

## Report of Director of City Development

### Report to Housing & Regeneration Scrutiny Board

**Date: 24<sup>th</sup> March 2015**

**Subject: East Leeds Orbital Road**

|   |   |  |
|---|---|--|
| Are specific electoral Wards affected?  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| If relevant, name(s) of Ward(s):<br>Crossgates & Whinmoor<br>Harewood           |   |  |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In?   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information?                     | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| If relevant, Access to Information Procedure Rule number:<br>Appendix number:   |   |  |

### Summary of main issues

1. At its November and December 2014 meetings Scrutiny Board received a report on the East Leeds Orbital Road (ELOR) and following discussion requested a report to this meeting to include the following :
  - a. Any changes to the East Leeds Orbital Route delivery timetable included in the December 2014 report;
  - b. Details of approved planning consents in the area;
  - c. Details of any ongoing planning applications under consideration, and their impact on the existing highway network.
  - d. Consideration of Scrutiny Board Members request that no further planning applications in the neighbouring area be approved until the East Leeds Orbital Road is constructed.
2. This report presents the requested information.

### Recommendations

3. Scrutiny Board is asked to note the report and consider the responses to its previous queries.

## **1 Purpose of this report**

- 1.1 This report provides an update in response to queries raised by Scrutiny Board on the East Leeds Orbital Road at its meetings in November and December 2014.

## **2 Background information**

- 2.1 Previous reports to meetings of January, February, November and December 2014 of the Board set out the background and current position in respect of the East Leeds Extension and the work to bring forward the East Leeds Orbital Road (ELOR).
- 2.2 The East Leeds Extension is a major allocation of housing land where significant new road infrastructure in the form of ELOR is required to support development coming forward.
- 2.3 At its November and December 2014 meetings Scrutiny Board received a report on the East Leeds Orbital Road (ELOR) and following discussion requested a report to this meeting to include the following :

Any changes to the East Leeds Orbital Route delivery timetable included in the December 2014 report;

Details of approved planning consents in the area;

Details of any ongoing planning applications under consideration, and their impact on the existing highway network.

Consideration of Scrutiny Board Members request that no further planning applications be approved until the East Leeds Orbital Road is constructed.

## **3 Main issues**

- 3.1 The East Leeds Orbital Road (ELOR) is a major piece of investment in infrastructure for the city region. It is presently ranked as a regional priority for strategic transport investment by the newly formed Combined Authority.
- 3.2 Consequently the West Yorkshire Transport Fund (WYTF) has made a share of monies available to the Council to progress the submission of a strategic business case for the continued development of the proposed road.
- 3.3 The West Yorkshire Combined Authority in managing the Transport Fund appropriately require districts to adhere to a formal gateway process to progress stepped financing of individual projects. Setting up of the assurance framework was a fundamental requirement of the Department for Transport when the fund was established and financial support sought from them. Submission of the business case is a requirement of what is termed within the framework "Gateway One Review".
- 3.4 Subsequent release of future monies from the Transport Fund is determined by a Joint Member Portfolio Board of the six participating authorities. The process of

recommendation to the Board to draw down resource is based on peer reviewed evidence that a project has successfully demonstrated the requirements of a given gateway stage.

The Council made an initial financial commitment of £150,000 in January 2013, to fund a pre-design preliminary feasibility study into the strategic scope of ELOR. The original £150,000 was subsequently back-funded into the Council through the successful application to the Combined Authority for a total of £1.3m to be drawn down in stages, initially for project development to progress ELOR to Gateway One submission.

- 3.5 The Gateway One Business Case was programmed for a January 2015 submission to the Combined Authority. This programmed deadline was successfully achieved and consideration of the business case is now ongoing by the Combined Authority, a decision on approval is anticipated in March.
- 3.6 The present programme for the ELOR is attached to this report. The ongoing programme assumes that the Council, together with the Combined Authority, will continue to lead development of the road scheme. There is no change to the programme previously issued to Members.
- 3.7 In discussions relating to the previous report on ELOR to the Scrutiny Board in December Members requested details on the current housing consents in the area, any applications under consideration, and the implications of these for the highway network in the interim period.
- 3.8 At the time of drafting this report there are no current planning approvals for residential development within the East Leeds Extension, to which ELOR directly relates. However, City Plans Panel is meeting on 10th March to consider the Northern Quadrant outline planning application and a recommendation that Members defer and delegate this to the Chief Planning Officer for approval subject to conditions and the completion of a Section 106 agreement.
- 3.9 The Northern Quadrant is a hybrid planning application for the land between Wetherby Road (A58), Skeltons Lane and York Road (A64). It comprises an Outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping and detailed application for the details of ELOR around the site, including its junctions with the existing highway network.
- 3.10 Members of Scrutiny Board expressed a view that they do not want to see permission granted for any house building until the road is constructed. This is a view that has also been expressed by Ward Members and by Members at the East Leeds Regeneration Board. The application to be determined by Plans Panel does not contain a link between the completion of ELOR and the commencement of house building on this site. The developer proposes to deliver the A58 roundabout as a discrete element of early works to enable site access and an interim roundabout at the A64, but the remaining full ELOR works will be delivered by the Council under its ELOR project.

- 3.11 At a position statement presentation to Plans Panel on 29<sup>th</sup> January Members were advised of the Executive Board's commitment to the Council taking a leading role in the delivery of ELOR. This information has been reiterated in the determination report for the 10<sup>th</sup> March.
- 3.12 If a planning approval is achieved for the Northern Quadrant in March, before any development can proceed further planning applications would need to be submitted and determined (for the revised position of the A58 roundabout and reserved matters for first development phases), s278 junction works designed and agreed and further work within the consortium to make land sales to deliver the scheme – current land owners at the A64 end of the site are not housing developers. The anticipated programme for the Northern Quadrant assuming resolution of all these matters in a timely way, is for a start on development in the first half of 2018 at the A58 end, with development commencing at the A64 end in the second half of 2019.
- 3.13 Alongside this the Council's programme for the delivery of the whole ELOR project anticipates this being completed by 2021. Based on the forecast build rates for the site, this would see circa 250 new homes built before ELOR is opened (circa 170 served from the A58 and circa 80 from the A64).
- 3.14 The officer assessment of the Northern Quadrant application has considered a range of scenarios, including the level of development that could be built prior to the opening of ELOR without conflicting with planning policy. In planning terms, the National Planning Policy Framework (NPPF) advises that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. The term 'severe' is not expressly defined, but officers have considered a number of factors at key junctions in order to form a view as to when such an impact would occur. It is considered that a severe impact would start to occur at about 500 dwellings being occupied on the development. Given the programmed opening of full ELOR at around 250 dwellings it is considered that the 'severe' impact would be avoided. It is also helpful that the traffic impact in the early phases of development would be split between the A58 and A64 ends of development avoiding a more concentrated impact in one area. It is acknowledged that there are current pressures on the local highway network, and mitigation measures are proposed before the occupation of any dwelling at three existing junctions along the Outer Ring Road at the A58, A64 and Barwick Road.
- 3.15 It will be for Plans Panel Members to determine the planning application on this basis and a verbal update will be provided to Scrutiny Board at its meeting on the 24<sup>th</sup> on progress on this matter since this report was drafted and published.
- 3.16 Beyond the Northern Quadrant, residential permissions have been granted at sites immediately adjoining or closely related to the East Leeds Extension, which although in themselves would not be directly served by ELOR, do need to be considered as part of the overall understanding of existing and forecast traffic impacts across the area. At Grimes Dyke immediately to the south of the Northern Quadrant permission was granted in August 2013 for 372 new dwellings, development of which is now progressing following significant new junction works to affect access onto the A64.

- 3.17 There are existing permissions being implemented in the Barnbow area, at the former Optare and Vickers sites where there is approval for 343 new dwellings in total. Across both sites there is a cap on the number of homes that can be built, at 225 until the Manston Lane Link Road (MLLR) is constructed and opened, which will connect Crossgates directly to the M1 through Thorpe Park and also provide the southern link of the ELOR. There are an additional 485 dwellings and a small local retail facility proposed on the remainder of the Vickers site, subject to a separate planning application that was submitted in May 2014 and has yet to be determined but likewise would be conditioned to the MLLR cap.
- 3.18 At Thorpe Park the owner, Scarborough Developments has recently obtained outline planning approvals that will enable it to bring forward detailed proposals for continued growth of the business park, including some leisure and retail development and 300 new homes. None of this further development will be allowed until the developer puts in place the MLLR, which will in turn enable any additional development approved at Barnbow to come forward. Scarborough Developments is currently advising that it intends to commence the MLLR in 2016, for completion in the following year.
- 3.19 Members may also be aware that the Council refused an outline planning application for 700 dwellings on land around Scholes in August. The applicant has subsequently in January appealed against this decision. Amongst the Council's reasons for refusal were that the scheme would be premature in relation to the formal allocation of housing sites through the Council's Site Allocations Plan, which will identify the sites to be brought forward for development in the Local Development Framework together with the infrastructure which will be needed to support sustainable growth; and that the applicant had failed to demonstrate that the local highway infrastructure, including the wider network which will be affected by additional traffic as a result of this development, would be capable of safely accommodating the proposed access points and absorbing the additional pressures placed on it by the increase in traffic that would arise.
- 3.20 As the East Leeds Extension is a carried forward allocation from the UDP, implementation of this would assist in resisting pressure for development on unallocated or less sustainable 'Protected Area of Search' sites such as Scholes, and those elsewhere in East Leeds and the rest of the city.
- 3.21 In bringing forward the ELOR project and as planning applications come forward in both the East Leeds Extension and in the existing urban areas of East Leeds, the forecasts for traffic arising from each of these existing and prospective developments will be considered severally and cumulatively and Plans Panel advised accordingly on their suitability for approval, to ensure the impact on existing neighbourhoods and the city's highway network is managed and mitigated. It may be appropriate to use planning conditions to limit the scope or extent of development with reference to the timing and availability of critical highway infrastructure.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The East Leeds Regeneration Board continues to hold discussions relating to the matters addressed in this report. The Board has Member representatives from each of the East Leeds wards, each of the Council's political groups, the MPs for Leeds East and Elmet & Rothwell, as well as representatives from the HCA and the Combined Authority.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 There are no specific EDCI implications arising from this report, as it responds to queries raised by Board Members.

### **4.3 Council Policies and City Priorities**

- 4.3.1 The ELE and ELOR are included within the allocations and policies of the Unitary Development Plan. The ELE will be retained as a housing allocation in the Local Development Framework.
- 4.3.2 The delivery of this housing and the related infrastructure relate very strongly to the Vision for Leeds to 2030, which states that the city will be prosperous and sustainable, with a strong local economy driving sustainable economic growth and sufficient housing to meet the needs of the community.
- 4.3.3 The Leeds City Council Business Plan to 2015 includes the aspiration to provide clear, accountable civic leadership that unites public, private and third sector partners to deliver better outcomes for people in Leeds. This report sets out further details on how the Council can play this role in relation to delivery of the ELE.
- 4.3.4 The Business Plan also has specific priorities for City Development to create the environment for partnership working, to identify strategies to support the delivery of new housing and to create a safe and efficient transport network, all of which would be progressed through the ELE/ELOR. The approaches set out in this report will also assist in delivering the Council's Child Friendly City aspirations by enabling a co-ordinated approach to the provision of new homes, open spaces, schools, transport and traffic to ensure the needs of children and young people are considered in the very early stages of planning.

### **4.4 Resources and Value for Money**

- 4.4.1 There are no specific resource implications related to this report, which presents information for discussion by the Scrutiny Board.

### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 There are no specific legal implications related to this report, which presents information for discussion by the Scrutiny Board.

## **4.6 Risk Management**

- 4.6.1 There are no specific risks related to this report.

## **5 Conclusions**

- 5.1 The report presents a response to queries raised by Scrutiny Board members at the meetings of November and December 2014. Successful progression through the Combined Authority Gateway One review will provide an opportunity to the Combined Authority and Council to appraise any potential advantages of an alternative method of procuring technical services to progress through subsequent Gateway stages. As planning applications come forward in both the East Leeds Extension and in the existing urban areas of East Leeds, the forecasts for traffic arising from each of these existing and prospective developments will be considered severally and cumulatively and Plans Panel advised accordingly on their suitability for approval.

## **6 Recommendations**

- 6.1 Scrutiny Board is asked to note the report and consider the responses to its previous queries.

## **6 Background documents<sup>1</sup>**

- 6.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.