
Position Statement Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 29 April 2014

Subject: APPLICATION NUMBER 14/02073/OT POSITION STATEMENT: Outline planning application for amendments to the layout of extant planning permission 12/01236/FU to provide 51No. Townhouses, 31No. Apartments and 1No. dwelling at Rose Court Lodge at the former Leeds Girls High School, Headingley Lane, Headingley

APPLICANT

Stonebridge Homes

DATE VALID

15.04.2014

TARGET DATE

15.07.2014

Electoral Wards Affected:

Headingley & Hyde Park and
Woodhouse

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION:

Members are asked to note the content of this Position Statement report and respond to the questions starting at paragraph 9.13 as appropriate.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel as a Position Statement to inform Members of the changes proposed to this layout and mix of dwellings proposed for this site since the 2012 planning permission was granted. The amended Masterplan for the site is a consequence of additional widening of Headingley Lane proposed by the NGT scheme. The extant planning permission is based on NGT 'Design Freeze 6' plans which were the most update plans at that time. Since then as a result of consultation and further consideration of all road users there has been a requirement to amend the NGT design to accommodate wider footways and provide better cycling facilities. This change is shown in the 'Design Freeze 7' plans which were submitted with the Transport and Works Act application in September 2013. Also submitted as part of this application were Conservation Area Consent Applications to fully demolish the Lodge House and partially demolish the Stable

Block, along with the setting back of the stone wall. A Listed Building Consent application was submitted to set back the wall in the vicinity of Rose Court. These applications have been called in by the Secretary of State and are being considered concurrently with the main TWA Order and deemed planning consent application.

- 1.2 Members of this Panel will recall they have discussed this site at length at several previous Panel meetings. The current outline planning application seeks consent for alterations to the approved layout of extant planning consent 12/01236/FU to allow a scheme to come forward that would work alongside the proposed NGT route that is currently the subject of a Transport and Works Act Order.
- 1.3 To assist Members, appended to this report is a copy of the latest masterplan with the block numbers shown and a copy of the 2012 approved masterplan.
- 1.4 Leeds City Council and Metro are jointly promoting the Transport and Works Act Order for the implementation of the New Generation Transport (“the NGT”) system. The NGT system will take the form of a guided trolley bus that will provide a rapid transit system that will run from Holt Park to the North of the city centre, through Headingley and the city centre and will terminate at the south of the city at a new park and ride off junction 7 of the M621/M1. The proposed works along Headingley Lane will have a consequential impact upon the former Leeds Girls’ High School Site and would prevent the extant consents being brought forward as currently approved. An application for the TWAO was made to the Secretary of State in September 2013 and a Public Inquiry will be held in April and May 2014.
- 1.5 In order to facilitate the construction of the NGT route the existing boundary wall along the north of the site will be realigned to the south which will have an impact upon the extant 2012 planning consent. In addition to the position of a new wall, a 2 metre maintenance zone will be required immediately adjacent to the wall. Should the works take place as currently proposed, this would prevent the extant permission being implemented in accordance with the approved layout.

2.0 PROPOSAL:

- 2.1 The main changes between the current application and the previous application which was approved in 2012 are:
- 2.2 The current application would see the existing stone two storey stable block located behind the Main School building demolished. The existing two storey brick lodge house located adjacent to the Headingley Lane access would also be demolished. The proposed 4 storey extension to the rear of the Main School Building has been omitted. The proposed two storey ‘garden’ house building located in the South East corner of the site in the sunken Rose Garden has also been omitted.
- 2.3 The façade of the main school building will be retained and 19 new apartments will be constructed behind the retained shell of the building. Only the southern elevation and flanks will be retained with a new build rear elevation and internal layout.
- 2.4 The proposed units in the Lodge and stable block will be relocated within a new block running parallel to the north elevation of the main school building, which are identified as blocks 1 and 4 on the indicative masterplan.
- 2.5 It is proposed to rotate block 8 by 90° so that the ridge of the buildings runs north to south rather than east to west.

2.6 The application now proposes the following mix of dwellings:

- 51 Townhouses;
- 31 Apartments; and
- 1 dwelling at Rose Court Lodge.

2.7 In total there would be 95 units built on site if the current application and the approved Rose Court applications are combined. This is the same number of dwelling as the 2012 approved scheme when combined with Rose Court planning and listed building consents but this application involves less flats and more houses.

2.8 There will be no alterations to the scheme to the south of the main school building as this area is not affected by the proposed NGT route.

3.0 SITE AND SURROUNDINGS:

3.1 The main school site is a 2.44 hectare site located off Headingley Lane. The site is triangular in shape with Headingley Lane to the north east, Victoria Road to the south and Headingley Business Park to the west. The site is within the Headingley Conservation Area and there are two listed buildings within the school site: Rose Court and the Lodge building (outside the planning application site)

3.2 The site is located in a predominantly residential area with densely populated areas directly to the north east, south and south west. To the west of the site is Headingley Business Park and to the south east, Hyde Park.

3.3 The main school building is a 3 - 4 storey red brick building which has undergone a number of structural alterations and extensions to facilitate the growth of the school. The building is located on the north western part of the site facing Victoria Road to the south. Views of the building from Headingley Lane are obscured due to the topography and boundary treatment, whilst views from the south are interrupted by mature trees. The building is not listed but is a good quality building in the conservation area that makes a positive contribution towards the local character and appearance of this part of the Headingley Conservation Area.

3.4 Within the site are Rose Court and Rose Court Lodge, both listed buildings located to the eastern end of the site. Rose Court is set to the north eastern part of the site with landscaping to the front, whilst the Lodge is located in the south east corner of the site, adjacent to Victoria Road. Both buildings are built out of natural stone and have timber framed windows and doors and natural slate roofs.

3.5 The site also includes amenity areas constituting open space and tennis courts to the front of the main school building and car parking to the south of the site. The site also includes a large variety of mature trees both within the site and on the boundaries.

3.6 The site currently has two main access points, from Victoria Road to the south east corner of the site, adjacent to the Lodge and one to the North West directly onto Headingley Lane.

4.0 RELEVANT PLANNING HISTORY:

4.1 The following planning history on the site is considered relevant:-

July 2011: A public Inquiry was held following the refusal of Outline planning permission for residential development and also refusal of the change of use and extension of the Main school buildings and conversion of the stable block to apartments and dwellings. In total 5 applications were heard at appeal. 3 were allowed and 2 were dismissed. The Conversion of Rose Court and associated Listed Building application along with the Conservation Area Consent application were all allowed. The Outline application and the change of use of the Main School Building were both dismissed. The summary below of the Inspectors comments should help Members recall what the issues were from the previous applications and how the proposals have evolved into the current masterplan. The appeal masterplan is attached to the report along with a copy of the latest revised masterplan.

- 4.2 12/01236/FU - Outline planning application including layout, scale and means of access for 48 dwellings (C3 Use Class) and full application for conversion and extension of the main school building and stable block to form 36 dwellings (C3 Use Class). Approved 2012.
- 4.3 08/04220/LI & 08/04219/FU - Listed Building application for alterations and change of use of Rose Court to form 12 flats. Approved 2010

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The landowner had previously held community consultation events on the 2012 approved application. There has been no formal community consultation on the current application but the landowner has met with officers prior to the submission of the application to discuss the changes required in order to accommodate the extra land required by NGT.

6.0 PUBLIC/LOCAL RESPONSE AND CONSULTATIONS:

- 6.1 The application has been advertised via a site notice and an advert in the local newspaper.
- 6.2 Environment Agency: No objection subject to a LCC Drainage being satisfied with the drainage proposals.
- 6.3 Mains Drainage: No objection subject to conditions to deal with surface water drainage to take account of the present requirements of the council and the guidelines of the SUDS Manual C697.
- 6.4 Highways: The proposals involve amendments to a previously approved layout in order to accommodate the revised requirements of the proposed NGT route. The changes result in a revised mix of house types involving a reworking of the layout along the northern edge of the site.
- 6.4 At the head of the western access the highway layout has been amended to take account removal of the Lodge and proposed garages and the removal of 2 proposed dwellings. The turning head has been amended and tracked to demonstrate that a refuse vehicle can safely turn.

- 6.5 The existing stable block which was to have been converted into 4 dwellings would be demolished and adjacent proposed blocks 6, 7 and 8 are to be replaced with terraced dwellings.
- 6.6 Block 5 which is the existing school building is not now to be extended and this would result in a reduction in the number of apartments. Block 19 which would have been two townhouses was to be located in the northeast corner of the site this would now be deleted. Issues to be addressed prior to determination of the application
1. Revised plan needs to indicate how parking is allocated (numbers on spaces).
 2. If NGT does not happen how will the new turning head tie up with existing access onto A660 such that pedestrian/cycle linkage is provided.
 3. Could the layout to the rear of the main school building be amended such that the extent of adoption can be extended? The Section 38 (Highway Adoption team) have been consulted to give their views on the proposed limits of adoption.
 4. Parking in front of block 8 and at the end of block 9 cannot be accessed – insufficient space to manoeuvre.
 5. There should be a pedestrian access to Rose Court that is suitable for use by the blind and/or disabled.
 6. Existing northwest access and Rose Court accesses to A660 should be clearly indicated as being non-vehicular.
- 6.9 Sport England: As this application only seeks to amend the layout of extant permission 12/01236/FU, Sport England has no comments to make.

7.0 PLANNING POLICIES:

- 7.1 The Development Plan for Leeds currently comprises the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007.
- 7.2 Within the adopted UDP Review (Sept 2006):
- SA1 Securing the highest environmental quality.
 - SP3: New development should be concentrated within or adjoining the main urban areas and should be well served by public transport.
 - GP5: General planning considerations.
 - GP7: Guides the use of planning obligations.
 - GP9: Promotes community involvement during the pre-application stages.
 - BD5: Consideration to be given to amenity in design of new buildings.
 - H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy.
 - H3: Delivery of housing land release.
 - H4: Residential development on non-allocated sites.

- H11, H12 and H13 Affordable Housing.
- H15, Area of Housing Mix
- LD1: Criteria for landscape design.
- N2 and N4: Provision of green space in relation to new residential developments
- N3; Priority given to improving greenspace within the priority residential areas identified.
- N6 Protected Playing Pitches.
- N12: Development proposals to respect fundamental priorities for urban design.
- N13: Building design to be of high quality and have regard to the character and appearance of their surroundings.
- N14 to N22: Listed buildings and conservation areas.
- N19, Conservation Area assessment
- N23: Incidental open space around new built development.
- N38B and N39A: set out the requirement for a Flood Risk Assessment.
- T2: Seeks to ensure that developments will not create or materially add to problems of safety, environment or efficiency on the highway network.
- T15: Improving vehicle accessibility.
- T24: Requires parking provision to reflect detailed guidelines.

7.3 Supplementary Planning Guidance

- SPG3: Affordable Housing;
- SPG4: Greenspace Relating to New Housing Development;
- SPG11: Section 106 Contributions for School Provision;
- SPG13: Neighbourhoods for Living;
- SPD Public transport improvements and developer contributions;
- Street design guide SPD, and
- Travel plans SPD (Draft).
- Headingley and Hyde Park NDS
- Headingley Hill, Hyde Park and Woodhouse Conservation Area Appraisal which states as the opportunities for enhancement:

'The key opportunity for enhancement is the reuse of the Leeds Girls High School site by the retention of the original main school building and other 'positive' buildings and features and the removal of unsympathetic 20th century buildings. The restoration of the garden setting of Rose Court, sympathetic new build in a landscape setting retaining existing trees and open views to Victoria Road and Cuthbert Broderick's United Reformed Church on Headingley Lane, together with public access linking Headingley Lane with Victoria Road, should be key elements of any proposed scheme'.

7.4 Government Guidance

The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF sets out up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 204 refers to the CIL tests which all Planning Obligations should be assessed against. Paragraph 56 refers to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to

the desire to optimise the potential of the site to accommodate development. Paragraph 131 refers to the requirement of Local Planning Authorities to take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.5 Paragraphs 69 and 74 deal with matters relating to health and well being and existing recreation facilities. Paragraph 74 states that: Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- Paragraph 75 promotes creating new accesses and rights of way and also seeks to enhance existing rights of way.

Emerging Core Strategy

- 7.6 The Main Modifications Publication draft of the emerging Core Strategy has completed a period of public consultation. The Examination in Public hearings into Gypsy and Traveler's accommodation and Affordable Housing are scheduled for May 2014. Given the position of the emerging Core Strategy in the adoption process significant weight can be attached to the relevant policies identified below.
- 7.7 Draft Policy P11 refers to the need to preserve and enhance the historic environment. Enabling development may be supported in the vicinity of Listed Buildings and in Conservation Area where linked to the refurbishment or repair of heritage assets. This could be secured by planning condition or planning obligation.
- 7.8 Draft Policy H2: New Housing Development on Non Allocated sites will be acceptable subject to sustainability criteria
- 7.9 Draft Policy H3: Housing Density should be 40 dwellings per hectare, however in Conservation Areas consideration will be given to prevailing character and appearance.
- 7.10 Draft Policy H4: Housing Mix. Developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and character of the location.
- 7.11 Draft Policy H5: Affordable Housing.

8.0 MAIN ISSUE:

- 8.1 Principle of the development
- 8.2 Masterplan Layout Changes;

- 8.3 The impact on the character and appearance of the conservation and the setting of the listed building Rose Court;
- 8.4 The impact on important trees;
- 8.5 Highway matters; and
- 8.6 The S106 package

9.0 APPRAISAL:

Principle of the development

- 9.1 The context for establishing the principle of the development was set out in detail during the previous planning applications and the principle was established when the application 12/01236/FU was granted Outline planning permission for the redevelopment of the site. This application is for amendments to the 2012 approved scheme. The changes to the 2012 masterplan only relate to land north of the Main School building. There are no changes to the masterplan on the land designated as protected playing pitches. Accordingly this appraisal only relates to the changes that are proposed.
- 9.2 The application site lies within Headingley and has an N6 designation within the UDP Review (2006).

Masterplan Layout Changes

- 9.3 Overall the masterplan is considered to have developed to a form that is acceptable. The changes are required in order to facilitate the NGT land requirements. The removal of a large number of flats and the creation of more townhouses which are suitable for family occupation is considered a positive outcome.

The impact on the character and appearance of the conservation and the setting of the listed building Rose Court

- 9.4 The development has been assessed against the criteria of the National Planning Policy Framework Paragraph 131 which refers to the requirement of Local Planning Authorities to take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.5 The demolition of the entrance lodge and the coach house fronting onto Headingley Hill is harmful to the Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area, but the harm is “less than substantial”. Where development will lead to less than substantial harm to the significance of a designated asset, the NPPF requires that this harm should be weighed against the public benefit of the proposal, including the securing the optimum viable use. The amended proposal will allow widening of Headingley Lane to enable a cycle lane to be incorporated into the NGT scheme which will deliver public benefit which will outweigh the harm to the conservation area. Widening on the south side is preferable to widening on the north side which will have a greater impact on the conservation area and listed buildings. The extant planning permission and listed building consent for Rose Court to be converted into 12

apartments could be conditioned to be implemented prior to the completion of all the new build properties to ensure the heritage asset is safeguarded and brought back into beneficial use.

Residential amenity considerations

- 9.6 The proposed changes to the masterplan will result in more family suitable housing. The houses have larger gardens than those of the 2012 approved scheme which is an improvement over the extant masterplan. The detail of the layout of the houses is a Reserved Matter but it is considered there is sufficient space and outlook to achieve a good level of light and amenity for the future occupiers.

Impact upon highway network

- 9.7 The site is in a highly sustainable location, a low level of car parking ratio has already been established by the previous 2012 approved scheme. The Local Highway Authority has advised the applicant that further information is required prior to determination to address outstanding concerns with the internal masterplan layout. It is envisaged that a solution will be found to these concerns and they are not insurmountable.
- 9.8 The proposed internal footpaths and cycle routes are considered positive and should create a site that is integrated within the existing community and should promote sustainable forms of travel and add to local permeability.

Greenspace /Landscaping:

- 9.9 The proposed layout is designed to create two areas of public open space within the site that can be enjoyed by both future occupiers and existing local residents. The larger area in front of the listed building Rose Court helps contribute to its setting and retains the sylvan setting which the Planning Inspector referred to in his report. The areas are both sufficient in quality and size to accord with the policy requirements for delivering public open space within residential development sites and is envisaged they will make a positive contribution to the character and appearance of this part of the Headingley Conservation Area. There are no changes to this element of the scheme from that already approved by the 2012 planning permission. The application assumes that NGT Trolley bus will be implemented. This is by no means certain. There is a public inquiry underway at present which will decide the fate of the Trolley Bus scheme. There is some well-informed local opposition to that proposal. Unfortunately it will be some time before the outcome is known. What if it doesn't happen? Do Members have any comments should NGT not be allowed as the current proposal would require the removal of trees alongside the Otley Road (near to blocks 6,7 and 8) Members may want to consider whether they feel it appropriate to condition the implementation of this application to the outcome of the NGT Inquiry.

The proposed Section 106 package will include:

- 9.10 Affordable Housing: 5% of the total number of dwellings with a mix of property types and size subject to the development commencing in accordance with the interim affordable housing policy otherwise the development will provide affordable housing in line with the policy requirements at that time. All affordable housing should be sub-market tenure. On the previous application Members supported in principle that the Affordable housing contribution could be taken as a commuted sum and spent off-site to buy vacant HMOs in the locality and return them to affordable housing.

- 9.11 A package of travel planning measures similar in scope to those agreed during the 2012 application are likely to be agreed as part of this scheme. They included, bus stop improvements, a contribution towards public transport infrastructure. There will be Education contributions for primary and secondary school. The amount will be reported when received.
- 9.12 There will be a contribution towards equipped children's play provision.
- 9.13 Members are asked to comment upon the changes to the masterplan which include less flats and more townhouses and involve the demolition of positive buildings and the removal of mature trees within the Headingley Conservation Area.**
- 9.14 Do Members have any comments on the proposal to require the conversion and renovation works to the listed building to be carried out before a certain percentage of the new build element is complete in accordance with the policy P11 in the draft Core Strategy.**
- 9.15 Do Members consider that the demolition of the of the stables, lodge house and removal of the trees on the Otley Road boundary is acceptable without the NGT scheme being implemented or do they require a condition to limit development until the NGT scheme is approved.**
- 9.16 Do Members have any comments on the proposed Section 106 package and in particular the use of the affordable housing contribution to purchase vacant properties in the locality to be converted back into affordable housing for families.**

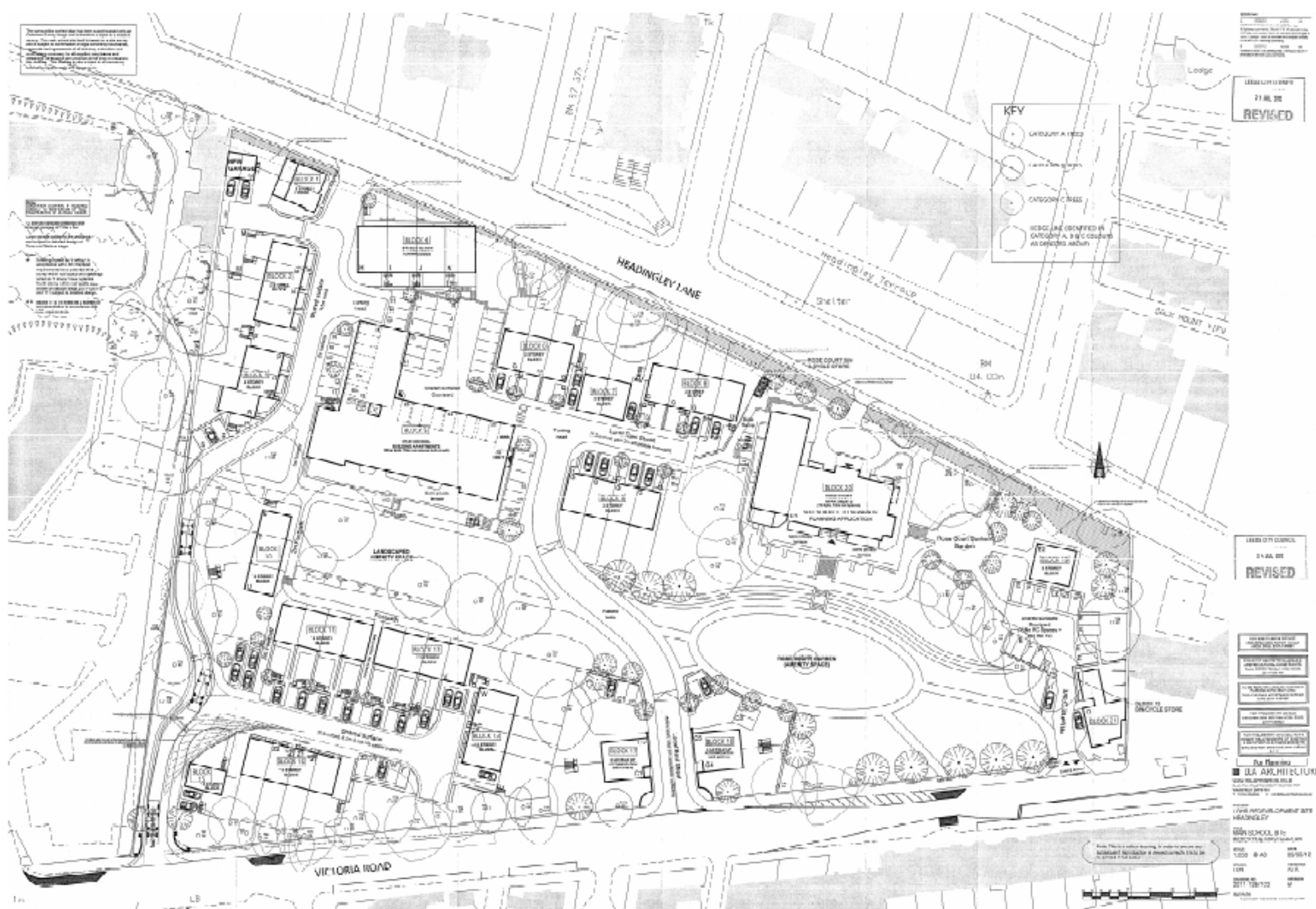
Background Papers:

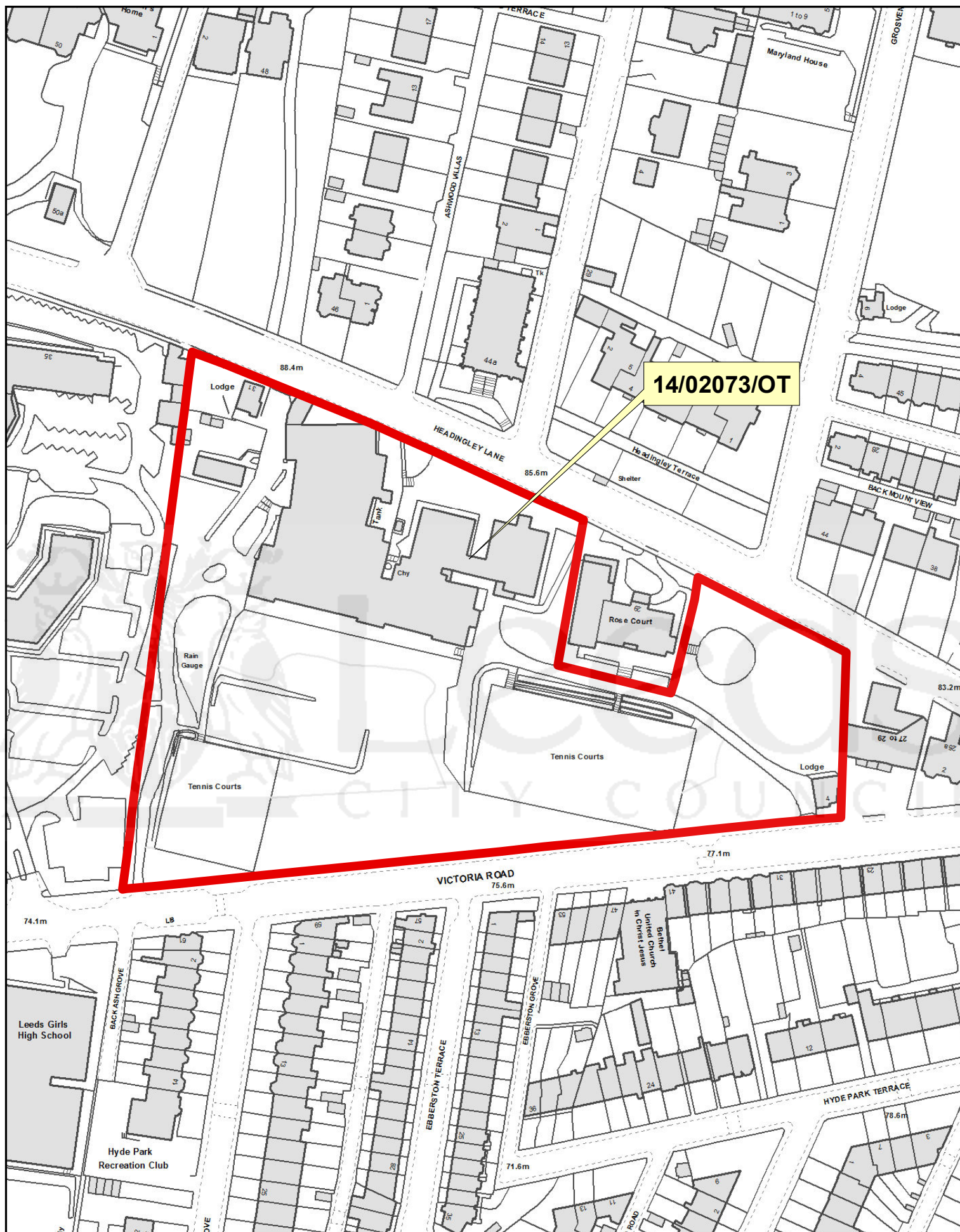
Site history files

Current application Masterplan



Masterplan for approved 12/01236/FU





SOUTH AND WEST PLANS PANEL

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