



## Report of the Chief Planning Officer

### *PLANS PANEL SOUTH AND WEST*

Date: 18<sup>th</sup> February 2016

**Subject: Application 15/05637/FU – Residential development of 27 affordable dwellings with associated access road on land adjacent to Newhall Gate and Winrose Drive, Belle Isle, LS10.**

#### **APPLICANT**

Leeds Federated Housing

#### **DATE VALID**

30<sup>th</sup> September 2015

#### **TARGET DATE**

29<sup>th</sup> February 2016 (extended)

#### **Electoral Wards Affected:**

Middleton Park

Yes

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

**GRANT PERMISSION subject to the following conditions**

1. Time limit on permission – 3 years.
2. Development to be built in accordance with the approved plans.
3. Walling, roofing and surfacing materials.
4. Tree protection for retained trees within and adjacent to the site.
5. Landscaping to be carried out in accordance with the submitted landscape plan.
6. Submission of landscape management plan (including provision for the replacement of trees and new planting that die within first 5 years).
7. Boundary treatments.
8. No vegetation removal to take place during bird nesting season unless an ecologist has carried out a survey on site and confirmed no risk of harm (to be agreed by the local planning authority).
9. Provision of bat and bird roosting opportunities as part of the development.
10. Off-site highway works to be carried out prior to occupation.
11. Laying out of vehicle areas within the site.
12. Construction of new footpath crossings.

13. Provision for contractors (parking, site storage, loading and unloading etc) during the construction period.
14. Electric vehicle charging points.
15. Boundary treatments to Newhall Gate and Winrose Drive to be no higher than 600mm.
16. Site investigation (and remediation if necessary) in relation to former mine workings.
17. Surface water drainage scheme.
18. Finished floor levels to be set above adjacent ground level, in accordance with developer's Flood Risk Assessment.
19. No building over sewer easements within the site.
20. No building over water main that crosses the site.
21. Separate systems of foul and surface water drainage.
22. Submission of remediation statement
23. Amended remediation statement if unexpected contamination is found.
24. Submission of verification reports following remediation.
25. Use of local employment during construction.

## **1.0 INTRODUCTION**

- 1.1 Permission is sought for the development of 27 houses by Leeds Federated Housing, a Registered Provider of Social Housing (Housing Association). All of the houses are proposed to be affordable rented properties.
- 1.2 Although the scheme proposes 100% affordable housing, the developer has advised that they are unable to provide other planning obligations, including greenspace and sustainability measures, on the grounds of viability. A viability appraisal has been submitted as part of the application. Whilst the scheme has significant merits in the provision of 27 new affordable homes, it would not accord with other development plan policies aimed at providing infrastructure to support new housing development, including new or improved public open spaces. In the light of this, and the issues that have been raised in relation to the viability of the scheme, the Chief Planning Officer has decided not to exercise his delegated powers in this instance, and the application is therefore brought to Plans Panel for determination.
- 1.3 A viability report has been provided by the applicant in support of their application and has been independently assessed by the Council's Asset Management section. Further details on the viability assessment are provided in an exempt appendix to this report, which will be provided to Members in advance of the Plans Panel meeting. The information contained in this exempt appendix is confidential as it relates to the financial or 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 affairs of the applicant. It is therefore considered that the supplementary report should be treated as exempt under Access to Information Procedure Rule 10.4 (3).

## **2.0 PROPOSAL:**

- 2.1 The proposed development would provide 27 new affordable houses (14 x 2-bedroom and 13 x 3-bedroom), including semi-detached properties along the two existing road frontages (Newhall Gate to the south and Winrose Drive to the west), and a mix of semi-detached and terraced houses around a cul-de-sac in the north eastern corner of the site, served by a new access from Winrose Drive. The houses are proposed to be constructed in red brick with panels of grey cladding, and some would include gable features (some flat-roofed, some pitched-roofed). Thin profile grey tiles are proposed to the roofs.

- 2.2 Two off-street parking spaces are proposed to each of the 3-bedroom houses, while the 2-bedroom houses would have one off-street space each. The developer has confirmed that each plot will be provided with an external socket which could be upgraded to an electric vehicle charging point, should future residents wish to do so.
- 2.3 The proposals would necessitate some works within the highway outside the site, including the relocation of traffic calming features and telegraph poles, in order to provide new access points and driveways.
- 2.4 Two trees are proposed to be removed from the south eastern corner of the site and another from the northern boundary as part of the development. New planting is proposed within the garden areas of the properties, including trees within gardens and shrub planting to the site frontages.
- 2.5 No public open space is proposed on-site as part of the development. A commuted sum in lieu of on-site provision has been sought towards the provision of improvements to existing areas of greenspace in the locality, however the developer has advised that it is not possible to provide the required sum on the grounds of the scheme's viability, and a viability appraisal for the development, setting out the scheme costs etc, has been provided in support of the application. Further detail regarding the viability report and its conclusions is set out in a separate exempt appendix as referred to above.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application relates to a vacant area of land on the north eastern side of the junction of Winrose Drive and Newhall Gate. The site is open and grassed, and slopes gradually downhill from south to north. There are two medium-sized trees in the south eastern corner of the site and a number of others along the northern and eastern boundaries between the site and neighbouring residential properties and their gardens. An informal path runs across the site at present, however this is not formally defined or claimed as a Public Right of Way.
- 3.2 The site is adjacent to Middleton Park, which is on the opposite side of Winrose Drive to the west. The surrounding area is predominantly residential, and is characterised by early/mid-20<sup>th</sup> century suburban brick-built semi-detached and terraced housing which is relatively simple in its design. There have also been more recent infill developments including brick and pebble-dash three storey flats to the south, and red-brick houses to the north.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 None.

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The application was submitted following pre-application discussions which took place in summer 2015, and incorporated some revisions to address concerns relating to the proposed materials and garden sizes.
- 5.2 Following the submission of the application further discussions have taken place with the applicants regarding the design of the houses and the materials proposed, some aspects of the highways layout and the amount of hard surfacing around the turning head of the new access, and the implications for off-site trees outside the site boundary to the north. Revised plans have subsequently been submitted to

address the concerns regarding the design, simplify the palette of materials, reduce the level of hard surfacing and incorporate more soft landscaping around the turning head (whilst maintaining this at an appropriate size to meet highways requirements), and move the houses and driveways further from the off-site trees to the north.

## **6.0 PUBLIC/LOCAL RESPONSE:**

### Ward Members

6.1 The Ward Members were notified of the application when it was originally submitted, and have subsequently been updated following the receipt of a viability statement from the applicants advising that they are unable to provide a contribution towards off-site greenspace improvements (in lieu of on-site provision) on viability grounds.

6.2 Whilst some concern has been expressed that the scheme is unable to provide a contribution towards greenspace improvements, Councillor Truswell has noted that it is a difficult balance, and that in view of significant local needs, securing as much affordable housing as possible is a prime consideration. He also refers to recent local experience and examples of affordable housing providers such as Leeds Federated (the current applicants) providing properties with better spatial provision and design than private sector schemes.

### Other public response

6.3 The application has been advertised as a major application by site notices, posted 16<sup>th</sup> October 2015, and by press notice in the Yorkshire Evening Post, published 22<sup>nd</sup> October 2015. Neighbour notification letters were also sent to the occupiers of properties adjacent to the site on 1<sup>st</sup> October 2015. No representations have been received.

## **7.0 CONSULTATIONS RESPONSES:**

### **Statutory**

#### Coal Authority

7.1 No objection subject to a condition requiring the approval and implementation of a scheme of further site investigation works and remediation as necessary in relation to any former mine workings within the site.

### **Non-statutory**

#### Highways

7.2 No objections, subject to conditions.

#### Contaminated Land

7.3 No objection, subject to conditions.

#### Flood Risk Management

7.4 No objection, subject to conditions.

#### Yorkshire Water

7.5 No objection, subject to conditions.

#### West Yorkshire Combined Authority

7.6 Metrocards are requested.

## **8.0 PLANNING POLICIES:**

8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

### Development Plan

8.2 The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

8.3 The site is unallocated in the Development Plan, and is adjacent to the Leeds Habitat Network.

8.4 The following Core Strategy policies are relevant:

GENERAL POLICY – Presumption in favour of sustainable development

SP1 – Location of development in main urban areas on previously developed land

P10 – High quality design

P12 – Good landscaping

H2 – New housing on non-allocated sites

H3 – Housing density

H4 – Housing mix

H5 – Affordable housing

G4 – On-site greenspace for major residential developments.

T2 – Accessibility

G8 – Protection of species and habitats

G9 – Biodiversity enhancements

EN1 – Carbon dioxide reduction for major developments

EN2 – Sustainability measures to be incorporated in new developments

EN5 – Managing flood risk

EN7 – Protection of mineral resources (coal, sand, gravel)

ID2 – Planning obligations and developer contributions

8.5 The following saved UDP policies are relevant:

GP5 – General planning considerations

N25 – Landscaping

BD5 – General amenity issues

LD1 – Landscaping

8.6 The following DPD policies are relevant:

GENERAL POLICY1 – Presumption in favour of sustainable development.

MINERALS3 – Surface Coal resources

AIR1 – Major development proposals to incorporate low emission measures.

WATER1 – Water efficiency, including incorporation of sustainable drainage

WATER4 – Effect of proposed development on flood risk.

WATER6 – Provision of Flood Risk Assessment.

WATER7 – No increase in surface water run-off, incorporate SUDs.

LAND1 – Land contamination to be dealt with.

LAND2 – Development should conserve trees and introduce new tree planting.

### Draft Site Allocations Plan

8.7 Although not currently allocated, the site is included as a proposed new housing allocation in the draft Site Allocations Plan (SAP), which was subject to public consultation in autumn 2015. This is material to the consideration of the application, however as the responses to this consultation are still being considered and the draft is subject to further potential revisions and, ultimately, to final publication and examination before its adoption, the weight that can be given to it remains limited at this stage.

#### Supplementary Planning Guidance/Documents

8.8 The following SPGs and SPDs are relevant:

- SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds (including 2015 Memoranda)
- Street Design Guide SPD
- Parking SPD
- Sustainable Construction SPD: Building for Tomorrow Today

#### Belle Isle and Middleton Neighbourhood Framework

8.9 The Framework was adopted in September 2013 following extensive local consultation, and is intended to provide guidance for the (re)development and regeneration of these areas, building on previous initiatives to secure their continued improvement. The Framework recognises in particular the challenges presented by housing clearance which has taken place over the last 20 years, leaving large areas of vacant land, and includes a proposals plan identifying these and other sites for new development for housing and other uses.

8.10 As well as site-specific aspirations for these sites, the Framework also includes guidance around a number of other key topics aimed at providing the necessary infrastructure and facilities to support new housing development as part of the area's ongoing improvement. These include community uses, improved greenspace, and better connectivity around the area and to other parts of the city.

#### National Planning Policy

8.11 The National Planning Policy Framework (NPPF), published on 27<sup>th</sup> March 2012, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.12 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

#### DCLG – Nationally Described Space Standards

8.13 This document sets a nationally-defined internal space standard for new dwellings. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in its local plan to the nationally described space standard. With this in mind the city council is in the process of gathering evidence in relation to the adoption of the national standard as part of a future local plan review. The housing

standards are a material consideration in dealing with planning applications, however as this process is at a relatively early stage in Leeds, only limited weight can be attached to them at this stage.

## **9.0 MAIN ISSUES**

1. Principle of development
2. Viability
3. Greenspace
4. Design, landscaping and visual amenity
5. Residential amenity
6. Highways and access
7. Sustainability
8. Nature conservation
9. Other issues

## **10.0 APPRAISAL**

### Principle of development

10.1 Although the site does not appear to have been developed previously, it is not designated as a protected greenspace, and it is identified as a potential housing site in the Belle Isle and Middleton Framework, and as a proposed housing allocation in the draft Site Allocations Plan. The site is in a residential area within the suburb of Belle Isle, close to local amenities and public transport links. The principle of residential development on the site is therefore considered acceptable, subject to other material planning considerations.

10.2 The density and housing mix proposed are in accordance with Core Strategy policies H3 and H4. As the scheme proposes 100% affordable housing, the requirements of policy H5 are considered to be satisfied.

### Viability

10.3 A viability statement has been provided by the applicant in support of their assertion that because of the particular nature of their development (i.e. as a 100% affordable housing scheme) they are unable to provide some other planning policy requirements associated with new residential developments of this scale, including greenspace and sustainability measures.

10.4 Further details on the viability assessment are provided in an exempt appendix to this report, which will be provided to Members in advance of the Plans Panel meeting on 18<sup>th</sup> February. The information contained in this exempt appendix is confidential as it relates to the financial or 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 affairs of the applicant. It is therefore considered that the supplementary report should be treated as exempt under Access to Information Procedure Rule 10.4 (3).

10.5 The viability statement has been considered by the Council's Asset Management section, who have carried out their own independent assessment of the proposals based on the information provided by the applicant, and have advised that they agree with the conclusion, i.e. that the development cannot viably provide the required greenspace contribution in accordance with policy G4 or incorporate sustainability measures to the full extent required by policy EN1.

- 10.6 The implications of this for each of the various policy requirements are discussed and considered further in the relevant sections below.

### Greenspace

- 10.7 Core Strategy policy G4 requires the provision of greenspace on-site for all developments of 10 dwellings or more. However, the Core Strategy recognises that not every development site is capable of accommodating the required greenspace within the site boundary and advises that in certain circumstances, and taking into account the characteristics of the site, it may be possible to provide new greenspace or improvements to existing greenspace off-site *in lieu* of on-site provision.

- 10.8 In the most recent assessment of greenspace provision, carried out last year, Middleton Park was identified as having sufficient provision in terms of parks and gardens, amenity greenspace and natural greenspace, but as having deficiencies in outdoor sports, equipped play, and allotment provision. In relation to greenspace, the Belle Isle and Middleton Framework advises that:

*The numerous areas of greenspace throughout Belle Isle and Middleton means that the provision of additional green space as part of a development may not always be necessary, as this introduces small parcels of difficult to manage greenspace rather than complementing and enhancing to the network of existing provision.*

- 10.9 In this case no greenspace is proposed within the site, however in view of the relatively small size of the site, the requirement to provide 2160m<sup>2</sup> of greenspace on-site in accordance with policy G4 would have significant implications for the ability to develop the site and for the number of new affordable houses that could be provided, as well as creating a further relatively small area of new greenspace, which the Neighbourhood Framework advises against.

- 10.10 The site is also immediately adjacent to Middleton Park, and in identifying this site as a potential housing site, the Neighbourhood Framework advises that any such development 'should provide a strong street frontage with contributions helping to improve access into Middleton Park and provide pedestrian connections to nearby facilities such as John Charles Centre for Sport.'

- 10.11 In the light of the limited capacity of the site, and the guidance and aspirations in the Neighbourhood Framework in relation to contributions towards access improvements to existing greenspace, it was considered more appropriate for the greenspace requirement to be met by the provision of a proportionate sum towards the provision or enhancement of greenspace within the locality in this case. Based on the scale and nature of the development, a commuted sum of £82,355 was calculated.

- 10.12 This sum has been put to the developer, who has advised that they are unable to provide a contribution towards greenspace improvements on viability grounds and as noted above, has provided a viability statement in support of this. This has been considered by Asset Management, who have carried out an independent review of the costs and revenues associated with the development. The detail of the viability statement and conclusions are discussed in the separate exempt report, but in summary, Asset Management have advised that they agree with the conclusion that the development of the site with a 100% affordable housing scheme cannot viably support the provision of the greenspace contribution in this instance.

- 10.11 In the light of this it is necessary to weigh up the benefits of the proposals against the potential implications of not providing the requested contribution towards greenspace improvements.
- 10.12 The delivery of new housing is identified as a key objective of the Belle Isle and Middleton Neighbourhood Framework. The proposed development would provide 27 new houses for affordable rent: a level of new affordable housing provision that is significantly higher than the 5% policy requirement for the area. In this respect, it is considered that the development would have significant benefits in bringing a positive use to a currently undeveloped site, with new affordable housing provision reflecting the aspirations of the Neighbourhood Framework and contributing to the enhancement and regeneration of the wider area.
- 10.13 In considering this aspect of the proposals it is also necessary to consider the implications of not providing the requested contribution towards greenspace improvements. Policy G4 of the Core Strategy aims to ensure that new housing development is supported by appropriate green infrastructure as part of promoting active and healthy communities. As discussed above, Middleton Park Ward is identified as having deficiencies in certain types of greenspace, and the development of this 'greenfield' site for new housing would introduce new residents into this area, potentially creating greater pressures on existing greenspace. However, it is noted that the development is relatively small in scale and that any additional impact in this respect is likely to be relatively marginal.
- 10.14 The merits of the application are finely balanced in this respect, and it is regrettable that the scheme is unable to provide a contribution towards the improvement of existing greenspace in the area. However, taking into account the site's very close proximity to Middleton Park and as the new properties would have good levels of private outdoor amenity space (in excess of the recommended garden sizes in *Neighbourhoods for Living*), it is considered on balance that the significant regeneration benefits of the proposals in bringing an unused site into use to provide new affordable housing at significantly higher levels than the Core Strategy policy requirement would outweigh the potential implications of not providing this sum in this instance.

#### Design, landscaping and visual amenity

- 10.15 Following concerns from design officers in relation to the design and layout as originally proposed, the scheme has been reviewed and discussed with senior design officers at the Council's Design Advisory Group, and revised plans have been received in response to the comments made.
- 10.16 The proposed layout follows the general principles in *Neighbourhoods for Living* (NfL) with buildings fronting onto the streets and back gardens facing each other to provide privacy and security. Whilst some of the properties on the Newhall Gate frontage and on the southern side of the new access drive would be slightly more closely spaced than NfL recommends, they are in relatively small groups, and are set back from the street frontages, which would serve to minimise their visual impact to some degree. The development would include some parking to site frontages, but seeks to minimise the visual impacts of parking as far as possible by incorporating drives to the sides of some of the properties and, where parking is proposed to the fronts, minimising the grouping of spaces and providing landscaping between them to provide visual breaks and screening. It is therefore considered that the proposed layout would provide an appropriate balance in this respect.

- 10.17 The design of the proposed buildings has been revised following feedback from design officers and the Design Advisory Group, and is now considered to achieve an acceptable balance between providing new housing which incorporates less traditional materials such as the cladding and more 'contemporary' features such as the flat-roofed projections to the front of some of the houses, whilst maintaining a generally simple design and materials palette, reflecting existing housing in the area. Subject to a condition requiring details of materials to be submitted and approved, the proposals are considered acceptable in this respect.
- 10.18 Two trees on the southern site and one on the northern boundary are proposed to be removed to facilitate the development. A tree survey submitted in support of the application advises that these are of relatively limited in terms of their quality and anticipated life span, and a scheme of new planting has been submitted, including new trees and shrub planting in gardens, along the site frontages, and at the end of the new access road. The scheme has been revised during the course of the application to move the proposed houses in the eastern part of the site further from the boundary to prevent the likelihood of damage to two off-site trees to the east, which were originally shown for removal, but which are not within the site.
- 10.19 The landscape officer has reviewed the tree survey and the landscaping proposals and advised that they have no objections on this basis, subject to conditions regarding the implementation of the works. The proposals are therefore considered acceptable in this respect.

Residential amenity

- 10.20 Separation distances between properties within the development are considered acceptable, and the garden sizes to all of the proposed new houses would be in excess of the recommended areas in *Neighbourhoods for Living*. It is therefore considered that the proposals would provide an appropriate level of outlook and amenity for future residents.
- 10.21 Whilst the three 2-bedroom mid-terraced houses that are proposed would exceed the Nationally Described Space Standards (NDSS), the 24 remaining 2-bedroom and 3-bedroom houses would all fall below them. The table below provides a breakdown of the property types with a comparison between the proposed floor areas and the NDSS recommendations:

House Type	No. of units	Type of property	Proposed floor area (m <sup>2</sup> )	NDSS (m <sup>2</sup> )	Difference (m <sup>2</sup> )	Percentage difference
A	9	2b4p 2 storey	74.6	79	- 4.4	- 5.6%
A1	2	2b4p 2 storey	73.7	79	- 5.3	- 6.7%
B	8	3b5p 2 storey	86.9	93	- 6.1	- 6.6%
C	5	3b6p 3 storey	99.8	108	- 8.2	- 7.6%
E	2	2b4p 2 storey	87.1	79	+ 8.1	+ 10.3%
E1	1	2b4p 2 storey	85.4	79	+ 6.4	+ 8.1%

**Table 1:** Comparison between proposed floor areas and NDSS

- 10.22 Although Leeds is seeking to adopt the national standards as part of the development plan and whilst this is a material consideration, this process is still at a relatively early stage and the weight that can be attached to the standards is limited

at present. In this instance, the shortfalls in internal floor areas compared to the NDSS are relatively small, ranging from 4.4m<sup>2</sup> on one of the 2-bedroom house types to 8.2m<sup>2</sup> on the 2½ storey 3-bedroom house types, and the houses would all have good levels of separation, outlook and external amenity space. In the light of this, and the relatively limited weight that can be given to the NDSS at this stage, it is considered on balance that the proposals are acceptable and that refusal of the application on these grounds would be difficult to justify.

- 10.23 In terms of the relationship between the development and surrounding properties the levels of separation between the proposed houses and existing neighbouring houses are considered acceptable and in accordance with the recommended separation distances in *Neighbourhoods for Living*. In the light of this, it is not considered that the proposed development would have significant implications for the amenities of neighbouring residents in terms of overlooking, overshadowing or overdominance.
- 10.24 In the light of the above, it is considered that the proposed development would provide an appropriate level of amenity for future residents without detriment to the amenities of existing residents. The proposals are therefore considered acceptable in this respect.
- Highways
- 10.25 Highways have advised that the layout of the proposed development and the new access road are acceptable, subject to conditions relating to the relocation of traffic calming features as necessary to allow for the provision of new drives and to appropriate front garden boundary treatments to ensure that adequate visibility is provided at these points. The Council's Traffic section have been consulted regarding the relocation of traffic calming features and are satisfied with the proposals in this respect.
- 10.26 Two parking spaces are proposed to each of the 3-bedroom houses and one to each of the 2-bedroom houses. In view of the nature of the accommodation and the relatively low levels of car ownership in the area, highways have advised that this level of parking provision is acceptable. Subject to the recommended conditions, it is considered that the proposals are acceptable in this respect.
- 10.27 All properties would have externally accessible rear garden areas where external cycle storage could be installed by or at the request of tenants if required.
- 10.28 West Yorkshire Combined Authority have requested that the developer funds Metrocards for future residents. However, as discussed above, as a fully affordable housing scheme, the development would represent a significantly higher contribution towards affordable housing provision than the policy requirement for the area, and is already unable to provide a contribution in terms of greenspace improvements. In the light of this, and as the site is relatively well situated in relation to public transport routes, which are likely to be used by residents, it was not considered on balance that a request for Metrocards could be justified in this instance. It is also noted that this approach (i.e. requests for developers to fund Metrocards) is one which the local planning authority is currently looking to move away from, in favour of instead securing funding towards agreed sustainable transport measures.

Sustainability

- 10.29 In accordance with Core Strategy policies EN1 and EN2, major developments are required to incorporate various measures aimed at reducing their energy demand

and CO<sub>2</sub> emissions. In this instance, the developer has advised that the viability of the scheme does not allow them to provide measures to fully meet the requirements of the Core Strategy policies, and that in particular they would be unable to provide CO<sub>2</sub> reductions up to 20% below Building Regulations or measures to provide 10% of the development's energy requirements from low carbon sources (e.g. through the installation of solar panels). However, they have confirmed that the development would be constructed using a 'fabric first' approach, i.e. the incorporation of measures such as enhanced thermal insulation when the building is constructed, to reduce the energy demands of the houses throughout the lifetime of the development, to the equivalent of the (now withdrawn) Code for Sustainable Homes level 3 in terms of energy efficiency.

10.30 The developer has also confirmed their agreement to the provision of external plug sockets to all properties which would be installed to an agreed specification that would allow them to be upgraded to provide charging points for electric vehicles, should future householders wish to do so. A condition requiring the provision of the agreed infrastructure is recommended.

10.31 On balance, in view of the significant benefits of the scheme in terms of regeneration and the provision of 27 new affordable homes, it is considered that the suggested approach is acceptable and that refusal on these grounds could not be justified in this instance.

#### Nature conservation

10.32 The site is adjacent to part of the Leeds Habitat Network, and a Phase 1 habitat survey has been submitted as part of the application. This has been reviewed by the Nature Conservation officer, who has advised that they have no objections to the proposals, subject to conditions preventing the removal of vegetation during the bird nesting season, and requiring the provision of features for roosting bats and birds as part of the development, to maintain and enhance biodiversity in accordance with policy G9 of the Core Strategy. Subject to the recommended conditions the development is considered acceptable in this respect.

#### Drainage

10.33 The site is located in Flood Zone 1, and therefore has a low risk of flooding from rivers or watercourses. However, the applicant's Flood Risk Assessment identifies that Winrose Drive, to the west of the site, acts as a conduit for overland surface water flows at certain times. The report advises that information from the Environment Agency suggests that the depth of flow through the site itself at such times should be less than 300mm, and therefore recommends that the finished floor levels of the development should be set at least 300mm above the adjacent external ground levels, to ensure that the properties themselves are unaffected by these flows. The Council's Flood Risk Management section have reviewed the developer's proposals and Flood Risk Assessment, and have advised that they have no objections to the development subject to a condition requiring the floor levels to be raised as suggested. Subject to this and other conditions requiring full details of the surface water drainage proposals for the development to be approved by the local planning authority before commencement, the proposals are considered acceptable in this respect.

#### Other issues

10.35 Contaminated Land officers have raised no objections to the proposals, subject to conditions, which are recommended as part of the decision.

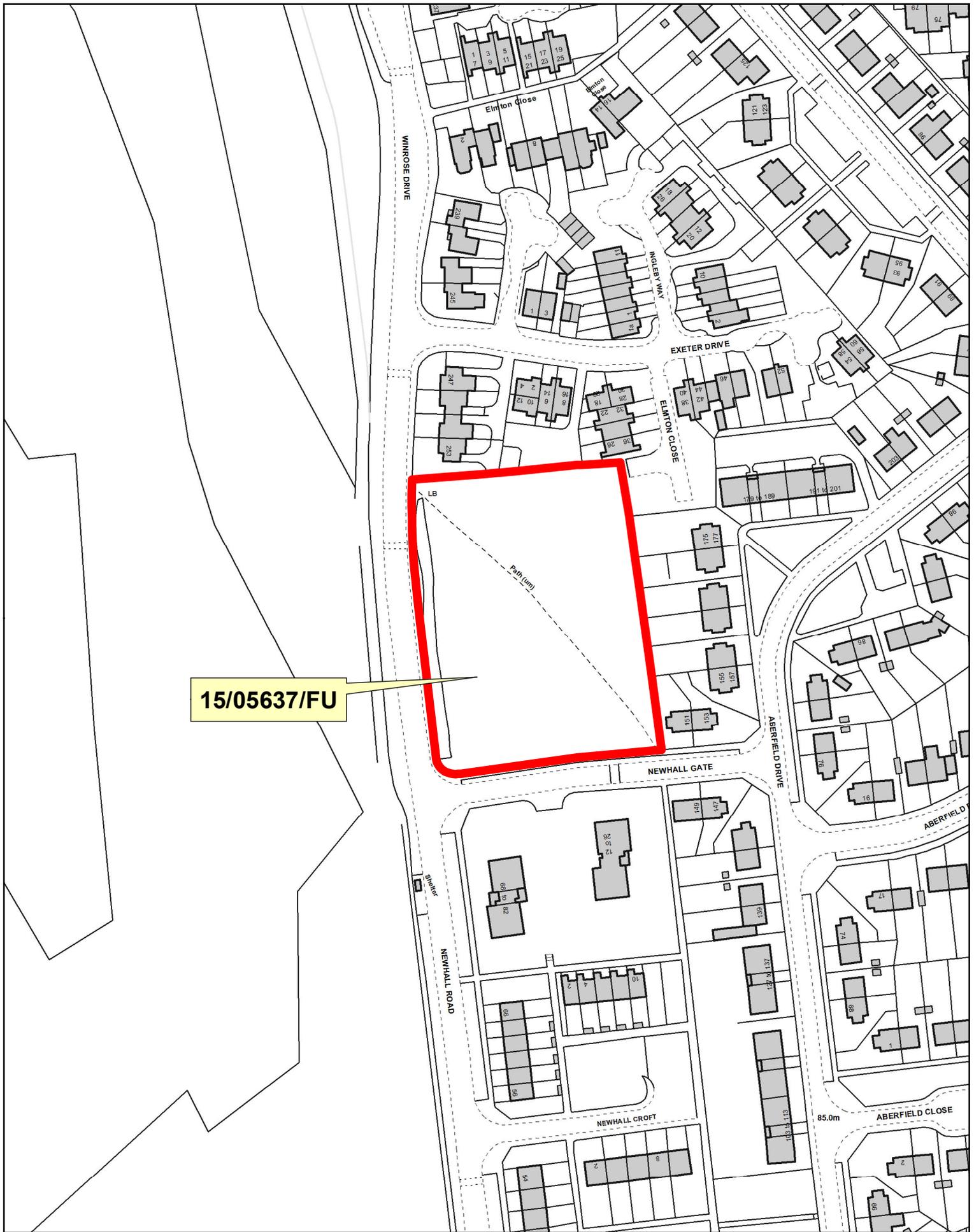
## **11.0 CONCLUSION**

- 11.1 It is considered that the proposed development, which would provide 27 new affordable homes, would be of significant benefit to the regeneration aspirations of the area, and would provide high standards of design and amenity for future residents, without detriment to the amenities of existing residents or to highway safety.
- 11.2 On balance therefore, and in the light of the above, it is considered that the proposals are acceptable and it is recommended that the application is approved, subject to the conditions suggested above.

**Background Papers:**

Application 15/05637/FU and pre-application PREAPP/15/00519

Certificate of Ownership: Notice served on Leeds City Council and Certificate B signed on behalf of applicant.



15/05637/FU

# SOUTH AND WEST PLANS PANEL

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

SCALE : 1/1500

