



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 30 October 2014

Subject: PLANNING APPLICATION 14/03263/FU RETROSPECTIVE APPLICATION FOR A TEMPORARY USE AS RESIDENTIAL SITE FOR GYPSIES AND TRAVELLERS WITH 10 PITCHES FOR 12 MONTHS

APPLICANT
Leeds City Council

DATE VALID
11 June 2014

TARGET DATE
7 November 2014
(Extended)

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PLANNING PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS:

1) The use hereby permitted shall be discontinued and all caravans, structures, equipment and materials brought onto the land in connection with the purposes of the use shall be removed on or before 7 November 2015.

In the interests of sustainable development, in accordance with adopted Leeds UDP Review (2006) policies GP5, LD1 T2 and CC30, Leeds Core Strategy Policies T1, T2, G1, G2, G5, H7, P10, SP1, SP3, SP11 and CC2 and the National Planning Policy Framework.

2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule within 3 months of the date of this permission.

For the avoidance of doubt and in the interests of proper planning.

3) Prior to the removal of any trees, shrubs or other vegetation outside the limits of the existing hardstanding as shown on drawing 1495.11.11M, details of any trees,

shrubs or vegetation to be removed, and details of a mitigation scheme for their loss and timescales for implementation, have been submitted to, and approved in writing by, the Local Planning Authority. Works shall be carried out in accordance with the approved details.

In the interests of amenity and nature conservation, in accordance with adopted Leeds UDP Review (2006) policies GP5, N49 and N51, Leeds Core Strategy policies G1 and G9, and the National Planning Policy Framework.

1.0 INTRODUCTION:

- 1.1 This application is brought to City Plans Panel because it relates to a temporary Gypsy and Traveller site proposal by Leeds City Council in the City Centre, and is subject to representations from local businesses.
- 1.2 The families at Kidacre Street were previously at roadside encampments around Leeds. In accordance with Government guidance, a welfare needs assessment exercise was carried out and the Housing Authority determined that these arrangements were not suitable, and alternative arrangements had to be put in place immediately. Therefore Housing Services determined to move these families onto this site prior to securing planning permission.

2.0 PROPOSAL:

- 2.1 Leeds City Council Housing Services established this temporary Gypsy and Traveller residential site at Kidacre Street in May 2014 and a planning application was submitted in June 2014. The proposal consists of 10 caravans with space for 18 vehicles for a temporary period of one year. Each pitch would have a portable pre-fabricated toilet facility, and there is a communal refuse and waste water store close to the entrance onto Kidacre Street. Lighting is proposed across the site for use by the residents, and a drinking water tap is provided near the site entrance.
- 2.2 The application has been supported by the following documents:
- Scaled plans
 - Design and Access Statement
 - Noise report
 - Land Contamination report
 - Flood Risk Assessment and Drainage Strategy

3.0 SITE AND SURROUNDINGS:

- 3.1 The site lies within the designated City Centre, flood risk zone 1 and on the initial preferred route announced by Government at the end of January 2013 for the High Speed Rail project (HS2). The site comprises a cleared 0.28ha site, accessed off the western side of Kidacre Street. The wider land ownership is roughly rectangular in shape and is defined by a variety of fencing and brick walls associated with the former buildings on the site. It is understood that these buildings were cleared a number of years ago. The land is divided in half by a 2m high wall that runs in an east/west direction. Within the site are a number of earth mounds. The southern half of the land ownership is partially surfaced and is currently occupied, and forms the application site boundary along with the access road from Kidacre Street, whilst the northern half of the land ownership is covered by self-seeded trees and shrubs, and lies outside the application boundary.

- 3.2 Two gasholders are sited off Kidacre Street and a hazardous installation. The gasholder has a three zone map, based on inner, middle and outer zones. The majority of the site lies within the middle zone for the gasholder, and no caravans would be positioned in the inner zone. The site access lies within the inner zone, along with 0.027ha of the total site area. Two high pressure gas pipelines run outside the site along Kidacre Street.
- 3.3 The surrounding land uses are Crown Point Retail Park to the east, a motorcycle training centre to the south, and a gas storage and distribution facility to the south and west. There are a number of surface gas pipes that sit beyond the southern and western edges of the site. To the west, beyond a mature tree belt, are a number of office buildings with associated parking.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Whilst not at this site, the current application is 13/03998/FU at Cottingley Springs is relevant. The proposal is to extend an existing site to accommodate a further 12 pitches. This proposal was supported in principle at Plans Panel and has been called-in by the Secretary of State. It was the subject of a Public Inquiry during Summer 2014. The decision is expected from the Government in February 2015.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 A pre-application meeting was held with the applicant on 12 May 2014. The subsequent application was amended a number of times as a result of objections from Crown Point Retail Park, the objection from the Health and Safety Executive, and then to provide adequate separation between units and reduce the number of pitches to 10.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by Site Notices dated 20.06.2014, 22.08.2014, 05.09.2014 and 03.10.2014
- 6.2 City and Hunslet Ward Councillors were consulted by email on 13.06.2014, 14.08.2014 and 08.10.14
- 6.3 Leeds GATE were consulted on 13.06.2104, 14.08.2014 and 08.10.14
- 6.4 There have been two objections to the application proposal, which are addressed in the appraisal section of this report:
- 6.4.1 On behalf of Crown Point Retail Park (Aviva Investors and the Crown Estate) letters dated 23.07.2014 and 03.09.2014 stating the following concerns:
- Perceived increased risk of crime and impact on business
 - Full ecological assessment was not carried out prior to partial vegetation clearance
 - The ownership boundary of the site is not correct
 - The site's location next to high pressure gas pipelines and a hazardous installation is not appropriate for residential development (as opposed to other more commercial uses). When cross referenced with Policy H7 of the emerging core strategy there remains no justification to support the application in this instance.

6.4.2 Leeds School Of Motorcycling, Kidacre Street - letter dated 18.09.2014 stating the following concerns:

- Anti-social behavior such as throwing missiles and rubbish from the site onto the premises, burning and storing garden and general waste
- dogs running loose and fouling on the premises
- acrid smoke causing the business to close
- horses roaming loose on the main road
- criminal damage being caused on at least two occasions when Travellers have damaged the chain link fence when accessing the property without any right to do so.
- wilful obstruction caused by numerous vehicles parking on the footpath on both sides of Kidacre Street creating a danger to road users and pedestrians.
- these are daily ongoing issues which despite Police and Council intervention continue on a daily basis and will only escalate should the planning permission be approved.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory

7.1.1 Health and Safety Executive

No objection. In relation to the HSE planning advice for developments near hazardous installations, the sensitivity of the development as housing (residential caravans) at a density of no more than 40 dwellings per hectare, is considered to be Level 2. The proposal is at 35 dwellings per hectare with all pitches within the middle zone, and only 0.027ha of the site within the inner zone (this part of the site contains only roadway and refuse storage in this area and it is less than 10% permitted by Rule 1 of the guidance). The HSE therefore do not advise against approving the development.

7.1.2 Northern Gas Networks No objection

7.1.3 Environment Agency No objection

7.1.4 Coal Authority No objection

7.2 Non-Statutory

7.2.1 LCC Transport Development Services

Accessibility: Policy H7 of the emerging Core Strategy which requires that Traveller/ Gypsy sites “*must have reasonable access to public transport, health care, schools, shops and local services*”. The accessibility of the site with the City Centre is considered to be good for access to public transport and local facilities.

Vehicular access: The access provides a visibility splay of a minimum of 2m X 43m looking in both directions which is on-balance acceptable. Kidacre Street is the sole access to the site. A segregated pedestrian gate is required for safety reasons and is marked on the plans

Internal layout, servicing and bins are acceptable - vehicular and pedestrian segregation has been introduced from the entrance into the site together with a 5mph speed sign as requested by Highways. 18 spaces have been shown on the submitted plan, which is acceptable. There is enough hardstanding on-site for parking of vehicles for each pitch.

Subject to the implementation of the measures shown on the submitted revised plans, the application does not raise any specific road safety concerns.

7.2.2 LCC Flood Risk Management

No objection

7.2.3 LCC Environmental Protection

Caravans will not provide the same sound insulation as traditional dwellings, and residents will bring their own noise sources to the site in the form of generators to supply electricity. A noise report has been submitted which outlines that “the noise climate on site during the day is dominated by road traffic noise from Kidacre Street. The noise climate during the night is dominated by generators being used by existing Travellers and noise associated with gas distribution pipework to the north”. The report calculates the anticipated noise levels within the caravans, taking into account the measured data, attenuation afforded by the ‘distance’ (as a ratio of the distance between the source/measurement position and the source/receiver location), and the existing brick wall ‘barrier’ which runs along the eastern boundary of the site. It concludes that average noise levels within caravans situated on the site are expected to be in compliance with guidance given in BS 8233:2014. In addition, the outdoor amenity space should meet an acceptable noise level. Due to the temporary nature, the use of on-site generators for the caravans, and practicalities of sound attenuation of the gas pipework, the overall sound levels are acceptable.

7.2.4 LCC Transport Strategy - Environmental Studies

The submitted noise report is acceptable. Traffic noise is sufficiently mitigated by distance and the barrier effect of the existing wall adjacent to Kidacre Street.

7.2.5 LCC Children’s Services

No comments

7.2.6 West Yorkshire Police

Neighbourhood Policing Team officers visit the site twice a day, and make regular visits to local businesses.

8.0 PLANNING POLICIES:

8.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

8.2 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 Development Framework (Core Strategy and Site Allocations Plan) will eventually replace the UDPR. The Core Strategy has been examined and declared sound by the Inspector. The Site Allocations Plan is at Issues and Options stage having been through a period of public consultation in the summer of 2013.

8.3.1 Unitary Development Plan Review (adopted July 2006)

- Policy GP5: states that development proposals should seek to avoid issues such as loss of amenity, environmental intrusion and highways congestion
- Policy BD2: Siting and Design of New Buildings.
- Policy BD5: new buildings design consideration should be given to own amenity and surroundings
- Policy H16: City Council approach to provision of sites for Travellers
- Policy N12: all development proposals should respect fundamental priorities for urban design.
- Policy T2: development should be capable of being served by highway network and not adding to or creating problems of safety.
- Policy T24: parking guidelines for new developments
- Policy N25: Site boundaries should be designed in a positive manner.
- Policy LD1: landscape schemes should meet specific criteria of good design.
- Policy CC30 Proposals outside defined areas would be determined on their merits.

Leeds Draft Core Strategy

8.3.2 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 examination has now taken place. Some modifications and additional work on Policy H7 Gypsies, Travellers and Travelling Showpeople was requested by the Core Strategy Inspector. The Council has reviewed its Gypsy and Traveller Pitch Requirement Study to take on board the Inspectors` concerns. It has closely engaged with the Leeds Gypsy and Traveller Exchange (GATE) and facilitated a local survey of Travellers` needs. Policy H7 was the subject of a further hearing in May 2014. The Inspector`s Report was issued in September 2014. The Inspector has indicated that he is satisfied with the policy and has confirmed that it is sound. The policy is based on up to date evidence of Gypsy and Traveller needs, which were obtained from robust survey work with the local community. This evidence and the support from the Inspector gives the policy validity and it now carries significant weight when determining applications.

8.3.3 POLICY H7: ACCOMMODATION FOR GYPSIES, TRAVELLERS AND TRAVELLING SHOW PEOPLE

The City Council will identify suitable sites in the Site Allocations Plan to accommodate the following identified needs:

- 62 pitches for Gypsies and Travellers (of no more than 15 pitches per site), and
- 15 plots for Travelling Showpeople (to be accommodated on either one or two sites),

In identifying land or determining planning applications for pitches / plots, consideration will be based on the following criteria:

- i) pitches and plots should have reasonable access to public transport, health care, schools, shops and local services
- ii) pitches and plots should not be located on land that is deemed unsuitable for general housing, such as land that is contaminated, adjacent to refuse sites, landfill sites, heavy industry or electricity pylons

- iii) pitches and plots should avoid zones of high flood risk (zone 3 flood risk areas),
- iv) the following order of preference for categories of land should be followed: brownfield, greenfield and Green Belt. Alterations to the Green Belt boundary to accommodate pitches and plots will only be considered in exceptional circumstances, to meet a specific identified need. In such circumstances and as part of the Site Allocations Plan, sites will be specifically allocated as a Gypsy, Traveller and Travelling Showpeople's site only.
- v) the availability of alternative deliverable sites for Gypsies and Travellers and Travelling Showpeople

Other relevant draft Core Strategy policies include:

Policy CC2 City Centre South

Policy T1 Transport Management

Policy T2 Development should be located in safe and secure locations.

Policy G1 Enhancing and extending green infrastructure

Policy G2 Creation of new tree cover

Policy G3 Standards for open space, sport and recreation

Policy G4 New green-space provision

Policy G5 Open space provision in the City Centre

Policy G9 Biodiversity improvements

Policy P10 Proposals should accord with principles around size, scale, design, layout, character, surroundings, public realm, historic / natural assets, visual, residential and general amenity, safety, security and accessibility to all.

SP1 Spatial Policy 1 Location of development

SP3 Spatial Policy 3 identifies the importance of the city centre as an economic driver:

SP11 Spatial Policy 11 Transport infrastructure investment priorities, including High Speed Rail

8.4 NATIONAL PLANNING POLICY

8.4.1 National Planning Policy Framework (NPPF) (March 2012)

The National Planning Policy Framework replaced Planning Policy Statements and Guidance (PPSs/PPGs) in 2012, and states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 6), and seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. One of the core planning principles in the National Planning Policy Framework encourages the effective use of land by reusing land that has previously been developed. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50). 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. The NPPF refers to the national Planning Policy for Travellers Site (PPTS) which is summarised below.

8.4.2 National Planning Policy for Traveller Sites (March 2012)

8.4.2.1 Policy A: Using evidence to plan positively and manage development - local planning authorities should use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions.

8.4.2.2 Policy B: Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:

- a. promote peaceful and integrated co-existence between the site and the local community
- b. promote, in collaboration with commissioners of health services, access to appropriate health services
- c. ensure that children can attend school on a regular basis
- d. provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment
- e. provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development
- f. avoid placing undue pressure on local infrastructure and services
- g. do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans
- h. reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

8.4.2.3 Policy H: Determining planning applications for traveller sites

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- the existing level of local provision and need for sites
- the availability (or lack) of alternative accommodation for the applicants
- that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- that they should determine applications for sites from any travellers and not just those with local connections

Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

8.4.2.4 Paragraph 24 When considering applications, local planning authorities should attach weight to the following matters;

- effective use of previously developed (brownfield), untidy or derelict land
- sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children

- not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

8.4.2.5 Paragraph 25. If a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.

8.4.2.6 Paragraph 26. Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including;

- limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise
- specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events)
- limiting the maximum number of days for which caravans might be permitted to stay on a transit site.

9.0 MAIN ISSUES

9.1 Principle of use

9.2 Amenity

9.3 Highways and transportation

10.0 APPRAISAL

10.1 Principle of use

10.1.1 Policy B of 'Planning for traveller sites' (PFTS) states that Local Planning Authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Policy H of PFTS suggests certain criteria which local planning authorities may wish to consider in dealing with any planning application. The first point is that the PFTS advises that the site allocations criteria should be used in assessing proposals on unallocated sites such as this. Therefore, in respect of emerging Core Strategy Policy H7, the following comments are made against each of the criteria:

- i) pitches and plots should have reasonable access to public transport, health care, schools, shops and local services

The site is brownfield and within the City Centre, with good access to local shops and facilities. Housing Services have confirmed that children are transported to local schools via Education Leeds. The applicant understands that everyone at the site is registered with a local GP.

- ii) pitches and plots should not be located on land that is deemed unsuitable for general housing, such as land that is contaminated, adjacent to refuse sites, landfill sites, heavy industry or electricity pylons

The proposal is for one year only, and alternative sites are being looked at. An acceptable land contamination study has been submitted, and the site is suitable for use. The proposed fences around the site would prevent access to areas of the site that have not been investigated. The site is not in use as a refuse site, and nor is it

adjacent to heavy industry or electricity pylons. The site is near to a major hazardous installation (the gasholders) and two gas pipelines, however the HSE and Northern Gas Networks do not object to the development on safety grounds. On balance it is considered that the temporary use of the site is acceptable, subject to the installation of the site boundary fence to prevent access onto land which may be contaminated, and no more than 10 residential pitches at any one time.

- iii) pitches and plots should avoid zones of high flood risk (zone 3 flood risk areas),

The application site lies within flood risk zone 1

- iv) the following order of preference for categories of land should be followed: brownfield, greenfield and Green Belt. Alterations to the Green Belt boundary to accommodate pitches and plots will only be considered in exceptional circumstances, to meet a specific identified need. In such circumstances and as part of the Site Allocations Plan, sites will be specifically allocated as a Gypsy, Traveller and Travelling Showpeople's site only.

The application site is brownfield.

- (v) the availability of alternative deliverable sites for Gypsies and Travellers and Travelling Showpeople

The applicant states that no alternative deliverable sites are currently available.

Compliance with national policy “Planning Policy for traveller sites”

10.1.2 These are dealt with in the order raised in the document:

Policy B is concerned with general sustainability issues, which are covered in the section above related to Policy H7.

Policy H: Determining planning applications for traveller sites. Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- *the existing level of local provision and need for sites*
- *the availability (or lack) of alternative accommodation for the applicants*

Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

The site is not in open countryside.

When considering applications, local planning authorities should attach weight to the following matters:

- (i) *effective use of previously developed (brownfield), untidy or derelict land;*

The site is previously developed brownfield land.

(ii) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;

No new landscape scheme has been proposed, because this is a temporary proposal for one year only. The revised plans layout show a new boundary treatment around the pitches will be carried out by the applicant within three months of the date of any permission.

(iii) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;

No landscaping or specific play facilities are proposed for this site because it is a temporary proposal for one year only. Whilst no dedicated facilities are proposed for children, families were until recently pitching illegally on roadside sites. It is considered that this temporary site would be a safer environment than an illegal roadside encampment, until permanent provision is delivered.

(iv) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

The boundaries to Kidacre Street are existing historic boundary treatments.

If a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.

This application is for a temporary period of one year, and the site allocations process has not been completed at the time of consideration. The land is within the gasholder's hazardous installation zone, and likely to be affected by the HS2 proposal, and therefore the proposal is not appropriate as a permanent site.

Housing Services have stated that the delay in being able to progress the expansion of Cottingley Springs (as a result of the Secretary of State call-in), and the automatic timescales relating to developing pitch provision, means that they needed to find an interim solution to unauthorised roadside encampments, in order to better meet the needs of the Gypsies and Travellers, and reduce the impact on local communities. The Housing Authority recognises that Kidacre Street is not a long term option, and remains committed to Cottingley Springs and the identification of other alternative sites through the Site Allocation Plan.

On balance, taking into account the above circumstances and policy considerations, it is considered that a temporary permission for one year only would be acceptable.

10.2 Amenity

10.2.1 The submitted noise report states that attended measurements have shown that areas of the site immediately adjacent to Kidacre Street are currently subject to moderate levels of environmental noise during the daytime and low levels of noise during the night-time. Measurements have also indicated that whilst some industrial noise is present in the vicinity of the site, it is not significant when considering the suitability of the site for temporary residential purposes. Officers in Environmental

Protection and Environmental Studies teams have provided comment on the application proposal, and they consider that the proposal would be acceptable for a temporary period.

10.3 Highways

- 10.3.1 It is considered that the proposal would not lead to road safety and amenity issues, and the site has good access to local facilities and public transport. The proposed layout, access and parking provision are considered acceptable for a temporary period only.

10.4 Response to the concerns of neighbouring businesses

- 10.4.1 Regarding the concerns from Crown Point Retail Park, no evidence has been presented by the objector, or in consultation with the Police, regarding any perceived or actual increased risk of crime and impact on business, jobs and investment at the retail park arising directly from the application proposal.
- 10.4.2 Full ecological assessment was not carried out prior to partial vegetation clearance. It appears that some vegetation clearance has taken place to accommodate the use, however the removal of the vegetation in itself does not require planning permission. A condition is recommended to ensure that full details of any further vegetation clearance, and any necessary mitigation, are agreed and implemented.
- 10.4.3 The ownership boundary of the site has been amended and certificate A has been signed on behalf of the applicant.
- 10.4.4 Regarding the site's location in the vicinity of high pressure gas pipelines and a hazardous installation, amendments to the site boundary and the number of pitches proposed now meets HSE safety guidance.
- 10.4.5 Regarding the Leeds School of Motorcycling allegations of anti-social behaviour, the applicant is aware of the matters raised and has outlined the following management strategy for the site, involving partnership between Leeds City Council Housing Services, South/South East Localities Team, Neighbourhood Policing Team, Leeds GATE (Leeds Gypsy Traveller Exchange) and two families resident on-site who tend to act for the main resident group.

South/South East Locality Team, Leeds City Council:

- Environmental Action Officers will visit the site regularly once a fortnight unless an urgent visit is required where an immediate response will be given.
- Dog Warden will visit the site once a month or as required if an urgent call is received.
- Street Cleansing will attend the area once a month and complete litter picks of the area on the attached map including Kidacre Street down to the gas depot, entrance around the Travellers site and Ivory Street.
- Monthly meeting between representatives from Gypsy Traveller Services Team and the Locality Team.

Neighbourhood Policing Team, West Yorkshire Police

- Regular PCSO visits are conducted, a minimum of three weekly.
- PCSO's visit local businesses to include the Leeds School of Motorcycling and Crown Point Retail Park.
- The ongoing monitoring of crime, the most recent report confirms that there has been no increase in crime or anti-social within a quarter-mile radius of the site.

- Any issues which do arise are communicated to the Gypsy Traveller Services via regular update meetings.

Gypsy and Traveller Services Leeds City Council

- The team regularly visit the site; a minimum of twice weekly, where issues can be picked up.
- Site Occupants have all signed up to a 'Negotiated Stopping Agreement' which sets out the site rules and the rights and responsibilities of residents. There is a commitment to management by the Applicant, which includes the following:
 - using only the designated pitch and vehicle parking on the site
 - use of domestic waste bins and disposal of domestic waste
 - adherence to health and safety cordons
 - toilet provision
 - trade/heavy good vehicles on site
 - supervision of dogs
- The robust management of the site to include where necessary involvement of partner agencies, i.e. LASBT Leeds Anti-Social Behaviour Team. This will include the eviction of residents who fail to abide by the agreement in place.
- Provision of some screening and additional security for Leeds School of Motorcycling and a three month rent free period
- Provision of a water tap, bins and toilets to the site.
- The offer of grazing land to horse owners.

Leeds GATE/ Site Residents/LCC

- Close working with Leeds GATE, open and honest communication about any current or pending site issues.
- Close working with site occupants to ensure that any issues are raised and jointly acted upon by impressing the importance of a collective site management approach.

11.0 Conclusion

11.1 The Core Strategy policy H7 and the national Planning Policy for Travellers Sites (2012) advises that Gypsy and Traveller accommodation should be located on land which is suitable for general housing and considered in the same manner as an application for settled housing. Whilst in principle residential use is acceptable in the South Bank of the City Centre, the application proposal would not meet normal policy requirements relating to the provision of a mix of uses, greenspace, public realm, landscaping and urban design. The application site is indicated as "amber" in the Site Allocations and permanent residential use on the land may be acceptable as long as the gasholder facility were relocated as part of the proposed HS2 project, and that any housing proposed would not prejudice the HS2 project. The remaining criteria of Core Strategy policy H7 would seek to locate Gypsy and Traveller accommodation in accessible locations, with low flood risk on sites with no more than 15 pitches. The locational characteristics of the Kidacre Street and the size of the proposal satisfies the latter criteria.

However, as the proposal does not feature urban design, landscaping and public realm improvements, nor the necessary amenities such as permanent amenity blocks, landscaping and play provision expected for a permanent facility, the use of the land for residential use for Gypsy and Travellers could be supported only on a temporary basis. Whilst the HSE does not advise against the proposal on

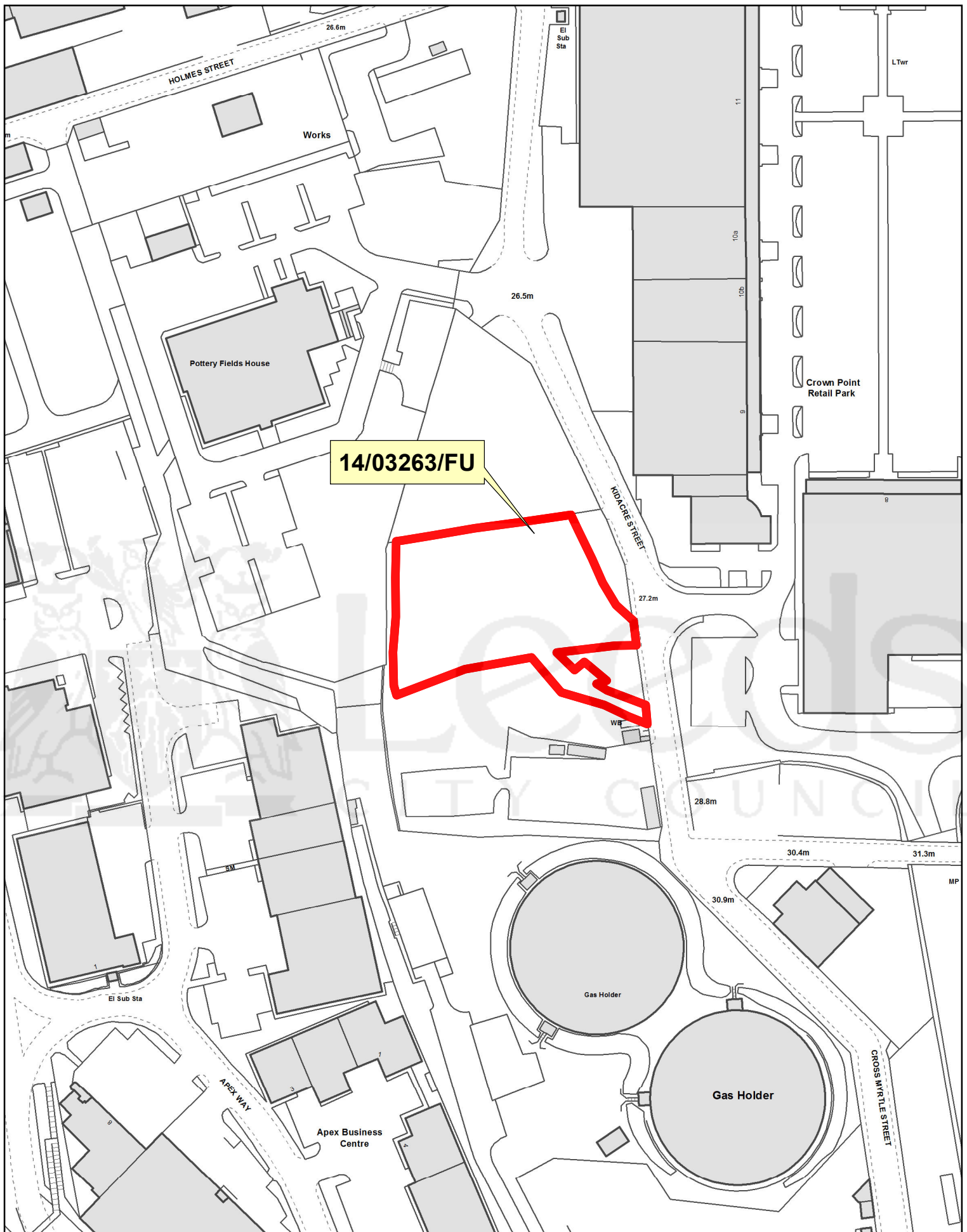
safety grounds in this case due to the number of residences proposed within the middle zone, there is still a risk from the gasholders.

Taking into the account the factors discussed above, and the delays in finding alternative site provision, the application is therefore recommended for approval subject to conditions for one year only.

12.0 Background Papers:

Application file 14/03263/FU

Certificate of Ownership: Certificate A has been signed by the agent on behalf of the applicant Leeds City Council



CITY PLANS PANEL

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

SCALE : 1/1500

