
Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 28 July 2016

Subject: Planning Application Reference 16/01921/FU Application for Temporary Use as Residential Site for Gypsies and Travellers with 8 Pitches for 10 Years

APPLICANT
Leeds City Council

DATE VALID
06.04.2016

TARGET DATE
04.08.2016 (Extended)

Electoral Wards Affected:

City and Hunslet

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION:

GRANT planning permission subject to the conditions set out at Appendix 1 and any others that may be considered appropriate.

1.0 INTRODUCTION:

- 1.1 This application is brought to City Plans Panel because it relates to a temporary Gypsy and Traveller site proposal by Leeds City Council in the City Centre, and is subject to representations from a local landowner.
- 1.2 City Plans Panel (30 October 2014) approved in principle a temporary planning permission for 3 years at this site, subject to improvements to facilities for residents. The families at Kidacre Street were previously at roadside encampments around Leeds prior to being directed to the site in 2014. In accordance with Government guidance, a welfare needs assessment exercise was carried out and the Housing Authority determined that these arrangements were not suitable, and alternative arrangements had to be put in place immediately. Therefore Housing Services determined to move these families onto this site in 2014 prior to securing planning permission in early 2015. They now seek an extension to the time period for the use of the site for a further 10 years.

2.0 PROPOSAL:

- 2.1 The proposal consists of 8 residential pitches with space for 16 vehicles for a temporary period of ten years. Each pitch would have a portable pre-fabricated bathroom/toilet, hot water and kitchen facilities, and mains electricity. There would be a communal refuse and waste water store close to the entrance onto Kidacre Street. Lighting is proposed across the site for use by the residents.
- 2.2 Housing Leeds have indicated a delivery programme for the proposed works. In order to allow the proposed construction and drainage works to take place, residents would have to temporarily vacate the site in August 2016, subject to the agreement of a decant site. Housing Leeds will discuss potential temporary decant site options with relevant Ward Councillors. Pre-commencement conditions would be discharged and construction works would commence within 12 weeks of the residents vacating. Housing Leeds state that the build programme would be 9 – 12 months, with residents moving back to the site in late 2017.
- 2.3 The application has been supported by the following documents:
- Scaled plans
 - Design and Access Statement
 - Site Management Plan
 - Noise report
 - Land Contamination report (site investigation)
 - Flood Risk Assessment and Drainage Strategy

3.0 SITE AND SURROUNDINGS:

- 3.1 The site lies within the designated City Centre, flood risk zone 1 and on the initial preferred route announced by Government at the end of January 2013 for the High Speed Rail project (HS2). The site comprises a cleared 0.28ha site, accessed off the western side of Kidacre Street. The wider land ownership is roughly rectangular in shape and is defined by a variety of fencing and brick walls associated with the former buildings on the site. It is understood that these buildings were cleared a number of years ago. The land is divided in half by a 2m high wall that runs in an east/west direction. Within the site are a number of earth mounds. The southern half of the land ownership is partially surfaced and is currently occupied, and forms the application site boundary along with the access road from Kidacre Street, whilst the northern half of the land ownership is covered by self-seeded trees and shrubs, and lies outside the application boundary.
- 3.2 Two gasholders are sited off Kidacre Street and these are a designated hazardous installation. The gasholder has a three zone map, based on inner, middle and outer zones. The majority of the site lies within the middle zone for the gasholder, and no pitches would be positioned in the inner zone. The site access lies within the inner zone, along with 0.027ha of the total site area. Two high pressure gas pipelines run outside the site along Kidacre Street.
- 3.3 The surrounding land uses are Crown Point Retail Park to the east, a motorcycle training centre to the south, and a gas storage and distribution facility to the south and west. There are a number of surface gas pipes that sit beyond the southern and western edges of the site. To the west, beyond a mature tree belt, are a number of office buildings with associated parking.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 14/03263/FU Retrospective application for a temporary use as residential site for Gypsies and Travellers with 8 pitches for 3 years. Leeds City Council Housing Services established this temporary Gypsy and Traveller residential site at Kidacre Street in May 2014, a planning application was submitted in June 2014, approved in principle at City Plans Panel October 2014, and granted permission 11.03.2015. Councillors resolved at City Plans Panel on 30 October 2014 to grant temporary planning permission for 3 years, subject to the agreement of details of improved ablution facilities to be provided, and the provision of a management plan. The planning consultant representing Crown Point Retail Park objected to Members' decision to grant a 3 year permission by email on 11 November 2014, however did not raise any new material planning issues in addition to those previously set out in the report. The submitted revised plans (29 January 2015) included the provision of enhanced toilet and washing facilities and the reduction in the number of plots to 8 at the applicant's request. The applicant indicated that it would take at least 6 months to construct the improved toilet blocks and the changes involve a degree of excavation of the existing embankment to the site. It was considered that the applicant had amended the scheme in accordance with the Plans Panel resolution. The application was approved and consent granted for a 3 year period, subject to the use of the site in accordance with the approved management plan and conditions relating to the time limit for the implementation of the approved works, the provision of mitigation measures for the loss of any trees and vegetation due to the excavation works and the adequate mitigation of any potential ground contamination.
- 4.2 The applicant has not fully undertaken the approved works as yet, notably the enhanced toilet and washing facilities, and is therefore in breach of the conditions attached to the existing planning permission. Housing Leeds has costed the installation of 8 "amenity" blocks providing the required toilet and washing facilities at approximately £250k. They considered that this cost could not be justified whilst only a three year planning permission was in place. A 10 year planning permission would enable Housing Leeds to spread the cost over that time period. However, to date, Housing Leeds has laid additional tarmac, installed a water supply and put up fencing to create a defined 'pitch' space for each family living on the site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Planning officers have repeatedly advised the applicant team that the works to regularise the existing temporary consent should be undertaken as soon as possible.
- 5.2 Prior to making this new planning application, the applicant undertook pre-application consultations with the neighbouring businesses and landowners, representatives of the Gypsy and Traveller community, and Ward Members.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by Site Notice dated 15.04.2016
- 6.2 City and Hunslet Ward Councillors were consulted by email on 07.04.2016
- 6.3 Leeds GATE were consulted on 07.04.2016
- 6.4 Previous objectors Aviva Investors/the Crown Estate and Leeds School of Motorcycling notified 07.04.2016.

6.5 There has been one objection to this application proposal made on behalf of Aviva Investors and the Crown Estate (owners of Crown Point Retail Park), as follows:

- A three year consent should not have been supported in 2014. There is no justification to extend the period beyond the current consent. To badge a 10 year permission as temporary to overcome the clear constraints of the site is misleading.
- The site is not suitable under two of the criteria of Core Strategy Policy H7, firstly relating to the 'suitability' of the site for residential accommodation. The site is not suitable because no mitigation is or can be provided to remedy the lack of children's play/recreation space, attenuation of noise associated with the adjoining gas apparatus, or the associated health and safety concerns arising from this relationship.
- The site is also not suitable under Policy H7 because of the availability of alternative deliverable sites. An alternative deliverable site has been assessed by the Council under the SAP process to serve the same 'catchment area' at Tulip Street, which is therefore appropriate to meet the needs of residents of Kidacre Street.
- A permanent/semi-permanent gypsy and traveller site could have a detrimental impact on potential investment in the local area and the economic prosperity of the City (and wider City Region). It is not a use that sits comfortably with the marketing of an internationally significant regeneration and investment opportunity in the South Bank.
- Aviva/Crown Estate contend that the Council-owned former Moorend Training Centre, Tulip Street (draft SAP safeguarded site ref. HG6-3) is preferable to Kidacre Street because:
 - it is closer to local facilities (500m to Hunslet centre, which includes a number of shops, doctor's surgery and a school),
 - it does not suffer from land contamination, and it is not near refuse sites, heavy industry, electricity pylons,
 - it has greater potential for play/recreation space
 - it is not located in flood risk zone 3
 - the site is a previously developed brownfield site
 - the site was also supported at the consultation event at Latter Lee Horsefair
 - There is no overriding need or benefit to retaining the Kidacre Street site.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory

7.1.1 Health and Safety Executive

No objection. In relation to the HSE planning advice for developments near hazardous installations, the sensitivity of the development as housing (residential caravans) at a density of no more than 40 dwellings per hectare, is considered to be Level 2. The proposal is at 35 dwellings per hectare with all pitches within the middle zone, and only 0.027ha of the site within the inner zone (this part of the site contains only roadway and refuse storage in this area and it is less than 10%

permitted by Rule 1 of the guidance). The HSE therefore do not advise against approving the development.

7.1.2 Northern Gas Networks

No comments received at time of writing. NGN had no objection in 2014.

7.1.3 Environment Agency

No objection

7.1.4 Coal Authority

No objection

7.2 Non-Statutory

7.2.1 LCC Transport Development Services

No objection.

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

Vehicular access: The site is accessed from Kidacre Street.

Internal layout, servicing and bins: A bin store has been proposed near the site entrance, bins should be placed here on bin collection days.

Parking: There is enough hardstanding on-site for parking of vehicles for each pitch.

Road Safety: The lighting facing the site entrance on Kidacre Street should be no more than 300cdm².

7.2.2 LCC Flood Risk Management

The Flood Risk Assessment and Drainage Strategy, Doc Ref-10035-5072, Revision No 00, dated May 2014, is acceptable. Because any approval would be limited to 10 years, the surface water drainage system does not need to be designed for the 1 in 100 year plus climate change event. It will be sufficient for the surface water drainage system to be designed for the 1 in 10 year event. The site should however remain safe during exceedance events up to 1 in 30 years return period. FRM do not have any objections to the proposal subject to a condition requiring full details of the surface water drainage.

7.2.3 LCC Environmental Protection

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

7.2.4 LCC Transport Strategy - Environmental Studies

There is no objection regarding air quality. In 2014 they also stated that the submitted noise report is acceptable, and that traffic noise is sufficiently mitigated by distance and the barrier effect of the existing wall adjacent to Kidacre Street.

7.2.5 West Yorkshire Police

No comments in addition to those made in 2014. In 2014 it was noted that all residents had signed up to an agreement to ensure the site was maintained, would not be subject to fly-tipping and anti-social behaviour. It was noted that the site had attracted very few complaints and crime figures in the area had not increased. Officers are not aware of any on-going amenity problems for the neighbouring uses resulting from the current use of the site.

7.2.6 LCC Nature Conservation

Provided that Condition 3 (no removal of trees/shrubs) from 14/03263/FU is attached for this time extension, there are no significant nature conservation issues.

7.2.7 LCC Land Contamination

Conditions regarding further site investigation and monitoring are recommended. If necessary, a remediation statement may be required, and conditions relating to the approval of a remediation statement and subsequent verification will be required.

8.0 PLANNING POLICIES:

8.1 The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013)
4. Any Neighbourhood Plan, once Adopted

These development plan policies are supplemented by supplementary planning guidance and documents.

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 they may be given.

8.2 Leeds Core Strategy

The most relevant policy for this proposal is Policy H7: Accommodation for Gypsies, Travellers and Travelling Show People, which states that:

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

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

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

- (i) pitches and plots should have reasonable access to public transport, health care, schools, shops and local services,
- (ii) pitches and plots should not be located on land that is deemed unsuitable for general housing, such as land that is contaminated, adjacent to refuse sites, landfill sites, heavy industry or electricity pylons,
- (iii) pitches and plots should avoid zones of high flood risk (zone 3 flood risk areas),
- (iv) the following order of preference for categories of land should be followed: brownfield, greenfield and Green Belt. Alterations to the Green Belt boundary to accommodate pitches and plots will only be considered in exceptional circumstances, to meet a specific identified need. In such circumstances and as part of the Site Allocations Plan, sites will be specifically allocated as a Gypsy, Traveller and Travelling Showpeople's site only,
- (v) the availability of alternative deliverable sites for Gypsies and Travellers and Travelling Showpeople,

Other relevant Core Strategy policies include:

Policy CC1 City Centre Development

Policy CC2 City Centre South

Policy T1 Transport Management

Policy T2 Development should be located in safe and secure locations

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

SP1 Spatial Policy 1 Location of development

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

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

8.3 NATIONAL PLANNING POLICY

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

The National Planning Policy Framework replaced Planning Policy Statements and Guidance (PPSs/PPGs) in 2012, and states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 6), and seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. One of the core planning principles in the National Planning Policy Framework encourages the effective use of land by reusing land that has previously been developed.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50). The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

The NPPF refers to the national Planning Policy for Travellers Site (PPTS August 2015), the most relevant paragraphs are summarised below:

Policy H: Determining planning applications for traveller sites

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

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

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

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

27. If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. The exception is where the proposal is on land designated as Green Belt; sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).

28. Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:

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

8.5 Other Material Considerations

8.5.1 Draft Leeds Site Allocations Plan (SAP)

The site is proposed as an allocation for residential use as a Gypsy and Traveller site in the SAP (reference HG6-2).

“Through the course of the Site Allocations Plan further existing sites have come to light, which were not considered to form part of the existing supply in the Leeds GTAA at the time. One of these sites is publically managed at Kidacre Street, as temporary permission for 3 years and currently accommodates 8 pitches. The Kidacre Street site is identified as being on the High Speed 2 rail line, which according to the latest Government announcement is due for construction during the 2030s. The site can, therefore, contribute to meeting accommodation needs for most, if not all, of the Plan period. There is also potential to expand the Kidacre Street site by a minimum of 3 pitches. Given the highly sustainable nature of the Kidacre Street site, a replacement site has been reserved in the same area to replace the site, if it is lost to the high speed rail development. This site, at Tulip Street, is therefore safeguarded to provide for Gypsy and Traveller accommodation use pending the loss of the Kidacre Street site”.

The SAP has been the subject of the public consultation and the following objection was received to the allocation for this site, from the owners of Crown Point Retail Park:

- *The proposed allocation was considered unsound due to a lack of justification;*
- *That the temporary (18 months) ‘nature’ of the previous planning permission was used to justify the decision to deviate from Policy H7 of the Core Strategy and national policy concerning gypsy and traveller sites;*
- *The proposed allocation is contrary to Policy H7 of the Core Strategy and national policy concerning gypsy and traveller sites, particularly when compared with the reasonable alternatives; and*
- *An alternative site at Tulip Street in Hunslet is not subject to the same levels of constraint as the Kidacre Street site, and would be a more suitable and sustainable alternative for permanent allocation in the SAP.*

Planning policy officers attended the Latter Lee Horsefair event in September 2015 to consult on the Gypsy and Traveller site allocations, and there was general support for the extension of time period for the existing site. Existing residents on the site liked its location. However, they stated that improvements need to be made to the existing living environment on the site and it needs to be laid out properly as soon as possible.

9.0 MAIN ISSUES

- 9.1 Principle of use
- 9.2 Amenity
- 9.3 Highways and transportation

10.0 APPRAISAL

10.1 Principle of use

- 10.1.1 This proposal relates to a specialist housing need. The Council must provide for this need in the most sustainable way possible, taking account of the needs of the residents. Government policy favours a sustainable location, avoiding Green Belt land or open countryside, on a brownfield-first basis. The proposal is assessed against the most relevant national guidance and Core Strategy Policy H7, the following comments are made against each of the criteria:

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

The site is brownfield and within the City Centre, with good access to local shops and facilities. The site is within walking distance to the City Centre, is very close to Crown Point Retail Park, and approximately one mile to Hunslet district centre. Housing Services have confirmed that children are transported to local schools by Leeds City Council Children's Services. The applicant understands that everyone at the site is registered with a local GP.

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

Whilst the site is not adjacent to a refuse site, heavy industry or electricity pylons, the site is near to a major hazardous installation (the gasholders) and two gas pipelines and there is potential for noise nuisance from the nearby gas infrastructure. However the site is separated to the south from the gasholders by boundary treatments and an adjoining site. The pitches are separated from the pipeline infrastructure to the west by high boundary walls and mature self-seeded vegetation. The submitted noise report has indicated that noise conditions are likely to be acceptable for the proposed residential use (see amenity appraisal below). The HSE and Northern Gas Networks do not object to the development on safety grounds. The planning application is accompanied by a site investigation report, which recommends that further investigation and monitoring is undertaken to address any potential land contamination risks. Appropriate planning conditions can be attached to ensure that this is monitored and any necessary mitigation or remediation works are undertaken. Therefore, the site is on balance considered suitable for general housing use.

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

The application site lies within flood risk zone 1, meaning that it has a less than 1 in 1000 annual probability of flooding, which is considered to be a low probability, and is the designation that represents the lowest risk.

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

The application site is an urban brownfield site and identified in the draft SAP to meet an acknowledged need. In the SAP, there were 3 positive comments and 3 negative comments regarding this site.

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

No alternative deliverable sites are currently available. Tulip Street is safeguarded in the case that Kidacre Street is required for HS2, it is not presented in the draft SAP as an alternative for the whole plan period. The Council has committed to developing 25 publicly managed pitches by 2028 in the adopted Core Strategy. The current proposed development at Kidacre Street will account for 8 out of the 25 pitches in a sustainable city centre location. Given that the Kidacre Street site will

be affected by the HS2 proposals which are likely to begin before the end of the Plan period the Site Allocations Plan has identified a safeguarded site at Tulip Street to address future displaced needs. It is understood that the landowner (Leeds City Council) is currently exploring the options for locating temporary non-residential uses on the Tulip Street site so as to ensure the site remains active in the interim.

- 10.1.2 Relevant national policy guidance (Policy H paragraph 26 of the PPTS) also states that the following other matters should be considered:

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

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

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

The boundaries to Kidacre Street are existing historic boundary treatments. These boundary treatments help to mitigate noise from roads and neighbouring use, and offer privacy for residents. The site is not isolated, the area around Hunslet Road has a wide range of uses including retail, businesses and flats. The site offers easy access to local facilities at Crown Point, the City Centre and Hunslet. The proposed site layout is well planned and relatively open in nature, with each pitch laid out with space for living accommodation, an amenity block, two parking spaces and a 1m high boundary treatment around each pitches to offer some privacy, sense of ownership and safety for children playing. No specific play facilities are proposed however the site is constrained, and consists of a relatively low number of pitches. Each pitch offers some enclosed space for informal play, and this is considered on balance to be a safer environment than an illegal roadside encampment, where the residents were until 2014. The site also features mature self-seeded trees and shrubs around its edges, which would offer visual amenity and soften the existing boundary walls. The lack of specific play facilities has therefore been balanced against an otherwise well planned site which will help to provide a healthier lifestyle for the occupants.

10.2 Amenity

- 10.2.1 The provision of pre-fabricated amenity blocks including mains electricity, bathroom, kitchen and hot water facilities would be a significant improvement on the current situation at the site and would regularise the current breach of planning conditions. The applicant has confirmed that the improvements would be delivered by late 2017.
- 10.2.2 The submitted noise report states that attended measurements have shown that areas of the site immediately adjacent to Kidacre Street are currently subject to moderate levels of environmental noise during the daytime and low levels of noise during the night-time. Measurements have also indicated that whilst some industrial noise is present in the vicinity of the site, it is not significant when considering the suitability of the site for residential purposes. The new amenity blocks would feature mains electricity for appliances, showers, hot water and for connection to the pitches themselves, which means that external generators will not be required, avoiding the risk of additional noise nuisance. Officers in Environmental Protection have confirmed that they have no further comments in relation to the retention of the proposed use at this site for a further 10 years, and Environmental Studies have confirmed no objection to the retention of the pitches for a further ten years.

10.3 Highways

- 10.3.1 It is considered that the proposal would not lead to road safety and amenity issues, and the site has good access to local facilities and public transport. The proposed layout, access and parking provision are considered acceptable. No problems have arisen in terms of road safety and highway amenity since 2014.

11.0 Conclusion

- 11.1 On balance, taking into account the above detailed amenity and highway implications, the principle of the use is considered acceptable on a temporary basis. The Core Strategy Policy H7 and the National Planning Policy for Travellers Sites advise that Gypsy and Traveller accommodation should be located on land which is suitable for general housing and considered in the same manner as an application for settled housing. However, in this case the proposal would meet a complex housing need with specialist requirements, and the traditional City Centre mixed-use urban design model does not apply. Kidacre Street is an existing site with a temporary planning permission, located close to local shops and facilities. The Kidacre Street site is suitable, available and achievable to meet the needs of residents for the next ten years. This ensures that whilst the site is temporary, the identified need is met for the majority of the plan period up to 2028. Regarding the regeneration of the surrounding area, HS2 adds uncertainty on this site for any permanent redevelopment, and residential pitches are on balance an appropriate meanwhile use of the site in advance of HS2, which also meet an identified complex specialist housing need. Taking into the account the factors discussed above the application is therefore recommended for approval subject to conditions for a further ten years.

Background Papers:

Application file 16/01921/FU

Appendix 1 Draft Conditions for 16/01921/FU

Appendix 1 Draft Conditions for 16/01921/FU

- 1) The use hereby permitted shall be discontinued and all caravans, structures, equipment and materials brought onto the land in connection with the purposes of the use shall be removed on or before 29 July 2026.

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

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and proper planning.

- 3) Within 2 months of the date of this planning permission, a timetable for the implementation of the approved works shall be submitted to and approved in writing by the Local Planning Authority. The proposed works including the amenity blocks, refuse store, lighting shall be fully operational and available for use in accordance with the agreed details and timetable.

To accord with the approved plans and in the interests of residential amenity.

- 4) No works shall take place until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:
 - a) The methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
 - b) Measures to control the emissions of dust and dirt during construction;
 - c) Location of site compound and plant equipment/storage;
 - d) Location of workforce parking;
 - e) How this Statement of Construction Practice will be made publicly available by the developer.

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of amenity in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 5) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 6) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 7) Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 8) Development shall not commence until a scheme (ie drainage drawings, summary calculations and investigations) detailing the surface water and foul water drainage works has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP

- 9) Prior to the removal of any trees, shrubs or other vegetation outside the limits of the existing hardstanding as shown on the site layout drawing, details of any trees, shrubs or vegetation to be removed, and details of a mitigation scheme for their loss and timescales for implementation, have been submitted to, and approved in writing by, the Local Planning Authority. Works shall be carried out in accordance with the approved details.

In the interests of amenity and nature conservation, in accordance with adopted Leeds UDP Review (2006) policies LD1 and GP5, Leeds Core Strategy policies G1 and G9, and the National Planning Policy Framework.

- 10) The lighting facing the site entrance on Kidacre Street should be no more than 300cdm-2.

In the interests of highway safety.

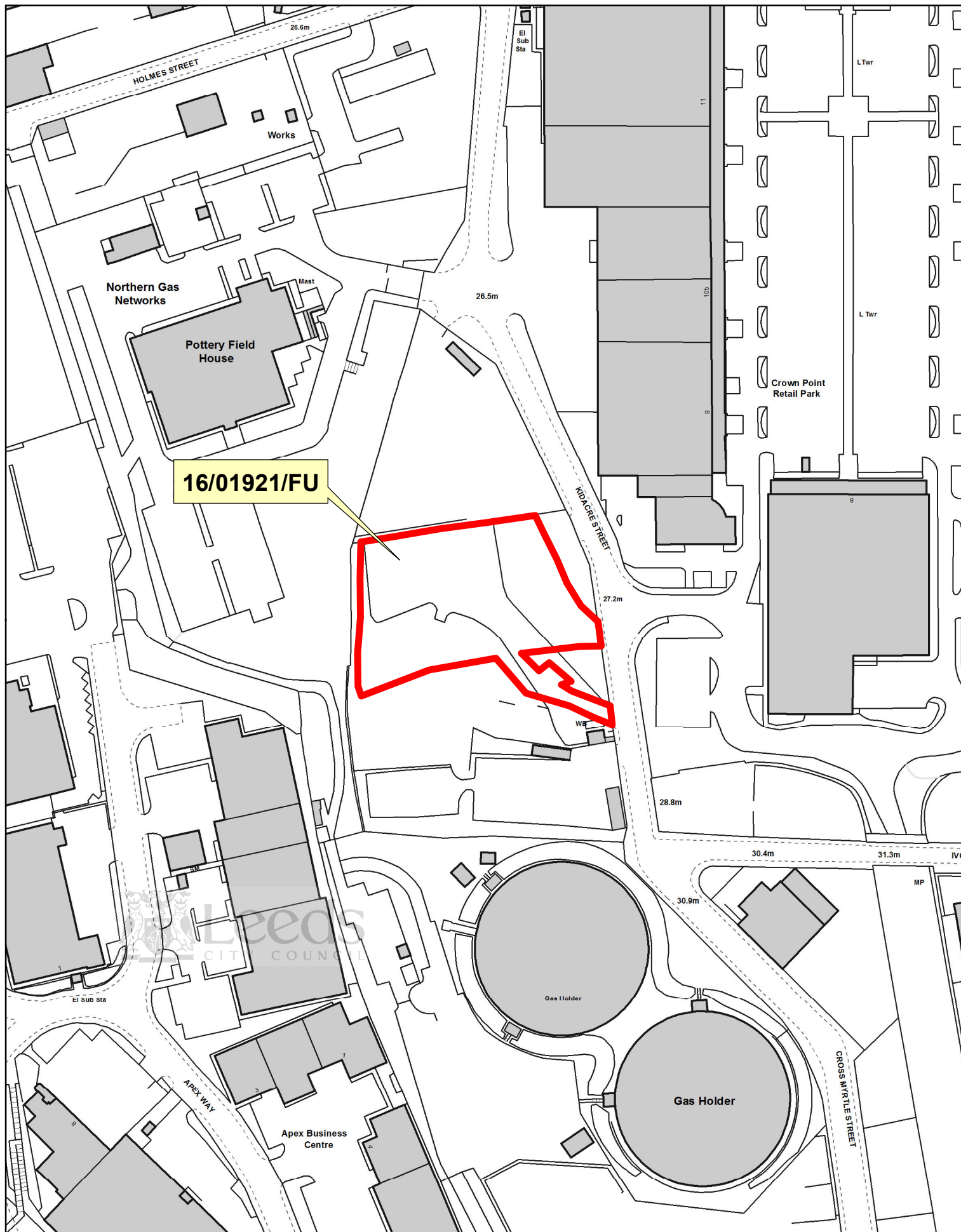
- 11) Prior to the commencement of building works, a planting plan for the proposed areas of planting shall be submitted to and approved in writing by the Local Planning Authority.

The planting scheme shall be implemented in the first available planting season after construction. The planting plan shall include:

- a. Schedule of plants noting species, planting sizes and proposed numbers/densities;
- b. Written specification to include: soil depths, cultivation and other operations associated with planting establishment;
- c. Landscape management plan, to include replacement planting of any failed planting within five years following establishment.

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations.

In the interests of landscape quality, in accordance with Leeds Core Strategy Policy P12, Leeds UDPR Policies GP5 and LD1, and the NPPF.



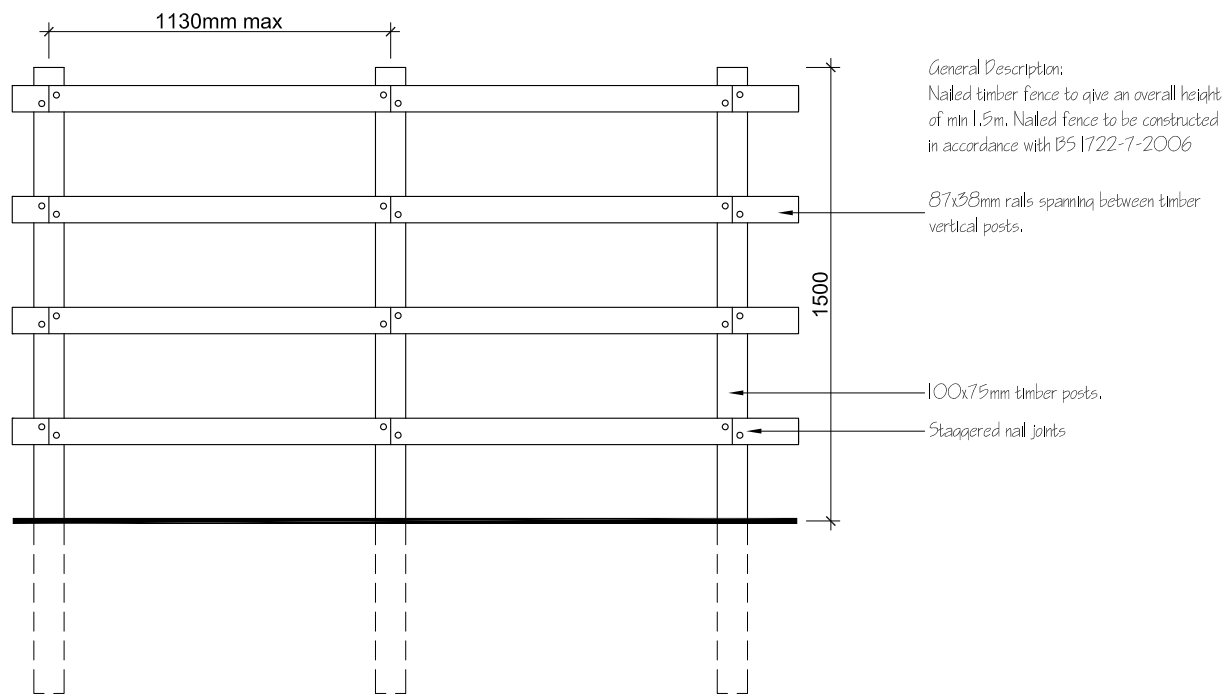
CITY PLANS PANEL

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

SCALE : 1/1500





1.5m high post and rail timber fence
Scale - 1:25

Schedule of Accommodation	
8 Pitches total	
Site Area - 0.28 hectares	0.69 acres
Density - 28 Pitches Per Hectare	
Site Area within the Inner Zone - 0.027 hectares	
General Notes	
Layout dependant upon confirmation of legal site boundary and Local Authority Highway Department approval.	
Drainage strategy subject to detailed design, subject to Phases I & II Geo-technical Survey and Drainage statement.	
Services are subject to Cat Scan. 14m easement to high pressure gas main is a no build easement. Temporary structures within this easement are only acceptable if they are not normally occupied.	
Legend:	
Existing Levels:	26.78+

Design Criteria	
Site to comply with the following design criteria subject to confirmation of the form of construction and assessment by an external accredited assessor.	
<input type="checkbox"/>	Design and Quality Standards: (NA)
<input type="checkbox"/>	Code for Sustainable Homes Level: (NA)
<input type="checkbox"/>	BREEAM Rating: (NA)
<input type="checkbox"/>	Lifetime Homes: (No)
<input type="checkbox"/>	Building For Life Minimum Score: (NA)
<input type="checkbox"/>	Secured by Design: (NA)
Revisions:	



Proposed Site Layout

Kidacre Street, Leeds

Leeds City Council

