicated 04/09/13
- Rev D Speed calming measures indicated & easement amended 03/09/13
- Rev C Layout amended as per highways comments 30/08/13
- Rev B House-type 304 roof configuration amended and TPO updated 12/06/13
- Rev A Garage positions amended to selected plots 02/05/13

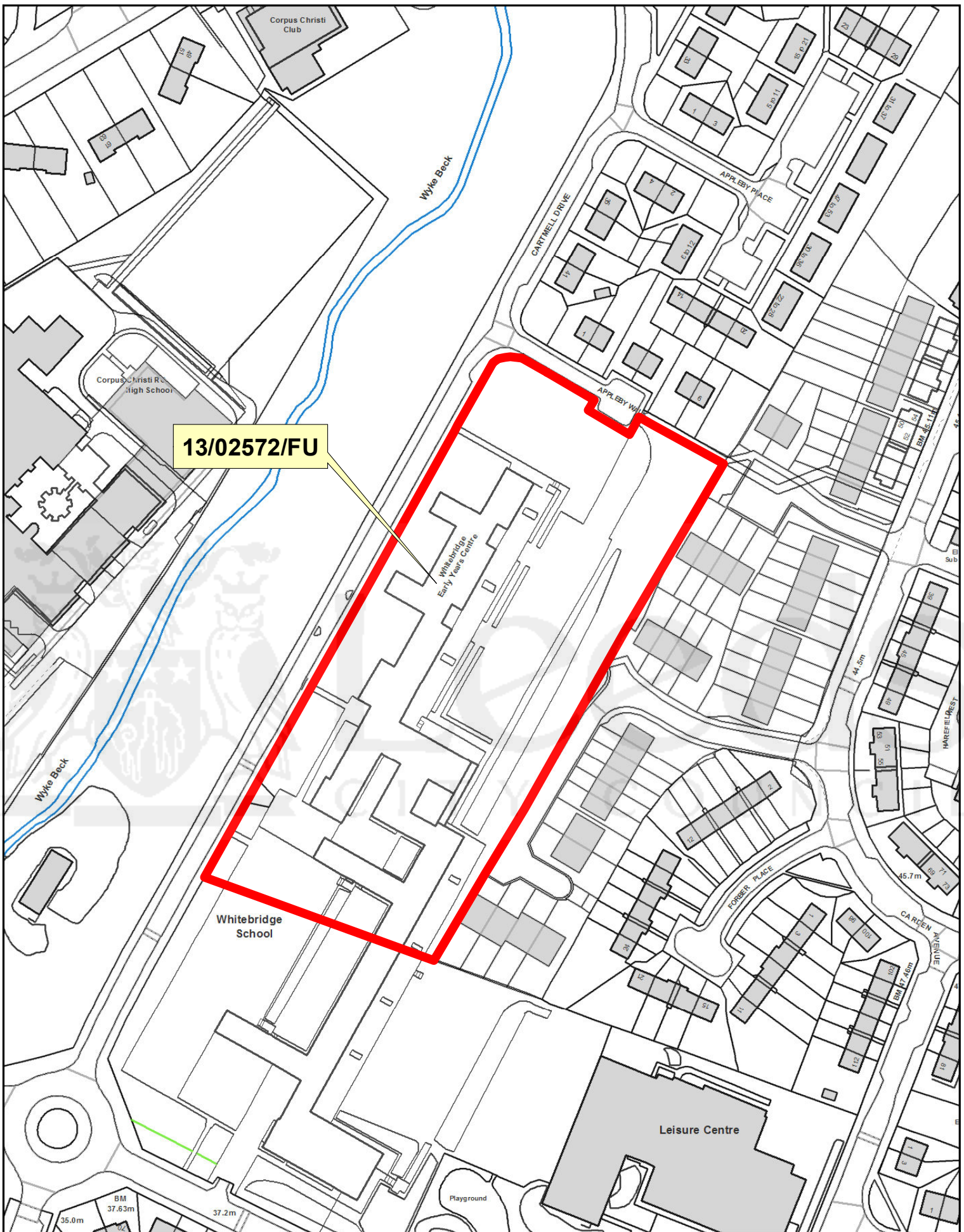
Please Note OS Information: The ordinate survey file is used as a guide only

Client: Gleason Regeneration Date: Apr 2013
 Project: Whitebridge School Halton Moor Drwn: PD
 Planning Layout
 GH.209913.101 Rev: J



urbandesign
 architecture
 urban-oasis.co.uk

| Site Plan
 1:500



NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500

