



## Report of the Chief Planning Officer

### PLANS PANEL SOUTH AND WEST

Date: 22<sup>nd</sup> September 2016

**Subject: Application 16/03861/FU – Erection of 93 houses, new public open space, new roads including link from Throstle Road to Towcester Avenue, and associated works at Land at Towcester Avenue, Throstle Road and Thorpe Road, Middleton, LS10 4HF.**

#### APPLICANT

Keepmoat Homes Ltd

#### DATE VALID

23<sup>rd</sup> June 2016

#### TARGET DATE

22<sup>nd</sup> September 2016

#### Electoral Wards Affected:

The site is in Middleton Park Ward but adjacent to the boundary with Ardsley and Robin Hood Ward to the south.

Yes

Ward Members consulted  
(Both Wards - referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**DEFER and DELEGATE approval to the Chief Planning officer subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement within 3 months from the date of resolution, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:**

- 1. Affordable housing – 15% (14 units) on-site in accordance with Core Strategy policy H5;**
- 2. Commuted sum *in lieu* of on-site greenspace – £327,551;**
- 3. Travel plan including monitoring fee – £2500;**
- 4. Sustainable Travel Fund (to be used for the provision of Residential Metrocards) - £44,756.25;**
- 5. Local employment.**

1. Time limit – 3 years.
2. Development to be carried out in accordance with approved plans.
3. Section 106 agreement.
4. Wall and roofing materials to be submitted and approved.
5. Levels.
6. Details of traffic calming on link road from Throstle Road to Towcester Avenue to be submitted and approved, and works carried out prior to occupation.
7. Off-site highway works to replace chicanes on Towcester Avenue with speed table to be carried out prior to occupation.
8. Vehicle areas laid out prior to occupation.
9. Drive gradients.
10. Cycle parking.
11. Provision for contractors during construction.
12. Provision of electric vehicle charging points.
13. Development to be carried out in accordance with submitted sustainability statement.
14. Water efficiency – to comply with optional Building Regulations requirement of 110 litres per person per day.
15. Landscaping (including surfacing and boundary treatments).
16. Method statement for protection of retained trees during construction
17. Landscape management plan to cover maintenance of all new landscaping for the first 5 years, and the management of on-site open space and areas of landscaping not within individual plots for the lifetime of the development.
18. Submission of a remediation statement.
19. Amended remediation statement in the event of unexpected contamination.
20. Verification reports following remediation.
21. Full details of works to extend swale within greenspace to the east, including landscaping.
22. Surface water drainage scheme.
23. No building over water main within the site or its easement.

## **1.0 INTRODUCTION:**

- 1.1 This application relates to three sites in Middleton which have been identified for disposal by the Council as part of its Brownfield Land Programme, a strategic programme which seeks to secure the development of new homes in areas of the city which are more marginal from a viability perspective. As this is a key strategic regeneration project within the Middleton area, it was considered appropriate to report the scheme to Plans Panel rather than determining the application under delegated powers in this instance.
- 1.2 A position statement report was presented to South and West Plans Panel on 25<sup>th</sup> August 2016, setting out the details of the proposals and highlighting the key points for consideration as part of the application. Members expressed support for the proposals in principle, but requested additional information on a number of matters. The following specific points were discussed:
  - Concern regarding properties having adjacent front doors.
  - Concern regarding the lack of school places in the area.
  - Concern regarding the lack of proposals for bungalows when there was a demand particularly for older and disabled people.
  - With regard to the new link road, there would not be sufficient traffic or pedestrian movement to justify the inclusion of traffic signals or a crossing.
  - Ward Councillors had in general been favourable towards the proposals but had expressed some concern with regards to traffic matters.

- Support for improved road linkages across the site.
- Further design details on the proposed properties were requested.
- Support for the commuted sum for off-site greenspace and the development of brownfield land.

## 2.0 PROPOSAL

2.1 The application 'site' boundary consists of three separate parcels of land, referred to below as sites A, B and C for ease of reference, as follows:

- Site A – A large triangular area of land immediately to the west of Towcester Avenue, together with a smaller L-shaped area of adjoining land to the west, between Throstle Road and Throstle Terrace.
- Site B – A vacant area of land to the south east of the junction of Thorpe Road and Thorpe View.
- Site C – A smaller, almost triangular area of land at the eastern end of Thorpe Road.

Unless otherwise specified, any reference in the report below to the application 'site' refers to the entire development area encompassing all three of these areas of land.

- 2.2 Permission is sought for the development of 93 new 2-bedroom and 3-bedroom houses across the three sites. The majority of the new housing is proposed to be 2 storey in design, including all of the properties on sites B and C, which are smaller 'infill' areas within the existing traditional Middleton estate. However, on the eastern part of Site A, which sits alongside more recent housing on the New Forest Village development to the north and east, a small number of 2½ storey properties are proposed.
- 2.3 All of the new houses are proposed to be constructed of brick with grey tiled pitched roofs, and would be relatively simple in their design approach, with interest added to the elevations through the incorporation of features such as string courses and canopies. A number of the larger properties on Site A would have gable features to the front, and chimneys have been proposed to selected properties across all three of the sites. The houses have been designed with reference to the principles established in the Middleton Masterplan, which is incorporated into the Belle Isle and Middleton Neighbourhood Framework as a guide for housing design in the area.
- 2.4 Two off-street parking spaces are proposed to each property. With the exception of two plots which would have garages, all parking spaces would be open, surface parking areas.
- 2.5 In accordance with core strategy policy H5, 14 affordable units (15% of the total) are proposed as part of the development. These comprise eight 2-bedroom units and six 3-bedroom units, which are proposed in two groups, one on site C in the north western part of the wider site, and one group in the southern part of Site A. The developer has advised that all of the affordable units would be constructed to meet Lifetime Homes standards.

- 2.6 As part of the scheme a new road link is proposed across Site A between Throstle Road (currently a cul-de-sac) and Towcester Avenue. The inclusion of this new link reflects an aspiration in the Belle Isle and Middleton Neighbourhood Framework which seeks to enhance connectivity across the wider area. The creation of this link has also been identified as an opportunity to facilitate improved public transport connections across the Middleton and Belle Isle area in the future, and although the services themselves are not something which is proposed as part of the current application, the width and layout of the new road link have been designed to a specification which would allow its use as a bus route in the future, should the opportunity arise.
- 2.7 In the light of concerns identified through the *Neighbourhood Framework* process regarding the potential for speeding and rat running that may arise from the creation of this new link, particularly in view of the width required to allow it to serve as a bus route, it is proposed to incorporate traffic calming measures along this stretch. These would take the form of speed cushions, continuing from the existing layout of speed cushions along Throstle Road to the west of the site.
- 2.8 As part of the application, it is also proposed to remove the existing chicane features on Towcester Avenue to the south of the site boundary and replace these with a raised speed table feature. This requirement has been identified by highways and traffic officers in the light of concerns that the existing chicane currently operates close to or above capacity at present, causing congestion and queuing on Towcester Avenue at certain times. As the new development would contribute additional vehicle movements onto the local network, and in the light of the concerns regarding the existing feature, the developer has agreed to fund its replacement as part of the development.
- 2.9 At the position statement meeting, Members sought further details regarding the proposed replacement speed table feature. Discussions regarding the exact design, length, materials etc are still ongoing between the developer and highways design officers, and the final design solution would be subject to approval as part of a Section 278 agreement, but it is understood that this would be situated between the positions of the chicanes that are to be removed and would be at least 6m long, allowing its use by buses, and constructed in tarmac.
- 2.10 It is proposed to extend Throstle Terrace (currently a cul-de-sac) to create an access drive that would ultimately connect to the new link road to the north east and which would serve the new houses on the Towcester Avenue site frontage, allowing them to be served from within the site instead of taking access directly from Towcester Avenue. In the light of concerns about the potential for rat running around this new 'loop', it has been designed with a narrower width, a footway on only one side, and as an elevated, block-paved surface with ramps at both ends to differentiate it from the main through routes, and discourage its use by through traffic.
- 2.11 A new cul-de-sac is proposed from Thorpe Road into site B to provide access into the eastern part of this site, and slight alterations are proposed to the existing turning area at the end of Thorpe Road to provide access to the 5 new properties that are proposed on site C.

- 2.12 The existing public right of way (PROW) that runs north-south through the middle of the site would be unaffected by the proposals. A second PROW that currently runs east-west across the southern part of site A is proposed to be directed slightly to run along the initial stretch of the new access drive at the end of Throstle Terrace, then continuing onto Towcester Avenue via a pedestrian-only link in the south eastern corner of the site.
- 2.13 There are relatively few trees within the site, but there are greater numbers around some parts of the boundaries and a small group along the southern part of the PROW in the southern part of the site. Following pre-application discussions in which concerns were raised regarding the loss of these trees, which are considered a positive feature on a site with relatively low tree cover, the layout has been revised to allow for their retention. New tree planting is also proposed within the site, including along the Towcester Avenue site frontage.
- 2.14 As part of the drainage proposals for the site, and following discussions between the developer and the Flood Risk Management section, it is proposed to extend the existing swale within the New Forest Plantations to the east to provide surface water balancing for the development.
- 2.15 With the exception of a small area of public open space to the south of the new link road junction with Towcester Avenue at the entrance to the site, no greenspace is proposed on-site as part of the development. The developer has instead agreed to provide a commuted sum *in lieu* of on-site provision in this instance, to be used towards the improvement of existing greenspace in the area. A sum of £327,551 has been calculated based on the number of dwellings and taking account of the area of public open space that is proposed on site.
- 2.16 It is expected that the application will be supported by a legal agreement covering the following obligations:
- Affordable housing – 15% (14 units) in accordance with Core Strategy policy H5.
  - Commuted sum *in lieu* of on-site greenspace - £327,551
  - Travel Plan including monitoring fee
  - Sustainable Transport Fund of £44,756.25 – to be used for the provision of residential Metrocards.
  - Local employment.

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

- 3.1 The application relates to three parcels of land to the west of Towcester Avenue in Middleton. The largest of these, 'site A', comprises a large triangular area of land immediately to the west of Towcester Avenue, together with an adjoining L-shaped section of land between Throstle Road and Throstle Terrace further to the west. This western section sits within the traditional Middleton estate development, while the eastern part of the site sits alongside the more recently-constructed housing within the New Forest Village development to the north and east and other new housing to the south east, and adjacent to the New Forest Plantations, a large area of open space extending eastwards on the opposite side of Towcester Avenue.

- 3.2 Although the western part of site A is relatively level, with a very gradual slope downhill from west to east, the eastern part is much more uneven, with steeper slopes downhill towards Towcester Avenue and uphill towards the new housing on Waggon Lane to the north, and various dips and level changes across the site. A public right of way runs north-south through the central part of the site, and there are a number of existing trees alongside this and around the boundaries of this southern part of the site.
- 3.3 Site B, at the junction of Thorpe View and Thorpe Road, is relatively level, with trees along the southern and part of the western boundaries. It is situated within the traditional Middleton estate, with terraced and semi-detached housing typical of the area to the north, east and south, but with more recently constructed semi-detached housing to the west.
- 3.4 Site C is a smaller area of land at the end of Thorpe Road, which is relatively level with trees along its southern boundary. The site sits at the edge of the Middleton estate development, with more traditional housing to the west and south, and newer housing on the New Forest Village development on the opposite side of the public right of way to the east.
- 3.5 At present, Throstle Road, Thorpe Road and Throstle Crescent are all cul-de-sacs, and although there are pedestrian access routes across the eastern part of the site, there is no vehicular access from this part of the Middleton estate directly onto Towcester Avenue at present. Access by car or public transport to areas east of the estate, including areas such as Middleton District Centre and the Asda supermarket to the north east and Middleton Road towards the M1 and Wakefield to the south east, is therefore quite limited at present, involving travel westwards and/or northwards back through the estate to reach other connecting routes.

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

- 4.1 The stretch of Towcester Avenue adjacent to the site was laid out as a connecting route as part of the New Forest Village development to the north, and the eastern part of site A, adjacent to Towcester Avenue, was within the application site boundary for the original outline permissions for New Forest Village (22/52/01/OT and 22/182/03/FU). However, it is understood that this land was previously being considered as a site for a school and it was therefore not developed at that time. A different site has now been identified for the proposed school on the northern side of Thorpe Road, close to site B. Further details of this are provided below.
- 4.2 A pre-application enquiry relating to the proposed development was submitted in February 2016 (PREAPP/16/00082). This is discussed in more detail in section 5.0 below.

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

- 5.1 A pre-application enquiry was submitted by the developer in February 2016 for 105 houses, and meetings were held between the developer and planning, highways and design officers in March and May 2016 to discuss the proposals. The Middleton Park Ward Members were also notified of and briefed on the proposals at that time, and comments were fed back into the meetings with the developers.

- 5.2 In considering the pre-application proposals, which included the proposed new link road from Throstle Road to Towcester Avenue, highways officers identified the opportunity for this to provide a new bus route and enhance public transport connectivity across the area towards, including to the district centre and Asda supermarket to the north east. In response to this, this layout of this new 'link' section of road was revised in discussion with highways to a width and layout which would allow its use by buses in the future, should the demand and/or desire arise.
- 5.3 Concerns were also raised at pre-application stage about a number of issues including very close spacing of buildings and prevalence of vehicular parking to site frontages in some parts of the site, and about deficiencies in the size and area of garden areas across the development. In response, the plans have subsequently been revised to reduce the number of units from 105 to the 93 that are now proposed, to allow greater separation between buildings and the incorporation of more driveways to the sides of houses rather than parking spaces to the front. In addition, the garden areas to all plots would exceed the 2/3 floor area recommended in *Neighbourhoods for Living*.
- 5.4 The layout has also been revised following pre-application discussions to allow the retention of the group of trees alongside the public right of way in the southern part of the site, and to provide appropriate levels of separation between the proposed houses and other trees around the site boundaries.
- 5.5 Following the position statement report to Members in August, further clarification and information has been received from the developer in relation to certain points, including the design of the houses and the provision of Lifetime Homes properties as part of the scheme.

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

### Pre-application consultation by the developer

- 6.1 Before submitting the application, the developers met the Middleton Park Ward Members on 29<sup>th</sup> April, and held two public consultation events for Ward Members and members of the public at St George's One Stop Centre, next to Middleton district centre, one on 25<sup>th</sup> May and one on 7<sup>th</sup> July.

### Ward Members

- 6.2 The site is within Middleton Park Ward but the southern parts of the site are adjacent to the boundary with Ardsley and Robin Hood Ward. Both groups of Ward Members have been notified of the proposals and briefings have been held with most of them.
- 6.3 A briefing was held with the Middleton Park Ward Members on 8<sup>th</sup> July. The following points were discussed:
- Concerns raised by residents to the east about the new road linking Throstle Road to Towcester Avenue, and the potential for speeding, rat running and additional traffic on St George's Road and Towcester Avenue.
  - Further information was sought by Members regarding traffic calming on the new link road, and whether its junction with Towcester Avenue could be signalled with pedestrian crossings, particularly in view of the proposals currently being developed for a new school on Thorpe Road to the north.
  - The replacement of the chicane on Towcester Avenue to the south with a raised plateau feature. Members sought assurances that, if done, the plateau would be high enough to slow vehicle speeds sufficiently, and that its construction would

withstand the amount of traffic that would pass over it, as others further north had started to deteriorate.

- The potential for speeding and rat-running along the new 'loop' proposed in the eastern part of the site, connecting the new link road to the end of Throstle Terrace. Could this be a cul-de-sac instead?
- New tree planting along Throstle Road should be mature/semi-mature.
- Members were supportive of the developer providing a commuted sum towards improving existing greenspace instead of further greenspace on-site, subject to agreeing an appropriate project. Suggested schemes include improvements at Throstle Recreation Ground to the west, and tree planting along Throstle Road.

6.4 Briefings have also been held with Councillor Dunn and Councillor Renshaw from the neighbouring Ardsley and Robin Hood Ward, and a briefing note was sent by email to Councillor Mulherin. The following points have been raised in discussions and responses:

- Concerns regarding the proposed creation of a new link road from Throstle Road to Towcester Avenue and additional traffic that this would create on Towcester Avenue, which already suffers from congestion south of the site.
- Concerns regarding existing volumes of traffic within the Heritage Village to the south of the site, and impact of the proposed development on this.
- Possibility of some of the greenspace commuted sum to be used towards improvements or provision of equipment on New Forest Plantations to the east of the site.
- Lack of pedestrian crossing facilities of Towcester Avenue and on Middleton Avenue south of the site, particularly a concern as these routes are used by children walking to local schools.
- Speeding on Middleton Lane and Thorpe Lane further to the south, at the southern end of Towcester Avenue.
- Replacement of chicane with plateau feature. Ok in principle.
- Could the mini-roundabout further south on Towcester Avenue be removed?
- Concern that housing to the south might not benefit from future public transport improvements.

6.5 The Ward Members from both Middleton Park and Ardsley and Robin Hood Wards have been updated following the position statement report. Councillor Truswell (Middleton Park) reiterated the serious concerns regarding the potential traffic issues that have been raised by Members and local residents, and the need to address these concerns as fully as possible through robust traffic calming and other measures. Councillor Groves (Middleton Park) has also reiterated her concerns regarding the road in the light of other recent developments in the area. Councillor Dunn (Ardsley and Robin Hood) has advised that he still has concerns regarding the proposal for a new through road from Throstle Road to Towcester Avenue.

#### Other public response

6.6 The application was originally advertised as a major application and as affecting a public right of way by site notices, posted 8<sup>th</sup> July 2016, and by press notice in the Yorkshire Evening Post, published 1<sup>st</sup> July 2016. Changes were subsequently made to the red line site boundary to incorporate an area of land within the New Forest Plantations greenspace to the east, which is proposed to form part of the surface water balancing area for the development (as agreed by the Council's Flood Risk Management section). Replacement site notices were posted advertising the receipt of this revised plan on 5<sup>th</sup> August 2016, extending the period for public comments by a further 14 days.



6.7 To date, 38 letters of objection have been received. Many of those who have commented have advised that they don't object to the principle of new housing development on the sites, but that they have concerns about particular aspects of the proposal details, including the creation of the new link road between Throstle Road and Towcester Avenue. The following concerns have been raised:

- St George's Road and Towcester Avenue are already used as a rat run.
- Additional traffic on already crowded local road network.
- Existing problems with illegal/antisocial driving and joyriding of cars and motorcycles on Throstle Road and St George's Rd/Towcester Ave, and unlicensed motorcycles on New Forest Plantations. Opening up link will provide an extended circuit and worsen this problem and create dangers for residents.
- New link road itself would be used as a rat run – affecting those who live on it.
- Additional traffic would route along Throstle Road, which is a narrow street where children play, and is not suitable as a link.
- There should only be pedestrian and cycle access between Throstle Road and Towcester Avenue, not vehicular.
- Will proposed traffic calming measures on new bus route be sufficient to prevent speeding and rat running?
- Existing traffic calming features don't work and are deteriorating. This appears to be recognised by LCC highways in their requirement for the replacement of the chicane on Towcester Avenue.
- Towcester Ave/St George's Road dangerous to cross because of vehicle speeds.
- Visibility between the new link road junction and Towcester Avenue would be obscured when there are buses at the existing bus stop. As the link is designed as a bus route, likely this would worsen.
- No surveys of existing traffic on the roads around the development appear to have been undertaken.
- Queries regarding methodology of Transport Assessment.
- Chicane on Towcester Avenue is dangerous at present as vehicles don't wait when it's busy and risk accidents.
- Existing problems with Asda roundabout and mini roundabout at southern end of Towcester Avenue.
- Additional traffic on Thorpe Lane into Tingley, together with 170 houses already proposed there, will make Thorpe Lane/A650 junction worse.
- Adequate parking should be provided.
- Overdevelopment.
- Loss of a greenspace in a built up area. One of the areas of land is identified as designated greenspace – small area proposed is not sufficient to replace this.
- Neighbourhood Framework refers to creation of a link but this is not a statutory plan as it has not been subject to examination.
- Air quality – additional vehicles.
- More public space should be included, such as a playground or park for new and existing residents.
- Additional pressures on schools, police and GP services.
- Pressures on existing drainage system.
- Insufficient public consultation – lack of publicity, not held at suitable times, no representation from developer at 2<sup>nd</sup> event.
- Are any public amenities, such as a shop, proposed?
- What will the S106 contributions be used to fund?
- In favour of housing as the land is an eyesore and poorly maintained at present.

- 6.8 One letter of comment has been received, commenting that there is a need for housing in the area and that the parking seems reasonable and the plans well thought out, but raising concerns about additional traffic on Towcester Avenue/St George's Road, the impact on local schools and GPs, and drainage.
- 6.9 Two letters of support have been received from residents within the original Middleton estate, raising the following points:
- The merging of the old and new estates will be of great benefit to the community, and the opening up of the road will provide another access route through the estates.
  - Proposals will improve the area – nothing has been done with these plots since the former housing was demolished and some suffer from fly tipping.
  - Proposals seem to be in keeping with the character of the area, but seem to be quite closely-spaced in some areas.
  - The new link road won't become a rat run, especially if traffic-calming measures are installed, don't think the link road will increase traffic up St George's Road, but might divert some traffic from Middleton Park Avenue to the new link road, with the knock-on effect of making getting to Middleton Primary school safer.
  - Public right of way diversion will make it more usable. Some improvements to other sections of the public right of way would be welcomed.

## 7.0 CONSULTATION RESPONSES:

### Statutory

#### Coal Authority

- 7.1 No objection.

### Non-statutory

#### Highways

- 7.2 The proposed link road between Throstle Road and Towcester Avenue is considered acceptable. Following the receipt of revised plans addressing a number of comments regarding the site layout, no objections subject to conditions.

#### Contaminated Land

- 7.3 No objections, subject to conditions.

#### Police Architectural Liaison Officer (ALO)

- 7.4 The area has experienced higher than average recorded crime figures, with burglary and vehicle crime the two most recorded. Having reviewed the plans the layout looks good from a crime prevention point of view. The following recommendations are made:

- In view of the level of calls received by the police and the Council in relation to speeding and parking complaints, adequate visitor parking and traffic calming measures are recommended.
- Alley ways and ginnels should be avoided.
- Rear boundaries should be secure with appropriate boundary treatments, particularly where these adjoin public rights of way.
- Advice is provided in relation to locks, boundary treatments, alarm systems and boundary treatments.

7.5 In the light of the concerns raised by residents in relation to joyriding and antisocial driving of motorcycles in the area and the potential implications of the proposed new access link in this respect, further advice has been sought from the ALO on this matter. Having reviewed the crime statistics for the area in the vicinity of the site and the new link road, he has advised that the number of reported incidents of antisocial behaviour and vehicle-related crime over the last 18 months is very low based on the population density of the area. It is acknowledged that there may be some degree of under-reporting, however having considered the proposals in the light of the information available, the ALO has not raised significant concerns regarding the implications of the proposals in this respect.

Flood Risk Management

7.6 No objection, subject to conditions.

Yorkshire Water

7.7 No objections subject to conditions.

Public Rights of Way

7.8 A minor diversion order is required in relation to the footpath in the southern part of the site. The developer is aware of this.

Travelwise

7.9 Comments were provided in relation to the originally-submitted travel plan, and a revised travel plan has now been submitted which seeks to address these. This is currently under consideration and, once finalised, will be incorporated into the legal agreement for the application.

West Yorkshire Combined Authority

7.10 It is recommended that the developer contributes towards sustainable travel incentives to encourage the use of public transport and other sustainable travel modes through a sustainable travel fund. The fund could be used to purchase discounted MetroCards for all or part of the site. Other uses could include personalised travel planning, car club use, cycle purchase schemes, car sharing promotion, walking/cycling promotion and or further infrastructure enhancements. The contribution appropriate for this development would be £44,756.25. [The developer has agreed this contribution, and that they wish to use the sum to provide MetroCards in this instance. A separate obligation to this effect is proposed to form part of the legal agreement].

**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 western part of site A is included in the UDP housing allocation for the Sharp Lane (now New Forest Village) development to the north. The remainder of site A, and sites B and C, are unallocated in the development plan.

**Relevant Policies from the Core Strategy are:**

GENERAL POLICY – Presumption in favour of sustainable development  
SP1 – Location of development in main urban areas on previously developed land.  
H2 – Housing development on non-allocated sites.  
H3 – Housing density  
H4 – Housing mix  
H5 – Affordable housing  
H8 – Provision for independent living on schemes of 50+ units  
P10 – High quality design.  
P12 – Good landscaping.  
T2 – Accessibility.  
G4 – Greenspace  
G8 – Biodiversity improvements.  
EN1 – Carbon dioxide reduction in developments of 10 houses or more, or 1000 m<sup>2</sup> of floorspace  
EN2 – Achievement of Code Level 4, or BREEAM Excellent (in 2013) for developments of 10 houses or more or 1000 m<sup>2</sup> of floorspace.  
EN5 – Managing flood risk.  
EN7 – Protection of mineral resources (coal, sand, gravel).  
ID2 – Planning obligations and developer contributions.

**Relevant Saved Policies from the UDP are:**

GP5 – General planning considerations  
N23 – Incidental open space around development.  
N25 – Landscaping  
BD5 – General amenity issues.  
LD1 – Landscaping

**Relevant DPD Policies are:**

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

- 8.4 Leeds' draft Site Allocations Plan (SAP), was subject to public consultation in autumn 2015. The Council is currently in the process of reviewing responses received from the consultation process and some revisions have been made in the light of these. The draft SAP is material to the consideration of the application, however as 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.
- 8.5 Site B was proposed as a housing allocation in the publication draft that was subject to public consultation last autumn. At that time, the western part of site A was proposed as an area of new greenspace, as has been noted by a local resident in their comments on the current application. However, since the SAP consultation, some sites have been reviewed to correspond with proposals in the Belle Isle and Middleton Neighbourhood Framework (NF). The NF was the subject of separate

consultation locally at the time of its formulation, and is intended to provide a strategic approach to the development and regeneration of the whole area, taking account of the need for supporting infrastructure such as greenspace alongside new housing development. Having considered the balance of housing and greenspace in the area, the NF does not include this site as being required for greenspace, and instead identifies it as a new housing site. The draft SAP proposals have subsequently been revised, and the whole of Site A is now proposed to be included as a housing allocation.

- 8.6 Site C is not proposed as a housing allocation in the draft SAP, and is proposed to remain unallocated.

#### Supplementary Planning Guidance and Documents

- 8.7 The following SPGs and SPDs are relevant:

SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds  
Street Design Guide SPD  
Parking SPD  
Travel Plans SPD  
Sustainable Construction SPD

- 8.8 Belle Isle and Middleton Neighbourhood Framework (NF) and Middleton Masterplan  
The Framework was adopted in September 2013 following 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, including the Middleton Masterplan, which is now incorporated within the Framework. The NF 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.

- 8.9 As well as site-specific aspirations for these sites, the NF 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.
- 8.10 Whilst not an adopted SPD, the NF is nonetheless a material planning consideration in the determination of applications within this area.

#### 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.

### 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. Highway safety and access
3. Design, layout and landscaping
4. Residential amenity
5. Greenspace
6. Sustainability
7. Education and GP provision
8. Drainage
9. Planning obligations and legal agreement
10. CIL
11. Other issues

## **10.0 APPRAISAL**

### Principle of development

- 10.1 Although all of the sites are now vacant, sites B and C and the western part of site A have previously been occupied by housing, and all have been identified as sites for new housing development in the Neighbourhood Framework. Sites A and B have subsequently been identified as housing sites in the draft SAP. Whilst site C is not specifically identified as a housing allocation in the SAP, it is a small area of previously-developed land within an existing residential area.
- 10.2 As the sites are not currently allocated, policy H2 applies, however the intention to allocate the sites in the draft SAP carries some weight, and it is noted that the sites have been defined as part of a wider framework which seeks to support new housing with the provision of supporting infrastructure. A number of the sites have also previously been occupied by housing. Matters relating to education and health provision are discussed further below, and, whilst there are some deficiencies in connectivity across the area at present, it is anticipated that the creation of a road link between Throstle Terrace and Towcester Avenue as proposed would provide some improvement in this respect, particularly as this would also be designed to allow its use as a bus route in the future. In the light of the above, and subject to detailed consideration of relevant material planning considerations, including design and highway safety, which are discussed further below, it is considered on that the principle of residential development is acceptable.
- 10.3 The density of the proposed development, at around 35 dwellings per hectare, would be slightly below the recommended levels in policy H3. However, as discussed in more detail below, the layout is considered to reflect the character and

pattern of the surrounding area and to provide appropriate levels of amenity for future residents, and in the light of this, is considered acceptable in this respect.

- 10.4 The housing mix is in accordance with the ranges recommended in the core strategy in accordance with policy H4. No flats are proposed, however in view of the scale of the development and the character of the area, the proposals are considered acceptable in this respect in this instance.
- 10.5 Core strategy policy H8 requires developments of 50+ dwellings to include provision for independent living. In this case, this provision is proposed in the form of the 14 affordable units, all of which would be built to meet Lifetime Homes standards. The standards are widely recognised, and define a series of 16 design criteria that can be applied to new-build houses to allow them to be more easily adapted to support the changing needs of individuals and families at different stages of their lives. They include level parking and entrance areas, the incorporation of a ground floor room that could be adapted to a bedroom, and designing internal layouts to allow for the addition of a stairlift or through-floor lift in the future if necessary.
- 10.6 There was some discussion at the previous Panel meeting regarding the possibility of including bungalows as part of the scheme, and further information has subsequently been sought from Housing in relation to the demand for bungalows in the area. As the housing waiting list only includes details of an applicant’s age and bedroom entitlement, not the type of property that they would like, the level of demand is difficult to quantify precisely. However, Housing have provided information in relation to the average numbers of bids that have been received for various types of houses when they have become available over the last 24 months.
- 10.7 The table below compares the numbers of bids received for 1-bed bungalows and sheltered bungalows in Middleton with those received for 2-bedroom and 3-bedroom houses (the house types proposed as part of the current application) over this 24 month period. City-wide averages are also included for comparison. As this information does not cover private sector demand, and it only refers to 1-bedroom bungalows and not larger properties that may be provided privately, it should be noted that some caution may be needed in interpreting and applying these results across the wider housing market.

|           | 1 Bed Bungalow | Sheltered 1 Bed Bungalow | 2 Bed House | 3 Bed House | Average (all house types) |
|-----------|----------------|--------------------------|-------------|-------------|---------------------------|
| Middleton | 53.75          | 42.56                    | 124.45      | 91.25       | 83.72                     |
| City Avge | 65.52          | 41.06                    | 107.18      | 85.27       | 62.30                     |

**Table 1:** Bids received by house type, last 24 months.

- 10.8 Whilst Members’ comments regarding the provision of bungalows are acknowledged, and whilst the information in the table above does not capture the full extent of the local housing market and is included for information only, it does appear to show that there is also considerable demand for 2-bedroom and 3-bedroom houses when these become available. It is also noted that policy H8 is not prescriptive about the form that ‘independent living’ provision should take. In this instance 15% of the units would be designed to meet the Lifetime Homes standards, providing the opportunity for their adaptation in the future and allowing residents to continue living independently in their homes as they grow older, or if their mobility needs change over time. It is therefore considered that the proposal to provide the H8 requirements in the form of 14 ‘Lifetime Homes’ is acceptable, and it is not

considered that a refusal of the application on the grounds that no bungalows are proposed could be justified.

#### Highway safety and access

- 10.9 The NF recognises the benefits of existing pedestrian and cycle links across the area, and that services from the area to the city centre are generally quite regular, but identifies a number of existing deficiencies in connectivity that present a constraint to its development and regeneration, including the lack of public transport connections across the area itself, and the need to improve and provide new pedestrian and cycle routes and other links across the area. Opportunities for enhancements 'to ensure that the area is better connected for all residents' are identified as a key priority in the NF.
- 10.10 The NF identifies that 'integration between New Forest Village and the original Middleton estate is poor', and that 'this is in part due to poor pedestrian connections and no direct road link [between the two areas]' As a solution, the NF advises that 'to improve movement across the area, connections should be created between Towcester Avenue and Throstle Road,' ensuring that the design of any such connection was 'carefully considered to ensure that rat running is not encouraged.' Speeding was also identified as a possible concern to be taken into account when considering new and existing routes through the area.
- 10.11 As the application site bridges the gap between the two routes referred to in this section of the NF, and spans both the traditional estate and the more recent New Forest Village development, the current application site provides the opportunity to make this connection as a means of providing greater integration between these two areas of Middleton. This has been reflected in the design of the application scheme, which incorporates a through road connection between Throstle Road and Towcester Avenue.
- 10.12 The creation of this new link road has also been identified as an opportunity to provide a new bus route in the future, reflecting the aspiration to enhance public transport services across the area, and the width and specification of the road have been designed to allow for this. In the light of the concerns raised in the NF regarding rat running and speeding, discussions are ongoing with traffic about the most appropriate means of providing traffic calming along this new stretch of road in order to discourage such activities.
- 10.13 Concerns have been raised by residents to the east of the application site regarding the potential for this new connection to increase traffic on Towcester Avenue and St George's Road, with particular reference to congestion at certain points to the north and south of the site at particular times.
- 10.14 A transport assessment considering the existing situation and the likely implications of the proposals (including the new road link) for the local highway network has been submitted by the developer. Having reviewed this and consulted with Traffic officers, Highways have advised that the proposed development would not be likely to generate a significant increase in the overall number of trips across the wider local network, but would instead result in a redistribution of local trips by providing an alternative route through the area.
- 10.15 The overall development of 90 dwellings is spread across 3 sites, with only 52 dwellings in the immediate vicinity of the new road. It is recognised that the opening up of the link road would provide a connection to the south eastern end of the Middleton Estate and this will lead to some additional traffic from the estate using



the link and then Towcester Ave (e.g. to reach the nearby district centre). However, there would likely be an equivalent reduction of traffic movements elsewhere within the estate, thus the effect of the link would be largely neutral in terms of overall traffic flows in the locality.

- 10.16 At present, residents wishing to travel from Throstle Road and Terrace in the south eastern part of the original Middleton estate must travel westwards or northwards through the estate before reaching connecting roads to take them back east or south east. Although improvements have been made to the roads within the estate over the years, their width and layout reflects the age of the estate and they can be narrow, and on-street parking can compromise their navigability in some places.
- 10.17 In contrast, Towcester Avenue/St George's Road was constructed more recently as part of the newer housing development to the east, and was specifically designed as a through route intended to carry traffic higher volumes of traffic through the area. By opening up a connection from the original estate onto this wider route, the proposals would not only provide a more direct connection between the original estate and the modern housing, and which is identified as a priority in the NF as a means of better integrating the two areas, but would also provide an alternative route between the original estate and local amenities further afield, helping to reduce the number of vehicles on the more narrow routes within the estate.
- 10.18 It is considered that the creation of the new link road as proposed would provide considerable regeneration benefits, including an opportunity for greater integration between the original Middleton estate and New Forest Village, which is limited at present, and the opportunity to facilitate public transport connectivity across the area in the future. As discussed above, it is not considered that the scale of the proposed development and the creation of the new link would have significant implications in terms of additional traffic on the wider network, and in the light of this and the regeneration benefits that this would provide, the creation of the new link road is considered acceptable.
- 10.19 No specific concerns regarding the principle of the link road were raised by Members at the position statement stage, but in the light of the concerns raised locally, further details were sought regarding the traffic calming measures that are proposed as part of the development.
- 10.20 Traffic officers have raised concerns regarding the operation of the existing chicanes on Towcester Avenue, and advised that these currently cause significant queues at peak periods with the result that some drivers become impatient and "push" against the priority flow. Furthermore, at quieter times there can actually be issues of drivers speeding on the approach, particularly if other vehicles at the opposing end are also observed to be approaching. Although highways consider that Towcester Avenue has the capacity to accommodate the proposed development, they have advised that in view of the existing concerns regarding this feature, this should be removed and replaced with a speed table/platform feature at the developer's expense, which has been agreed by the developer. This is considered to be a more appropriate feature which would still slow vehicle speeds along this stretch, but which would allow for the two-way passing of vehicles and thus the more effective flow of traffic to continue.
- 10.21 The exact details of the new speed table are still to be finalised and are still the subject of discussions between the developer and highways officers. However, it has been agreed with highways that this would be positioned in the area between where the existing chicane features are located at present, and would be at least 6m

long, consistent with the general requirements for traffic calming features on bus routes. A condition is recommended as part of the decision requiring details of the final design of the speed table to be submitted and approved, and requiring the chicanes to be removed and the replacement speed table to be installed prior to the occupation of the new houses.

- 10.22 There is existing traffic calming on Throstle Road to the west of the site in the form of speed cushions. In response to concerns regarding the potential for speeding and rat running along the new stretch of road between Throstle Road and Towcester Avenue, it is proposed to continue this existing traffic calming provision with the inclusion of two further sets of speed cushions on the new link road. The exact position of the speed cushions on this stretch is still to be finalised, and a condition is recommended as part of the decision requiring the final details to be submitted and approved, and the agreed traffic calming features to be installed prior to occupation of the houses.
- 10.23 The Middleton Park Ward Members have asked about the possibility of signalling the junction of the new link road onto Towcester Avenue, and referred to the potential need for this, and for crossings, in association with the proposed development of a new school further to the north of the application site.
- 10.24 The potential for a new school to be developed to the north is recognised, however an application for any such development would need to be determined on its own merits and based on an analysis of the likely catchment and mode of travel to the facility. If it was determined, on the basis of such an analysis, that further improvements were required at that stage, it would be expected that the school developer would fund the necessary improvements to assist safe travel to the site as part of their proposals.
- 10.25 Similarly, it is necessary to determine the current application based on the current proposals and on its own merits. Highways have advised that the requirement for the signalisation of this junction would be disproportionate for the relatively small level of development proposed as part of this application. Although, the creation of the link to the Middleton estate would lead to some additional traffic from the wider estate (beyond the application site) using the link and Towcester Avenue (e.g. to reach the district centre), it is likely that this would result in an equivalent reduction in traffic movements elsewhere within the estate. It is considered that the link would have only a localised impact and is unlikely to result in the significant diversion of other traffic along this stretch. It is therefore not considered that a requirement for signalisation could be justified.
- 10.26 Ward Members have also asked about the possibility of additional traffic calming features and crossing points on Towcester Avenue/St George's Road, and have also raised concerns regarding speeding on Middleton Road, at the southern end of Towcester Avenue. There are currently a range of traffic calming features along Towcester Avenue, including mini roundabouts, junction plateaux, speed tables, speed cushions, and the chicanes referred to above. In the immediate vicinity of the site there is a plateau on Towcester Ave just to the north (at the junction with Oak Drive), a pair of speed cushions (just south of The Laurels) and a speed table where a footpath crosses Towcester Avenue (at the southern end of the site). As noted above, traffic officers consider the replacement of the chicanes further to the south to be the highest priority, and these works are to be carried out as part of the development, at the developer's expense. In the light of this and taking into account the presence of these other existing features, it is not considered that a requirement

for additional measures could reasonably be justified on the basis of a development of the scale proposed.

- 10.27 Traffic officers have advised that there is no record of any existing operational issues at the mini roundabout junction at the southern end of Towcester Avenue, and in the light of this and its distance from the site, it is not considered that there is any justification for the removal of this roundabout feature.
- 10.28 Concerns have been raised about the lack of pedestrian crossing facilities on Towcester Avenue south of the site, and further afield on Middleton Avenue. There is an existing speed table south of the site (where an existing footpath crosses the carriageway) and the replacement of the chicane system with a further speed table would provide an additional feature to assist pedestrians to safely cross the carriageway. Given the relatively small scale of the development, it would be difficult to justify asking for further improvements (particularly further afield) as the actual increase in pedestrian trips attributable to the development in the locality would be minimal.
- 10.29 In terms of the layout of the routes within the site itself, following the receipt of revised plans addressing earlier comments, the highways officer has now confirmed that the proposals are acceptable in this respect.
- 10.30 The Ward Members have raised concerns about the new stretch of road serving the properties on the eastern site frontage being proposed as a through route (creating a 'loop' within this part of the site between Throstle Terrace and the new link road), , and the potential for this to be used as a rat run. Guidance in both *Neighbourhoods for Living* and the *Street Design Guide* advises against the creation of long cul-de-sacs, and through-routes would generally be preferred in the interests of better connectivity through estates for residents.
- 10.31 It is noted that there are other existing routes through this part of the estate, and that the proposed new route would not provide a more direct connection than presently exists elsewhere. In addition, as this stretch would only serve 16 houses, it has been designed as a lower category road, with block paving and a single-sided footway to differentiate between it and the wider, tarmac-surfaced, routes through the estate and delineate it as a secondary route, thereby discouraging its use by those seeking a through route. It would also have sharp bends at either end and would be a raised section of carriageway, with ramps at the two points of transition between this route and the main roads to the north and west, slowing the speeds at which vehicles could travel and thereby further discouraging rat running and speeding along this stretch. In the light of this, it is considered that the likelihood of this stretch being used as a rat run is low, and that the proposals are acceptable in this respect.
- 10.32 A travel plan has been submitted as part of the application and revised following comments from the Travelwise team. As part of this, the creation of a Sustainable Transport Fund of £44,756.25 has been requested. This is based on the cost of providing Metrocards for future residents, however the developer may still choose to spend the fund on the provision of these if they wish, subject to agreement with the Travelwise team. In this instance, the developer has confirmed that they wish to use the fund to provide Metrocards, and an obligation to this effect is therefore to be included in the legal agreement for the development, together with the Travel Plan, once agreed, and the monitoring fee of £2500.

10.33 Concerns regarding air quality in relation to the additional traffic arising from the development are noted. The site is not in within an air quality management or concern area, and in view of the scale of the development, it is not anticipated that it would have significant implications in this respect. As noted above, a travel plan has been submitted, identifying measures to discourage private car use and promote alternative forms of transport. In addition, in accordance with Development Plan policies in relation to air quality and the Parking SPD, a condition is recommended requiring the provision of an electric vehicle charging point to each dwelling.

#### Design and landscaping

10.34 The layout of the development has been revised and the number of units have been reduced following pre-application discussions to address concerns relating to garden sizes and the spacing of buildings and to reduce car parking to building frontages. It is considered that the revised layout that has now been submitted would provide a scale and form of development that would positively reflect the character and pattern of the wider area and the principles in *Neighbourhoods for Living*. Most houses would be semi-detached, with drives to the side providing greater separation between buildings and the opportunity to minimise the impact of vehicular parking within the streetscenes. Although frontage parking is proposed in some areas, this is minimised and it is considered that an acceptable balance is achieved in this respect. The layout is also considered to provide appropriate separation between the new housing and boundaries with existing housing.

10.35 In terms of housing design, the Middleton Masterplan was published in 2009 and has now been encompassed within the Belle Isle and Middleton Neighbourhood Framework. The Masterplan recognises and identifies the key aspects of the original 'Middleton Garden Suburb's' distinct character, including wide streets with pavements and verges, tree planting, front gardens to properties to provide relief and semi-private space, a simple palette of materials (brick with slate roofs), and simple, clear design elements. Taking its lead from these existing characteristics, the Masterplan provides a concept and overview for the design of new housing in the area that would to ensure that it respects and reflects this character, but is also distinct from it as a more modern addition to the estate, contributing to its character 'in a clearly separate but harmonious manner.' This includes some examples of 'house types' establishing the basic design principles, which could then be adapted to incorporate additional features such as gables, canopies or bay windows to provide visual variety and suit the internal layouts of the houses.

10.36 In terms of their external appearance and detailing, the houses have been designed to incorporate the design principles identified within the Middleton Masterplan, including brick walls with a string course at the sill level of the first floor windows and brick heads and sills, with adaptations and the incorporation of additional features in different configurations to different house types to provide variety as anticipated in the Masterplan, including canopies, gables, bay windows and chimneys. In so doing, it is considered that the proposed development would achieve the aims set out in the Masterplan, providing a modern iteration of the more traditional estate housing that would contribute positively to the ongoing development of the area.

10.37 Reflecting the principles identified in the Masterplan and the aspiration in the NF for additional tree planting and the creation of tree-lined street frontages, the scheme has been designed to allow the retention of existing trees within the site and around the boundaries, and to incorporate new planting within the new streetscenes, including along the curve of the Towcester Avenue site frontage. The wide verge along the southern side of Throstle Road, identified as a positive characteristic of the area, is proposed to be continued as part of the new development, with the

housing only stepping forward at the point of transition between this existing route and the proposed new link road. Elsewhere across the site, properties are generally set back from street frontages to provide semi-private front garden areas, with opportunities for the planting of smaller trees identified where possible.

Residential amenity

10.38 The garden areas to all properties would exceed the 2/3 floor area recommended in *Neighbourhoods for Living*, and it is considered that appropriate levels of separation are proposed between properties within the development, and between the new housing and existing houses around the site. As such, it is considered that the proposed development would provide an appropriate level of amenity for future residents and would not have significant implications for the amenities of neighbouring residents in terms of overlooking, overshadowing or overdominance.

10.39 In terms of the Nationally Described Space Standards, 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 | % of units | Type of property | Proposed floor area (m <sup>2</sup> ) | NDSS (m <sup>2</sup> ) | Difference (m <sup>2</sup> ) |
|------------------------|--------------|------------|------------------|---------------------------------------|------------------------|------------------------------|
| 651                    | 20           | 21.5       | 2b3p<br>2 storey | 60.5                                  | 70                     | -9.5                         |
| 752                    | 2            | 2          | 3b4p<br>2 storey | 69.9                                  | 84                     | -14.1                        |
| 764                    | 20           | 21.5       | 3b4p<br>2 storey | 71                                    | 84                     | -13                          |
| 832                    | 12           | 13         | 3b4p<br>2 storey | 77.3                                  | 84                     | -6.7                         |
| 857                    | 5            | 5          | 3b4p<br>2 storey | 79.6                                  | 84                     | -4.4                         |
| 867                    | 5            | 5          | 3b4p<br>2 storey | 80.5                                  | 84                     | -3.5                         |
| 1054                   | 7            | 7.5        | 3b4p<br>3 storey | 97.9                                  | 90                     | +7.9                         |
| 1075                   | 8            | 9          | 3b4p<br>3 storey | 99.8                                  | 90                     | +9.8                         |
| DQS740<br>(affordable) | 8            | 9          | 2b3p<br>2 storey | 68.7                                  | 70                     | -1.3                         |
| DQS953<br>(affordable) | 6            | 6.5        | 3b4p<br>2 storey | 88.5                                  | 84                     | +4.5                         |

**Table 2:** House types and floor areas compared to NDSS

10.40 All of the proposed houses would exceed or be within 15m<sup>2</sup> of the relevant NDSS requirement for their size, and just over ¾ of them would exceed or be within 10m<sup>2</sup>. Almost a quarter of the houses would exceed the requirements. Of the affordable units, the six 3-bedroom properties would exceed the NDSS while the eight 2-bedroom houses would be only 1.3m<sup>2</sup> below, and all of the affordable units would be larger than the equivalent market units within the scheme. As noted above, all of the affordable properties would also be built to Lifetime Homes standards.

10.41 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. All of the houses would all have good levels of separation, outlook and

external amenity space. In the light of the above, 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.

- 10.42 During the position statement discussion, some concern was raised about semi-detached houses being designed with front-doors next to one another, and the potential for tensions between neighbours as a result. Around 80% of the proposed houses are laid out in this way.
- 10.43 The concerns raised have been referred to and considered by the developer, however they have asked for the proposals to be determined as originally submitted in this respect. In support of their request to do so, they have advised that all of their houses are robustly soundproofed, and that the houses have been laid out in the way that they have to allow for the rooms which are more often used (i.e. living/dining rooms) to be on the outside wall, allowing for the possibility of additional windows to be incorporated in the side elevations of these rooms and provide additional natural light to these habitable spaces, instead of having halls and landings on the external walls where residents would benefit less from the potential for additional light sources to these areas. The laying out of semi-detached properties as proposed is not uncommon, and in the light of the enhanced amenity for residents that is created by the opportunity of providing additional side windows to habitable areas, it is considered that the proposals are acceptable, and that refusal of the application on these grounds could not be justified.

#### Greenspace

- 10.44 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.
- 10.45 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.*
- 10.46 A small area of public open space is proposed at the entrance to the site on Towcester Avenue, however in this instance it is proposed to provide the remainder of the greenspace requirement via the provision of a proportionate sum towards the provision or enhancement of greenspace within the locality. Based on the scale and nature of the development, a commuted sum of £327,551 was calculated, and the developer's agreement to this sum is currently being awaited.
- 10.47 On balance, this approach has been supported in discussions regarding the proposals. A number of the sites have been occupied by housing previously and, as identified in the Neighbourhood Framework, it is noted that there are other areas of greenspace in the vicinity of the site which would benefit significantly from

investment. This has been discussed with both groups of Ward Members, who have generally supported this approach in principle, and a number of possible opportunities for sites where this contribution might be used to provide improvements and/or new facilities have been identified, in discussion with the Members and with colleagues in Parks and Countryside. These may include new tree planting further to the west of the site along the verges of Throstle Road and/or improvements at Throstle Recreation Ground on Throstle Road and on the New Forest Plantations to the east of the site.

- 10.48 At position statement stage, Members expressed support for the proposal to provide a commuted sum *in lieu* of on-site provision in this instance.

#### Sustainability

- 10.49 A sustainability statement has been submitted as part of the application confirming that the proposed development would exceed the Optional Building Regulations water efficiency standard of 110 litres per person per day (l/p/d) (as opposed to the standard Building Regulations requirement of 125l/p/d), and would include roof-mounted PV panels to achieve on-site low carbon energy targets and achieve a 20% reduction in CO<sub>2</sub> beyond Building Regulations, in accordance with Core Strategy policies. Conditions covering these matters are recommended.

#### Education and GP provision

- 10.50 Concerns have been raised regarding the implications of the proposed development for education provision. As part of the strategic framework for the wider area, there are plans to provide a new primary school facility on Acre Mount to the north of the site which, it is understood, has recently secured funding approval from the Government, and is likely to be progressing in the relatively near future. Further information on education provision in the area has been sought and an update will be provided to Members in this respect at the Panel meeting.

- 10.51 It is also noted that contributions towards primary and secondary education provision are incorporated into the Community Infrastructure Levy (CIL) which would be paid by the developer as discussed in more detail below.

- 10.52 Concerns have also been raised about the capacity of GP surgeries in the area and the potential implications of the proposed development in this respect, and the Public Health section and the NHS Clinical Commissioning Group (CCG) for the area have been contacted in this respect. The CCG have confirmed that the two GP surgeries closest to the site, Middleton Park and Lingwell Croft, are both fully functioning and currently have open lists, and that there is existing provision for practices to receive additional resources to support workforce increases if their lists increase above a certain threshold. In the light of this, it is considered that the proposals are acceptable in this respect and it is not considered that refusal on these grounds could be justified.

#### Drainage

- 10.53 As part of the drainage solution for the site, it is proposed to extend the existing swale within the New Forest Plantations greenspace to the east to provide balancing of surface water via a sustainable drainage solution (SUDs). The Flood Risk Management officer has confirmed that this is acceptable and that they support the proposals on this basis, subject to conditions.

#### Planning obligations and legal agreement

- 10.54 It is intended that the application will be supported by a legal agreement to cover the following matters:

- Affordable housing – 15% (14 units) on-site;
- Commuted sum *in lieu* of on-site greenspace – £327,551;
- Travel plan including monitoring fee – £2500;
- Sustainable Travel Fund (to be used for the provision of Residential Metrocards) - £44,756.25;
- Local employment.

10.55 The obligations above have been identified and, in the case of contributions, calculated in accordance with development plan policies and supporting guidance, and as such are considered to meet the statutory tests for planning obligations in that they are:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development.

#### CIL

10.56 The site is within CIL zone 2a (£23/m<sup>2</sup>). Based on the floorspace currently proposed and discounting the affordable units, which would be eligible for CIL relief (subject to the submission of the appropriate documentation), the CIL requirement for the development would be £137,577.

#### Crime prevention

10.57 The police architectural liaison officer (ALO) has been consulted on the proposals and has advised that the layout is considered acceptable from a crime prevention perspective. A number of suggestions have been made in relation to the design of various aspects of the houses themselves, boundary treatments etc, and these have been drawn to the developer's attention.

10.58 A number of local residents have raised concerns regarding joyriding and antisocial driving of cars and motorcycles locally, and the potential for these to worsen with the creation of the new link road. In the light of these concerns, further advice has been sought from the ALO. Having reviewed the crime statistics for the area in the vicinity of the site and the new link road, he has advised that the number of reported incidents of antisocial behaviour and vehicle-related crime over the last 18 months is very low based on the population density of the area. It is acknowledged that there may be some degree of under-reporting, however having considered the proposals in the light of the information available, the ALO has not raised significant concerns regarding the implications of the proposals in this respect.

#### Other issues

10.59 Some residents have raised concerns that insufficient public consultation was carried out prior to the submission of the application. The developer has confirmed that that two community engagement events were held at pre-application stage, to which Ward Members were also invited, both at the St George's One Stop Centre on St George's Road, near the district centre. The first event in May was an afternoon public drop-in session advertised on social media, in the press, and on posters displayed on the local shopping parade, bus shelters close to the site, and the local leisure centre. Following feedback from the initial event, including requests for the session to run later into the evening, a further drop in session was held in early July from 4-7pm.



## **11.0 CONCLUSION**

- 11.1 It is considered that the proposed development would have considerable regeneration benefits in bringing vacant sites into use for the provision of new private and affordable housing, enhancing connectivity across the wider area, and investment in local greenspace. The details are considered acceptable, and it is considered that the proposals would be appropriately designed and provide high levels of amenity for future residents, without detriment to highway safety or the amenities of existing residents. It is therefore recommended that the application is approved, subject to the suggested conditions and completion of a legal agreement to cover the obligations discussed above.

### **Background Papers:**

Application 16/03861/FU and pre-application enquiry PREAPP/16/00082

Notices served and Certificate B signed.



**DESIGN CRITERIA - PRIVATE PLOTS**

- Traditional Construction
- Building Regulations 2015
- Code for Sustainable Homes Level 3 (November 2009 Technical Guidance) - NOT APPLICABLE
- Lifetime Homes (July 2010) - NOT APPLICABLE
- Design Quality Standards (Edition 2) - NOT APPLICABLE
- Housing Quality Indicators (HQI) - NOT APPLICABLE
- Secured By Design (sect 2 part compliance) - NOT APPLICABLE
- Secured By Design (full accreditation) - NOT APPLICABLE
- Building for Life (12 point assessment) - NOT APPLICABLE
- English Partnership Standards - NOT APPLICABLE
- Mobility Standards - NOT APPLICABLE
- English Partnership Design Guide Standards - NOT APPLICABLE
- Wheelchair Design Guide Standards - NOT APPLICABLE
- NHF Standards - NOT APPLICABLE

**DESIGN CRITERIA - REGISTERED PROVIDER (RP) PLOTS**

- Traditional Construction
- Building Regulations 2015
- Code for Sustainable Homes Level 3 (November 2009 Technical Guidance) - NOT APPLICABLE
- Lifetime Homes (July 2010)
- Design Quality Standards (Edition 2)
- Housing Quality Indicators (HQI)
- Secured By Design (sect 2 part compliance) - NOT APPLICABLE
- Secured By Design (full accreditation) - NOT APPLICABLE
- Building for Life (12 point assessment) - NOT APPLICABLE
- English Partnership Standards - NOT APPLICABLE
- Mobility Standards - NOT APPLICABLE
- Wheelchair Design Guide Standards - NOT APPLICABLE
- NHF Standards - NOT APPLICABLE

| PRIVATE SALE UNITS |   | GIA             | Within 15m <sup>2</sup> NDSS | No.  | %   |
|--------------------|---|-----------------|------------------------------|------|-----|
| House Type         |   | ft <sup>2</sup> | m <sup>2</sup>               |      |     |
| 651                | 2 Bed 3 Person Semi-detached and Terrace  | 651             | 60.5                         | ✓ 20 | 22% |
| 752                | 3 Bed 4 Person Semi-detached and Terrace  | 752             | 69.9                         | ✓ 2  | 2%  |
| 764                | 3 Bed 4 Person Semi-detached and Terrace  | 764             | 71.0                         | ✓ 20 | 22% |
| 832                | 3 Bed 4 Person Semi-detached              | 832             | 77.3                         | ✓ 12 | 13% |
| 857                | 3 Bed 4 Person Semi-detached and Detached | 857             | 79.6                         | ✓ 5  | 5%  |
| 867                | 3 Bed 4 Person Semi-detached and Detached | 867             | 80.5                         | ✓ 5  | 5%  |
| 1054               | 3 Bed 4 Person Semi-detached and Terrace  | 1054            | 97.9                         | ✓ 7  | 8%  |
| 1075               | 3 Bed 4 Person Semi-detached and Terrace  | 1075            | 99.8                         | ✓ 8  | 9%  |
| <b>SUB-TOTAL</b>   |   |                 |                              | 79   | 85% |

| REGISTERED PROVIDER UNITS |  | GIA             | Within 15m <sup>2</sup> NDSS | No. | %   |
|---------------------------|--|-----------------|------------------------------|-----|-----|
| House Type                |  | ft <sup>2</sup> | m <sup>2</sup>               |     |     |
| DQS 740                   | 2 Bed 3 Person Semi-detached and Terrace | 740             | 68.7                         | ✓ 8 | 9%  |
| DQS 953                   | 3 Bed 4 Person Semi-detached and Terrace | 953             | 88.5                         | ✓ 6 | 6%  |
| <b>SUB-TOTAL</b>          |  |                 |                              | 14  | 15% |

|                     |   |   |
|---------------------|---|---|
| <b>TOTAL UNITS</b>  | 93                                      | 100%  |
| <b>UNIT DENSITY</b> | 14 units / acre<br>34.6 units / hectare | <b>AREA DENSITY</b> 10149 ft <sup>2</sup> / acre<br>2330 m <sup>2</sup> / hectare |

### PLANNING ISSUE

**NOTE:** THE RED LINE INDICATES THE PROPOSED PLANNING APPLICATION BOUNDARY AND IS SUBJECT TO CONFIRMATION. ALL LEGAL BOUNDARIES SHALL BE CONFIRMED BY KEEPMOAT HOMES LTD. THIS DRAWING IS BASED ON 'MAYCOCK AND TODD' TOPOGRAPHICAL SURVEY, JOB NO. 3854 DATED MARCH 2015. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALAN WOOD AND PARTNERS' ENGINEERING PROPOSALS. THE TREES INDICATED ON THIS DRAWING REPRESENT THE EXISTING RETAINED TREES ONLY. FOR PROPOSED TREES AND LANDSCAPING PROPOSALS, PLEASE REFER TO 'POP LANDSCAPE ARCHITECTS' PROPOSALS.

- 2 BEDROOM DWELLINGS
- 3 BEDROOM DWELLINGS

|  |         |            |       |     |
|--|---------|------------|-------|-----|
| A Lifetime Homes Symbol added and Schedule updated |         | 07-09-16   | H51   | H51 |
| Rev/   | Details | Date       | By    | Chk |
|  | DATE    | 02-09-2016 | DRAWN | H51 |
|  | SCALE   | 1:500      | CHK   | H51 |

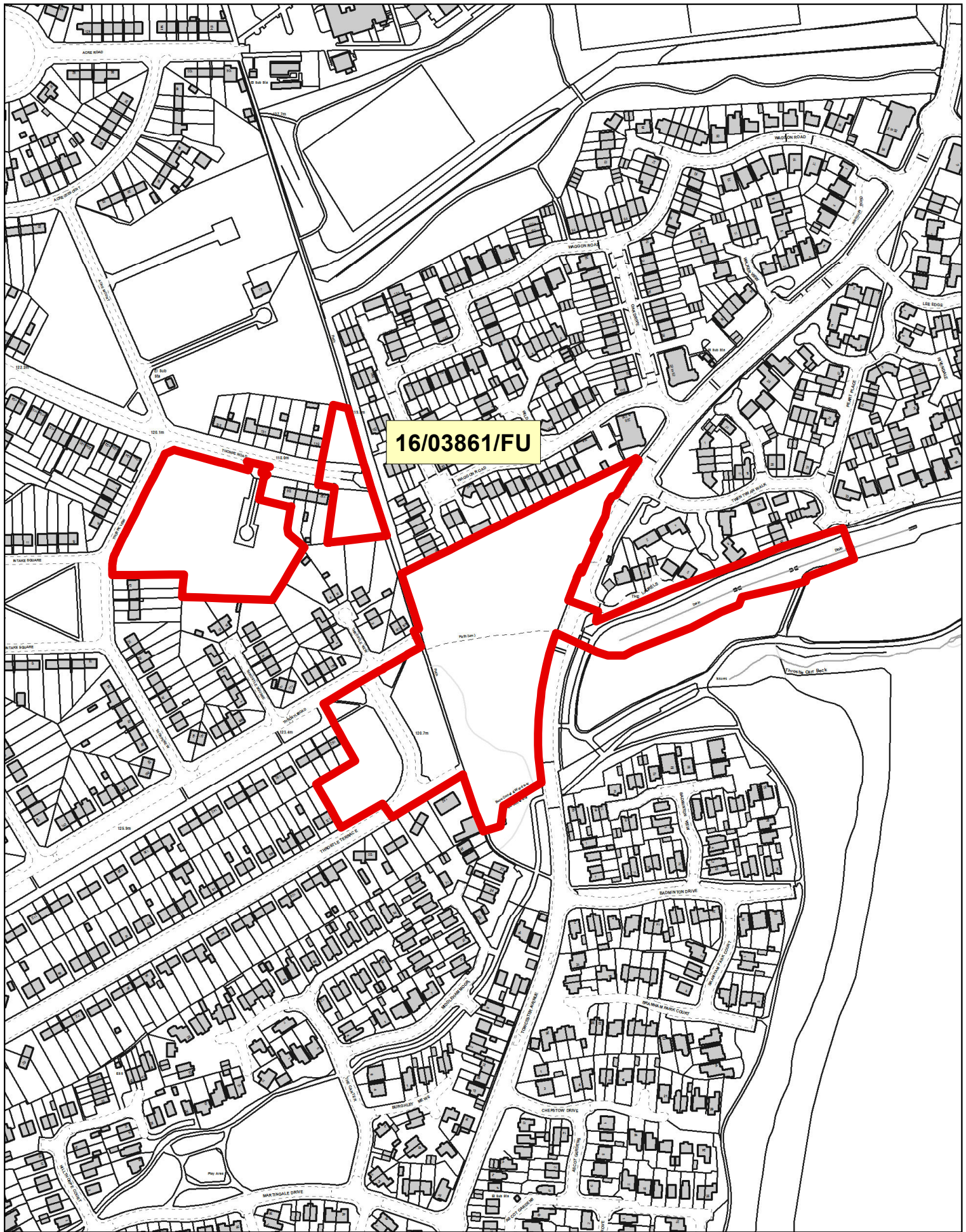
**MIDDLETON PARK, LEEDS**

2 and 3 Bed Allocation

Dwg No **352\_100\_003** Rev --

**KEEPMOAT**

**HIVE**



16/03861/FU

# SOUTH AND WEST PLANS PANEL

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

SCALE : 1/3000

