



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 15th May 2014

Subject: APPLICATION: 13/05235/FU – Full application for 189 new homes including affordable houses and elderly persons apartments, commercial facilities including retail and industrial/employment units and outline application for additional commercial uses at the Millennium Village, Park Lane, Allerton Bywater.

APPLICANT

Keepmoat/HCA

DATE VALID

5th December, 2013

TARGET DATE

6th March, 2014

Electoral Wards Affected:

Kippax and Methley

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 the following:

- **Affordable Housing (28 units)**
- **Education: Primary (£118,893)**
Secondary (£338,592)
- **Off-site Greenspace (£17,649)**
- **Bus Stop Real Time Information (at £10,000)**
- **Employment and training initiatives**

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 on permission (full and outline)
2. Plans schedule (reserved matters for outline)
3. Submission of external materials
4. Submission of boundary treatments
5. Submission of surfacing materials
6. Drainage conditions
7. Detailed landscaping scheme including implementation
8. Landscape management scheme
9. Use of Atelier Garages to be ancillary to dwellings and units not to be sold or let.
10. Garages not to be converted and to remain available for use
11. Detailed breakdown of parking provision for residents, visitors, customers and disabled person across the site required
12. Access road to neighbouring site to be provided to extent of legal boundary
13. Remediation report including details of gas protection for dwellings and gardens.
14. Restrictions to insert additional windows in side elevations (various plots)
15. Validation report for remediation works
16. Windows to be obscure glazed (various plots)
17. Construction management plan required - to include working hours
18. Noise insulation measures for commercial units
19. Lighting restrictions to commercial units and parking/servicing areas
20. Opening and delivery hour restrictions for commercial units
21. Submission of bin storage details
22. Submission of cycle parking details
23. Details of homezone signs to be submitted
24. Detailed finished floor levels condition
25. Final speed control measures within homezones/ approach roads to be agreed
26. Floorspace restrictions to commercial units
27. Travel plan
28. Commercial uses restricted to Classes A1, and B1(b, c) and B2 (full) and A1, A3, A4, B1(b,c) B2 and B8 (outline)

Full conditions (including any amendments/additions) to be deferred and delegated to the Chief Planning Officer

1.0 INTRODUCTION:

- 1.1 This planning application is presented to Plans Panel following a pre-application presentation held on 31st October 2013 and in accordance with the submitted Planning Performance Agreement (PPA)
- 1.2 Members visited the site on the morning of the October Panel meeting and then received a presentation from the developer's team in the afternoon. Ward Councillor James Lewis also addressed Panel Members to provide the local perspective. Detailed feedback to the pre-application presentation is provided in the negotiations section of this report but overall the response from Members was positive.
- 1.3 The formal planning application followed shortly after the pre-application presentation but officers have worked with the developer to address both the initial feedback provided and also the detailed responses received as part of the formal application

process. Ward Members have been briefed about the application and in particular the content of the S106 offer has been discussed.

2.0 PROPOSAL:

- 2.1 This is a hybrid application and proposes both full and outline proposals relating to the completion of the Millennium Village (MV) through the construction of the remaining residential phases and the northern commercial zone as envisaged by the original outline permission granted in 2002. The original outline permission has nevertheless expired which necessitates this new application.
- 2.2 With respect to the residential element of the proposals, these are submitted in detail and a total of 189 units are now shown across three distinct components which is a reduction from the 191 units proposed when the application was submitted and at the pre-application stage. Two of the residential components relate to the linear plots found adjacent to Flockton Road and Haigh Moor Way respectively and are opposite the existing residential phases by Miller Homes and Barrett. The third component relates to the area of land to the north of Silkstone Square which is the main central greenspace and formal play area for the MV. A range of house types are proposed to provide 2, 3 and 4 bedroom properties within a mixture of terraced, semi-detached and detached units. A number of atelier units (providing ancillary space above detached garages at the end of gardens) and Flats Over Garages (FOGs) are also proposed. In addition to the 2 and 3 storey houses, 20 flats are also proposed within a single part 4/part 5 storey block overlooking Silkstone Square. These flats are identified for elderly persons and along with a further 8 units are identified to make up the affordable housing offer for the development.
- 2.3 The layout and appearance for the residential components continues with the home zone principles found elsewhere within the MV whereby relatively tight streets are formed by the positioning of the houses themselves with only a single shared surface for pedestrians and vehicle users provided in between. A series of blocks are therefore formed with houses fronting the homezone areas and main approach roads with gardens mostly backing onto other gardens. A relatively contemporary but simple design is proposed for the residential properties which utilises large format windows. The dominant material would be red brick but with key buildings picked out in render. Parking is for the most part provided in-curtilage within the main homezone areas but further spaces are also provided directly off Flockton Road and Haigh Moor Way (including a number of visitor bays). Access to the neighbouring timber merchant site is also retained as part of submitted layout and a series of small greenspace areas are also proposed throughout.
- 2.4 In terms of the commercial zone, this area has been reduced in scale and redesigned due primarily to highway and access issues and now proposes a total floorspace of circa 1,934sqm (510sqm retail and 1,424sqm industrial). Light industrial type uses (similar to Network Space) are envisaged within the 8 units identified. Although end users are also not identified for the 3 retail units shown, provision for a single unit measuring circa 378sqm is specified as a fixed requirement and is prominently positioned facing Park Lane. The layout alterations to this area have sought to separate the retail and industrial activities through the provision of their own access points and parking areas. The commercial buildings are designed to have a relatively low profile in terms of overall scale and massing and would be almost agricultural in terms of appearance due to the use of timber cladding, blockwork and metal roofs.
- 2.5 A second commercial phase is also proposed to be accessed off Bramwell Road but is submitted in outline only and would have a floorspace of circa 500sqm. No use is

specified to provide maximum flexibility but a single building format divided into 2 units is shown indicatively with parking to the rear. Options include further retailing, food and drink, drinking type uses or potentially more employment uses.

- 2.6 Accompanying the application is the offer to enter into a S106, the detailed content of which is outlined in the appraisal section of this report.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site boundary covers the vacant areas of the MV site which have yet to be redeveloped. The wider MV site covers the former colliery site and is bounded by Park Lane to the north, Barnsdale Road to the east, Station Road to the south and Vicars Terrace to the west.
- 3.2 The site readily splits into three main areas. Two areas form long, relatively narrow strips of land between the former railway line and the recently constructed Flockton Road and Haigh Moor Way. The third area lies to the north of the existing central play space and square (Silkstone Square) and to the west of the allotment gardens.
- 3.3 Land to the south has been developed for new housing as part of the MV and older housing can also be found to the northeast of the site, namely the Park Avenue estate. A section of land between Park Avenue and the application site exists and has been the subject of a separate pre-application enquiry. This land was previously occupied by a timber merchant and the pre-application proposes its redevelopment for affordable housing. An indicative layout is ghosted onto the submitted proposals plan to show how this area could be redeveloped and accessed in the future.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The original outline application for the MV was submitted in 2000 (under 33/311/00/OT) and set out proposals for the entire redevelopment of the former colliery site. The outline permission was granted in August 2002 and permitted up to 520 residential properties, various commercial and community developments with associated infrastructure and green spaces. The outline permission was also extended in October 2005 (33/240/05/OT).
- 4.2 Subsequent reserved matters applications for various components of the site have been submitted and built out and comprise of the following:
- 33/14/04/RM - Network Space for 17 small scale industrial units (B1/B2/B8) – Granted July 2004 (Complete)
 - 33/522/04/RM - Miller Homes for 176 houses / 21 apartments - Granted February 2005 (Complete)
 - 33/63/05/RM - Wheatley Construction for 3 two storey office units – Granted May 2005 (Only 1 office building constructed to date and never occupied)
 - 33/375/05/FU - Primary School converted to a Children's Nursery - Granted April 2004 (Complete)
 - 33/378/05/RM - Fleming 23 houses – Granted November 2005 (Complete)
 - 33/555/05/RM - Barratt for 151 houses - Granted March 2006 (Nearing completion)

5.0 HISTORY OF NEGOTIATIONS:

5.1 As mentioned within the introduction, the developer has engaged with the Council in advance of this formal submission which included a formal pre-application presentation to the Panel in October of last year. Public consultation was also carried out by the developer prior to the formal submission.

5.2 As part of the pre-application presentation, Members were asked a series of questions which are summarised below.

1. Should the scheme's design be in accordance with the original Allerton Bywater Design Code as well as Neighbourhoods for Living?
2. General thoughts on the basic layout proposed?
3. Feedback on the general design advanced for the house types and commercial units?
4. Acceptability of the relationship with the neighbouring site (the former Timber merchants)?
5. Comments relating to the use of homezones and the provision of additional parking off Flockton Road and Haigh More Way?
6. Any concerns regarding the mix, scale and positioning of the retail/industrial units?

5.3 Members responses to the above questions are summarised as follows:

- The design code from still relevant but the importance of not cramming in houses which would be detrimental to the existing, well planned estate was stressed.
- Design approach to the residential and commercial building was generally good and there was a desire to match the red brick used on other phases.
- The need for proper integrated bin storage was made by several Members.
- The need for the convenience store to be sited where there would be passing trade was accepted.
- That the older persons accommodation should be sited close to other facilities and bus stops.
- Slight concern about pedestrian safety in the homezone.
- Glad parking was being looked at more closely in view of existing issues and that additional parking off the main estate roads was welcomed.
- Questioned the cycle route and whether this could be extended.

5.4 In addition to the above, specific comments from Councillor James Lewis included the following:

- Access and parking are big issues but seem to be looked at positively.
- The need for the Council to quickly adopt roads on the estate.
- The housing mix and affordable housing to be tied to local need and local connections.
- Whilst the proposed convenience store was welcomed further information was required regarding other retail uses.
- Cycleway links needed.

Councillor Lewis also responded when questioned that some new residents in the existing MV phases had moved from the surrounding area and he wasn't aware of any 'them' and 'us' conflicts.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was initially advertised by site notices posted adjacent to the site dated 20th December, 2013. In addition the application was advertised in an edition of the Yorkshire Evening Post published on 20th December, 2013.

6.2 23 letters of representations/objections have been received from local residents in response to the original public notification process. Comments include the following main points:

- Highway safety issues for pedestrians/children as a result of increased traffic
- On street parking, residents not using allocated spaces, potential to block access for emergency vehicles, contrary to home zone principle.
- Siting of commercial uses at a busy road junction.
- Inadequate parking for existing properties
- Loss of green areas given over to parking in unacceptable as told this would remain open. Houses purchased on this basis and maintenance fee paid.
- Inappropriate siting of elderly persons accommodation – noise from traffic/play area
- Design of elderly persons apartments poor
- Short notice of applicant's public consultation meeting given
- Industrial development not in accord with original eco-friendly ethos for the MV
- Continuing process of living on a building site, noise and dust.

6.3 Following the recent receipt of revised plans, the application was re-advertised (09/04/14) giving an expiry date of 30th April 2014.

6.4 Alec Shelbrooke MP expresses concerns that none of the issues raised by him and his constituents appear to have been taken in the account in the revised scheme, particularly the loss of existing green spaces in favour of off-street parking. In addition, he has grave concerns relating to the access to the development and that Flockton Road is unsuitable for use by construction traffic or the additional traffic that will be generated when the development is completed.

6.5 In addition to the above, the re-notification process generated a further 26 letters of representation. The issues raised largely re-iterate the original concerns expressed over the landscape strip situated between the site and the houses on Flockton Road and Haigh Moor Way being given over to off-street parking. The overall impression being that the development places undue priority in favour of vehicles in terms of the visual impact and the impact on highway safety from too many vehicles travelling too quickly, in an area where children particularly will be vulnerable.

7.0 CONSULTATIONS RESPONSES:

Statutory:

7.1 Environment Agency – no objection subject to the implementation of mitigation measures to avoid flooding including: diversion of drainage through the site; infiltration trenches to prevent overland flow; consideration of levels and flow paths; and proposed floor levels set a minimum of 150mm above external ground levels.

- 7.2 Sport England – did not wish to comment on the proposals.
- 7.3 The Coal Authority – no objection subject to a condition relating further investigative works to the northern part of the site.
- Non-statutory:**
- 7.4 Yorkshire Water – no objection subject to conditions relating to separate systems of foul and surface water drainage; no piped discharges; any off-site balancing works; surface water for vehicle areas via an interceptor but not roof drainage.
- 7.5 Children’s Services - the proposals trigger the need to support primary and secondary school provision in the area via a S.106 agreement.
- 7.6 Public Rights of Way – no claimed or definitive rights of way cross or abut the site.
- 7.7 Parks and Countryside – open and play areas already developed within Millennium Village are currently part of an on-going incremental adoption process.
- 7.8 Flood Risk Management – no objection subject to conditions.
- 7.9 Neighbourhoods and Housing – the proposed commercial elements have the potential to impact on residential areas consequently conditions are recommended to control installation of plant and equipment; odour and fumes from industrial processes; hours of use; HGV movements and deliveries; lighting scheme; construction hours; external storage; and waste disposal.
- 7.10 Architectural Liaison Officer – advises best practice guidelines in accordance secured by design and similar benchmarks to designing out crime.
- 7.11 Highway Development Services – Previous concerns about the detailed residential layout now largely resolved and conditions can secure the minor issues which remain. Pedestrian conflict issues relating to the commercial phase also now resolved but detailed access arrangements remain a concern due to the lack of available space and the multiple end units.
- 7.12 Contaminated Land – as a former colliery site, the land was subject to extensive and high levels of land contamination. Remediation works were originally undertaken in 1998/99. Further remediation has recently been carried out under planning permission no. 33/383/03/MIN. A validation report is still required for these works and further measures will be required in relation to gas protection measures to be included in the proposed dwellings and the proposed garden areas – e.g. depth of soil, structure of capping system, testing of imported soils – and methods of validating these.
- 7.13 Metro – Bus services operate in the area and RTI should be secured at a cost of £10,000. Metro travelcards should also be provided to each household. Electric charging should also be considered.

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste DPD.

Local Planning Policy

- 8.2 The site is formally allocated on the UDPR proposal map for housing under policy H3-1A.42. It also falls within the wider policy area for regeneration initiatives under policy R2.

Leeds UDPR Relevant Policies:

- 8.3 GP5: General planning considerations.
GP7: Use of planning obligations.
GP11: Sustainable development.
N2/N4: Greenspace provision/contributions.
N10: Protection of existing public rights of way.
N12/N13: Urban design principles.
N23/N25: Landscape design and boundary treatment.
N24: Development proposals abutting the Green Belt or other open land.
N29: Archaeology.
N38 (a-b): Prevention of flooding and Flood Risk Assessments.
N39a: Sustainable drainage.
BD5: Design considerations for new build.
T2 (b, c, d): Accessibility issues.
T5: Consideration of pedestrian and cyclists needs.
T7/T7A: Cycle routes and parking.
T18: Strategic highway network.
T24: Parking guidelines.
H2: Monitoring of annual completions for dwellings.
H11/H12/H13: Affordable housing.
LD1: Landscape schemes.

Supplementary Planning Guidance / Documents:

- 8.4 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 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 regeneration initiatives are key issues and are supported by the Core Strategy.

National Planning Policy Framework

- 8.6 This document sets out the Government's overarching planning policies. There is a strong presumption in favour of sustainable development, the delivery of new housing and the promotion of good design. Advice is also provided in terms of the siting of new retail facilities.

9.0 MAIN ISSUES

- 1. Principle**
- 2. Design and Character**
- 3. Access and Highway Issues**
- 4. Residential Amenity**
- 5. Section 106 contributions**
- 6. Others**

10.0 APPRAISAL

1. Principle

- 10.1 The site is a brownfield site (a former colliery) and therefore appropriate under the relevant national planning guidelines for it to come forward for residential development. Indeed, this is endorsed through the UDPR housing allocation for the site and the historical grants of outline and reserved matters applications more generally.
- 10.2 With respect to the commercial elements proposed under this application both in detail and outline form, the light industrial/employment type uses do not raise any policy implications and adequate justification has been provided to demonstrate the retail floorspace would not adversely impact on existing centres. Primarily because there are none nearby as there is a general lack of such services locally. For these reasons and noting the original outline application also permitted a similar range of uses no objection is raised to the mix of uses proposed as part of this new application.

2. Design and Character

- 10.3 The basic design structure of the residential components is the provision of a series of perimeter blocks whereby the houses face out and garden areas are provided to the rear. Along the main edges where the existing spine roads form the site boundary the blocks are relatively formal due to the straight nature of the roads themselves. These outward facing blocks also have more presence due to the use of short terraces which is reflective of the housing found on the opposite site of the road. The provision of a higher flat block overlooking Silkstone Square is also repeated through this current application and is again reflective of what the design code envisages and how the MV has been built out to date.
- 10.4 The notable difference to the above is the introduction of parking areas taken directly off Flockton Road and Haigh Moor Way and Members will recall this issue being specifically raised as part of the pre-application.
- 10.5 Officers are aware this element of the scheme has attracted objections from a number of existing residents and the local MP and it is true this approach was not originally

planned when the MV design code was developed. However, the change has been introduced as a direct response to the existing on-street parking problems taking place along the main spine roads which occur primarily because only rear parking is currently provided and some existing occupiers prefer to park to the front of their properties and choose not to make full use of the spaces they have been provided with at the rear. Visitors to the perimeter houses also tend to park on these roads so ultimately this situation is not going to disappear and has been planned for as part of the current application rather than potentially adding further to the issue.

- 10.6 In this respect whilst the simplicity, openness and formality currently provided by the tree lined grass verge would clearly be reduced, the parking bays in the case of Flockton Road have been grouped together and spread out so as to retain most trees to ensure a sense of greenery to the street would be retained. For Haigh Moor Way, the approach is slightly different as the parking bays would be side onto the road so a more continuous strip of landscaping would remain behind. These measures are therefore considered to strike an appropriate balance in terms of ensuring an attractive streetscene is provided but at the same time ensuring the existing parking problems experienced on the current phases are not repeated. Additional tree planting will also be secured by condition.
- 10.7 Moving to behind the main perimeter blocks, the more meandering nature of the internal homezones is such that the blocks become more organic in form which in conjunction with the varying house types achieves an interesting and often intimate streetscene. Street junctions and corners are generally marked with specific buildings, often ateliers or FOGs to enclose the space which in turn creates a series of courtyard type areas. The overall positioning of the houses relative to each other therefore achieves an attractive and unique character which in conjunction with further in-curtilage landscaping relative to other phases will create additional interest and vibrancy.
- 10.8 With particular reference to the actual house types proposed, a simple pallet of external materials is advanced with individual buildings comprising of a single dominant material rather than a mix. This, in conjunction with the simple design that incorporates the use of larger than average windows and projecting picture windows in key locations creates a modern appearance that is reflective of the other housing constructed on the MV.
- 10.9 In terms of the commercial buildings, again a modern appearance is proposed although a greater mix of external materials (including timber cladding, fairfaced blockwork and aluminium) is shown to help breakup the additional scale and massing associated with these larger format buildings. The massing would also be further broken up by the use of shallow pitched standing seam roofs to each unit. These simple designs in conjunction with the use of additional glazing for the more prominent units is considered to offer a good balance between design and function and overall is considered to provide an attractive working and shopping environment. The phase two commercial zone will obviously need to respond to these new buildings at the appropriate time.

3. Access and Highway Issues

- 10.10 The main points of access into the site are already fixed and would be taken from the existing spine roads. Internally, the residential components would be served via homezones which are effectively shared spaces for use by pedestrians, cyclists and vehicle users. Homezones are however designed to keep vehicle speeds down to

10mph so as to avoid potential conflict with the idea these spaces can also be used for other activities.

- 10.11 Homezones are already found within the existing residential phases and are generally considered to be positive. Difficulties do however exist in terms of parking provision and with some access arrangements as reported by Councillor Lewis at the pre-application presentation and more recently by a number of residents through the objections received. With this in mind, both officers and the developer have sought to improve on the homezone experience and to learn from the existing phases.
- 10.12 The response has therefore been the introduction of additional, frontage parking along the main spine roads as already discussed to ensure the existing on-street parking can continue but is properly catered for within the new development. An increase in parking provision generally is also proposed. As such, a total of 386 spaces are shown, the majority of which are now in curtilage rather than unallocated and via open spaces rather than garages which are not always available. When combined, these amendments are considered to strike the right balance between not diluting the homezone concept, addressing existing problems and importantly not turning the layout into a more traditional estate which would run counter to the MV design code.
- 10.13 With respect to the commercial zone, the revised plans now provide separate access arrangements and parking provision for the industrial/employment units and the retail units. As such, the retail units now have a separate car park served by its own access from Middleton Road. A second access from Middleton Road is also proposed to serve the industrial/employment units only. This access is designed to accommodate larger vehicles and leads to the servicing areas for all units but only the parking areas for the non-retail uses. A large central turning area is also shown for any HGV's that might require access.
- 10.14 In its revised form, pedestrians would no longer need to travel through the industrial /employment area to gain access to the retail units beyond which is clearly desirable from a safety perspective. These amendments are therefore welcomed and address the previous concerns on the matter. The phase two commercial can also be adequately accessed from Bramwell Road so is not considered to be problematic subject to an acceptable detailed design being achieved through a reserved matters submission. Accordingly no highway objection is raised in principle to the commercial uses.
- 10.15 On the more general issue of accessibility, the proposals achieve a relatively permeable and connected layout with multiple options usually available to pedestrians and cyclists in particular. Even vehicle drivers often have more than one route to choose from albeit some are more direct than others. Connections are made into the existing cycle route which runs east to west and further linkages are secured through the site. The layout also caters for a more direct east to west cycle route should the neighbouring timber merchant site come forward for re-development. Importantly, vehicle access into this adjacent site is also protected (as is the landlocked Network Rail).
- 10.16 With respect to the comments made by Alec Shelbrooke MP concerning highway safety issues which some residents have also expressed, the redevelopment of the remaining phases to provide a completed scheme was always envisaged and accordingly the highway infrastructure has been built with this in mind. The additional 40 units proposed through this new application relative to those originally consented under the outline application are not considered to result in any adverse impacts on the local highway network or alter the safety implications of the scheme. In terms of

construction traffic, this will be managed through condition No. 17 of the recommendation - the full details of which have yet to be determined. Obviously local residents concerns about safety will be fully considered when these details are submitted should the officer recommendation be accepted.

4. Residential Amenity

- 10.17 The relatively tight nature of a homezone results in a layout and therefore houses being closer to each other than might ordinarily be expected. As such, the potential for loss of privacy through overlooking is higher and requires careful consideration. Members may recall this was the largest outstanding issue for officers when the scheme was presented at a pre-application stage.
- 10.18 In seeking to resolve these detailed concerns as well as others relating to small garden sizes, overshadowing and loss of light type issues, the detailed positioning of plots relative to each other has been revisited a number of times. Whilst the overall layout has not fundamentally altered during these negotiations, solutions have been found primarily by shifting units slightly or by changing the actual house types rather than through a reduction in numbers. This is the reason why only 2 units have been lost relative to the scheme which Members considered at the pre-application presentation. Officers are now of the opinion the layout provides an appropriate living environment for the new occupiers in accordance with the principles set out in Neighbourhoods for Living but whilst still retaining the homezone concept which is a key component of the MV.
- 10.19 With respect to the residential scheme's impact on existing residents, the separation provided by the spine roads between the existing houses and those now proposed is considered adequate to avoid any undue overlooking and results in relationships that are not uncommon both within the MV itself and also the wider area. From the objections received, residents main concerns relate to the provision of parking direct off Flockton Road and Heigh Moor Way and the loss of a green outlook that would result. Officers have already outlined the reasons for this approach to parking and will secure a high quality landscaping scheme to ensure its appearance is acceptable.
- 10.20 Moving onto the commercial units, the type of uses proposed and their relationship with the proposed housing is such that care needs to be exercised in terms of determining what hours of opening are appropriate and when deliveries can take place. Although the retail units are less likely to be an issue due to the nature of the internal uses and also because physically they are further away from the houses, the delivery area is to the rear so restrictions will be necessary. In addition, the industrial units are both closer to the houses and also have the greater potential to cause noise issues due to their actual use. Whilst relatively low key occupiers are anticipated similar to those found within the Network Space development located at the eastern side of the MV (which is also in close proximity to new housing), this cannot be guaranteed as the end users are again unknown. Conditions are therefore recommended to limit the hours of use and deliveries to more generally accepted hours at this stage. Should future occupiers have different requirements then ultimately they can formally apply to vary the appropriate conditions and submit the necessary supporting documentation as part of this.

5. Section 106 Package

- 10.21 This application is a joint submission by Keepmoat as developer and the HCA as landowner. The involvement of the HCA is key in terms of the S106 contributions being offered as it is uniquely placed to take a different approach to viability than might otherwise be the case if a private landowner was involved. Agreement has therefore been reached with the HCA that it will effectively subsidise the S106 ask by reducing the amount it requires from Keepmoat for the land. The developer return for Keepmoat therefore remains fixed at 12.5% (of total income) and the land value alters to absorb the S106 package. For information, the developer is willing to accept a return of circa 12.5% as the risks associated with development are lower than most brownfield site since the main services, remediation and infrastructure costs have already been expended (by the HCA) and the market for housing is well known due to the other phases which have been delivered as the site.
- 10.22 As background information, to date the HCA has invested circa £24m in the site in terms of remediation costs, infrastructure provision and also contributions associated with the original outline permission. As already mentioned, most contributions from the outline permission have already been met in full and have been calculated in respect of a higher quantum of development than has actually been delivered. The main exception to this is affordable housing which has been provided on a pro rata basis by each separate housebuilder.
- 10.23 In recognition of the above and as mentioned in the covering report which accompanied the pre-application presentation, officers have sought to apply a pro-rata contribution where payments have already been made for the additional units now proposed over and above the original 520 units approved under the outline application. A full contribution has nevertheless been sought where no such payment was made originally. For information, the pro-rata contribution relates to 40 units as eventually 560 units would be constructed on the site should this latest application be approved (as 371 units have been approved to date).

Affordable Housing:

- 10.24 Starting with affordable housing, the target is 15% which for a development of 189 units equates to 28 units. The full requirement is offered and is identified as being provided within 20 flats suitable for elderly persons and also via a further 8 houses. Meeting this requirement is understood to cost in the region of £1.7m. As similar provision has been made on both the Miller and Barrett sites this approach is considered acceptable. With respect to Councillor Lewis's general comment about ensuring people with local connections receive priority, although this relates to the eventual housing association's own selection criteria which is currently not identified and falls beyond the remit of the current planning application, officers have made the developer aware of this point and the need for early engagement with Ward Members on this matter.

Education:

- 10.25 When the outline application was originally assessed only a contribution towards primary school places was required. A full request was made in accordance with the method of calculation used at the time and resulted in a figure of £265,000. The S106 identified the money would be directed towards Allerton Bywater Primary School and 5 new classrooms were identified. Full payment was made many years ago and 2 classrooms were added to the school in 2004 (under 33/354/04/FU). More recently,

the school received permission to extend from a single form entry to a two form entry which results in a further 6 classrooms (under 13/05633/LA).

- 10.26 In the light of the above, a pro-rata contribution relative to the 40 additional units is therefore considered reasonable and has been agreed. The agreed figure is £118,893.
- 10.27 With respect to secondary school places, no original contribution was made so the full requirement is required in view of local capacity issues. The full secondary contribution equates to £338,592 and is also agreed.

Greenspace:

- 20.28 Greenspace infrastructure for the entire MV has already been laid out and further provision was not anticipated within any of the remaining residential phases. Notwithstanding this, additional greenspace areas are shown within the submitted layout which are of value in terms of softening the appearance of the homezones. A management company is proposed to maintain these 'pocket' parks and accordingly their introduction is considered to be positive. In addition to the provision of these new areas, a contribution of £17,649 has also been agreed as the pro-rata payment towards off-site improvements and was secured following a specific request by Ward Members.

Public Transport, Infrastructure and Travel Planning Contributions:

- 20.29 The current application triggers the requirement to make a contribution in accordance with the Developer Public Transport Contributions SPD. This requirement did not apply when the original outline application was considered in 2000 so no such payment was ever made. A figure of £195,162 is produced for a scheme of 189 units.
- 20.30 In addition, Metro have requested Real Time Information for one of the local bus stops (at a cost of £10,000) and Travelcards for each households. More generally, travel planning should also be provided as part of the residential phase due to its scale.
- 20.31 In response to the above, the cost of the Real Time Information display is agreed and the requirement for travel planning can be added to the measures already in place at the site and which has attracted significant investment from the HCA already. In terms of the Metrocards and public transport contributions, these are the only S106 requirements which are not pursued with the HCA pointing to the significant contributions and infrastructure that has already been delivered at the site and the considerable reduction it has already made in the land value so as to deliver the S106 offer currently on the table.
- 20.32 Officers are receptive to the above position but have sought further guidance from Ward Members on this point and the wider S106 package in general. Members recognised the positive influence the HCA made to the S06 package relative to other schemes they had been consulted on (e.g. Queen Street) and in the circumstances considered the offer to be reasonable. They did however have a number of projects in mind that would benefit from the off-site greenspace contribution and requested this be pursued. As reported above, this contribution has now been secured through a further reduction in the land value.

Employment and Training Initiatives:

20.33 To date the MV has a good track record of delivering employment and training initiatives and this is proposed to be continued. Opportunities have for the most part been concentrated on constructions jobs as mostly housing has been delivered to date. The inclusion of the commercial phase with this application potentially opens up further opportunities and accordingly the scope of the initiatives will be widened to reflect the wider range of uses proposed.

6. Others:

20.34 In terms of other matters, the application site has already been remediated to a certain standard in anticipation of future development and accordingly any further works necessary focus mostly on introducing measures at the construction stage (e.g gas protection) and when the garden/amenity areas are laid out – such as ensuring only clean soil is brought to the site. Conditions can therefore adequately deal with these matters.

20.35 With respect to drainage and potential flooding issues, again the basic drainage infrastructure for the entire MV site has been largely laid out with many of the existing greenspace areas doubling up as drainage detention basins during times of heavy rainfall. Grounds levels for the various developable areas have also been set to ensure flooding does not become an issue. Both the Environment Agency and the Council's Flood Risk Management teams are satisfied these measures are adequate and accordingly subject to the imposition of relevant conditions to ensure the final details are acceptable no objection is raised on this topic.

11.0 CONCLUSION

11.1 It is considered that the proposed development has addressed the main issues which came out of the earlier presentation to the Plans Panel in October 2013, is sound in principle in that its design upholds and endorses the established design code for the MV both in terms of positive contribution to the visual amenity of the site and wider character and community of the MV, whilst creating a standard of living accommodation cognisant with the Councils own residential design standards without prejudicing the interests of highway safety for pedestrians and other road users alike. As such, Members are requested to accept the officer recommendation to grant planning permission and defer and delegate the decision to officers subject to the listed conditions and delivery of the S.106 contributions package.

12.0 Background Papers:

File: 13/05235/FU

Certificate of Ownership B: signed on behalf of the applicant.

Notes:
 Do not scale from this drawing.
 All contractors must visit the site and be responsible for taking and checking Dimensions.
 All construction information should be taken from signed dimensions only.
 Any discrepancies between drawings, specifications and site conditions must be brought to the attention of the supervising officer.
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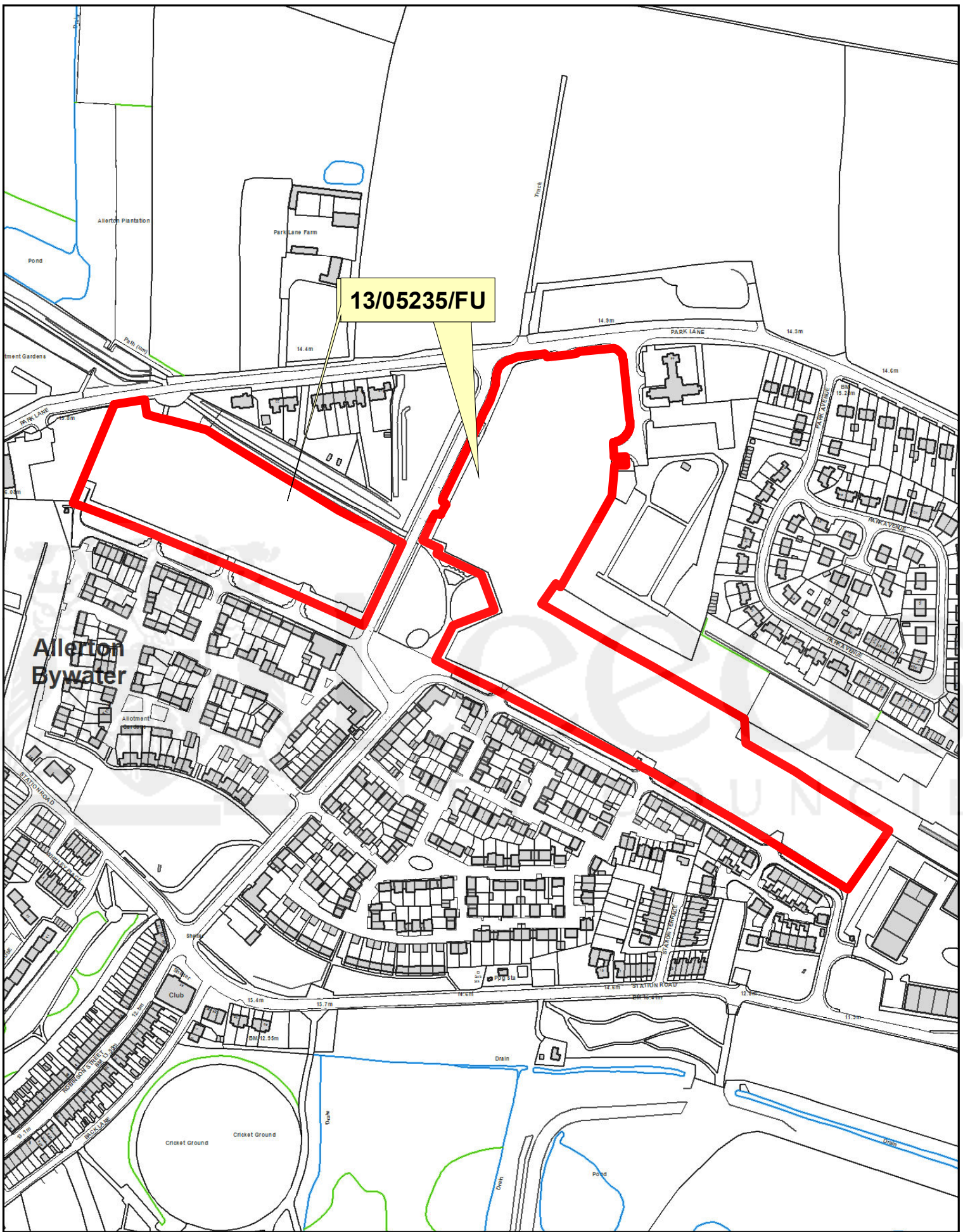
A	06/11/13	Issue for planning	SK	DS
-	24/10/13	Updated in accordance with latest amendments to commercial layout	SK	DS
Rev	Date	Description	Drawn	Chkd
Drawing Status: Planning				
Client:				



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Project
**Allerton Bywater
 Millennium Village**
 Drawing Title
Illustrative Masterplan

Scale @ A0 1:500 Job Ref. 00680A
 Drawing No. 00680A_MP_02 Revision A
 Scale Bar 0 5 10 15 20 25m



13/05235/FU

Allerton Bywater

NORTH AND EAST PLANS PANEL

