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**Report of the Chief Planning Officer**

***CITY PLANS PANEL***

**Date: 26<sup>th</sup> June 2014**

**Subject: HYBRID APPLICATION (14/02514/OT) - FOR UP TO 385 DWELLINGS, RETAIL DEVELOPMENT, ASSOCIATED SITE ACCESS, LANDSCAPING AND SITE WORKS IN OUTLINE WITH FULL DETAILS PROVIDED FOR AN ADDITIONAL 100 DWELLINGS INCLUDING SITE ACCESS, PUBLIC OPEN SPACE AND LANDSCAPING AT THE FORMER VICKERS FACTORY, MANSTON LANE, LS15 8ST**

**APPLICANT:**

Bellway Homes Ltd  
(Yorkshire Division) and  
Zurich Insurance

**DATE VALID:**

7/5/14

**TARGET DATE:**

10/11/14

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**Electoral Wards Affected:**

**Cross Gates and Whinmoor**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: For Members to note the content of the report and to provide feedback on the questions posed at section 11.0 of this report.**

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**1.0 INTRODUCTION**

1.1 This position statement is brought to Members for information/comment as it proposes the redevelopment of a significant brownfield site located within the Cross Gates area of the City. A commitment to undertake a position statement is also outlined in the Planning Performance Agreement entered into by the applicant and the Council.

## **2.0 PROPOSAL:**

- 2.1 A 'hybrid' planning application seeks outline consent (all matters reserved) for up to 385 dwellings and up to 500m<sup>2</sup> of retail development on the eastern two-thirds of the former Vickers site (16.1ha) and full details relating to 100 houses on the westernmost portion (4.05ha) adjacent to the existing Bellway residential development known as The Limes.
- 2.2 The outline masterplan identifies a housing density of 25-40 dwellings per hectare and shows the existing sports pitches, pavilion and Sports and Social club retained in the far eastern portion of the site with a series of public open space (incorporating some balancing ponds) stretching through the development to the Manston Lane in the northwest corner of the site. A series of connected streets are identified and a neighbourhood retail facility is proposed fronting Manston Lane. Building heights are proposed to be primarily 2-2.5 storeys. However, at key entrance points and view terminators it is proposed to increase heights to a maximum of four storeys.
- 2.3 6ha of public open space is proposed (inclusive of the ponds) that will also include a Locally Equipped Area of Play (LEAP) i.e. a defined children's play space.
- 2.4 The layout of the 100 houses, for which full details have been provided, links to both the existing housing development, The Limes, and the network of streets identified on the masterplan layout relating to the outline component. The detailed layout includes a mix of dwellings ranging from 1 bed to 5 bed houses at a density of 25 dwelling per hectare. Detailed drawings of the proposed houses indicate a traditional appearance/design and a total of 250 parking spaces are proposed (including garages).
- 2.5 15% of the dwellings within the detailed proposal are shown as affordable to accord with Council policy.
- 2.6 As part of this redevelopment scheme it is also proposed to extract coal from the site. This is subject to a separate application currently under consideration by the Minerals Team.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The development site is situated on the eastern fringe of Cross Gates, which is to the east of Leeds City Centre. The site is currently occupied by a large industrial unit and several smaller properties. All of these units were associated with the Vickers Tank Factory that ceased operations in 1999. The site is currently vacant, with the exception of some minor storage, although it benefits from storage and distribution use granted permission in 2002. The site includes extensive areas of hard-surfacing, a tank test track and surface car parks. To the north-east of the site there is a currently a Sports and Social club, pavilion and playing pitches that are all intended to remain.
- 3.2 A tree belt partly demarcates the northern boundary with Manston Lane. The land falls away by approximately 2m from Manston Lane to the factory car park. The

western most fifth of the original site has been portioned off for redevelopment by Bellway Homes. The residential development is phased with that permitted pre Manston Lane Link Road (MLLR) nearing completion. A non-definitive bridleway is situated along the north-eastern/eastern boundary.

- 3.3 Ben Bailey Homes are currently on site on land to the north of Manston Lane on the former Optare site. This development is also phased pending construction of the MLLR. The land use along Manston Lane to the east of the Optare site is primarily commercial/industrial in character. However, the former Richmond Ice Cream factory to the immediate east has recently closed. In addition to the residential properties being constructed adjacent to the western boundary and at the Optare site, there are a small number of established dwellings to the north (of Manston Lane) and east. The Manston Lane Farm complex is also located to the north of Manston Lane, and includes a grade II listed Dovecote, with a public right of way located to the eastern boundary running north (Leeds 116). The grade II listed Lazencroft Farmhouse is situated further on to the east.
- 3.4 The Leeds-York railway line runs along the southern boundary of the application site with Thorpe Park and 'Green Park' beyond.

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

##### Application Site

- 4.1 14/02521/FU: Site remediation works including extraction of coal, pending decision.
- 4.2 11/02315/RM: Reserved Matters Application for 129 houses and 19 flats on the adjacent site to the west. Approved on 02.12.2011.
- 4.3 09/04999/OT: Outline application for residential (C3), employment (B1c), health centre (D1), foodstore (A1), ancillary uses (A1/A2/A3/A4), community building (A4/D2), associated car parking, landscaping and infrastructure. No decision and it is expected this application will now be withdrawn following receipt of the new hybrid application.
- 4.4 08/03440/OT: Outline application for partial redevelopment of the former Vickers tank factory for residential development. Approved on 16.03.2009.
- 4.5 32/147/05/FU: Residential development involving 110 dwelling houses and 78 flats to former tank factory site. Refused on 02.05.2007 on highways capacity grounds.
- 4.6 32/374/01/FU: Change of use of former tank factory to B8 (storage and distribution). Approved on 26.07.2002.

##### Nearby sites

- 4.7 12/03888/FU and 12/05382/FU: Detailed Applications for the MLLR (East - West Route). Approved on 28.10.2013.

4.8 08/00298/OT and 13/00288/RM: Approval of 192 dwellings on the former Optare site to the northern side of Manston Lane.

## 5.0 HISTORY OF NEGOTIATIONS:

5.1 Discussions regarding the future use and development of this major site have been on-going for a number of years since the Vickers factory ceased operating, as indicated by the applications referenced above.

5.2 The former East Panel received a position statement regarding the redevelopment of the site under the 2009 application (09/04999/OT) for mixed uses in February 2010. At that time delivery of the residential component was closely linked to the delivery of the MLLR. As there was no certainty regarding the delivery of the MLLR or how any contribution towards its construction might impact on the S106 offer the application did not progress and it has remained undetermined pending the submission of this current application.

5.3 More recently the City Plans Panel received a pre-application presentation regarding the current proposals in February 2014. An extract of the minutes of that Panel relating to the proposed residential development is copied below and considered further in the appraisal at section 10 of this report.

5.4 *Members raised the following issues:*  
*the traffic situation in Cross Gates which was described as 'dire'; the limitations put on traffic movements by a Planning Inspector, ahead of the MLLR being delivered and the desire of the applicant to build 100 homes before any traffic improvements had been implemented*

- *the difficulty of persuading local people about the early delivery of housing on the site, although an agreed timetable for the bridge and the road could help in this respect*
- *that an attempt to take on board some of the new principles around house types, design and space was commendable*
- *the need for further details to be provided on the measures to protect residential amenity and minimise environmental pollution during the coal extraction and construction processes*
- *that the challenges faced by the developer were understood but that equally the concerns of local residents had to be taken account of.*

*In response to the specific questions raised in the report, Members provided the following responses:*

- *that Members were supportive of the principle of the remediation of the site and its development for housing*
- *to note Members' concerns about highway capacity and the knock-on effect of this regarding safety*
- *that it was too early in the process to comment on the layout of the proposals on the detailed layout and illustrative masterplan*
- *that regarding the affordable housing provision of 15% on site in a mix of dwelling sizes, to note this level was in line with the current interim policy, but that this could change.*

*In terms of the mix of dwellings the Chief Planning Officer referred to the Housing Needs Analysis in the Draft Core Strategy and that Members often requested a proportion of accommodation for older people, which could generate less traffic, which might be a consideration for the first phase of the scheme. Some concerns were raised at this, with the suggestion being made that bungalows might be more suitable*

*The Chief Planning Officer also referred to the issue of the Social Club and the playing fields on the site and suggested that these matters could be considered as part of the wider S106 requirements*

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application was advertised by way of site notices on 16/5/14 and in the YEP on 21/5/14. A significant number of letters of objection and some letters of support continue to be received. The letters of objection primarily state that the development of the site for housing should not take place until the MLLR has been opened.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 The majority of the consultations are still outstanding, those received to date are referenced below.
- 7.2 West Yorkshire Combined Authority (formerly Metro): Further consideration regarding the improvement to public transport in the area is required and the restriction of housing development pre-MLLR. New bus shelters will be required and the offer of funding Metrocards is welcomed.
- 7.3 Contaminated land: Further information is being sought.
- 7.4 Travelwise: Minor changes to the Travel Plan are required.
- 7.5 Coal Authority: No objection subject to a condition requiring the remediation and site investigation works as proposed.
- 7.6 Flood Risk Management: No objection subject to a condition requiring full surface water drainage details.
- 7.7 Public Transport Contribution Officer: £532,112 (£1,097 per dwelling) is sought.
- 7.8 Public Rights of Way: No claimed or public rights of way are directly affected but connections to existing PROW should be supported.
- 7.9 Environment Agency: No objection subject to conditions.

## **8.0 PLANNING POLICIES:**

## 8.1 Development Plan

8.2 The statutory development plan includes the adopted Leeds Unitary Development Plan Review 2006 (UDPR) which is supplemented by relevant supplementary planning guidance and documents. The site is unallocated within the UDPR. Policies which are relevant are as follows:

SA1: Secure the highest possible quality of environment.

GP5 all relevant planning considerations

GP7 planning obligations

GP11 sustainability

GP12 sustainability

H4: Residential development.

H9: Housing mix.

H11-H13: Affordable Housing.

N2: Greenspace

N4: Greenspace

N12: Relates to urban design and layout.

N13: New buildings should be of a high quality design and have regard to the character and appearance of their surroundings.

N25: Seeks to ensure boundary treatments are designed in a positive manner.

N39A: Relates to sustainable drainage systems.

N51: New development should wherever possible enhance existing wildlife habitats.

T2: Development should not create new, or exacerbate existing, highway problems.

T2C: Requires major schemes to be accompanied by a Travel Plan.

T2D: Relates to developer contributions towards public transport accessibility.

T5: Relates to pedestrian and cycle provision.

T24: Parking guidelines.

BD2: The design of new buildings should enhance views, vistas and skylines.

BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.

LD1: Relates to detailed guidance on landscape schemes.

E7: Loss of employment land.

S9: Retail development not in a designated centre.

8.3 The statutory development plan also includes the Natural Resources and Waste Development Plan Document (2013): Developments should consider the location of redundant mine shafts and the extraction of coal prior to construction.

## 8.4 Relevant Supplementary Planning Guidance

8.5 Supplementary Planning Document: "Street Design Guide".  
Supplementary Planning Document: Public Transport Improvements and Developer Contributions.  
Supplementary Planning Document: Travel Plans.  
Supplementary Planning Document: Designing for Community Safety – A Residential Guide  
Supplementary Planning Guidance "Neighbourhoods for Living".  
Supplementary Planning Guidance "Affordable Housing" – Target of 15% affordable housing requirement.

Supplementary Planning Document – Sustainable Design and Construction  
“Building for Tomorrow, Today”

Supplementary Planning Guidance 4 – Greenspace Relating to New Housing  
Development

Supplementary Planning Guidance 11 – Section 106 Contributions for School  
Provision

## 8.6 National Planning Guidance

8.7 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. Regeneration of brownfield sites and the delivery of sustainable housing are at the heart of this guidance.

## 8.8 Emerging Policy

8.9 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector was appointed. Examination commenced in October 2013 and the Inspector’s main modifications were published 13th March 2014. Further hearing sessions were held (13th and 14th May) concerning Policy H5 (Affordable Housing and Policy), Policy H7 (Accommodation for Gypsies, Travellers and Travelling Showpeople), updates in relation to the NNP and the housing step up. A further six weeks public consultation started on 16th June to deal with modifications not previously dealt with.

7.8 Significant weight can now be attached to the Draft Core Strategy as amended by the main modifications. The key policies relevant to this application are outlined below.

- General Policy: The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework;
- Spatial Policy 1: Location of development - to deliver the spatial development strategy based on the Leeds settlement hierarchy;
- Spatial Policy 4: Regeneration priority programme areas. Priority will be given to developments that improve ... access to employment and skills development, enhance green infrastructure and greenspace, upgrade the local business environment...;
- Spatial Policy 13: Strategic green infrastructure;
- Policy P7: Retail development outside designated centres.;
- Policy P8: The creation of new centres.

- Policy P10: New development for buildings and spaces, and alterations to existing, should ... provide good design that is appropriate to its location, scale and function; protect amenity including privacy, noise, air quality...;
- Policy P12: The character, quality and biodiversity of Leeds' townscapes and landscapes, including their historical and cultural significance, will be conserved and enhanced to protect their distinctiveness through stewardship and the planning process;
- Policy T2: New development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility;
- Policy G8: Protection of important species and habitats;
- Policy EN5: Managing flood risk;
- Policy EN7: Proven mineral resources of surface coal will be protected from sterilisation by the designation.

## 9.0 MAIN ISSUES

- Background.
- Principle of development.
- Highways.
- Design/layout/landscaping.
- Affordable housing/housing mix.

## 10.0 APPRAISAL

### Background

- 10.1 Tank manufacturing by Vickers ceased at the site in 1999 when the use was transferred to its sister site in Newcastle Upon Tyne. Following closure of the site, planning permission for a change of use to storage and distribution (Class B8) was granted in July 2002 and included a Section 106 Agreement which restricted vehicle trips to 2400 movements within a 24hour period (of which up to 35% could be HGV's). Since the relocation of Vickers the site has been used by a number of relatively low key uses and currently provides some industrial storage space in a small section of the main building.
- 10.2 In March 2005, a detailed planning application for residential development was submitted on the site (The Limes) to the west of the existing application site. This application, in conjunction with another outline application for residential development on the Optare site (ref: 06/06511/OT) was eventually refused planning permission in May 2007 and April 2007 respectively due to highway capacity issues. Both decisions were appealed and a joint public inquiry was scheduled for March 2008.
- 10.3 The public inquiry was adjourned and to avoid it re-opening, revised applications were submitted (ref: 08/03440/OT) and on the Optare site (ref: 08/00298/OT) to share highway capacity and by phasing the developments. These applications were approved subject to restrictions that limited the delivery of the number of residential units prior to the opening of the MLLR. Both developments are currently under construction and many units are now occupied.



- 10.4 In addition to the above, officers are mindful of the changing nature of this part of Manston Lane. To date, the general travel of direction has seen the closure of a number of industrial/commercial uses and their replacement with housing. Obviously these changes have made an important contribution towards the Council's overall housing numbers but this has been at the expense of local employment land even if the actual loss of jobs to date has been minimal. A balance therefore needs to be struck in terms of balancing these competing requirements as it is likely other sites may also come forward. Officers are currently working on proposals for how the wider area might be developed taking into consideration the current application for housing and will update Members on this as part of the overall presentation.

#### Principle of Development

- 10.5 The site is an unallocated brownfield site that has the ability to significantly contribute to the Council's housing delivery. Whereas the site was previously a major employer in the area and still benefits from a B8 use, there is very limited employment currently in place at the site with only a small proportion of the site being used to store engineering products. In light of the current use of the site in addition to the employment opportunities available nearby including on the northern side of Manston Lane and as part of the recently approved mix of uses permitted at Thorpe Park it is not considered that the loss of this particular site from its current employment use would be significantly detrimental to the availability of employment opportunities. Therefore subject to the specific planning considerations outlined below the principle of development for housing is considered acceptable. Members were also supportive of the principle of redeveloping the site for housing at the February 2014 pre-application presentation.
- 10.6 The proposals also include a neighbourhood retail centre of up to 500sq m. As the site is not within a designated centre, the proposal is subject to a Sequential Test to examine if other designated centres within a 5 minute drive-time can accommodate the proposed uses. The applicant's Sequential Test has been assessed and does not identify any sequentially preferable sites. Even if there were, it is considered they would not be suitable as the proposed retail uses are intended to act as a neighbourhood facility for this and the other permitted residential developments along Manston Lane. Policy P7 of the Core Strategy permits the creation of new centres serving local neighbourhoods and whereas the proposal does not strictly accord with this policy, due to the size and mix of units suggested indicatively, it is within the spirit of the policy and subject to conditions that prevent any large units and there to be at least 3 units to prevent the introduction of a large destination retail unit, officers consider the proposed retail component can be accepted.
- 10.7 Are Members still supportive of the principle of redeveloping this site for housing with ancillary retail?**

#### Highways (see additional highways report for a detailed analysis)

- 10.8 One of the key issues relating to the redevelopment of this site for housing is the impact on the already busy local highway network, particularly in and around Cross Gates centre. Once the MLLR is constructed and open it is anticipated the pressure on the existing streets (particularly from HGV's) to the west of the site and

at Cross Gate centre is expected to be significantly relieved as there will be a more direct route to the M1. However, until the MLLR is constructed the highways impact needs careful consideration. The MLLR is currently planned to be opened in late 2016.

- 10.9 Previous legal agreements and conditions relating to the development of this and other sites on Manston Lane restrict the number of houses that can be constructed/occupied until the MLLR is opened. The applicant proposes to construct 100 houses prior to the MLLR and the supporting documents submitted with the application state delivery of these houses is achieved by 'trading' the vehicle movements expected for the residential development with those permitted under the existing storage and distribution use (i.e. the theoretical fall-back position). Highways officers are examining the implications of the development including an assessment of how highway conditions in the area have changed following the closure of some of the original industrial uses and their replacement with residential developments. An additional report to Members will therefore be provided.
- 10.10 In terms of more site specific highway issues, the residential development would be directly accessed from Manston Lane but also links into the existing residential development, The Limes. There is a connected highway network identified on the masterplan and detailed layout. The general acceptability of the proposed access points and detailed/indicative layouts are also being examined closely by highways officers.
- 10.11 **Subject to the detail contained within the additional highways report, are Members comfortable with the principle of trading the vehicle trips associated with the current lawful use of the site for residential trips for the 100 houses proposed to be delivered pre-MLLR?**

Design/layout/landscaping

- 10.12 The general layout of the full application is supported as this is a well-connected development that links to both the existing residential development under construction and the proposed masterplan. The design of individual houses is to be closely examined by design officers but incorporates a range of traditionally designed Bellway homes that have been accepted elsewhere in the city and are considered acceptable in principle in this instance. The density of 25 dwellings per hectare is considered appropriate and ensures a good spatial setting.
- 10.13 The masterplan for the outline portion of the proposals is also a well-connected layout that links back to Manston Lane. The dwellings are proposed at a higher density of between 25 and 40 dwellings per hectare. Public open spaces are proposed within and through the site and include the provision of a LEAP.
- 10.14 Many of the trees along the southern boundary adjacent to the railway line and along Manston Lane are proposed to be removed. However, most of these trees are considered to be of reasonable health and offer significant amenity value when viewed from both within and outside of the site. Officers believe most of the trees along the boundaries with Manston Lane and the railway could and should be retained. It is also considered that the largest of public open spaces within the site

should be relocated to the Manston Lane boundary to complement the existing trees and provide a new, attractive strategic public space that is fully accessible and links into other greenspaces that might come forward as part of other redevelopment opportunities to the north.

- 10.15 Officers have already raised some of these issues/concerns with the applicant and have also been working up options on how the application site might link into further developments along the Manston Lane corridor going forward. The applicant's initial response is that retention of trees and the relocation of the public open space would run counter to the ecology and drainage strategy that has been developed and requires a series of linked green spaces to be provided. The trees along the southern boundary are also in an area where the coal is at its deepest therefore the retention of these trees would significantly impact on the viability of the scheme. Officers are continuing to discuss these options with the applicant.
- 10.16 The existing sport pitches are to be retained along with the sport pavilion and sports and social club. No coal removal is proposed under these elements and accordingly it is not proposed to directly alter/improve the sports pitches or associated facilities. The applicant is however keen to hand ownership of these facilities to the existing sports and social club and allow them to manage them. Officers are currently considering these general proposals and what any greenspace contribution could potentially be spent on. Any improvements to existing facilities would however need to secure public access.
- 10.17 The scale of the dwellings would generally be 2-2.5 storeys. However, a maximum height parameter of four-storeys has been indicated at some of the key junctions and viewpoints including around the commercial centre. The residential properties in the area are currently limited to no more than three-storeys.
- 10.18 What are Members thoughts regarding the proposed layout, retention of trees and potential change in the location of the large public open space within the outline masterplan?**
- 10.19 Are Members keen to see improvements to the playing pitches, pavilion and/or sports club via any greenspace contribution secured?**
- 10.20 Do Members consider the higher density proposed for the outline area to be appropriate and should the maximum height parameter be restricted to three-storeys rather than four as currently advanced?**

Affordable housing/housing mix

- 10.21 The applicant proposes 15% on site affordable housing in accordance with current and draft policy. Current policy requires the 15% affordable housing to be split 40/60 social rented/submarket. The affordable housing will be constructed to the same standards as the open market housing and officers will ensure it is pepper potted across the site.
- 10.22 The housing mix of the outline element is not set at this stage but the detailed element proposes a mix of 2, 3, 4 and 5 bedroom houses. Such a mix is generally supported but at the preapplication presentation the potential for sheltered housing

and/or bungalows was raised by Members as being desirable. Similar comments were also made about the 2009 redevelopment proposals. This issue is being explored further with the applicant and housing officers and further information will be provided verbally at Panel.

**10.23 Subject to further updates at Panel, do Members have any comment regarding the proposed housing mix?**

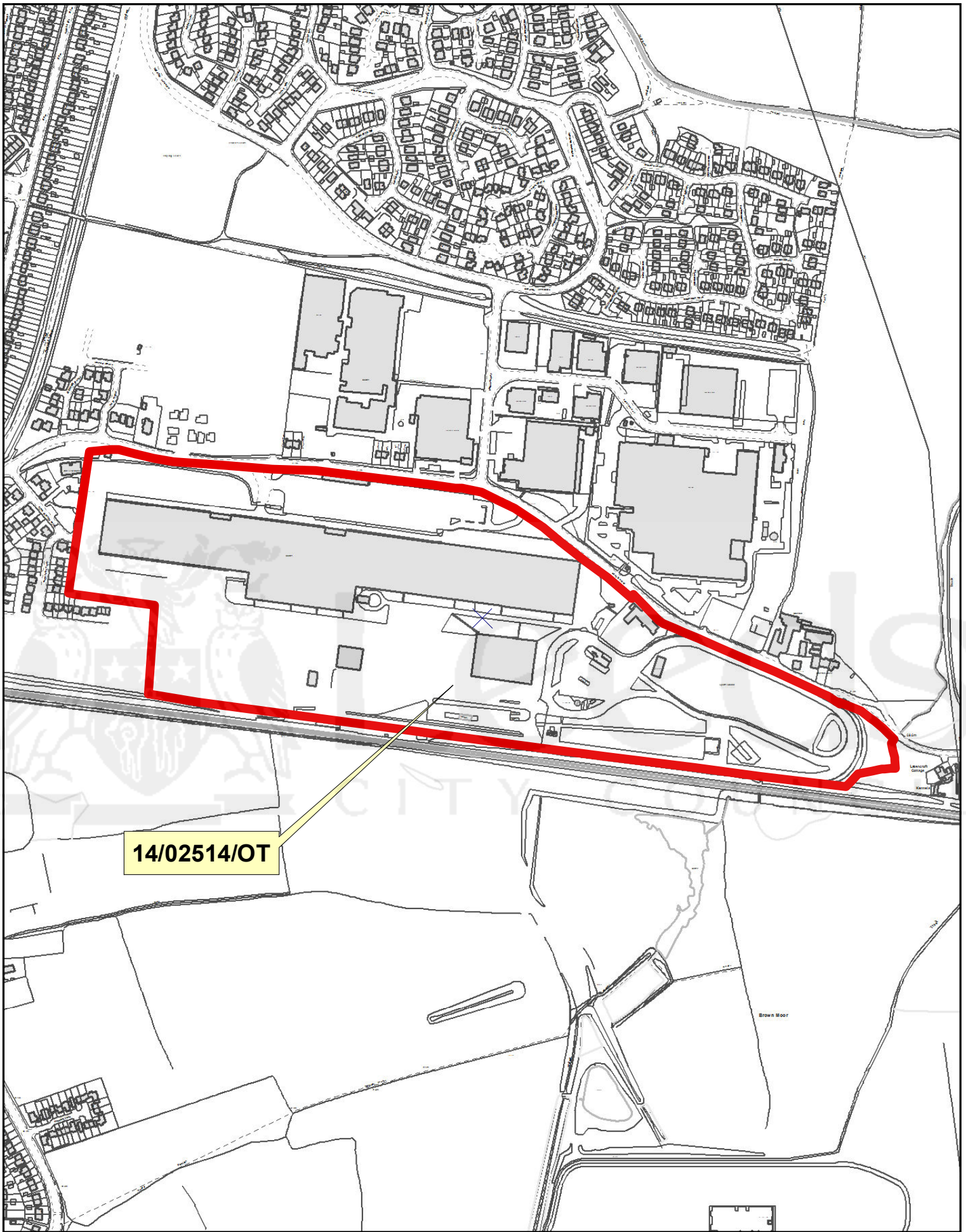
**11.0 CONCLUSION**

11.1 Members are asked to note the content of the report and invited to provide feedback on the questions highlighted and any other issues.

**12.0 BACKGROUND PAPERS**

12.1 Application file 12/02514/OT and history file 09/04999/OT.

12.2 Certificate of Ownership signed by the agent on behalf of the applicant.



14/02514/OT

# CITY PLANS PANEL

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