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Report of the Chief Planning Officer

South and West Plans Panel

Date: 2nd October 2014

Subject: **PLANNING APPLICATION NUMBER 14/01523/FU – Full application for residential conversion, demolition and new build to form 89 residential flats at Horsforth Mills, Low Lane, Horsforth**

APPLICANT

Regeneration Programme
City Development

DATE VALID

15 July 2014

TARGET DATE

14 October 2014

Electoral Wards Affected:

Horsforth

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to a section 106 agreement to cover £100,000 contribution towards affordable housing with overage clauses and the conditions below:

1. Time limit on full permission
2. Development in line with approved plans
3. Samples of all walling and roofing materials to be submitted
4. Stone panels to be erected on site
5. All external repairs shall match the existing and use materials to match
6. Samples of surfacing materials to be submitted
7. Areas to be used by vehicles to be surfaced and sealed before occupation
8. Full details of both access and egress gates with management to be submitted
9. Foul and surface water scheme to be submitted and implemented
10. Details of boundary treatment to be submitted
11. Construction hours to be submitted
12. cycle/motorcycle details to be implemented
13. Details of bin storage
14. Details of existing and proposed levels to be submitted
15. submission of landscaping scheme and implementation

16. details of design of building foundations to be submitted
17. protection of existing trees/hedges/bushes during construction
18. preservation of existing trees/hedges/bushes
19. details of guttering
20. details of door/windows frames
21. Updated surveys of otters, white clawed crayfish and bats to be submitted
22. Bat Mitigation method statement to be submitted
23. Construction Environmental Management Plan to be submitted
24. Biodiversity Enhancement and Management Plan to be submitted
25. Bat roosting and bird nesting opportunities to be submitted

1.0 INTRODUCTION

- 1.1 This report is brought to South and West Plans Panel for determination as it involves financial viability issues. This planning application relates to conversion of an existing mill building, along with demolition of an existing structure, new 6 storey extension and a stand alone two and three storey building to create 89 flats along with highway works, parking and landscaping.
- 1.2 The existing mill building is a positive building and landmark structure within the conservation area and the proposal will enhance both the building and the conservation area as a whole. The new build is modern in design but represents the scale and features of the existing building and the proposed materials are high quality.
- 1.3 The proposed scheme requires under current policies financial contributions for affordable housing, greenspace, bus stops, Metrocards and Public transport. A financial viability has shown that the scheme would not go ahead if section 106 agreements moneys are paid and the applicant is offering a one-of-sum of £100,000 towards affordable housing. The District Valuer has assessed this financial appraisal and agrees with its conclusions and suggests that the offer of the £100,000 is accepted along with overage clauses in case the financial market improves during the construction of this scheme.
- 1.4 The scheme will enhance the conservation area as it is a high quality scheme as well as adding to the Councils 5 year land supply and is the development of a vacant brownfield site. It will also provide employment within the area and it is considered that these benefits outweigh the need for the contributions required for the section 106 agreement and approval is recommended.

2.0 PROPOSAL:

- 2.1 The proposal seeks planning permission to convert an existing mill building into residential accommodation along with a 6 storey extension to the main mill building and one stand alone two and three storey building all for flat accommodation. The overall number of units will be 89 with 34 being within the existing building, 50 within the proposed 6 extension and 5 in the two stand alone buildings. The mill is not listed but it is a positive building and a key landmark building within the Horsforth Cragg Hill and Woodside Conservation Area.
- 2.2 The existing building will have 34 of flats with an entrance lobby on the front elevation. In the basement area there will be 12 car parking spaces along with secure cycle parking for 42 cycles. On the ground floor will be 6 two bedroomed flats, one one bedroomed flat and one studio all off a central corridor and the main elevations to the front and rear of the building. On the first and second floor there are 6 two

bedroomed flats with two one bedroomed flat off a central corridor. On the third floor and top floor will be 9 two bedroomed penthouses and 1 one bedroomed duplex. The bedrooms will be located on the third floor and the living accommodation will be located on the top floor. The top floor currently houses north lights and this will be removed and replaced with a glazed flat roofed building which will be set in 1.5 metres from the edge of the existing building. The conversion will use the existing openings and apart from the replacement roof the only other external changes will be the removal of an existing small extension which houses toilets at the western end and a new glazed stair on the front elevation which replaces an existing fire escape. The windows will be replaced with bronze anodised aluminium windows. All existing stonework and slate will be refurbished and made good where required.

- 2.3 There is an existing 1970s two storey flat roofed extension to the front of the building and this will be demolished and the elevation behind restored to match the rest of the mill conversion. There will be a 6 storey extension located at the southern end of the existing building. It will project out by between 11.2 to 16.8 metres and has an overall length of 66.5 metres. Its location on the main building will result in the overall development forming a T shaped building. On the ground floor the extension will house car parking accommodating 36 car parking spaces and the refuse store. On the first, second, third fourth and fifth floors will be 8 two bedroomed flats and 2 one bedroomed flats off a central corridor. This extension will be constructed from smoothed faced ashlar stone and will be modern in appearance but will take on board proportions such as window design, sizes from the existing building. The windows will be timber with aluminium window reveals. The flats on this part of the building will have glazed and steel light weight balconies.
- 2.4 The existing tower will sit between the existing building and proposed extension and will house the lift and stairs for the accommodation with the upper part of the tower being used as a communal viewing tower. There will also be a glazed stair and lift unit within the proposed new building.
- 2.5 The stand alone building will be at the entrance to the site to the south of the access road. This will be a two storey and three storey building linked by a glass atrium. The two storey will have two one bedroomed flats one on each floor while the three storey building will have three two bedroomed flats again one on each floor. The building will have a flat roof and the two storey will be 6.8 metres in height with the three storey being 9.6 metres in height and the glass atrium 9 metres. The design will be modern in appearance and the flats on the upper floors will have glazed balconies. The proposed materials will be smooth faced ashlar stone with the windows being timber with aluminium reveal. There will be four car parking spaces outside of this block with landscaped areas to the side and rear.
- 2.6 In front of the existing building will be a communal garden along with some disabled car parking spaces. There will also be some car parking to the rear of the existing building. In total there will be 115 car parking spaces on the site. The entrance to the site is off Low Lane with the egress being to the rear onto Cornmill View then eventually onto Low Lane. This access and egress will be controlled by electric gates. The land beyond the extension and the Beck will be landscaped.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site contains an existing 5 storey mill building which until recently has been used as office accommodation but is currently vacant. The site comprises the main building which is set back from Low Lane and there is a flat roofed two storey building to the front and side of this mill building which was constructed in the 1970s. The rest of the

site at the moment is hardstanding used for parking and servicing. The main mill building is constructed from stone and has a tower located at its western end.

- 3.2 To the western side of the site is Oil Mill Beck and there is some vegetation alongside this beck. On the other side of the beck are a couple of residential properties then open countryside. To the north and east of the site is a residential development built in the 1980s. There is a mini roundabout close to the front of the site and at the opposite side of this roundabout is a public house.
- 3.3 The site is located within the Conservation Area and the main mill is both a positive building and key landmark structure within this Conservation Area. Within the Horsforth Cragg Hill and Woodside Conservation Area Appraisal the building is described as a key focal point in the Conservation Area. There are two listed structures located nearby being the Corn Mill on the residential development to the north and east which is in a poor state of repair and there is a report on this agenda for its demolition and replacement and the wall to the front of site along with the bridge over the Oil Mill Beck which is also listed.

4.0 RELEVANT PLANNING HISTORY:

There is no relevant planning history for the site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre application discussions began in November 2013 regarding the proposed development with both Ward Members and Council Officers involved in these discussions. Most of the comments made by Ward Members and Council officers made at this stage have been acted upon and changes incorporated into the planning application now being considered.
- 5.2 The developer had a consultation event on 27th May 2014 at Woodside Methodist Church and 6 people attended with 5 replies received. The comments from these replies was:
- Retention of mill important
 - Conversion of mill in design terms acceptable
 - Concerned regarding the exit route through the Cornmill estate.
 - Horsforth needs family homes and not apartments.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been publicised by Site Notices and an advert has also been placed in the press.
- 6.2 There have been 22 objections to the proposal concerning the following matters:
- increase in traffic though the Millbeck Park development causing traffic issues, noise disturbance, safety of children and negative impact on the value of properties.
 - roads through Millbeck development owned by residents and not Council so increase traffic will damage the road and who will pay for it
 - didn't know about the planning application

Leeds Civic Trust supports the scheme in principle. Materials proposed are sympathetic to the original mill along with the deep reveals in fenestration details. The scheme is also in keeping with the Conservation Area.

Horsforth Civic Society supports the scheme for the following reasons:

- Retention of the original heritage building and tower with the modern additions removed.
- On street parking
- Access and egress
- Upgrading of egress.

7.0 CONSULTATION RESPONSES:

Statutory Consultees

None

Non Statutory Consultees

Highways

No objection but clarification on a number of matters required

Conservation officer

No objection development involves a positive building in the conservation area and involves demolition of a mid-20th century element of the site which will enhance the character. The modern aesthetic of the new building results in the positive relationship between the two elements. The layout allows for the historic mill to predominate the site when viewed from public space on Low Lane. The scheme is positive and complimentary for the historic environment.

Yorkshire water

Conditional approval

Flood risk management

Conditional approval

Metro

Two live bus stops required at £10,000 each.

8.0 PLANNING POLICIES:

- 8.1 The Development Plan for the area consists of the adopted Unitary Development Plan Review (2006), the Natural Resources and Waste DPD (2012) along with relevant supplementary planning guidance and documents. The Local Plan (Core Strategy and Site Allocations Plan) will eventually replace the UDP – the Core Strategy has been submitted to the Secretary of State and is currently undergoing Examination.

Development Plan:

- 8.2 The development plan consists of the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and the adopted Natural Resources and Waste DPD (2013).

The Inspector's Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the CS being referred to full Council for formal adoption. As the Inspector has considered the plan, subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified

CS can now be afforded substantial weight. Once the CS has been adopted it will form part of the Development Plan

- 8.3 The site is unallocated within the UDP and the Core Strategy but it is within the Horsforth Cragg Hill and Woodside Conservation Area. Policies which are relevant within the UDP are as follows:

SG2: To maintain and enhance the character of Leeds

SA1: Secure the highest possible quality of environment.

GP5 all relevant planning considerations

GP7 planning obligations

GP11 sustainability

GP12 sustainability

E7: Loss of employment land

H4: Residential development.

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.

N19: New buildings within or adjacent to Conservation areas should preserve or enhance the character or appearance

N23: Relates to incidental open space around new developments.

N24: Seeks the provision of landscape schemes where proposed development abuts the Green Belt or other open land.

N25: Seeks to ensure boundary treatment around sites is designed in a positive manner.

N26: Relates to landscaping around new development.

N35: Development will not be permitted if it seriously conflicts with the interests of protecting the best and most versatile agricultural land.

N37A: Development within the countryside should have regard to the existing landscape character.

N38B: Relates to requirements for Flood Risk Assessments.

N39A: Relates to sustainable drainage systems.

N50: Seeks to protect, amongst other assets, Leeds Nature Areas.

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

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

T2B: Significant travel demand applications must be accompanied by Transport assessment

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.

- 8.4 Policies within the Core Strategy that are relevant are as follows:

Spatial policy 6 – Housing requirement and allocation of housing land (page 34)

Spatial policy 7 – Distribution of housing land and allocations (page 37)

Policy H3 – Density of residential development (page 60)

Policy H4 – Housing mix (page 61)

Policy H5 – Affordable housing (page 63)
Policy EC3 – Safeguarding existing employment land and industrial areas (page 73)
Policy P10 – Design (page 88)
Policy P11 – Conservation (page 90)
Policy P12 – Landscape (page 91)
Policy T1 – Transport Management (page 92)
Policy T2 – Accessibility requirements and new development (page 93)
Policy ID2 – Planning obligations and developer contributions (page 117)

Supplementary Planning Guidance:

- 8.5 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.
- Neighbourhoods for Living.
 - Designing for Community Safety.
 - Travel Plans
 - Public Transport Improvements and Developer Contributions
 - Horforth Cragg Hill and Woodside Conservation Area Appraisal

National planning policy

- 8.6 National Planning Policy Framework: Paragraphs 56 and 57 refer 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.
- 8.7 Paragraph 65 states LPA's should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).
- 8.8 Paragraph 66 states Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.
- 8.9 Paragraph 131 states In determining planning applications, local planning authorities should 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.

9.0 MAIN ISSUES:

- Principle of the development
- Design, scale and impact on the Conservation Area
- Highways Issues
- Financial viability
- Impact on residential amenity
- Representations

10.0 APPRAISAL:

Principle of the development

- 10.1 The site is unallocated in both the UDP and Core Strategy but is in the site allocations under reference number 4021 which is amber and its previous uses have been commercial. The building is vacant at the current time but was last used for employment purposes so UDP Policy E7 and Core Strategy Policy EC3 need to be considered. The site is not identified as a deliverable employment site necessary to meet the employment needs during the Core Strategy plan period. All the units are vacant and have not been occupied since 4 March 2013. The majority of the premises have been used as offices with an element of storage and workshops. As the former use was predominantly B1 (Business) the principle of the loss of employment land is established by permitted development rights from 30 May 2013 which allows premises in B1(a) office use to change to C3 residential use, subject to prior approval covering flooding, highways and transport issues and contamination use. It would therefore be unreasonable to hold any objection against UDP Policy E7 and Core Strategy Policy EC3 at this time. There are residential properties to the north and west of the site so the conversion to residential properties would be in line with surrounding uses. For these reasons the conversion to residential is considered acceptable in principle.

Design, scale and impact on Horsforth Cragg Hill and Woodside Conservation Area

- 10.2 The whole of the site is within the Horsforth Cragg Hill and Woodside Conservation Area and the main mill building is both a positive building and key landmark structure within this Conservation Area appraisal. Within the document the main mill building is described as a key focal point in the Conservation Area. The main building is also a prominent building in the area due to its height. For all these reasons the retention of this building and its reuse is an important factor to preserve and enhance the conservation area and the area in general. The main building is being converted using its existing scale, form with some alterations whose impact on the conservation area needs to be considered. The main change is the removal of the northern lights within the roof which due to a parapet are not a prominent feature of the building. They are to be replaced by a glazed flat roof structure which forms the living accommodation for penthouses. This glazed structure is set in 1.5 metres all around the building which due to the parapet and the fact it is glazed will not overdominate the building and it is considered will enhance the existing building. Other changes to the main mill building involve new windows but these will be within the existing openings and the existing design is also retained. These windows will also be aluminium which is considered to be an acceptable material within the Conservation Area. There is a small extension on the western side which will be removed. This extension is poor in design terms and there will be no detrimental impact in terms of its removal on the building and conservation area. Finally a

glazed stairwell will replace a metal fire escape to the front of the building. The glazed stair well is considered acceptable in design terms and will not have a detrimental impact on the design of the building and the conservation area as a whole.

- 10.3 The proposal involves the demolition of a two storey flat roofed extension which is situated to the front and side of the mill building. This was constructed in the 1970s and is not an attractive design plus it covers up elevations of the ground and first of the main mill building. Its demolition will have a positive impact to the conservation area and the façade behind will be restored to match the rest of the existing building. The loss of the extension will enhance the conservation area and improve the appearance of this positive building.
- 10.4 The impact of the 6 storey extension in terms of its design and impact on the conservation area also needs to be assessed. The proposed extension will have an additional floor than the existing mill but will be less in height due to having smaller floor levels than the mill building. The proposed extension is also to the side of the existing mill and will cover up an end elevation which is not an important elevation as it is not visible in the street scene. The extension ensures that the main front and rear elevation along with the front and rear of the tower are exposed to the benefit of the main building. These matters ensure that the extension appears subservient to the main building and complements the building rather than taking away its importance and prominence. The extension is modern in design but there are elements which take on board the main building it is located next too. This includes the shape and size of windows and the use of stone. The steel and glazed balconies are modern design but their lightweight structure and will not detract from the design of the main building.
- 10.5 The scheme also proposes a stand-alone two and three storey building at the entrance of the site. This building provides some street frontage to the scheme and as the building is low in height it will not detract from the large mill building on the site. This building is modern in design similar to the extension to the main building discussed above. It will complement the design and appearance of the mill whilst allowing for a modern statement on the site.
- 10.6 Overall the conversion of the main mill, demolition of the existing two storey flat roofed extension, new 6 storey extension and stand alone two and three storey building will enhance the conservation area and enhance this key landmark structure and positive building.

Highways

- 10.7 The entrance for the proposal is located to the front of the site off Low Lane. The access is slightly beyond a mini roundabout and visibility at this junction is not ideal. It is difficult to improve visibility as there is an existing house on the western side of the entrance with a high wall which is outside of the applicant's ownership. In the other direction visibility cannot be improved as the wall is listed as it links onto a listed bridge over the beck. This restriction in visibility has resulted in the access of Low lane being an in only. There will be an automated sliding gate located 23 metres into the site to prevent egress onto Low Lane but which allows for a few cars to queue off the highway whilst waiting for the gate to open. The gate is beyond the stand alone building of 5 flats and these will exit using the access off Low lane but the amount of traffic generated from these flats will not have a detrimental impact on highway safety. The site egress is to the rear of the site onto the residential development of Cornhill View. Again there will be an automated sliding gate to

prevent residents accessing from this side. This will then pass through a modern housing development and arrive onto Low Lane on another mini roundabout where visibility is adequate and a much better standard than the access out of the site. The access through Cornhill View is not public highway and is owned by the residents who live on there and they have objected to the use of the egress over there land. There is already an access from the site onto this private estate and the applicant has clarify that they have a legal right over the access and any future owners will have to pay for the maintenance of this highway the same as the existing owners. In highway terms the use of the access to the rear for residential is considered to be less of an impact than if the commercial use was restored on the site and heavy vehicles went through the residential development which they would have a right to do.

- 10.8 Parking requirements for this number of flats is 126 spaces and there are 115 spaces which is 11 spaces less than the UDP requirements. Officers have been negotiating on this matter and during the negotiations the number of flats has been reduced and the number of car parking spaces increased. The scheme is just about viable at the moment and to decrease the number of units further would mean that the scheme would not happen and all the positive benefits to the building, conservation area and area in general it brings. The site is in a sustainable location with good public transport links. Ward members have been involved with this negotiation and raise no objection to this slight reduced level in parking spaces.

Financial viability

- 10.9 The scheme requires under current policy a s106 agreements for affordable housing, greenspace, public transport and bus stop upgrades along with metrocards for proposed residents. There is no requirement for education due to the scheme being one and two bedroomed flats and unlikely to generate any requirement for school places. A financial viability report has been submitted which shows that if all this section 106 agreements are paid in full then the scheme will not be viable and will not happen. This financial viability report has been accessed by the District Valuer who confirms that this is the case. The reasons for these higher costs are due to the very good quality design of the scheme and the high quality materials that are to be used. It is considered that this design and quality of materials are required due to it being a positive building within the conservation area. It would unfortunate for a scheme involving a positive and landmark structure to have poor quality of design and materials. Instead of the developer offering to pay nothing towards these contributions which the District Valuer has stated can be justified the developer has offered a one - off payment to affordable housing of £100,000 to be spent in the local area. If members would prefer the money to be used for greenspace or public transport contributions instead of affordable housing then the applicant would have no objection to this but Ward Members have indicated that the money would be best allocated to affordable housing. The applicant is also happy to enter into overage clauses so if the house prices increase and costs remain stable and there is a greater profit then more money could be allocated to be spent in the area.
- 10.10 In the NPPF at paragraph 173 states that “Pursuing sustainable development requires careful attention to viability and costs in decision – takingTo ensure viability , the costs of any requirements likely to be applied to development should when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

- 10.11 It is important to be able to bring forward a scheme which is viable for the developer, this is a brownfield site which will help will the Councils 5 year land supply. As stated above it is a positive building and a key landmark structure in the Conservation area. The building is currently vacant and this scheme will bring the building back into use and will provide both homes and jobs for local people. For these reasons it is considered that the benefits of the scheme outweigh the fact that the full financial contributions can be obtained.

Impact on the nearby residents

- 10.12 There are residential properties to the rear and side of the site and these are flats. These flats have the parking areas to the front so the windows from this proposal overlook the parking areas and there are distances of 60 plus metres between the proposed windows at the rear and the windows on the existing flats and 50 plus metre between the proposed windows on the side and the windows of the existing flats. Even if you take into account there are 5 stories these distances are adequate to prevent any issues in terms of overlooking and privacy.
- 10.13 The building is already present on the site and it not being extended in height so there is no additional impact in terms of overdominance and overshadowing.
- 10.14 There have been concerns expressed by residents in terms of the impact of the vehicles leaving the site through the residential development to the rear and the noise and disturbance this could cause. There is already an access from the rear of the site so traffic could enter and leave from this point. It is also a commercial use so whilst the site is vacant at the moment a commercial use with larger and noisier vehicles could operate without the need for planning permission. This scheme is residential which will be for the majority of the time be cars plus they can only exit from the rear. The development is for 87 flats and any commercial use would generate more traffic and comings and goings. Overall it is considered that the cars using this exit will not have a detrimental impact on residential amenity.

Representations

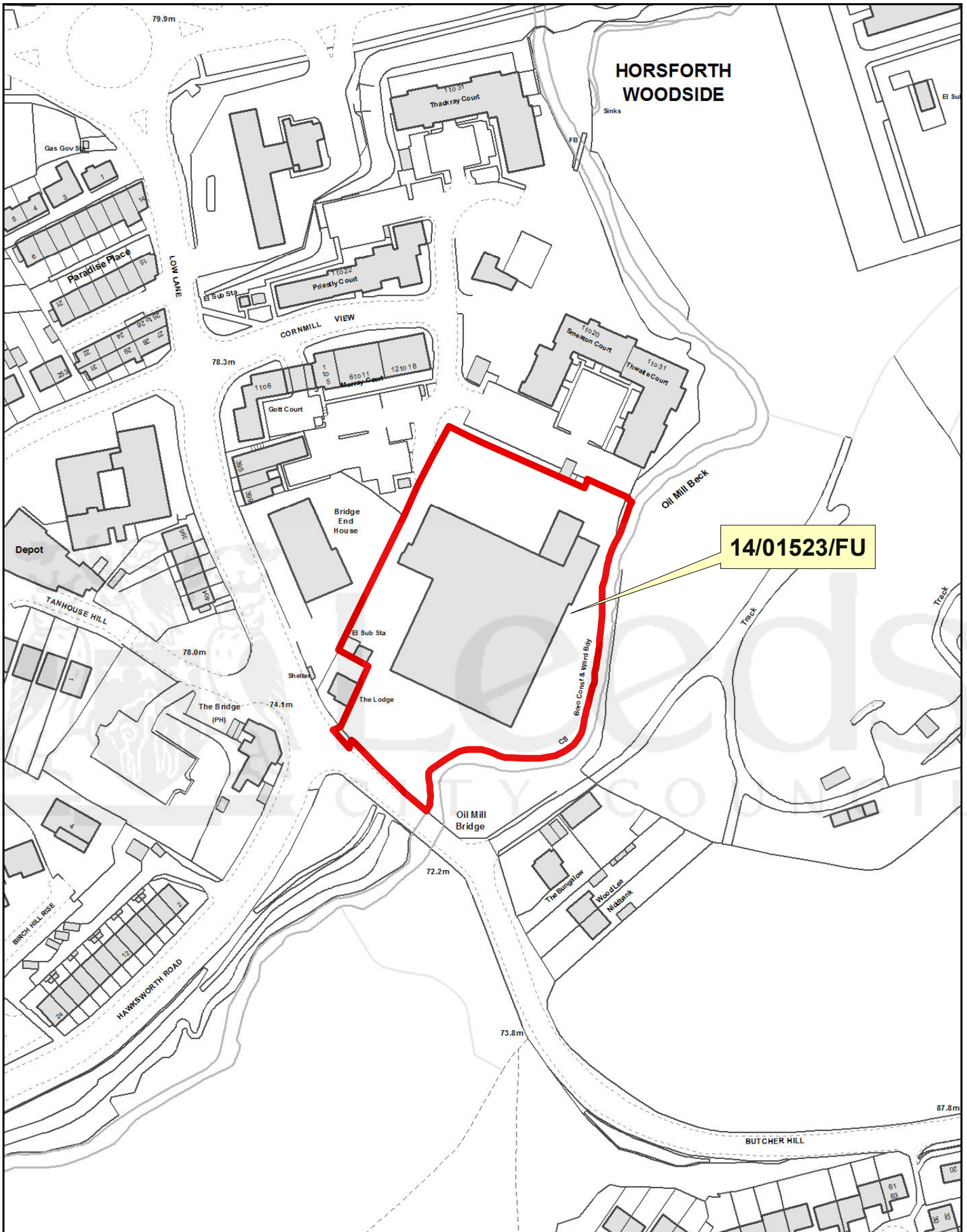
- 10.15 The matters raised by the representations have been covered in the above appraisal.

11.0 CONCLUSION:

- 11.0 The scheme involves the redevelopment of a positive and landmark building within the Conservation Area. It bring an vacant brownfield site back into use and provides residential units towards Leeds 5 year land supply. The proposal is a high quality design using high quality materials and will be a benefit to the surrounding area. It removes the potential for a commercial use close to residential properties and is converted into a use more appropriate next to residential dwellings.
- 11.1 The benefits of the proposed scheme far outweigh any disbenefits it creates and the application is recommended for approval.

Background Papers:

Application and history files.



SOUTH AND WEST PLANS PANEL

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

SCALE : 1/1500

