



Report of the Chief Planning Officer

CITY CENTRE AND STRATEGIC PLANS PANEL

Date: 16th April 2014

Subject: APPLICATION NUMBER 14/06808/FU, Residential development of 272 houses with associated roads and infrastructure.

At: Land of Tyersal Lane, Tyersal, Leeds

APPLICANT

Gleasons Homes

DATE VALID

21.11.2014

TARGET DATE

20.4.15

Electoral Wards Affected:

Pudsey

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: For Members to note the content of the report and to provide feedback on the questions raised at section 9 of this report.

INTRODUCTION:

- 1.1 This report is brought to City Centre and Strategic Panel for information. Officers will present the current position reached in respect of this application to allow Members to consider the proposed planning gain contributions, which include no affordable housing, and a lack of on-site green space, the design of the development, and the proposed landscaping buffer to the adjacent green belt land.
- 1.2 The applicant has submitted a development appraisal which demonstrates that the scheme is not able to provide all of the normal sought planning gain contributions, based on the projected sale prices. Officers have instructed the District Valuer to independently assess the viability report, and they have agreed that the appraisal is reasonable. The findings are discussed at Confidential Appendix 1 of this report. This part of the report is classed as Exempt under Schedule 12A Local Government Act 1972 and Access to Information Procedure Rule 10.4 (3) which provides financial information concerning the business affairs of the applicant. It is considered that it is

not in the public interest to disclose this information as it would be likely to prejudice the applicant's commercial position.

2.0 PROPOSAL:

- 2.1 The proposal seeks full planning permission for 272 houses with associated roads and infrastructure.
- 2.2 It is proposed to access the site from Tyersal Lane with two separate accesses. The layout also includes two areas of on-site green space. The properties proposed are all 2 storeys in height, and consists of a combination of the following
 - 58, two bed semi-detached houses
 - 169, three bed houses
 - 45 four bed houses.
- 2.3 The proposal includes terraced, semi, and detached properties, some with integral and detached garages, 81 properties are detached.
- 2.4 The design of the properties has been categorised into two types 'urban' and 'rural'. The difference between these houses types is the fact the urban house type has a different coloured brick for the base, and quoins. The rural house type has a cross-bow window arrangement, and a string course in contrasting brick.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site consists of large Greenfield site, which is 9.1 hectares in size. The site lies on the very edge of the district of Leeds, adjacent to the Bradford district. The site has a frontage onto Tyersal Lane, which lies to the south, and is located within Bradford. Residential properties lie opposite to the site, across Tyersal Lane, these comprise of Local Authority constructed semi-detached houses and more modern in-fill developments of 1980's purpose built flats, accommodated within 4 storey blocks. This adjacent locality is known as the Holme Wood estate.
- 3.2 To the east, west and north lies open green land. The land to the north and east lies within the Green Belt. The open land to the west is a disused railway, which separates the site from the properties located on Sutton Crescent. This land is also designated along with this site for Employment purposes. The site has an irregular shape.
- 3.2 The main settlement of Tyersal lies to the north of the site but is separated by Green Belt fields. The south-eastern boundary of the site is bound by a dry stone wall. Adjacent to this is an unmade track which serves several remote properties located in Green Belt beyond this site. The site is relatively flat.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Planning Application 25/174/05/RE. Renewal of outline permission to erect industrial warehouse and business center. Approved 31.1.06. This consent has never been implemented.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 A pre-application enquiry was submitted during the 2014 by Gleeson regarding the residential development of this site. The Local Planning Authority confirmed they would be supportive of the scheme in principle, subject to a detailed design and offer of normal planning gain contributions.

6 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was publicised by site notices which were posted adjacent to the site on 5th December 2014. To date six letters of objection have been received from local residents. The points raised in the objections received are highlighted below.

- The proposal will generate noise, in an area which is a quiet backwater
- The site suffers from flooding
- The site accommodates a lot a wildlife which will be lost.
- Local services such as school and GP surgeries are full to capacity
- More traffic on local roads, which already suffer from queuing etc.
- Gleeson's consultation as arranged at the last minute
- Proposal could take years to complete, causing serious disruption to nearby residents
- Other nearby brownfield sites should be developed instead of this green field
- Why is no affordable housing being proposed
- The strip of land between this site and Sutton Crescent will aid crime and be used by criminals
- Building on Green Belt land should not be allowed
- Loss of privacy on nearby occupants
- Question demand of housing in this locality
- Increased threat to highway safety
- Perceived increase in crime

Councillor Coulson and Lewis have objected to the application, but have not articulated any specific concerns, other than stating the scheme is poor and we should be seeking good design and normal planning gain contributions.

7.0 CONSULTATION RESPONSES:

7.1 Design

The development would be a standalone site in a locality of no character. The elevation treatments could be improved, and the layout could benefit from some amendments. However on balance the scheme is considered acceptable.

7.2 Transport Policy

Travel Plan Monitoring fee is required, along with Residential MetroCards (Bus only)

7.3 Contaminated Land

Require further information.

7.4 Local Policy

No objection to the principle of residential development. Require £535,630.72 in commuted sum towards green space, as on site provision (outside the Green Belt) is below adopted standards.

- 7.5 Mains Drainage
The layout should be amended to have the open space at the lowest point of the site, to allow for sustainable drainage measures
- 7.6 Education
Have requested commuted sum of £1,348,159. This sum is now covered by a CIL contribution.
- 7.7 Rights of Way
Surface improvements to Tyersal Lane are sought.
- 7.8 Yorkshire Water
Recommend conditions.
- 7.9 Bradford Council
- Confirmed they have no objection to the principle of residential development.
 - Are concerned that the proposal would leave a 40m wide area of vacant land to the south which would become ill-defined wasteland which could facilitate crime and anti-social and lead to a poorly functioning environment
 - Object on highway grounds to the signalling of the railway bridge on Tyersal Lane and consider this should be removed and the carriageway widen to allow 2 lanes of passing traffic.
 - Scheme should provide affordable housing, in-line with adopted Planning Policy
 - Contribution towards Education and Recreation should be made to Bradford Council, £682,936 to Education and £204,935 towards Recreation.

7 PLANNING POLICIES:

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 The Development Plan for the area consists of the adopted Unitary Development Plan Review (2006), the Natural Resources and Waste DPD (2012) along with relevant supplementary planning guidance and documents. The Local Plan (Core Strategy and Site Allocations Plan) was adopted in November 2014.
- 7.3 **Development Plan:**

Core Strategy

- SP1 Location of Development
- SP6 Housing requirement and allocation of housing land
- 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
- EN5 Managing flood risk

- T1 Transport management
- T2 Accessibility requirements and new development
- P10 Design
- P12 Landscape
- ID2 Planning obligations and developer contributions
- N24 Transition between development and the Green Belt

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

- GP1 Land use and the proposals map
- GP5 General planning considerations
- N25 Landscape design and boundary treatment
- T7A Cycle parking guidelines

7.4 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

7.5 **National planning policy**

- Para 49 Presumption of sustainable development
- Para 56 Importance of Good Design
- Para 61 Importance of connections between people and places
- Para 63 Raising the standard of Design
- Para 72 Duty to ensure availability of school places
- Para 73 Access to high quality open space s
- Para 80 Purposes of the Green Belt
- Para 87 Development of Green Belt, only in special circumstances
- Para 89 Appropriate types of development in the Green Belt

8 **MAIN ISSUES:**

- Principle of the development
- Layout / Design
- Affordable Housing/ CIL Contribution/ Viability Issues
- Green Space
- Landscaping
- Other Issues

9 **APPRAISAL:**

Principle of the development

- 9.1 The site is a vacant Greenfield site, which is allocated for employment purposes through the Leeds UDP, which is carried forward until the Site Allocation is adopted through the Core Strategy. The NPPF acknowledges that development proposals should accord with the development plan, but also has regard for flexibility to rapid change and demand.
- 9.2 The Employment Land Review concluded that this site be categorised as 'LDF to Determine' to assess whether the site had the potential to deliver employment within a new plan period as the site had been left undeveloped despite being allocated for employment purposes since 1996. This assessment undertaken as part of the 'Issues and Options' stage of the Site Allocations Plan proposes the site to be a 'red' employment site and a 'green' housing site. On this basis the site is not considered to be a deliverable employment site necessary to meet the employments needs throughout the plan period and is now included within the Councils five year housing supply.
- 9.3 The principle of developing this site (which is allocated for employment purposes) for residential purposes is therefore considered to be acceptable, subject to an assessment against all other normal development control considerations. **Would Members support the principle of Residential Development upon this site?**

Layout/ Design

- 9.4 The layout has been subject to much negotiation between Officers and the agent. The scheme has been amended to address Officers concerns which have resulted in the loss of 11 properties. The layout of the scheme is considered to be relatively generous in terms of the spacing between properties and rear gardens, and the density of the development. Properties face over two areas of open green space which is considered to be a positive element of the scheme. Most properties have side driveways, which provide a good degree of visual relief throughout the scheme and good sized rear gardens. However officers still have concerns regarding the relationship/ proximity of some side gable ends of plots to the adjacent highway, and the expanse of hard surfacing/ concentration of parking within some small cul-de-sacs and courtyards.
- 9.5 The scheme includes various house types, which are standard Gleeson House types. These types have been used on various sites, including the nearby site in Bierley in Bradford and Halton Moor in East Leeds. Officers have concerns over the design of the properties, due to the low ratio of glazing to solid mass on some house types, and the lack of any window reveals. The fenestration of some main elevations is considered to be poor with no alignment between ground and first floor windows. Some window openings are off-set and very small given they are the main window serving the property. The different house types lack consistency with differing eaves and ridges height and roof forms. The patterning of openings on properties is considered to ill-considered, particularly on the adjoining blocks of 3 terraced properties, which have varying projections and eaves lines. The design of these blocks is considered to lack consistency. Officers have concluded however that on balance, securing a significant number of residential properties outweighs these concerns. **Do Members agree with this assessment, and are satisfied with the layout and design of the scheme?**

Affordable Housing/ CIL Contribution/ Viability Issues

- 9.6 The application has been supported by a Viability Appraisal, which includes making a full CIL contribution of £1,024,701. The District Valuer has concluded that making this CIL contribution delivers a profit of 15.6 %, and there would be no scope to deliver Affordable Housing as this profit level is below the accepted industry norm.

The scheme however has no abnormal costs and is a previously undeveloped green field site. The applicant's state low profit margins is due to the demographics of the locality, and ultimately the location of the site, which means the sale prices of the completed dwellings would be low.

9.7 The projected sale prices for the units are considerably lower than asking prices on identical properties, in Halton Moor, LS9 which is currently under construction. For example a 2 bed semi on this development has an asking price of £106,995, where the same property on this development has a projected sale price of £94,000. Gleasons have recently developed a site, nearby site in Bierley, which lies approximately 1.5 miles to south-east of this site within Bradford. Currently a 2 bed semi-detached house on this development has an asking price of £115,995. However this site lies adjacent to an industrial estate which is clearly visible from the properties, and lies in an elevated position 'behind' the development with retaining structures. This development has been completed with a back-drop of palisade fencing, external storage and HGV's. It is considered highly likely that this site, which is within the Leeds district, flat, and would benefit from open views across green belt land would command higher sales prices for the properties when compared to the site in Bierley.

9.8 As Gleasons are prepared to accept a profit of 15.6% on this scheme, based on low sale prices, a S106 could be completed which included a clause which ensured that if the properties sold for higher prices than projected sale prices made by Gleasons, then a contribution would be made towards affordable housing. This would address Officers concerns that the projected sales prices are low. **Do Members accept the nil provision of affordable housing on this site? If not, do Members consider that a S106 should include Affordable Housing provision only if the properties sell for higher prices than those forecasted in the submitted Financial Appraisal?**

Greenspace

9.9 The proposed layout includes two areas of on-site Green Space which are 3,589 sq m and 4,316 sq m in size, resulting in a total of 7,905 sq m. Following the advice of Policy G4 of the adopted Core Strategy which states on-site provision should equate to 80 sq m per unit, the scheme should deliver 21,760 sq m of green space. The proposal equates to provision at 36% of the policy requirement. The applicants have stated delivering a larger area of on-site green space would render the scheme unviable, as a number of properties would need to be lost from the scheme. **Are Members prepared to accept this reduction in on-site green provision?**

Landscaping

9.10 The site lies adjacent to the Green Belt to the north-eastern and south-eastern boundary. These boundaries are approximately 230m and 260m in length. The submitted scheme did not include any landscaping to these boundaries, following the advice of Policy N24 to ensure the scheme has assimilation with the adjacent open land. The applicants have revised the scheme which includes 10m wide landscaping buffer to the north-eastern boundary on land which is within their ownership, but outside the boundary of this development and within the Green Belt.

9.11 A 10m wide landscaping buffer is also proposed on the south-eastern boundary however this land lies on the other side of Tyersal Lane and at present is not within the ownership of the applicant. The applicants state they would acquire this land from a third party land owner. This land too is located within the Green Belt. Officers are concerned that there is no mechanism to ensure the landscaping buffer is delivered on the south-eastern boundary, and until this land is within the

ownership of the applicants, consider the landscaping buffer should be provided on-site. **Do Members agree that 10m landscaping buffer is adequate and needs to be provided on land within ownership of the applicant?**

9.12 Other Issues

All other issues are considered resolvable, such as Travel Plan, Contamination and Drainage. Although Bradford Council is objecting on highway grounds, due to the lack of off-site highway works to mitigate the development, the application would not be refused on such grounds. On any approval a condition would be imposed which placed a duty for the applicants to enter into a S278 with Bradford Council. It would be up to these two parties to agree on a scheme of off-site highways works are the adjacent highway network serving this site lies within Bradford. If no resolution was reached, any planning permission could not be implemented.

CONCLUSION:

10.1 The benefits of the scheme of providing new low cost housing, construction jobs and investment are recognised. However the scheme does not deliver the normal planning gain contributions including the provision of on-site green space. Views from Members are sought on questions reiterated below

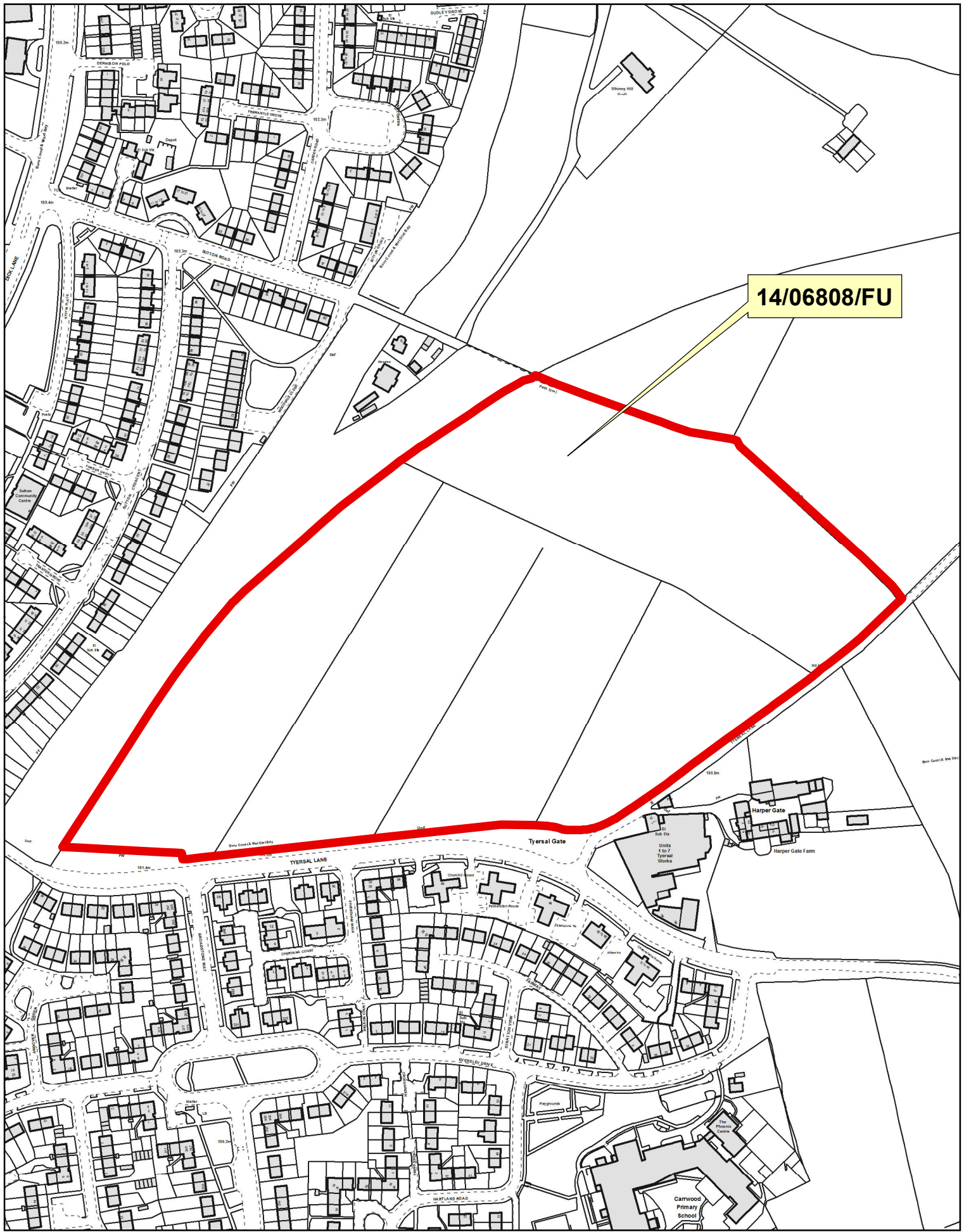
10.2 **Do Members support the principle of Residential Development upon this site?**

Do Members agree the benefits of the scheme outweigh concerns which relate to the layout and design of the scheme?

Do Members accept the nil provision of affordable housing on this site? If not, do Members consider that a S106 should include Affordable Housing provision only if the properties sell for higher prices than those forecasted in the submitted Financial Appraisal?

Are Members prepared to accept a reduction in on-site green provision?

Do Members agree that 10m landscaping buffer is adequate and needs to be provided on land within ownership of the applicant?



14/06808/FU

CITY PLANS PANEL

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SCALE : 1/3000

