



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 22nd January 2015

Subject: APPLICATION 14/05481/OT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (MAXIMUM 300 UNITS) TOGETHER WITH OTHER USES AND REVISED LANDSCAPING – POSITION STATEMENT

APPLICATION 14/05483/FU - VARIATION OF CONDITION 4 (FLOOR SPACE) OF APPROVAL 12/03886/OT TO READ “THE DEVELOPMENT HEREBY PERMITTED SHALL NOT EXCEED THE TOTAL QUANTUM OF DEVELOPMENTS AS LISTED BELOW (ALL GROSS EXTERNAL AREA) B1 - 83,615sqm, A1 (FOOD STORE) - 9,000sqm, A1 NOT WITHIN THE FOOD STORE - 9,000sqm, A2, A3, A4 AND A5 - 4,200sqm, C1, D1 AND D2 - 16,340sqm. OF WHICH NO MORE THAN 14,050sqm SHALL BE IN THE C1 HOTEL USE AND 2,290sqm SHALL BE IN D2 GYM USE”

APPLICATION 14/05484/COND - DISCHARGE OF CONDITION APPLICATION - REVISED MASTERPLAN RELATING TO THE APPROVED APPLICATION (12/03886/OT) FOR A MAJOR MIXED USE DEVELOPMENT AT THORPE PARK

APPLICANT: Thorpe Park Developments
DATE VALID: 24/09/14

TARGET DATE:
Agreed extension in time - PPA Date to be reviewed.

Electoral Wards Affected:

Crossgates and Whinmoor, Garforth and Swillington, Temple Newsam

Yes

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

To DEFER and DELEGATE APPROVAL to the Chief Planning Officer, subject to referral of the two planning application(s) to the Secretary of State for the Department of Communities and Local Government as departures from the Statutory Development

Plan, and for consultation under the Town and Country Planning (Consultation) (England) Direction 2009, and in respect of 14/05481/OT, subject to conditions to cover those matters outlined below (and any others which he might consider appropriate) and the completion of a Section 106 agreement to cover the following (and consequential variations of the existing S106 agreement in respect of 12/03886/OT, to reflect the introduction of housing, amended MLLR layout, and amended trigger points):

- **Affordable housing at 15% on site (45 units on current indicative masterplan split – 40% (18 units) social rent, 60% (27) submarket).**
- **Education contribution of £1,429,144.65 (equivalent of £4,763.82 per dwelling).**
- **Specification/phased provision of Central Park.**
- **Specification/phased provision of play/recreation facilities within Central Park/Green Park, including public access maintenance and implementation.**
- **Westwards lit and surfaced footpath link through Central/Green Park to be agreed and submitted prior to occupation of any dwelling.**
- **Safeguarded land for MLLR expansion area.**
- **Car club contribution of £15,000.**
- **Provision of £10,500 for an interim bus stop in the event the commercial triggers haven't provided for a bus stop on first occupancy of any dwelling.**
- **Phasing of bus service provision.**
- **Local employment and training initiatives during the construction of the development.**
- **Footpath Mitigation Scheme (railway) in the event that the Footpath Diversion Order to extinguish the existing route is not confirmed.**
- **Residential Travel Plan and monitoring fee.**

To also Delegate to the Chief Planning Officer any changes required to conditions of application 14/05483/FU to bring it into line with the current proposal and circumstances.

In the circumstances where the Section 106 has not been completed within 3 months of the determination of the Secretary of State to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

Conditions:

1. Three year time limit for commencement and reserved matters submission deadlines.
2. Outline relates to access only with all other matters reserved.
3. Plans to be approved.
4. Maximum units to be 300 and quanta of other uses to be specified.
5. Quantum of uses (as sought under 14/05483/COND).
6. Development to be in accordance with broad parameters/masterplan.
7. Design code.
8. Removal of PD rights for change of use of any B1, A1, A2, A3, A4 or A5.
9. Cross sections of all external entrances, windows, doors, junctions of materials, changes in plane, parapets, eaves lines and soffit details under reserved matters applications.
10. Details of all external facing and roofing materials as part of reserved matters.
11. Details of all external plant, flues, vents, shutter, lighting, solar panels or other excrescences.
12. Details of all surfacing materials.

13. Highway conditions (to include dust suppression and measures to prevent mud, grit and dirt on highways).
14. Retail floorspace limits.
15. Prohibition of retail units selling clothing/fashion and footwear goods.
16. Exclusion from existing Cross Gates/Garforth/Rothwell centre retailers unless committed to centre for 5 years.
17. Prevention of subdivision/mezzanines to retain units.
18. No convenience retailing in any A1 use over 100sqm GEA.
19. Retail space limit.
20. Sustainability Statement – ‘Building for Tomorrow Today’.
21. Foul and surface water details.
22. Residential to be ‘Secured by Design’.
23. Coal recovery report prior to commencement of residential.
24. Central Park Phasing Plan, to include levels, SUDS and PROW provision and early cultivation/seeding.
25. Travel Plan – to be revised in light of residential.
26. Details of new PROW routes and changes to existing.
27. Samples of all external materials to be approved.
28. Existing and proposed levels to be provided with Reserved Matters applications.
29. Details of bin and cycle stores.
30. Scheme for electric vehicle charging points.
31. City Car Club 2 space parking provision.
32. Landscaping scheme.
33. External lighting scheme.
34. Implementation of landscaping scheme.
35. Tree protection measures.
36. MLLR to be completed prior to first occupation of dwellinghouse or commercial/office use.
37. Development to be carried out in accordance with (FRA).
38. Drainage details as specified by Network Rail, Yorkshire Water and LCC Flood Risk Management.
39. Construction Management Plan, to include drainage measures, and asset protection as specified by Network Rail.
40. Construction Environmental Management Plan (CEMP Biodiversity) to be approved.
41. Biodiversity enhancement measures.
42. Biodiversity Enhancement & Management Plan (BEMP) to be approved.
43. Confirmation to be submitted re: Great Crested Newts/Natural England Licence.
44. Contamination reports.
45. Unexpected contamination.
46. Contamination verification reports.
47. Archaeological evaluation.

1.0 INTRODUCTION

- 1.1 In 1995 planning permission was granted for approximately 65 hectares of land known as Thorpe Park as a key business park, reserved for offices (B1). In 2004 the quantum of approved floor space was subsequently increased from 1.2million ft² (111,500m²) to 1.8m ft² (167,225m²) through the variation of the condition controlling the floorspace restrictions. To date just over of 600,000 ft² (55,740m²) of office accommodation has been built out in addition to a hotel, medical centre, and some small supporting food uses. The development was also ultimately intended to facilitate

various access works, most significantly including the delivery of the Manston Lane Link Road (MLLR).

- 1.2 In September 2013 City Plans Panel considered detailed proposals for the MLLR and an outline application relating to the balance of land at Thorpe Park, proposing a mixed use development which, significantly, included a large proportion of retail. The Panel resolved to approve these applications and the decision notice relating to the outline was formally issued in March 2014, following completion of a S106 agreement. Approval of the new outline application was an important step in developing a new masterplan for Thorpe Park, which would better reflect the type of business space and other amenities required by occupiers and employers. The broader mix of uses was also intended to help secure the early delivery of the MLLR, with the retail component being accepted as enabling development to facilitate this.
- 1.3 During the consideration of that application the potential to introduce an element of residential use was discussed, and whilst the applicant was receptive to this general suggestion, timescales were such that rather than delay those proposals due to the requirement to revisit large parts of the submission, a commitment was given to progress this option separately once the main outline permission had been granted.
- 1.4 Following approval of the above application and associated MLLR proposals, Members agreed further revisions to the masterplan via a number of separate applications so as to optimise the effectiveness of the MLLR through its re-alignment and the removal of a roundabout. Nevertheless, the current applications represent the applicant's commitment to introduce some housing into the most recently agreed scheme, adding to the general mix of uses proposed at Thorpe Park. The proposals were the subject of a position statement report to the 20th November 2014 meeting of City Plans Panel.
- 1.5 At the November Panel meeting, plans and photographs, artist's impressions and images of similar schemes in Salford and York were displayed, and earlier in the day Members visited the site. As part of the presentation of the position statement Members were informed that there were no changes to the wider uses/mix of the retail element, though the retail element which been proposed for the eastern corner of the current site had been removed, with Officers being more comfortable about this revision. Officers advised that the layout had been amended to take into account TPO trees and that the layout would provide generous amounts of landscaping, and that the opportunity existed for a creative design to be provided overall.
- 1.6 Overall the feedback from Members was positive, in terms of the principle of providing housing on the site and also in terms of the consequent changes that are necessary to the existing permission to facilitate this. A decision to visit the York development shown in the position statement presentation was made, and this occurred just before Christmas. A fuller account of Members feedback on the position statement is provided in the negotiations section of this report, and a copy of the minutes is also provided at Appendix 1.
- 1.7 Since the position statement, officers have continued to assess these applications and sought further details and/or clarification from the applicant regarding the various comments made by Members. These applications are now put before Members for formal consideration.

2.0 PROPOSAL:

- 2.1 In simple terms and following Members request the applications are interrelated submissions which seek permission for a residential and mixed use development (including office and other commercial i.e. retail) of up to 300 dwellings at Thorpe Park, together with a revised masterplan and landscaping details. All matters are requested to be reserved, other than for access. Access is proposed via a single access from a proposed signalised junction from the MLLR. This junction would effectively replace one of the roundabouts (R5) on the MLLR as currently approved.
- 2.2 The outline planning application covers the northern development Zone B of the most recently approved Thorpe Park masterplan. The red line application boundary also includes what is termed 'Central Park', which is an important landscaping and open space feature running east to west across the site, and which contains attenuation/balancing ponds. Consequential changes are sought to the masterplan (application 14/05484/COND), and changes to the balance in the quantum of uses (application 14/05483/FU), are also proposed to reflect the introduction of the housing element.
- 2.3 The proposed introduction of an element of residential results in the need to amend the quanta of floor space previously agreed. Essentially the housing would replace some of the B1 office accommodation originally planned. The breakdown of approved uses (both existing and now proposed) is set out in the table below and is in addition to that already provided on site:

Use	Approved	Proposed
B1	101,290	83,615
A1 (Food store)	9,000	9,000
A1 (other)	9,000	9,000
A2, A3, A4 and A5	4,200	4,200
C1, D1 and D2	16,340 (no more than 14,050 hotel and 2,2290 gym)	16,340 (no more than 14,050 hotel and 2,2290 gym)
C3 (Residential)	0 units	Maximum 300 units

- 2.4 The application is accompanied by the following documents:
- Planning Statement
 - Environmental Statement Addendum
 - Revised Masterplan
 - Indicative Sections
 - Parameters Plans
 - Flood Risk Assessment
 - Design & Access Statement including Residential Design Code
 - Residential Development Flood Risk and Drainage Design Note
 - Travel Plan
 - Coal Mining Assessment
 - Draft Noise Assessment
 - Draft S106 heads of terms

3.0 SITE AND SURROUNDINGS:

- 3.1 The proposals under consideration relate to the northern half of the employment allocation that totalled approximately 65 hectares. The site is located to the south of the Leeds-York railway line and Manston Lane, west of the M1 (junction 46), north of the A63 Selby Road and existing Thorpe Park buildings. Austhorpe Lane is to the west.
- 3.2 In terms of the wider area, Cross Gates centre is located to the west, Garforth to the east, and Colton Retail Park is located across the A63 to the south. A number of residential properties are nevertheless located between the northern side of the A63 and the built component of Thorpe Park (namely Barrowby Lane, Road and Avenue, and Austhorpe Drive, Avenue and Grove etc.). In addition to existing development, the East Leeds Extension housing allocation (UDPR policy H3-3A.33) is located across the railway line to the north.
- 3.3 Manston Lane to the north includes primarily industrial and commercial premises but there are a limited number of long established residential properties and many new dwellings under construction.
- 3.4 Thorpe Park is allocated as employment land and a 'key business park' in the UDPR. It forms a key part of the Council's employment land supply and provides an attractive regionally significant business park. The land to the west is allocated as Proposed Open Space and to the east is the Green Belt. The UDPR designates a new cycle route running north-south through Thorpe Park and a scheduled ancient monument, Grims Ditch, is located to the immediate west of Thorpe Park. There is a group of protected trees on the western boundary of Thorpe Park, and a small copse within the centre of the application site.

4.0 RELEVANT PLANNING HISTORY:

Thorpe Park:

- 4.1 32/199/94/OT – Outline application to layout business park, Green Park and access roads - Granted 04/10/95. This relates to the original outline permission and allows for up to 1.2million ft² (111,500m²).of office floorspace.
- 4.2 32/9/96/FU – Full permission for the Manston Lane Link Road, approved 20/05/96 and renewed in 13/11/01 by application 32/66/01/RE.
- 4.3 32/140/96/FU – Variation of condition application to allow up to 1.8m ft² (167,225m²) of office floorspace to be provided – Granted 31/03/04 4.3 Connected to the above permissions is a Section 106 agreement which requires the applicant to undertake various off-site highway improvement works to achieve satisfactory points of access from the A63 and M1 motorway (these works have been completed), to provide Green Park (via a series of trigger points) and the delivery of the MLLR which is triggered following occupation of 1million ft² of office accommodation.

- 4.4 06/05310/FU – Application to vary various conditions attached to the MLLR scheme so as to allow details to be agreed as and when phases come forward rather than everything at the outset – Granted 21/11/06.
- 4.5 12/03886/OT: Outline application for major mixed use development, approved 20/03/14.
- 4.6 12/03887/FU, 12/03888/FU, 12/05382/FU: Application for the north-south and east-west links of the MLLR, approved 28/10/13.
- 4.7 12/05150/LA - Formation of public park, playing pitches, park and changing rooms on land to west of Thorpe Park, approved 26/02/14.
- 4.8 14/01216/FU - Detailed application for the Manston Lane Link Road (North - South Route), approved 14.07.14.
- 4.9 14/02406/COND – Revised Masterplan relating to the approved application (12/03886/OT) for a major mixed use development at Thorpe Park – approved 27/06/14.
- 4.10 14/02488/FU – B1 Office building at Thorpe Park (Surgical Innovations Building) – approved 04/07/14.

Manston Lane applications:

- 4.11 08/00298/OT – Outline application for residential development of up to 256 units at Optare, Manston Lane, Crossgates – approved 15/11/12. A section 106 agreement requires the development to be phased with only the first of two phases permitted to be delivered prior to the upgrading of the MLLR. The reserved matters application for 204 units, 13/00288/RM, was approved 19/06/13. The first phase of development is under construction.
- 4.12 08/03440/OT – Outline application for mainly residential development of up to 151 units at former Barnbow site – approved as a phased development subject to a Section 106 agreement linked that restricts the construction of no more than 122 units until the MLLR is constructed. The reserved matters application for 129 houses and 19 flats, 11/02315/RM, was approved 28/11/11. The first phase is nearing completion.
- 4.13 09/04999/OT – Outline application for residential, employment, health centre, retail and ancillary uses and community building at the Barnbow site – Undetermined and not being progressed (as essentially superseded by 14/02514/OT below).
- 4.14 14/02514/OT – Outline application for 385 dwellings and retail and full application for 100 houses at the Barnbow site – Under consideration.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Prior to the formal submission of these applications, officers entered into extensive pre-application discussions with the applicant's development team.

- 5.2 The proposals have also been presented to the Outer East Area Committee and East Leeds Regeneration Board, with both noting the position. More recently, Members will recall these applications were presented as a position statement at the 20th November 2014 meeting of City Plans Panel. The officer report contained a number of questions on which Members provided feedback and this is summarised below:
- 5.3 Officers confirmed the affordable housing provision and education contributions were to be in accordance with the Council's policies. With regard to greenspace on the site, Officers advised that it was not considered necessary to provide more space due to the provision of Green Park and Central Park already, but that consideration should focus on what facilities were to be provided due to the introduction of housing. Members noted this, and stated it was essential for any play facilities to be innovative, creative and to meet the needs of the wider community. The basic approach to drainage was understood but it was considered that the balancing ponds needed to be appropriately designed with child safety in mind. Accordingly some Members had reservations about the use of these features within a public park setting. The proposed boundary treatment to the west of the residential development was also discussed, with the view expressed that it should be less 'harsh'.
- 5.4 Panel discussed the proposals with the main issues relating to the amount of housing and queried if more would follow. Officers advised that the number of units couldn't exceed 300 units, as applied for, given that this is the maximum number that could be accessed from a single access in policy terms, and if provided elsewhere, they would need to be flats where the market isn't very strong. Members were advised that given the importance of Thorpe Park as an office location, to further dilute the office use would not be beneficial in any event.
- 5.5 Members discussed the opportunities to design in infrastructure for the provision of health and education services, and some concern was expressed about linkages with the existing wider built environment. In particular, Members queried the possibility of a footbridge over the railway, though advice was given that there were no proposals for such a link, and that the proposed residential community would add to the mix of uses at Thorpe Park, so in that sense the proposal would not be isolated and the MLLR would provide linkages.
- 5.6 In considering the position statement, Members clearly recognised that the location represents an opportunity for a mixed-use scheme which includes housing, and that a unique approach could be taken to design, rather than simply being a development of standard housing types commonly generated in volume house building. In this respect Members considered that balconies should be explored to maximise the benefits of views, especially for those dwellings which would overlook the greenspace and that an award winning design should be the goal.
- 5.7 Members expressed some concern over the siting of an office block in the eastern corner of the site and expressed the view that they would welcome alternative uses such as a nursery. Members were however satisfied with the overall design concept and layout for Central Park, although further information was required on the provision of balancing ponds in this area. Members highlighted the need for the MLLR to be in place to serve the proposed housing and resolved to visit Derwenthorpe, York. A site visit to Derwenthorpe was subsequently undertaken on the 19th December 2014 with the overall scheme being well received by members but with some detailed concerns.

5.8 In conclusion, Members resolved that they were minded to support in principle the proposed development of Zone B for a maximum of 300 dwellings (14/05481/OT), and that they were supportive of the proposed variation in the quanta of uses (14/05483/FU).

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Application reference 14/05481/OT was advertised by way of site notices on 03 October 2014 and an advert in the YEP on 23 October 2014.

6.2 In response one letter of objection has been received from Cross Gates Watch Residents Association (CGWRA). It raises concerns in respect of the housing proposals that a considerable amount of housing has already been approved, or is in the pipeline, along Manston Lane (Vickers and Optare totalling 891 homes), and that the application more. Concerned the local highway network barely copes at present and that whilst the link road will reduce heavy good traffic coming from the east, this will be outweighed by traffic generated by the approved and proposed residential developments, and that parking in Cross Gates is at saturation point.

6.3 CGWRA also express concern about a lack of local infrastructure to serve a housing development leading to the proposal becoming a dormitory and not communal living space, with a lack of schooling, health and a range of local services, and makes specific reference to distances to facilities set out in the 2014 Travel Plan. Concern is raised that there is a heavy reliance on facilities in the Cross Gates area some 2km from the development and that some of these facilities (such as doctor and dentist surgeries) are oversubscribed or reaching saturation point. They go on to say that any evaluation of traffic levels, parking requirements, and impact on air quality must extend to the impact on Cross Gates, and that any reliance on facilities in Cross Gates must be supported by evidence that these facilities can cope.

6.4 CGWRA point to the fact that the site is not allocated for housing and that UDPR policies identify a shortfall of office development, referring to the sites employment allocation. CGWRA go on to precise the evolution of the wider site over a 20 year period, in terms of the balance of uses, making the points:

- Substantial amount of onsite parking is associated with the supermarket development
- The floor area of the development was increased by 28374 sqm when the retail and leisure concept was introduced in 2012
- There is a shortfall of 27868 sqm of office development due to the introduction of housing with a consequent loss of deliverable employment opportunity in the area
- Manston Lane area has already seen a loss of employment form the Optare and Vickers sites (now being used for housing)
- There is no over-supply of employment opportunities in the area
- Uncertainty over the mixed use element in zone B
- Leeds has a 5.8 year housing land supply as at 01st April 2014, and Manston Lane currently has 891 units built or in the pipeline, representing 8% of the five year requirement

- Concern over coal extraction and implications for the foundations of dwellings – opposing any extraction in zone B
- Concern over the positioning of the housing development adjacent to the railway line
- Concern over the narrowness of the landscaping area to the south [Central Park] with potential hazard to children from the proposed ponds
- Traffic impact from office development is very different to that of a housing development and the flow of traffic from a residential development is more likely to use the local network (Manston Lane) for day-to-day requirements.
- Removal of coal should be the subject of EIA and guarantees sought that all work will be via J46 of the M1 via the yet to be constructed MLLR.

7.0 CONSULTATIONS RESPONSES (14/05481/OT ONLY):

7.1 Statutory:

7.2 Highways Agency: No objection.

7.3 Health and Safety Executive: The HSE does not advise on safety grounds against the granting of planning permission.

7.4 Natural England: The proposal is unlikely to affect any statutorily protected sites or landscapes. In respect of protected species the Council is referred to standing advice (advice being sought as required with regard to European Protected Species) [Newts, Bats etc]. Biodiversity and Landscape enhancements referred to as being required in terms of National Planning Policy Framework and NERC Act requirements.

7.5 Coal Authority: The Coal Authority concurs with the recommendations of the Coal Mining Assessment that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. Conditions are recommended to require on site investigation works prior to commencement, and any remedial works required to treat mine entries and shallow-mine workings, to ensure the stability of the development. Subject to such conditions the Coal Authority has no objection to the proposed development.

7.6 Network Rail: Having initially objected to the proposals due to the inadequacy of the existing rail crossing, this objection has been withdrawn, subject to a clause within the S106 agreement to require the submission and implementation of a Footpath Mitigation Scheme, in the unlikely event that the Footpath Diversion Order to extinguish the existing route is not confirmed.

7.7 Non-statutory:

7.8 Highways: No objections in principle to deletion of roundabout and introduction of signalised junction, subject to conditions. The residential use should not be used prior to the opening of the MLLR (both north-south and east-west sections). Access proposals will need to be supported by a Stage 1 Road Safety Audit [now received] prior to determination.

- 7.9 Travelwise: It is understood that the Manston Lane Link Road (MMLR) will be in place prior to the residential development. The travel plan should explain when the site will be served by buses using the new MMLR. Once the site is served by public transport the residents should be provided with a residential MetroCard to encourage them to use public transport. City Car Club has advised £15,000 should be secured through the S106 agreement and the residential development should provide 2 parking spaces for the Leeds City Council Car Club provider. Conditions should cover details and location of cycle parking, location of car club parking spaces and provision of electric vehicle charging points in the garages. The commercial units/offices will need long and short stay cycle parking, showers and motorcycle parking. Walking and cycling routes to local schools by children from the development (including Austhorpe Primary, Temple Moor and John Smeaton) should be identified on a plan. More information is needed with regard to the current bus services and the location of bus stops for the new services.
- 7.10 Public Rights of Way: No objection – the developer is aware of the rights of way affecting the site and has submitted a Public Path Diversion Order for the site and the rest of Thorpe Park, following consultations with path users and local residents about the diversions, who have overall been supportive of the proposed diversions.
- 7.11 Yorkshire Water: No objection – conditions recommended with regard to discharge of foul and surface water from the site and informative advice given regarding mains water supplies.
- 7.12 Neighbourhoods and Housing: At the detailed planning stage request that the developer submits a Noise Report with regard to road and rail traffic adjacent to the site. This report should be carried out by a competent person in the field of acoustics and should include any mitigation measures which are to be taken in order to meet BS 8233 internal and garden noise standards.
- 7.13 Landscape: Basic principles of the layout/masterplan are acceptable however some concern exists over the narrowing of Central Park where it meets Green Park, over the potential impact on protected trees, and over the treatment of the landscape buffer to the railway to the north. Greater opportunities exist to better integrate Green Park with the residential element (green fingers). A strong design code/set of design principles is required, so that the aspirations of the Leeds Standard can be achieved going forward and so that the quality of design envisaged is not subsequently diluted.
- 7.14 Children's Services: There is no spare capacity in the schools in the area. Therefore a total contribution of £1,429,144.65 is requested.
- 7.15 Greenspace: The current layout results in an indicative contribution of £161,061.66.
- 7.16 West Yorkshire Archaeological Advisory Service: No objections to post development evaluation.
- 7.17 Architectural Liaison Officer/Crime Prevention: Prior to submission of any reserved matters application, prior consultation with the developer is requested. Advice given with regard to Secured by Design.

- 7.18 Contaminated Land: The Buro Happold contaminated land work considers that the site has been subject to previous potential contaminative land uses. Potential sources of contamination are considered to be made ground associated with coal extraction. Based on the previous site investigation it is not considered that the site is significantly contaminated and it concludes that the risk to site users is low, but recommends surface and ground water and soil sampling is considered to be needed as part of further works. A full phase 1 desk study report is recommended and a phase 2 site investigation and remediation statement may also be required.
- 7.19 Combined Authority: The recent consent (12/03886/OT) incorporated a 10 year public transport strategy to improve bus services to improve accessibility. Since withdrawal of the 844 service this has worsened. WYCA anticipates that the delivery of the MLLR will improve public transport options and allow for other service options such as the 64 service. WYCA have been advised by operators that without the MLLR link it is unlikely that the pattern of bus services will change. Trigger points for the S106 required 15 minute service to Cross Gates and 30 minute service to Leeds City Centre needs to be amended to reflect the residential element with bus service required prior to occupation of the residential development. The delivery of this in the most efficient manner involves the delivery of the MLLR. Provision should be made for pedestrian links into the commercial side of the development and should the residential element come forward first £10,500 should be secured to provide a bus stop and bus pole (the latter for alighting). This would only be required however if the residential development is completed in advance of the commercial part of the site. The developer would usually be required to enter into Metro's Residential Metro Card Scheme A (bus only). Based on current costs this would be £142,725, however, the priority should be to deliver the MLLR and establish the bus service in the first instance. Elective vehicle charging points for ultra-low emission vehicles should be provided in dwellings.

PLANNING POLICIES:

- 8.0 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area consists of the adopted Core Strategy, saved policies within the Unitary Development Plan Review (UDPR) and the Natural Resources and Waste DPD, along with relevant supplementary planning guidance and documents.

8.1 Local Development Framework Core Strategy policies:

- | | |
|------|--|
| SP1 | Location of Development |
| SP2 | Hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture |
| SP3 | Role of Leeds City Centre |
| SP4 | Regeneration Priority Areas |
| SP6 | Housing requirement and allocation of housing land |
| SP7 | Distribution of housing land and allocations |
| SP8 | Economic development priorities |
| SP9 | Provision for offices, industry and warehouse employment land and premises |
| SP11 | Transport Infrastructure Investment Priorities |

SP13	Strategic green infrastructure
H1	Managed release of sites
H2	New housing development on non-allocated sites
H3	Density of residential development
H4	Housing mix
H5	Affordable housing
G4	New greenspace provision
G8	Protection of important species and habitats
G9	Biodiversity improvements
EC1	General employment land
EC2	Office development
EN1	Climate change
EN2	Sustainable design and construction
EN4	District heating
EN5	Managing flood risk
T1	Transport management
T2	Accessibility requirements and new development
P9	Community facilities and other services
P10	Design
P11	Conservation
P12	Landscape
ID2	Planning obligations and developer contributions

8.2 Saved Policies of Leeds Unitary Development Plan Review (UDPR):

GP1	Land use and the proposals map
GP5	General planning considerations
N8	Urban Green Corridor
N25	Landscape design and boundary treatment
N29	Sites of archaeological importance
T7A	Cycle parking guidelines
E4	Employment Allocations

8.3 The site is allocated for employment purposes under UDPR policy E4:6 “Austhorpe (63.8 HA).”

8.4 Relevant Supplementary Planning Guidance:

Building for Tomorrow Today – Sustainable Design and Construction (2011):
Sustainability criteria are set out including a requirement to meet BREEAM standards.
Natural Resources and Waste Development Plan Document
Neighbourhoods for Living – A Guide for Residential Design in Leeds
Leeds Interim Affordable Housing Policy 2011
Designing for Community Safety – A residential Design Guide
Street Design Guide – Supplementary Planning Document
Travel Plans – Supplementary Planning Document
Public Transport – Developer Contributions

8.5 National Planning Policy:

The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

9.0 MAIN ISSUES

- **Development plan and principle**
- **Housing land supply**
- **Design and visual amenity**
- **Residential amenity**
- **Highways issues and accessibility**
- **Section 106 contributions**
- **Ecology and biodiversity**
- **Archaeology**
- **Flood risk and drainage**
- **Railway safety**

10.0 APPRAISAL

10.1 A total of three applications are under consideration. The main application (14/05481/OT) is submitted in outline and proposes up to 300 residential units, together with a mixed use commercial zone and revised landscaping details on the most northern part of Thorpe Park. In order to facilitate this change, it is also necessary to formally revise the quantum of land uses currently approved and a separate application to vary condition 4 (14/05483/FU) has been submitted. Consequent changes are also sought to discharge condition 5 of the outline permission (14/05484/COND) which relates to the site's masterplan as this also needs revising to reflect the introduction of housing.

Development plan and principle

10.2 The effect of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 is that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

10.3 For this reason it is important to note Thorpe Park is formally allocated by saved UDPR policy E4:6 as employment land and is afforded further policy support within the Core Strategy under policies SP9 and EC2. Combined, these policies seek to ensure Leeds retains an adequate supply of employment land (including office accommodation) up to the year 2028. Both the proposed housing and other uses sought through these applications therefore represent a departure from the statutory development plan and accordingly these applications have been advertised on this basis. This also necessitates the officer recommendation of approval in principle only followed by defer and delegate as referral to the Secretary of State for the Department of Communities and Local Government is necessary under the Town and Country Planning (Consultation) (England) Direction 2009.

- 10.4 Members will recall considering this same main issue as part of the previous Thorpe Park application, which sought primarily to introduce a significant amount of retail floorspace at the site as the enabling development for delivering the MLLR within the timeframe of the current Network Rail agreement. As part of the earlier application some 10,290m² of office accommodation was removed from the development relative to the extant permission and was replaced by 28,347m² of retail and complimentary uses. The current proposals do not seek to alter the agreed floorspace associated with the retail or complimentary uses and focus on the introduction of up to 300 houses on the most northern part of the site which is identified as Zone B. Some mixed uses are retained on part of Zone B towards the MLLR boundary but in order to accommodate the housing a reduction in the total amount of floorspace given over to offices is necessary and equates to a loss of 17,675m² over the most recent approval. The land take required to provide to the 300 units is sizable but the reduction in office floorspace has been kept to a minimum by increasing the amount to be delivered across the remainder of the site. As such, the total office floorspace now proposed equates to 83,615m².
- 10.5 In coming to a view regarding the overall acceptability of the reduction in office floorspace now proposed, it is worth noting 55,740m² has already been delivered at Thorpe Park which combined with the other supporting uses currently employs in the region of 4,000 people. Accordingly the provision of a further 83,615m² of office space still offers the potential to employ a significant number of people and the dominant use will remain as offices. Further employment opportunities will nevertheless be realised via the other uses proposed and accordingly there is no doubt Thorpe Park will continue to perform a major role in the economic success of the Leeds City region.
- 10.6 With respect to the formal policy position, a requirement of 706,250m² of office floorspace within the district up to the year 2028 has been identified through the Core Strategy. Planning permission already exists for 840,000m² (which includes Thorpe Park) but to provide greater flexibility a further 160,000m² is to be provided as part of the site allocations process to be in, or on the edge of the City Centre or Town Centres – therefore bringing the total provision to circa 1,000,000m². The reason for the over provision is to help promote a ‘centre first’ approach to office development going forward as advocated by the NPPF thereby allowing existing out of centre permissions to be reviewed should they expire and fresh applications made. These wider employment policies provide a clear policy steer in terms of future office provision more generally and suggest the removal of some office space from Thorpe Park is compatible with the Council’s wider and longer term employment land strategy, providing overall delivery at the site is not adversely affected. In this context the impact of the reduced office accommodation is not considered to prejudice delivery of the remaining balance as the retailing and complimentary uses already agreed through the previous approval have made the site more attractive to the modern out of centre office market. The introduction of housing only adds to compliment the mixed use approach now favoured by most occupiers and accordingly may help to secure the take up of offices going forward.
- 10.7 In addition to the above, Thorpe Park is noted to fall within the Outer East area as identified by the Employment Land Review which is not an area considered to have a shortfall of employment land provision. Again this suggests the proposed reduction in office accommodation at Thorpe Park can be accepted.

10.8 For the above reasons the principle of replacing some to the office floorspace originally proposed at Thorpe Park with housing is considered to be acceptable. Furthermore, no objection is raised to the retention of the same amount of retail and complimentary uses agreed via the previous permission as the enabling development justification previously advanced, to assist with the delivery of the MLLR remains applicable.

Housing land supply

10.9 The proposed mixed use development at Thorpe Park and delivery of the MLLR are strategically important developments. The MLLR will form the final southern section of the ELOR that will become the new orbital route around East Leeds and therefore relieve traffic congestion on the existing outer Ring Road from Red Hall to the M1. The opportunity to deliver further housing development along Manston Lane is limited until the MLLR is provided whilst the delivery of the MLLR will also unlock the potential for housing in the southern quadrant of the East Leeds housing allocation in the UDPR. As such, these applications and the key infrastructure they deliver are extremely important if the Council is to meet the requirements of the NPPF in ensuring an adequate housing land supply.

10.10 The NPPF provides that Local Planning Authorities should identify and update annually a supply of specific deliverable sites to provide five years' worth of housing supply against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Deliverable sites should be available now, be in a suitable location and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. Sites with planning permission should be considered deliverable until permission expires subject to confidence that it will be delivered. Housing applications should be considered in the context of the presumption in favour of sustainable development, articulated in the NPPF.

10.11 The Council's Five Year Supply requirement between 1st April 2014 and 31st March 2019 is set out below and rests at 22,570 homes. The Council are advocating that a local approach to calculating the housing requirement is used whereby any backlog against Core Strategy targets since 2012 (the base date of the plan) is caught up by spreading under delivery over a ten year period rather than the five years stated as the aim in the National Planning Practice Guidance (NPPG). The Council does not consider that the authority is one where a 20% buffer is required, which the NPPF advises should only apply where persistent under delivery has occurred but does not define what this means.

COMPONENT	HOMES
Base requirement	20,380
NPPF Buffer 5%	1,019
Under delivery	1,171
Total	22,570

10.12 The current 5 year supply contains approximately 24% Greenfield and 76% previously developed land. This is based on the sites that have been considered through the SHLAA process and accords with the Core Strategy approach to previously developed land as set out in Policy H1. This also fits with the Core Planning principles of the

NPPF and the Secretary of State's recent speech to the Royal Town Planning Convention (11 July 2013) where he states that not only should green belts be protected but that "we are also sending out a clear signal of our determination to harness the developed land we've got. To make sure we are using every square inch of underused brownfield land, every vacant home and every disused building, every stalled site."

- 10.13 In addition to the land supply position, the Site Allocations Document is in the process of identifying specific deliverable sites for the remainder of the plan period. It is this document which will create the pool of sites from which the 5 year supply can be based in future years.
- 10.14 In this context the proposed development will provide a useful contribution to the Council's wider housing land supply and will give some relief, albeit limited, to pressure on the development of Green Belt sites which is to be welcomed.

Highways issues and accessibility

- 10.15 The residential development is to be accessed directly from the proposed MLLR. The MLLR has 4 recent planning permissions, with different alignments (2 options for the east-west section and 2 options for the north-south section). The application relies on the alignment of planning application reference 14/01216/FU being diverted, and the approved roundabout R5 being replaced with a signalised junction. Satisfactory detailed plans of this arrangement have been submitted (including expansion layout details for a 4th arm from the junction to access land to the east) and there are no objections in principle to the deletion of the roundabout and introduction of a signalised junction, in terms of highway safety or the free flow and distribution of traffic.
- 10.16 Objection received has played on the sustainability of the site and lack of local services. Provision is made in the wider development for a range of uses, such as for banks, post office, local retail and leisure uses. The potential for support services such as a nursery and medical centre is also possible, although these would be left to the market to bring forward. The MLLR will create significant linkages with existing facilities and services. A westwards footpath link through Central and Green Parks is necessary, and it is recommended that the precise details of this and delivery prior to occupation of the housing be a requirement of any permission granted.
- 10.17 The accessibility standards set out under the Core Strategy require for housing developments in Leeds of more than 5 dwellings that local services (small convenience shops, grocers, post offices, newsagents etc) are within a 15 minute walk, employment is within a 5 minute walk to a bus stop offering a 15 minute service frequency to a major public transport interchange. They also require primary health and education facilities can be accessed within a 20 minute walk or a 5 minute walk to a bus stop offering a direct service at a 15 minute frequency (30 minute direct walk or 5 minute walk to a bus stop to a major public transport interchange for secondary education). Accessibility to town centres/City Centre should be within a 5 minute walk to a bus stop offering a direct 15 minute frequency. In this regard, and as the Combined Authority clearly recognises, the delivery of the MLLR as a key piece of infrastructure that is fundamental to the establishment of bus services and improved accessibility of the site, and priority should therefore be given to the delivery of it. Having regard to these considerations, and the monies required for the delivery the

MLLR and a bus services, in terms of the overall development, it is not considered that Metrocard contributions ought to be required in this instance. City Car Club contributions of £15,000 are sought and there is agreement with the applicant for this. Two spaces should be provided in agreed locations within the development and a condition is recommended in this respect.

10.18 The applicants comments that the Travel Plan identifies the location of local amenities (retail, education, health, doctors, dentist, pharmacy), and makes reference to the Institution of Highways & Transportation's (IHT) 'Providing for Journeys on Foot', suggesting a maximum preferred walking distance of 2km for commuting. It should be noted that the 2km distance also relates to trips for education purposes. The applicants further comment that the letter from the Residents Association suggests that a 2km walk distance is unrealistic - however, it should be noted that the Guidelines are a recognised industry standard, with their preparation having been supported by a Steering Group including key figures from the then Government, along with industry professionals. It remains the current national guidance against which assessment of walking distances is considered from a planning perspective. The supplied Table 1, below, is an extract from the guidance, whilst Table 2 relates this back to the development and surrounding amenities.

10.19

Table 1 - Guideline Walking Distances, IHT

	Commuting / School	Elsewhere
Preferred Maximum	2000m	1200m

Table 2 - Application to Proposed Development

Facility	Name of Nearest Facility	Guideline Preferred Maximum Walk Distance	Measured Distance	Walk Time
Nursery	Busy Bees, Colton Mill	2000m	1500m	18min
Primary School	Austhorpe Community School		1200m	14min
Secondary School	John Smeaton Community College		2000m	24min
Doctors	Colton Mill	1200m	1500m	18min
Dentist	Dentistry@130		2600m	31min
Pharmacy	Boots, Colton		1300m	15min
Supermarket	Sainsbury's Colton		1200m	14min

- 10.20 The applicants highlight that the above distances are based on the worst case scenario, following the road network, rather than making use of potential routes through Green Park which would make journeys on foot more attractive. The above table demonstrates that the nearest primary and secondary education facilities are available within the maximum preferred walking distance of 2km. Whilst healthcare facilities are slightly outwith a 1.2km walk such journeys are less frequent and would not generate an undue number of trips, as the applicant points out. The masterplan makes provision for a mixed use element which includes the potential for further healthcare facilities and others are likely to be brought forward as part of the wider East Leeds Extension. Whilst supermarket trips are a 1.2km walk away, these would typically be taken by car except perhaps for top-up shops, though the wider Thorpe Park development also includes a supermarket as well as other local retail and leisure facilities which would further reduce the need for car borne journeys for these uses.
- 10.21 Key to consideration of the accessibility credentials of the application is that it will assist in the delivery of the MLLR. As the Combined Authority recognises, this is a vital piece of infrastructure that will bring with it opportunities within the existing public transport strategy to enhance public transport provision. It should also be recognised that the existing S106 agreement under 12/03886/OUT makes provision for 15 and 30 minute bus services to Cross Gates and Leeds City Centre respectively, and the completion of the MLLR will contribute to facilitating the delivery of these wider accessibility improvements. Consideration does however need to be given to the trigger points for the delivery of this (capped at £2m), because clearly for the housing development to be an attractive offer for a developer, the public transport accessibility requirements of the wider Thorpe Park development should not place such an unduly prohibitive cost requirement on the residential element alone that it becomes undeliverable. Otherwise, the key benefit of the delivery of the MLLR would not be achievable, and this is not in the interests of good planning.

Design and visual amenity

- 10.22 The main application for housing is submitted in outline with only the means of access applied for at this stage. Nevertheless, the submission is supported with a design and access statement, a land use plan, an indicative layout plan and parameter plans which fix matters such as developable/non-developable areas, maximum building heights and areas for landscaping. The content of the design and access statement has also been widened to include a residential design code component which will be used to guide the detailed housing proposals at the reserved matters stage.
- 10.23 In basic terms, the design approach for the housing is to provide a series of outwardly facing perimeter blocks comprising of predominantly family houses whereby rear gardens for the most part back onto other rear gardens thereby creating a secure environment and active frontages throughout. This general arrangement ensures all prominent boundaries and the greenspace areas are well overlooked and overall, logical and well-ordered street scenes can be delivered. Another main feature is the introduction of 'green fingers' penetrating between key blocks to achieve greater integration between the housing and Central Park itself but also to align with the grid layout proposed for the land to the south where the main mixed uses are focused. This provides a continuation of landscaping between the two components and importantly direct views to ensure these different areas are integrated despite being separated by Central Park.

- 10.24 During the position statement presentation, Members commented that the relationship between the proposed housing and Green Park along the western boundary was not as generous or integrated as other boundaries and that something more relaxed should be provided. In responding to this point it should be noted the area directly opposite the proposed housing, although falling within the wider Green Park boundary is the area where the majority of Thorpe Park's existing colony of Great Crested Newts can now be found. The approved Green Park layout therefore identifies this area as the permanent home for these protected species and the incomplete ponds already present will be finished to fulfil this function. This proposal is the main element of the wider newt strategy which has already been agreed with Natural England and essentially means this part of Green Park will become an area of nature conservation which will not be accessible to the general public. In view of the lack of public access, the need to 'feather in' the development in the way that is proposed elsewhere is not as strong and the more formal approach adopted is therefore considered acceptable. Notwithstanding this, it is still the intention to provide a generous landscaped buffer between any access road or built development and the boundary of the nature conservation area in order to help with the transition between the different uses and provide an appropriate setting to this feature.
- 10.25 In addition to the basic design approach as discussed above, the change from offices to mostly housing in Zone B will ensure the overall building heights relative to the office scheme is much lower. As views from the north (including from the train) are available this is one of Thorpe Park's more visually sensitive boundary's and accordingly the impact of a residential scheme on the skyline across most of Zone B will be much less due to the smaller scale and massing of houses. Notwithstanding this, a commercial building with greater visual presence is still anticipated at the most eastern part of Zone B where it abuts with the MLLR and road bridge over the railway line.
- 10.26 Again as part of the feedback from the position statement presentation, some Members were concerned about this concept and were worried such a building could appear out of character and unduly prominent. These concerns are understood but as the scheme is submitted in outline only the application does not seek approval of a detailed building on this plot and, accordingly, no specific proposals have been prepared. It is however important to note this part of Zone B is the entrance into Thorpe Park when travelling from the north, and itself the north eastern corner plot will be over a storey below the road level. The need for a 'gateway' building in this location is therefore considered appropriate and the parameter plan reflects this.
- 10.26 In terms of other matters, the submission of further information by the applicant before the position statement presentation (and shown to Members via the PowerPoint presentation during the meeting) was such that officers initial concerns about the width of Central Park adjacent to the retained woodland, the treatment of the space immediately around the small group of isolated TPO trees and the extent of the main landscape buffers were satisfactorily resolved. The removal of retail uses was also welcomed therefore allowing the potential introduction of support services such as a nursery or medical centre.
- 10.27 As part of the PowerPoint presentation, Members were shown images relating to other completed residential developments to provide a favour of some design ideas

which could be explored further. In particular Members were interested to visit the Derwenthorpe scheme in York to see the relationship provided between the houses and an adjacent area of greenspace which contained substantial water features as the Thorpe Park scheme also proposes something similar. Some concern about this relationship and the overall suitability of providing open water features within a publically accessible park were also expressed during the position statement.

- 10.28 The Derwenthorpe site visit was undertaken just before Christmas and the general view of the Members who were present was positive and that an attractive environment could be created which was no more dangerous than the relationship often found in many public parks which include more formal water features such as ponds/lakes. Other elements of the scheme were also praised in terms of the design quality of the houses themselves albeit the composite of external materials used would not necessarily be appropriate at Thorpe Park. Some elements were however less successful and the design of the parking courtyards and how parking was handled more generally could have been improved on and the members had concerns about the long term durability of painted brickwork.
- 10.29 In concluding on the design and visual amenity considerations, the outline nature of the application is very relevant as at this stage only the means of access is applied for. A single point of access into the site is considered acceptable from a highway perspective and dissects Zone B in a central location therefore ensuring reasonable development plots are provided either side.
- 10.30 An indicative layout plan has been provided to show how the housing in particular could come forward but it is the parameter plans and design and access statement which sit behind this which are of most relevance as these will ultimately steer subsequent reserved matters applications.
- 10.31 The use of parameter plans has been adopted already at Thorpe Park and fixes the main development principles. For example the extent of the developable and non-developable areas and the types of land uses which can come forward are set. In addition to the above, the approved design and access statement for Thorpe Park has been updated and amended to respond to the introduction of housing. It now includes a residential design code component to ensure the high design quality which Members have already set for the commercial elements of Thorpe Park is followed through in this housing scheme. In the light of the above, officers are supportive of the overall design approach being adopted and raise no concerns in respect of the outline application or the condition discharge application for the updated masterplan.

Residential amenity

- 10.32 The main residential amenity considerations relate to the potential for noise disturbance to occur as a result of the close proximity to the railway line, the M1 motorway. Noise concerns are also raised by the residents association in its objection letter.
- 10.33 In response to this issue, the applicant has submitted a noise assessment which confirms appropriate mitigation can be achieved at the detailed application stage. Notwithstanding this, the indicative layout already picks up on this issue by ensuring the houses closest to the railway front on to it therefore allowing the rear gardens to

be protected by the houses themselves. The use of double glazing with acoustic vents is another example of the type of measures which might be needed but overall the issue is not considered to be serious.

- 10.34 Environmental Health officers raise no objection to the introduction of housing and recommend a planning condition to ensure the issue is fully addressed at the reserved matters stage. This advice was received prior to the receipt of the noise assessment and remains the same following its consideration. The noise environment is also not dissimilar to that experienced on the Vickers site directly to the north and is substantially better than the Colton Mill site to the south, both of which now contain residential development. Accordingly officers are confident the noise issue can be adequately dealt with by condition.
- 10.35 In terms of other potential amenity issues, noise from Thorpe Park itself is not anticipated and reserved matters application will in any event be assessed on the basis of residential coming forward should this application be approved, furthermore no existing residents are impacted on due to the absence of houses near to the application site. Like the noise issue, all other residential considerations as set out in Neighbourhoods for Living will be addressed at the reserved matters stage.

Section 106 contributions

- 10.36 A detailed Section 106 agreement is already under consideration and is being advanced on the basis the decision will be issued before the formal introduction in April of the now approved fixed charges, based on floorspace under the Community Infrastructure Levy (CIL). The Section 106 is being progressed to secure the following:
- 10.37 Affordable Housing:
In policy terms the application generates an affordable housing requirement of 15% with a split of 40% social rent and 60% submarket. On the basis of a 300 dwelling scheme generates a requirement for 45 units split between 18 units for social rent and 27 for submarket. The applicant is agreement to this requirement and is therefore policy compliant in this regard.
- 10.38 Education provision:
The scale of the housing proposal is such that a contribution towards the provision of new school places is required. Children's Services advise that local schools have either no or a very limited capacity and therefore a full contribution towards both primary and secondary places is required. Education contributions are only justified in respect of properties likely to be occupied by families. Whilst it is anticipated the vast majority of units likely to be delivered will be family houses, an element of flats could also be provided and depending on their size may not attract an education contribution. For this reason a contribution of £4,763.82 per family unit is to be provided which would equate to £1,429,144.65 if all 300 units qualified for a contribution. The applicant has agreed to this sum, consistent with policy requirements.

- 10.39 Greenspace provision:
Core Strategy policy G4 relates to the provision of new greenspace within residential developments and expects both on-site provision and improvements to higher order facilities such as playing pitches.
- 10.40 The existing approval at Thorpe Park includes the provision of Green Park which is a significant new addition to the City's green infrastructure and is to be transferred to the Council. The park itself contains a number of playing pitches, a pavilion, formal and informal landscaped areas and various leisure routes. In addition, a further area of publically accessible greenspace is to be provided within Thorpe Park itself and is included within the red line boundary of the outline application.
- 10.41 The covering report which accompanied the position statement indicated that officers were of the opinion sufficient greenspace is provided within both Green Park and Central Park to meet the wider needs of future residents associated with the housing proposal but that it was still necessary to revisit the content of these areas to ensure appropriate play and leisure facilities were being provided. On the whole, Members were comfortable with this approach but stressed the need to ensure any play facilities were innovative, creative and served the needs of the wider community.
- 10.42 The applicant is receptive to Members comments and the masterplan indicates the provision of a centrally located area for play equipment within one of the green fingers if this is deemed to be the most appropriate location. At this stage detailed proposals are not advanced due to the outline nature of the application, but can readily be secured under the S106 agreement. Members' basic comments will nevertheless be taken into consideration when assessing a detailed proposal and the S106 agreement will also ensure that delivery of greenspace keeps pace with the development and that appropriate facilities are available before any residential units are first occupied.
- 10.43 Ecology and biodiversity
The existing site is greenfield in nature and accordingly accommodates a variety of ecological habitats. The site is nevertheless formally designated for development and an extant consent for its redevelopment already exists. The proposed development echoes the previous application, in terms of ecology and biodiversity proposals, and allows for a co-ordinated approach to the retention of the best existing features (e.g. the protected trees), and the introduction of new features such as the balancing ponds and significant areas of new landscaping, which will offer further biodiversity enhancements.
- 10.44 Natural England has offered no objection to the proposed development in terms of statutory nature conservation considerations and there are no adverse implications for the agreed strategy to contain the existing Great Crested Newt colony within a dedicated nature conservation area within Green Park. The existing S106 agreement relating to application reference 12/03886/OT already made provision for an ecology contribution. The Council's ecologist recommends the use of conditions to address on site biodiversity considerations, in accordance with the requirements of Section 11 Conserving and enhancing the natural environment of the NPPF.

Archaeology

- 10.45 The issue of archaeology was fully considered as part of the previous 2013 application and ultimately the proposed switch from office to residential has very little if any impact on issue, bearing in mind the extent of consented ground works to be undertaken at the site. Appropriate site investigation is still necessary, and it is the preference of the West Yorkshire Archaeological Advisory Service (WYAAS) that further evaluation be undertaken at this stage, due to some of the finds made in the area (but not specifically on the application site). WYAAS states however that it is not opposed in principle to post determination evaluation.
- 10.46 As the approach adopted on the previous application was to condition the requirement for further evaluation, which itself is a continuation of the same process which has been used at the site to date, all archaeological matters are again recommended to be the subject of conditions, in accordance with 'saved' UDPR policy N29 and guidance contained within Section 12 Conserving and enhancing the historic environment of the NPPF.

Flood risk and drainage

- 10.47 The site is not at risk of flooding but only has a single main outlet (close to the railway line and heading north). This is the reason why the surface water drainage strategy for the site includes (amongst other measures) a series of large water features within Central Park, so as to hold water and achieve the required discharge rate.
- 10.48 The use of balancing ponds (some of which will be permanently wet) is supported in principle as Central Park was always envisaged to contain water features. Overall the introduction of housing will reduce the amount of surface water produced on Zone B, due to the increased level of permeable surfaces – primarily in the form of gardens. Accordingly both the Environment Agency and the Council's Flood Risk Management team (FRM) raise no objections to the development, subject to conditions aligned to those previously attached with regards to the overall drainage strategy.

Railway safety

- 10.49 The application site is adjacent to an active railway which includes a gated level crossing within the site confines. Network Rail has therefore been consulted and initially objected to the proposed development on the basis there is still the possibility the Closure Order for the right of way across the railway might not be approved.
- 10.50 The removal of the existing level crossing was a key factor in Network Rail's original decision to allow the railway to be bridged over, and accordingly their most recent response seems to be overly cautious. Particularly as no such comments were raised during consideration of the previous application. In the light of this, further discussions have taken place which has removed the objection. This is however subject to a requirement for a Footpath Mitigation Scheme to be agreed and followed in the event that the Footpath Diversion Order, however remote this may be, is not confirmed. An appropriate clause to secure this requirement is therefore recommended.

CONCLUSION

- 11.0 Thorpe Park is allocated as employment land and identified as a key business park within both the Core Strategy and saved UDPR policies, and therefore remains a key contributor towards the Council's overall provision of office accommodation going forward. Whilst the introduction of housing on the majority of Zone B results in a reduction in the amount of office accommodation which can ultimately come forward, the total loss has been minimised relative to the land take required, by increasing the office provision within other parts of the site. As such, the reduction is limited to 17,675m, and gives a total of 83,615m in terms of future office provision. This level of provision is still considered to be significant and when added to the office accommodation already provided, ensures the primary employment function of Thorpe Park remains intact. As such, the non-compliant nature of the housing component of this new application is considered to be acceptable in terms of employment policies.
- 11.1 In addition to the above, this latest application clearly contributes positively to the Council's overall housing targets, which in turn will help reduce the overall pressure to bring forward Green Belt land. Importantly, the revised scheme helps to facilitate the early delivery of the MLLR, as a condition restricting occupation before it is opened is proposed. This aligns fully with the previous mixed use application on Thorpe Park and is again considered to be beneficial, as this piece of public infrastructure is critical in terms of relieving traffic pressure in Crossgates. It is critical to improving local public transport options and fully realising the housing development already approved along Manston Lane, and more significantly, that due to come forward as part of the wider East Leeds Extension housing allocation situated to the north.
- 11.2 The detailed design of the housing is reserved for later approval, but the high aspirations set for the wider Thorpe Park development as currently shown indicatively are appropriately captured in a combined design and access statement and residential design code, to ensure the quality that has been presented with the application and witnessed in Derwenthorpe as a good example of what can be achieved is carried forward.
- 11.3 For the above reasons, and noting that the highway and environmental impacts of the scheme are considered to be comparable to the mixed use scheme already accepted, the proposed development along with its revised S106 offer to address housing related contributions is considered to provide an attractive business park, but with a widened but yet still integrated range of mixed uses, which now includes an element of housing. On balance, therefore, the Panel is recommended to support the main application, and those which follow from it, in terms of varying the condition which controls the existing floor space restrictions and also agreeing a revised masterplan.

BACKGROUND

- 11.1 Application and history files.
- 11.2 Certificate of Ownership – Certificate A completed.
- 11.3 Appendix 1 – Minutes of City Plans Panel meeting of 20th November 2014.

Thorpe Park Appendix 1

86 Application 14/05481/OT/14/05483/FU and 14/05484/COND - Northern Development Plots Land South of Railway Line Thorpe Park LS15

Prior to consideration of this matter, Councillor R Procter left the meeting

Plans, photographs, graphics, artist's impressions and images of similar schemes in Salford and York were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented a report which outlined the current position in respect of proposals for a residential and mixed use development of up to 300 dwellings at Thorpe Park, together with a revised masterplan and landscaping details

Members were informed that there were no changes to the uses/mix of the retail element, although the retail element which been proposed for the corner of the site had now been removed, with Officers being more comfortable about this revision

The layout of the residential units had been amended to take into account TPO trees and would provide generous amounts of landscaping. The proposed addition of residential accommodation into the site would create an opportunity for creative design, whilst still ensuring the site felt part of Thorpe Park

In terms of consultation responses, Network Rail had lodged an objection but it was felt this was based on a lack of understanding how the proposals linked and that Officers would go back to Network Rail with further information so they could revisit their comments

Objections had been received from the Cross Gates Residents' Association and these would need to be considered in greater detail

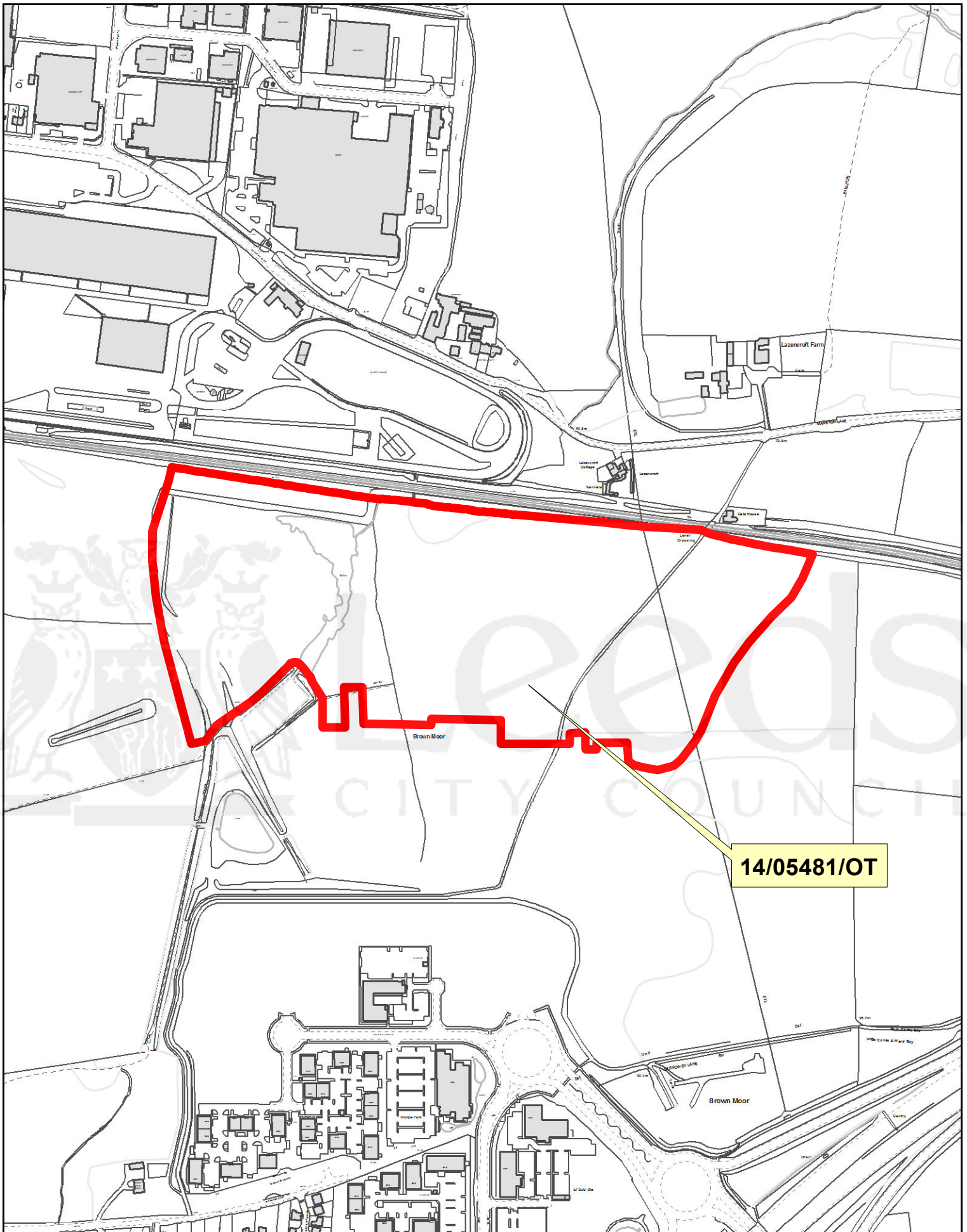
On the S106 contributions, it was reported that the Developer was happy to meet the Council's normal requirement on Affordable Housing and Education (both primary and secondary). Regarding public open space provision, Officers considered it was not necessary to provide more POS however it would be appropriate to look at the nature of the POS on the site and what facilities could be provided within this, due to the introduction of housing

The Panel discussed the proposals, with the main issues relating to:

- the amount of housing proposed for the site and whether this would increase. Officers considered this was not likely to increase in view of 300 dwellings being the maximum number which could be constructed off a single access and if provided elsewhere, the accommodation would have to be flats. The Chief Planning Officer stated that Thorpe Park was an important office location and to further dilute the office use would not be of benefit

- that the proposals afforded the opportunity to design in infrastructure such as education and health provision
- the area proposed for housing, with concerns this was isolated and the possibility of creating a footbridge over the railway to link this into the adjacent residential development. Members were informed there were no proposals for such a link but that the proposed residential community would add to the mixed uses at Thorpe Park, so in that sense, the new residential community would not be isolated
- drainage details and the need for balancing ponds to be appropriately designed with children's safety in mind
- the boundary treatment of the west of the residential accommodation; the view that the estate and park should merge, rather than a harsh boundary being sited at this location
- that the location presented an opportunity for a mixed-use scheme which included housing, however a unique approach

Draft minutes to be approved at the meeting
to be held on Thursday, 11th December, 2014



14/05481/OT

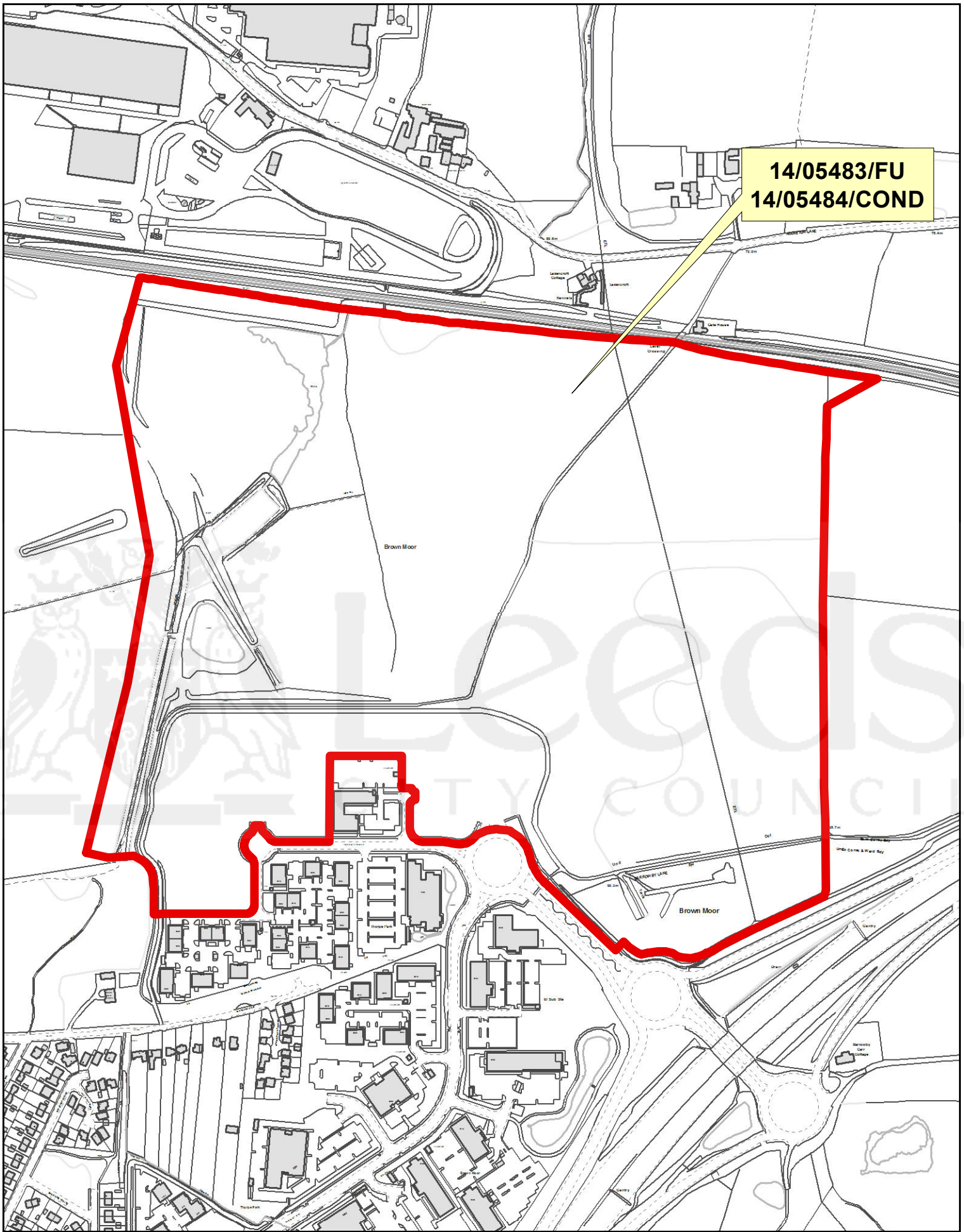
CITY PLANS PANEL

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