



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 9th November 2017

Subject: 17/04846/RM - Reserved matters application comprising 112 houses and apartments (Use Class C3), circa 2,925 square metres of commercial space, (Use Classes A1, and/or A2, and/or A3, and/or A4, and/or A5, and/or B1, and/or D1 and/or D2), amenity space and a new public square to form Phase 2 of the Kirkstall Forge Development (Plots E and F) on land to the north of the River Aire (Plots E/F) at Kirkstall Forge, Abbey Road, Kirkstall.

APPLICANT

GMV Twelve Ltd.

DATE VALID

31.07.2017

TARGET DATE

30.10.2017

Electoral Wards Affected:

Bramley and Stanningley
Kirkstall
Horsforth

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT APPROVAL subject to the following conditions:

1. Development in accordance with the approved plans.
2. Large scale details of glazing and window reveals.
3. Provision of electric vehicle charging points.
4. Details of the external lift within the Stitch Square including a management plan.
5. Details of new planting and fencing within the Mill Race Woodland.
6. Detailed planting scheme for the remainder of the site.
7. Construction strategy for the Mill Race Terrace patios and retaining structures to protect existing retained trees.
8. Car park ventilation strategy.
9. Mechanism for the long-term management and maintenance of private roads.

1.0 INTRODUCTION

- 1.1 This application is brought to the South and West Plans Panel on the basis that it represents the second phase of development at Kirkstall Forge and the first phase of residential development on the site as part of a mixed-use scheme.
- 1.2 This application is a Reserved Matters submission effectively pursuant to an outline planning permission (15/04824/FU) to consider the details of the appearance, layout, scale and landscaping of Phase 2. The principle of development and the means of access into the Kirkstall Forge site as well as the highway impact of the development have been previously approved such that they do not form a matter for consideration as part of this application.
- 1.3 Members may also recall that a pre-application presentation in relation to this proposal was made to the South and West Plans Panel on 22nd December 2016. The minutes from that meeting record that Members were broadly supportive of the scale and layout of the development although some concerns were expressed by some Members with regard to the spacing between housing, the number of houses in some blocks as well as some concern that the design approach resulted in an austere and bland appearance. It was felt that more detail was necessary in relation to the architecture and the materials to be used before a judgment could be given on the appearance. At that time, Members also sought some further details in relation to the delivery of the Section 106 agreement pursuant to the original outline planning approval, with particular regard to affordable housing. These matters are fully addressed in the report below.

2.0 PROPOSAL

- 2.1 This is a Reserved Matters application to discharge conditions 1, 2 and 3 of 15/04824/FU in relation to the second phase of development at the Kirkstall Forge site on Plots E and F, which extends to 3.09 hectares to comprise the following:
- 112 new residential units comprising 75 terraced houses (15 x 5 bedroom units, 22 x 4 bedroom units and 38 x 3 bedroom units), 19 courtyard houses (15 x 3 bedroom units and 4 x 2 bedroom units) and 18 apartments (2 x studios, 5 x 1 bedroom units and 11 x 2 bedroom units). Phase 2 effectively comprises three linear elements of development running parallel to the river in correlation with the contours of the valley as well as a central courtyard space providing a strong perpendicular connection. The housing is located along a top terrace (Mill Race Terrace), a middle terrace and a Riverside Terrace with two courtyard blocks flanking the new 'Stitch Square' at the centre of the phase. The Mill Race, River Terrace and Middle residential terraces extend up to 3 storeys in scale and the courtyard block between 4 and 6 storeys with commercial uses on the ground floor. Their appearance is contemporary utilising simple built forms with large window openings set within a perceptible window reveal and detailed with projecting metal balconies and parapets that provide accessible roof gardens to a number of dwellings. The houses are to be constructed in a light brick in a colour to resemble local stone.
 - 2925 square metres of commercial floorspace within any of the following Use Classes: A1 (retail), and/or A2 (financial and professional), and/or A3 (café/restaurant), and/or A4 (public house/bar), and/or A5 (hot-food take-away), and/or B1 (office), and/or D1 (non-residential institution e.g. art gallery, crèche, health centre) and/or D2 (leisure) and amenity space. The original

permission restricts the extent of A1 floorspace to 1449 square metres by virtue of Condition 25 of 15/04824/FU such that only a proportion of this commercial floorspace could fall within Use Class A1. The commercial floorspace is located within and around the new 'Stitch Square' with the focus being the construction of a new pavilion at the heart of the square; this is seen as a covered extension of the public space comprising two floors of commercial space within a double-height building that is constructed in Corten steel and detailed with a diagonal pitched gable resulting in two irregular gables designed to reflect the previous industrial form of development on site. The remaining commercial units will sit below the residential courtyard blocks at ground level facing towards the pavilion.

- The creation of a new public square (the 'Stitch Square'), which is a continuation of 'The Stitch' a key public space within the Kirkstall Forge masterplan that provides a primary connection across the site and a link to the new Kirkstall Forge Station.
- The creation of a new pocket park, providing natural play activities for a range of age groups.
- The inclusion of 'mini-stiches', which provide perpendicular connections across the site from north to south.
- Car parking for the residential dwellings is provided in undercroft garages and car parks and a total of 185 private residential parking spaces is proposed. The houses along the Mill Race Terrace, River Terrace and Middle Terraces are each provided with 2 spaces per dwelling whilst the courtyard houses and apartments deliver car parking at a ratio of 1 per dwelling. In addition, 31 on-street visitor parking spaces are indicated on the site layout; 19 on the Mill Race Terrace, 4 on the eastern sloping street, 6 on the new river road and 3 on the Western Entrance road. For the commercial units, a further 2 short-stay spaces are provided in each of the two loading bays, which are located on either side of the main access road adjacent to the Stitch Square.

2.2 In terms of the scope of this application, to discharge Conditions 1, 2 and 3 of 15/04824/FU, Condition 1 of 15/04824/FU requires the following:

'Application for the approval of the following details (hereafter referred to as the Reserved Matters) for each phase of the development shall be submitted to the Local Planning Authority within 15 years from the date of the permission:

Siting of the buildings

External Appearance

Scale

Landscaping

Following changes to the Town and Country Planning (General Development Procedure) (Amendment) Order 2006, the Reserved Matters were redefined as the following:

Layout – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

Appearance – the aspects of the building that determine the visual impression the building makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Scale – the height, width and length of the building proposed in relation to its surroundings.

Landscaping – the treatment of land for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated, including boundary treatments and the planting of trees, hedges, shrubs.

This application therefore seeks approval for the layout of Plots E and F (Phase 2), the appearance of the buildings, their scale and the landscaping of this phase (the 'Reserved Matters'). Means of access, which is defined as the means of accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulations routes and how these fit into the surrounding access network (the transport impact of the development) was approved in accordance with 11/01400/EXT and 15/04824/FU with further details required by planning condition(s) and such matters are therefore not for consideration as part of this application.

2.3 Condition 2 of 15/04824/FU states the following:

'Applications for the approval of reserved matters for each phase of the development shall be broadly in accordance with the approved Design Statement unless otherwise agreed in writing by the Local Planning Authority'

In assessing the Reserved Matters, it is therefore important to ensure that Phase 2 is in accordance with the approved Design Statement originally approved in accordance with 11/01400/EXT.

2.4 Condition 3 of 15/04824/FU requires the following:

'Approval of the reserved matters shall be obtained from the Local Planning Authority in writing for each phase of the development before each respective phase of development (excluding works of demolition, site remediation and archaeological investigation) is commenced, unless otherwise agreed in writing by the Local Planning Authority.'

In other words, the details of each phase in relation to layout, scale, appearance and landscaping must be agreed before work on that phase commences.

2.5 The implementation of this phase of development at Kirkstall Forge (and any subsequent phase) is subject to (a) the details of the Reserved Matters being agreed (as sought in this application in relation to Phase 2) and (b) compliance with all other pre-commencement conditions imposed by 15/04824/FU and the Section 106 Legal Agreement. With specific regard to the conditions, they include the following, which are required pursuant to each phase:

- i. Details of vehicular access arrangements including servicing, car parking and cycle storage (Condition 10g);
- ii. Sustainability appraisal (Condition 10a);
- iii. Drainage (Condition 10b);
- iv. Tree works and tree protection measures (Condition 10e);

- v. Nature conservation and enhancement works (Condition 10i);
- vi. Footpath and cycle links (Condition 10j);
- vii. Details of any open space (10j);
- viii. Material samples (Condition 23);
- ix. Woodland management strategy (condition 20).

Accordingly, prior to each phase commencing, the above details will need to be agreed for that phase by means of the submission of a Discharge of Condition application(s). Such details are therefore considered separately to this application for Reserved Matters. The provision of affordable housing on the Kirkstall Forge site is a matter that is dealt with by the Section 106 Agreement and it is also not for consideration as part of this application albeit that the report explains the affordable housing position for Members information.

2.6 Members are also advised that this application has been revised in the course of the application, principally to address comments raised as part of the consultation process. The principal changes include the following:

- a. An extension to the red line boundary to include the woodland to the north of the Mill Race; this enables the woodland management of this area to be considered as part of Phase 2 and a woodland management strategy will be required for this area prior to the commencement of the phase;
- b. Modifications to the extent of the gardens to the Mill Race Terrace to ensure that the woodland to the rear of these houses remains as an open woodland rather than being incorporated within the gardens of future residents. It can then be managed accordingly;
- c. Additional planting and seating opportunities within the Stitch Square;
- d. The inclusion of a turning head at the end of the spine road;
- e. The introduction of an additional 3 visitor parking spaces on the western entrance road.

3.0 SITE AND SURROUNDINGS

3.1 In its entirety the Kirkstall Forge site extends to 22.93 hectares of land situated circa 6km (3.7 miles) to the north west of Leeds City Centre. The site is broadly rectangular in shape extending from the north-west to south-east between the Leeds to Shipley/Ilkley Railway and the A65 Abbey Road. The Leeds-Liverpool canal and the Leeds-Shipley/Ilkley railway line all run through the Aire Valley in parallel with the River Aire.

3.2 Since the granting of planning permission, the site has been levelled and remediation works have been undertaken in accordance Condition 5 of the outline permission, which was approved as part of application 14/02638/COND. In addition, the Kirkstall Forge Railway Station has been operating since June 2016, presently providing services to Leeds and Ilkley. The western road access onto the A65 Abbey Road, including the installation of traffic lights to this junction, has also been completed. Additionally, the first phase of development at Plot J1, a seven-storey office block providing 15,534 square metres of office space within Use Class B1, is now complete and recently partially occupied as a Head Office by Zenith, who were previously located in Calverley.

3.3 Phase 2, the focus of this application, extends to 3.09 hectares. The site is positioned immediately to the north and east of the eastern access road that provides the current point of vehicular access into the site from Abbey Road. To the north, Phase 2 includes the Mill Race, which runs through the woodland and extends to the northern edge of the site adjacent to Abbey Road. To the east of Phase 2 are Plots C and D, which will form a future phase of what is anticipated to be further residential development. The topography is a key aspect of the site with a level change of between 10 and 12 metres across this site from south to north.

4.0 RELEVANT PLANNING HISTORY

4.1 There is an extensive planning history to the Kirkstall Forge site, the most relevant of which is summarised below:

4.2 15/04824/FU: Application under Section 73 of the Town and Country Planning Act 1990 comprising the variation of Condition 9 (a) lighting, (c) boundary treatments and (d) signposting, Condition 10 (a) sustainability appraisal (b) foul and surface water drainage, (c) surface water run-off limitation, (d) works to the River Aire, (e) nature conservation works, (f) provision of footpath and cycle links, (i) existing and proposed levels, (j) tree works and tree protection measures and (k) measures to protect the river during construction, Condition 12 (Timescale for the completion of both the eastern and western accesses), Condition 13 (Timescale for the delivery of a bus route through the site), Condition 17 (Provision of an interpretation board), Condition 19 (Programme for works for the refurbishment of the Listed Buildings), Condition 23 (Materials) and Condition 27 (Construction of a flood risk channel) of 11/01400/EXT for each phase of development to allow the earliest development on site. Approved: 17th December 2015.

This application was identical to 11/01400/EXT retaining (with the exception of the amended conditions above) the same conditions and Section 106 Heads of Terms established by the 11/01400/EXT. Because a Section 73 application results in the issue of a new permission, it is this application that is subsequently referred to for the future discharge of Reserved Matters applications and condition discharge applications.

4.3 24/96/05/OT: Outline application to erect mixed use development comprising residential, offices, leisure, hotel and bars and restaurants, including access, site remediation, construction of bridges and river works, car parking and landscaping. Approved: 20th July 2007.

This was the original outline planning permission for the re-development of Kirkstall Forge with details of access only approved as part of this outline and matters of design, layout, appearance, landscaping reserved for future consideration. The indicative development at that time comprised the following elements:

- 1,355 dwellings (1,109 apartments and 246 townhouses/ maisonettes);
- 146,000 square feet of offices;
- Support facilities including bars, restaurants, small scale retail, health and fitness and spa, banking, hotel, a crèche and accommodation for social community uses totalling 104,000 square feet;
- Preservation and change of use of existing grade 2 listed lower forge building to provide food and drink uses;

- Change of use grade 2 listed stables to residential.
- Areas of amenity green space;
- Wildlife and ecological enhancements;
- Park and ride for approximately 150 cars;
- Improvements to vehicular junctions, allowing access to the A65;
- Internal access roads, catering for new bus services;
- Network of pedestrian and cycle routes, enabling connections to the national cycle network and canal towpath, including new footpaths alongside the former abbey mill race;
- New pedestrian and vehicular bridge across River Aire;
- Site remediation works;
- Riverside improvement works and creation of flood relief channel.

4.4 11/01400/EXT: Extension of Time pursuant to 24/96/05/OT for mixed use development comprising residential, offices, leisure, hotel and bars and restaurants, including access, site remediation, construction of bridges and river works, car parking and landscaping. Approved by Plans Panel West on 18th August 2011 with the decision finally issued on 4th April 2014 following resolution of the Section 106 agreement.

This application was identical in terms of the extent of development to the original outline planning permission with the exception of an amendment to the Section 106 agreement to provide additional funding for the new Kirkstall Forge train station.

4.5 15/03561/RM: Reserved Matters application 15/03561/RM for a seven-storey office block with basement parking (Phase 1) at Plot J1. Approved by South and West Plans Panel on 17th September 2015.

This first phase of development has now been completed on site and first occupation has recently commenced.

5.0 HISTORY OF NEGOTIATIONS

5.1 The developer, Commercial Estates Group, have engaged in a series of pre-application discussions with Officers in relation to the details of Plots E and F and its compliance with a Design Framework/Masterplan for the wider development site.

5.2 The proposals for Phase 2 were also the subject of a pre-application presentation pursuant to PREAPP/16/00513 made to the South and West Plans Panel on 22nd December 2016 as noted in the introduction above.

6.0 PUBLIC/LOCAL RESPONSE

6.1 The application was advertised by means of a press notice in the Yorkshire Evening Post, published on 11th August 2017 and by means of site notices posted on 18th August 2017. In addition, the applicant has submitted a 'Summary of Community Involvement' document, which confirms that CEG exhibited in the marquee at Kirkstall Festival in July 2017; this included some visual information in relation to Phase 2.

6.2 No representations from members of the public have been received.

- 6.3 The Leeds Civic Trust has responded to express their support for the scheme; they note that it is a 'refreshing change to see a development, which has been well-designed in a non-traditional and innovative manner'. The Civic Trust does, however, raise a number of comments on the proposal, noted below:
- a. The terraces' orientation can take advantage of winter solar gain and the large windows on the south sides do this. But shading may be needed in summer.
 - b. The orientation would also lend itself to provision of extensive solar panels and photo-voltaic panels, but no mention is made of these. In fact there is no indication of how the heating would work. If not solar, then some form of CHP must be an obvious possibility for this layout.
 - c. The "Mill Race" street along the top terrace looks an attractive proposal, but with tandem garages, most will probably leave at least one car on the road, taking up street parking there.
 - d. Issues like this and putting bins back in after collection, suggest that some form of resident agreements may be needed to ensure that the shared communal spaces are treated as they should be.
 - e. The central underground street is less attractive. Open vents, perhaps in the corners of gardens over, and in the communal garden of the flats, would be a good way of providing ventilation, natural light and some surveillance.
 - f. It appears from the drawings, though this is not indicated in the Design and Access Statement, that the flats and houses by the Stitch could be wheelchair accessible, with a communal lift from the car park and space for a platform lift in the houses. If this is the case it is to be welcomed, though access to the communal lift is a little circuitous.
- 6.4 Ward Members have been advised about the application. No specific representations have been received at the time of the writing of this report.

7.0 CONSULTATION RESPONSES

- 7.1 Highways: No objection to the proposal; some minor amendments were sought by Highways in relation to the provision of a turning head at the end of the spine road and clarification as to whether or not the spine road will be built to adoptable standards. Concerns were raised over the lack of visitor parking for some elements of the scheme and whether one space per dwelling for the courtyard units was sufficient. This is addressed in the report below.
- 7.2 Landscape: The Council's Landscape Officer raised some initial concerns about the interface with the woodland at the rear and also, in relation to the design of the retaining element, which have been resolved in the course of the application. This is addressed in the report below.
- 7.3 Travelwise: No comments as the TravelWise Team have agreed an updated Travel Plan for Kirkstall Forge with CEG.
- 7.4 Flood Risk Management: No comment as the drainage conditions imposed upon the original consent are still applicable and will require formal discharge before the development of this phase commences.

- 7.5 Nature Conservation: The Council's Nature Conservation Officer raised some initial concerns about the removal of the woodland strip to the north of the Mill Race Terrace and a concern that the inclusion of this area within the gardens of the Mill Race Terrace will mean that the woodland cannot be managed as intended under Condition 20 (Woodland Management) of the original permission. This matter has been resolved in the course of the application and it is discussed in the layout section below.
- 7.6 West Yorkshire Metro: Metro note that the detailed public transport requirements for the site were set out in 7.0 the Design and Access Statement submitted with the outline application and subsequent extension of time application for the Kirkstall Forge site. They note that the Kirkstall Forge Station opened in June 2016 commenting that the rail station provides rail links to both Leeds and Bradford and as the development of the Kirkstall Forge site grows, the business case for increasing the number of trains that stop at the station will grow which in turn will improve the accessibility of the site. Metro also acknowledge that Conditions 12 and 13 of the original application set out the trigger points for the completion of the access points into the site and bus route and infrastructure. They raise a concern that the development programme may be phased in a way to delay this infrastructure / bus service being provided, which would not be in the spirit in which this agreement was made but comment that it would be useful, in terms of bus network planning to get an indicative date when the triggers for the bus are likely to be met. They also note that the layout plan does not appear to show any indicative bus stop locations and whilst the bus route may not be required at this point, they consider that indicative stop locations need to be provided to remove any challenge to the locations when the infrastructure is required.

8.0 PLANNING POLICIES

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds comprises the Adopted Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).
- 8.2 In its entirety, the Kirkstall Forge site comprising the boundary of the outline planning application comprises land within the main urban area. A small part of the western site is allocated as part of the existing employment supply under Policy E3A:28 and designated as Policy N38 Washland. The southern part of the site (south of the river is designated under Saved UDP Policy N8 as Urban Green Corridor. A small part of the site to the northern and western boundary is also designated as Green Belt. A small strip of the woodland within the red line boundary of this Phase 2 application immediately adjacent to Abbey Road is designated as Green Belt but it is unchanged by this Phase 2 development and remains in situ. To the south of the wide site boundary lies a designated nature reserve LNA 020 (Bramley Fall & Newlay Quarry) and the designated SSSI 009 (Leeds/Liverpool Canal), which are unaffected by this proposal.

Adopted Core Strategy

- 8.3 Given that the principle of the development and means of access into the site have been clearly established by the previous consents, such that this application is to consider matters of layout, appearance, scale and landscaping only, the following

Core Strategy policies are considered most relevant to the assessment of this Reserved Matters application:

Policy P10: Design

Policy P12: Landscape

Saved Policies - Leeds UDP (2006)

- 8.4 The following saved policies within the UDP are considered most relevant to the determination of this application:

GP5: Development Proposals should resolve detailed planning considerations.

BD2: Design of new buildings.

BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.

LD1: Detailed guidance on landscape schemes.

Relevant supplementary guidance:

- 8.5 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are most relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:

Street Design Guide SPD

Neighbourhoods for Living SPG13

Sustainable Design and Construction SPD

Parking Standards SPD (January 2016)

National Planning Policy Framework (NPPF)

- 8.6 The National Planning Policy Framework (NPPF), published on 27th 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.
- 8.7 The NPPF constitutes guidance for Local Planning Authorities and its introduction 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.
- 8.8 The NPPF establishes at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental of which the provision of a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations is identified as a key aspect of the social role. Within the economic role, it is also acknowledged that a strong and competitive economy can be achieved by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.
- 8.9 Paragraph 17 sets out twelve core planning principles, including to proactively drive

and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs and ensuring high quality design.

9.0 MAIN ISSUES

9.1 The main issues to consider in the determination of this Reserved Matters application include the following:

- i. Principle of development – Policy and Land Use;
- ii. Layout;
- iii. Appearance;
- iv. Scale;
- v. Landscaping;
- vi. The residential amenity of future residents;
- vii. Internal highway layout
- viii. Response to representations.

9.2 The report also provides details of the Section 106 agreement associated with the original outline approval with specific regard to the delivery of affordable housing on the basis that South and West Plans Panel Members requested clarification on this matter at the pre-application presentation of these proposals in December 2016.

10.0 APPRAISAL

Principle of development

10.1 The outline planning permission granted in accordance with 11/01400/EXT in April 2014 and the subsequent Section 73 permission 15/04824/FU includes permission on this site for up to 1,355 dwellings (1,109 apartments and 246 townhouses/maisonettes) and support facilities including bars, restaurants, small scale retail, health and fitness and spa, banking, hotel, a crèche and accommodation for social community uses totalling 9661 square metres. The only limitations on floorspace imposed by these previous consents relates to the proportion of A1 retail space, which is limited by Condition 25 of 15/04824/FU. Condition 25 states that the Class A1 retail floorspace shall not exceed 1,449 square metres and shall consist of a medium sized supermarket of not more than 750 square metres gross together with a number of smaller units unless otherwise agreed in writing by the Local Planning Authority. This Reserved Matters application proposes 112 dwellings and circa 2925 square metres of commercial floorspace, which is entirely within the scope of the previous outline permission and Section 73 planning permission. It is also compliant with the scope of the Environmental Impact Assessment approved as part of the outline permission. It is therefore determined that the principle of development, including the assessment of the impact of any development within the site on the Green Belt at the edges of the site, is already established and no further assessment of policy in this regard is necessary. Therefore, the only matters for consideration are whether the layout of this phase of development, the appearance of the buildings, the scale of development and the landscaping is acceptable.

Layout

10.2 Within the Adopted Core Strategy, Policy P10 establishes a requirement for new development that is based on a thorough contextual analysis to provide good design

that is appropriate to its scale and function; that respects the scale and quality of the external spaces and wider locality and protects the visual, residential and general amenity of the area. These policies reflect guidance within the NPPF.

- 10.3 The layout of Phase 2 follows a linear grain that is determined by the topography of the site such that it broadly comprises three rows of residential development, which follow the natural form of the land established by the woodland to the north and the River Aire to the south, juxtaposed with the central commercial area, which provides an important perpendicular connection through the site.
- 10.4 The linear residential development comprises the River Terrace houses, the Middle Terrace house and the Top Terrace houses, each of which are detailed below.
- 10.5 The River Terrace dwellings front the road that provides the current main access route to the Kirkstall Forge Station (now known as Exhibition Way). The front facades of these dwellings are south facing looking towards the River Aire with the rear elevations looking northward towards the woodland. These terraced houses are set back a distance of between 7 and 14 metres from the back edge of the Exhibition Way footway, separated by grass verge and a wide pavement that provides a pedestrian point of access to each house and a small front garden. The car parking for these dwellings is located to the rear of the terraces within an underground parking court. This parking area also accommodates the car parking for the Middle Terrace such that the River Terrace and Middle Terrace are effectively connected by this underground parking area, which lies to the rear of the ground floor of the River Terrace and to the basement level of the Middle Terrace. Above this covered mews is a platform that provides the rear garden areas for both the River Terrace (at first floor level) and the Middle Terrace (ground floor level).
- 10.6 The front elevation of the Middle Terrace faces northwards onto the Mill Race Terrace, which is to be designed as a quiet and gently curving 'shared space' street that is intended as a pedestrian and landscape dominated street rather than being readily utilised for on-street parking. Because the car parking for the Middle Terrace houses is provided within the basement, these dwellings present an active frontage to the Mill Race Terrace with typically the front door and kitchen overlooking this street. The Middle Terrace comprises both 3 bedroom and 5 bedroom units with the 5 bedroom dwellings (of which there are 5 on the Middle Terrace) each provided with a south-facing roof terrace to supplement the front and rear gardens.
- 10.7 At the top of the site lies the Mill Race Terrace, which follows the contours of the valley and the line of the Mill Race. The 31 dwellings on this level are designed with undercroft parking and their front doors at road level with the first floor living space looking towards the woodland and the mill race to the rear with an open plan design. The 3-bedroom units are provided with an undercroft garage with two parking spaces (one behind the other) and a clear width inside of 3.3 metres to ensure that vehicles can easily reverse onto the street; the front door lies adjacent to the garage opening. The 5-bedroom units are typically provided with a 5.5 metre wide automated garage door. Seven of these dwellings also benefit from south-facing roof terraces.
- 10.8 This linear form of development created by these three residential terraces is broadly consistent with the layout of development envisaged at outline planning stage, with the development blocks following the topography and form of the valley such that the layout of these terraces is entirely appropriate in this regard. Indeed, Core Strategy Policy P10 advises that 'developments should respect and enhance

existing landscapes, waterscapes, [etc] according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing' to which this phase of development is considered to be compliant.

- 10.9 In contrast to the linear form of the terraces, the new Stitch Square reinforces the north-south connections across the site that was established within the outline planning permission. 'The Stitch' itself is identified within the Masterplan at outline planning stage as an important connective perpendicular route through the site and a primary pedestrian thoroughfare. In its present form, it comprises the main pedestrian route from Kirkstall Forge Station that extends immediately to the front of Plot J1 (the recently completed office block that constitutes the first phase of development) as a wide pedestrianised space and then narrows to a pedestrian footpath route on the bridge across the River Aire before opening out again into this new Stitch Square. This is a significant public space separating the eastern and western terraces of Phase 2; in its entirety, it extends to a width of circa 35 metres and a depth of circa 42 metres occupied by a corten steel double-height pavilion that extends to approximately 50% of the space and provides a commercial unit with a range of retail and food offers that can spill out onto the surrounding square. To the south of the pavilion is a broad open plaza that is 35 metres x 11 metres immediately adjacent to the access road and providing the clear visual connection to the Stitch adjacent to Plot J1 and the bridge across the River. This southern plaza accommodates a subtle circa 300mm level change from the upper plaza to the north of the pavilion, which is connected via a series of steps and planted terraces. For the purposes of public access, a 24-hour weather protected external lift is provided on the north-eastern side of the plaza to ensure that the significant change in levels does not impact upon wider accessibility. Beyond the northern Plaza and across the Mill Race Terrace, this hard-surfaced public space becomes a landscaped Pocket Park that provides a transition to the woodland and the Mill Race continuing the north-south connection into the woodland at the northern fringes of this phase. In addition, the layout incorporates a series of five 'mini-stitches', which run north-south at the end of the terraced blocks of housing; allowing both pedestrian connections through the site and also a visual connection between the river and the woodland at the northern edge of the site.
- 10.10 On the east and west side of the square, the courtyard blocks effectively book-end the Riverside and Middle Terraces; these 'c' shaped blocks are set around a central courtyard garden. On the ground floor of each block are commercial units of varying sizes fronting the Stitch Square; 3 on the western side of the square and 4 to the east with apartment and duplex units above and an underground car park below. To the east of the eastern courtyard block are further houses that follow the line of the Middle and River Terraces – 4 on the eastern courtyard and 6 on the western courtyard, the latter with back to back gardens and underground parking and the former sharing the courtyard gardens and provided with roof terraces or balconies.
- 10.11 In considering the layout, it is determined that it is entirely appropriate for the site layout to respond to the topography of the site such that the provision of the upper, middle and river terraces to which the houses have a frontage ensures a contextual response to the natural landscape. Moreover, the inclusion of the Stitch Square and courtyard elements, the mini-Stitch routes and the continuation of the Square into the woodland as the pocket park ensures that a key objective established within the outline planning permission of a clear perpendicular route north to south through the site is reinforced resulting in strong public spaces and clear permeability through the site. It is therefore concluded that the proposed layout of Phase 2 is based

upon a thorough contextual analysis and provides a sound basis for future development on adjacent plots in accordance with Core Strategy P10 and guidance within the NPPF.

Appearance

- 10.12 Core Strategy Policy P10 establishes a requirement for good design. This is reflected in the NPPF, which advises at Paragraph 56 that good design is indivisible from good planning and should contribute positively to making places better for people. In considering the matter of appearance, it is to assess the aspects of the building that determine the visual impression the building makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 10.13 The Masterplan approved at outline planning stage states that an intentionally diverse mix of residential accommodation is proposed on this site and in terms of appearance, it notes that a 'contemporary architectural style has been proposed' with the percentage of glazing to be greater where elevations need to respect the key views to the river and the privacy facing facades and accommodation. In terms of materials, the document refers to identifying a palette of materials that are appropriate to the scale, density and varying use of development through the site but with the need to establish a common thread. In this regard, the Masterplan identifies red, orange or buff brickwork to be used in panels of single colour only, with variation provided by relief specials or variation in bond as well as render, metal and glass.
- 10.14 In this case, the design and appearance of the houses and apartments follows the original ambition for a contemporary design solution across the site, which, given its isolated location away from any existing streetscene, it has the capacity to create and deliver its own character. Indeed, the submitted Design and Access Statement for Phase 2 notes that inspiration has been taken from Saltaire and the steep terraced streets found in other Yorkshire towns with the external forms and elevations designed to be simple with a sense of solidity and durability. Overall, the facades to the dwellings and apartments/courtyard blocks are very ordered in their appearance, typically with large expanses of glazing to maximise river and valley views and the facades being simply detailed with the windows set within a recessed panel to provide order and shadowing relief. They are further detailed with simple metal balconies, brick relief to the parapets and the capacity in places for roof terraces to further soften the built form. Additionally, the internal layout of the dwellings maximises the location with many dwellings benefiting from gardens and terraces on different levels to take advantage of the sloping site and kitchens and living areas on upper levels to open up onto these outside spaces. In terms of materials, whilst Condition 23 of 15/04824/FU requires samples of all materials for Phase 2, it is intended that the dwellings and courtyard blocks will be constructed in a consistent buff brick to deliver a contemporary appearance whilst also resembling the local stone used in the area. The coping details to the roof are likely to be precast stone or brickwork with aluminium composite windows and metal balustrades. Roofs are typically indicated as metal standing seam. Overall, having regard to the original intentions for the design of the housing, it is considered that the appearance of Phase 2 does meet the objective of achieving contemporary and robust design that is simple in form but, with sufficient detailing to deliver elevations that are well-articulated and attractive to constitute a high quality design approach in accordance with Core Strategy Policy P10 and the NPPF. For this reason, it is recommended that conditions seeking details of the window glazing,

balustrade design and windows reveals are secured as a condition of this recommendation.

- 10.15 Additionally, the pavilion at the heart of the Stitch Square is a double-height space that is intended to function as a covered extension of the public space such that the paved surface of the square will extend into the inside beyond the external glazing and activity from within will spill out into the square to activate and enliven the external space. The pavilion is designed with two irregular sized front gables and a diagonal pitch and it is to be constructed in corten steel to replicate the industrial history of the site. It is considered that this combination of design and material will deliver a striking high quality building that provides an appropriate and visible contrast to the buff brick of the surrounding housing and an appropriate centre-piece for the Stitch Square in accordance with Core Strategy Policy P10 and the NPPF.
- 10.16 With regard to climate change and carbon dioxide reduction, Members are advised that the outline application pre-dates the adopted Core Strategy such that there is no specific requiring to secure carbon emission reductions with the exception that Condition 10 of 15/04824/FU requires the submission of a sustainability appraisal prior to the commencing of this phase of development, which will provide the opportunity to ensure that full consideration is given to measures such as improving insulation and construction to reduce heat gains and losses and to provide efficient housing to minimise energy use.
- 10.17 Overall, it is considered that the Reserved Matters submission clearly demonstrates that the appearance of Phase 2 (Plots E and F) is consistent with the objectives of the Design Framework approved as part of the outline planning permission to deliver a contemporary design solution to housing provision within the site and introducing a pavilion of architectural merit within the public open space that will also contribute positively to place making at Kirkstall Forge in accordance with the objectives of both Policy P10 of the Adopted Core Strategy and guidance within the NPPF.

Scale

- 10.18 In considering the scale of Phase 2, in terms of its height, width and length in relation to its surroundings, Saved UDP Policy BD2 advises that the design and siting of new buildings should complement and, where possible, enhance existing vistas, skylines and landmarks. In addition, Core Strategy Policy P10 advises that new development must be of a size and scale that is appropriate to its context and respects the character and quality of surrounding buildings, the public realm and the wider locality.
- 10.19 The Design Framework approved as part of the outline planning permission includes a plan of maximum storey heights. On this part of the site, heights range from 2 to 4 storeys along adjacent to the woodland, up to six storeys fronting the western access road and seven to nine storeys fronting the access road along the River frontage. In this case, the scale of development ranges from 2 to 3 storeys along the Mill Terrace, 3 storeys along the Middle and River Terrace with the apartments centred around the pavilion ranging from 4 to 6 storeys. This massing is entirely within the parameters of the previous outline planning permission and the scale of development within Phase 2 is therefore considered acceptable in accordance with Saved UDP Policy BD2 and Core Strategy Policy P10.

Landscaping

- 10.20 Policy P12 of the Core Strategy advises that the character, quality and bio-diversity of Leeds' townscapes and landscapes will be conserved and enhanced. Within the UDP, Policy LD1 provides advice on the content of landscape schemes, including the protection of existing vegetation and a landscape scheme that provides visual interest at street level.
- 10.21 The natural landscape within which Phase 2 is sited in terms of its topography, the woodland setting and Mill Race to the north and the River Aire to the south is conceivably one of the most significant influences upon the design and layout of Phase 2. There has been a strong focus on creating the appropriate landscape and public realm context for this phase to establish not only a high quality urban environment but also, to integrate the development within the surrounding landscape and institute the landscape framework for future phases.
- 10.22 There are eight elements to the landscape and public realm within Phase 2, summarised below:
- (i) The Stitch Square*
- 10.23 Designed to become a key public space within the Kirkstall Forge site, the Stitch Square will form a continuation of the station square that lies to the east of Plot J1 and a primary route through the site from north to south. It provides the setting for the Stitch Pavilion and comprises a large plaza to the south of the pavilion and a smaller plaza to the north that are connected through a series of steps and planted terraces. Tree planting is proposed along a north-south orientation to reinforce movement through the site and a connection to the Mill Race woodland to the north. Linear pockets of planting are proposed on the western side of the plaza to help define the seating areas and create a more intimate seating environment whilst the eastern portion is more open, creating more generous spill out spaces. In terms of accessibility for all, the Design and Access Statement submitted with the application notes that access provisions for people with disabilities is complicated by the excessive natural gradients of the site, which varies by up to 3 metres in places across the square. Nevertheless, it notes that the features and design has been reviewed to ensure that full and reasonable access provisions are provided to assist all users. However, the gradient is such that a ramp is not feasible within the public space as the levels, space and length of the ramp would be unduly arduous. It is therefore proposed that a lift be located on the primary eastern side of the square, opposite the main commercial hall within the pavilion; the lift will be designed and protected for use during all hours with appropriate failsafe systems put in place to ensure the safety for all users; further details of the lift and the failsafe management system will be required by condition. The applicant advises that this is sufficient to meet the reasonable provisions required by the Equalities Act.
- (ii) The Embankment Pocket Park*
- 10.24 Positioned to the north of the Stitch, the Pocket Park is positioned into the existing embankment of the Mill Race woodland and it is designed to work within the existing topography as it slopes upwards towards the Mill Race. It essentially comprises three elements; opposite the upper plaza of the Stitch Square is an area of lawns and gardens that are designed to maximise their south facing location. Beyond that, a series of natural grassed terraces will be created offering views back over the Stitch Square. Above that, the woodland edge up to the Mill Race will be left in a relatively natural state with informal pathways. The Pocket Park is intended as a natural play area rather than incorporating play equipment; the Design and Access

Statement notes that 'features that encourage climbing, balancing, jumping and group activities will be referenced throughout the design' and designed to encourage such use. Tree planting is principally to the eastern and western edges to maximise the opportunity for evening sunshine to the lawn terraces.

(iii) The Mill Race Woodland

- 10.25 Due to the natural topography of the site, the Mill Race Terrace is effectively constructed at the bottom of the wooded slope that lies to the south of the Mill Race and the proximity of these dwellings demands some management of this Mill Race Woodland and some removal of trees as part of that management. The works have been extensively discussed with both the Council's Landscape Officer and Nature Conservation Officer to minimise any detrimental impacts on the woodland or bio-diversity and the scheme has been revised in the course of the application to reflect these discussions. One of the most significant revisions to the original submitted plans for this phase is the removal of part of the woodland to the rear of the houses from within private gardens; instead, the gardens to the Mill Race Terrace now constitute a 4 metre deep deck/patio space. Because the levels change from east to west as well as north to south, the patios will either be constructed with fill over made ground to tie into existing levels or they will be suspended on decks to avoid specific tree roots of trees that require protection. Beyond these decks, the woodland up to the Mill Race will not be sub-divided as originally proposed but it will remain open as an informal woodland area for use by the residents only, controlled by means of managed gated access points and visually protected from the footpath that will run along the northern edge of the Mill Race by a range of native species of varying heights and densities (details to be conditioned) to achieve an appropriate level of screening to the Top Terrace windows. A timber post and wire fence will also run along the southern edge of the Mill Race to discourage access over the Mill Race.
- 10.26 In terms of tree removals, 13 trees and 2 groups of trees that are categorised within the tree survey to be dead will be removed from this woodland. A further 11 sycamores and 2 groups of sycamores are proposed for elective removal as part of a managed phased removal to allow room for adjacent Oak and Birch to flourish. A further six groups of trees are to be selectively thinned as part of a Woodland Management Plan, details of which are required by Condition 20 of 15/04824/FU. A further 14 trees and seven groups of trees of varying quality are to be removed on the grounds that they cannot practically be retained due to the proximity of the houses and patio space.
- 10.27 In terms of replacement planting, this will come forward as part of the Woodland Management condition noted above. These revisions address the concerns raised by both the Landscape Officer and Nature Conservation Officer in the course of the application and in addition to the requirements of Condition 20 of 15/04824/FU in relation to woodland management, further conditions are proposed as part of this application with regard to the means of construction of the retaining features to the gardens of the Mill Race Terrace as well as details of new hedge planting, deck construction and any new access points.

(iv) The Mini-Stitches

- 10.28 Perpendicular connections from south to north as noted within the layout section of the report above.

(v) The Mill Race Shared Street

- 10.29 This is a shared surface street punctuated by street trees that have been coordinated with below ground service routes and easements. Along the north side of the street, the design allows for a tree at a distance of approximately every two dwellings ensuring that they are sited well away from access routes into driveways but to still create an attractive street environment.

(iv) The Sloping Street

- 10.30 A similarly designed shared street surface with focal trees to the gardens that adjoin the Sloping Street, a permanent wildflower verge to the western side and a temporary wildflower verge to the eastern side, which will ultimately be integrated into the next phase.

(vii) The Riverside Walkway extension

- 10.31 The Riverside Walkway within Phase 2 essentially provides a further section to the walkway that presently exists on site along the western access road that was constructed as part of Phase 1. The street furniture elements used in Phase 1 in terms of the Corten steel benches and bollards will continue and they will be reinforced by a 1.4 metre wide linear planted verge to the north of the loop road, comprising semi-mature trees and shrub planting to create a buffer to the housing. Four parallel parking bays are proposed along this section of the loop road, with trees proposed between the bays to soften the highway environment.

(viii) The Western Woodland approach

- 10.32 This is effectively the planting to be installed on the eastern side of the existing Western Access, the current main entrance to the site. The principle is to create a green verge along the edge of the road that will incorporate three visitor parking bays with tree pits integrated between the bays to create a tree lined boulevard as well as a planting zone to provide a natural edge to Phase 2 on arrival into the site.
- 10.33 Following the revisions to the landscape and woodland scheme, it is considered that considerable attention has been given to the design of the landscape strategy for Phase 2 to ensure that it integrates well with the established topography and existing woodland and provides a continuation of the high quality public realm that has been installed for Phase 1, as well as establishing a strong framework for the future landscape strategy across the site. The Reserved Matter landscape details are therefore considered to accord with Core Strategy Policy P12 and Saved UDP Policy LD1.

Residential Amenity

- 10.34 Policy GP5 of the UDP advises that development proposals should resolve detailed planning considerations including seeking to avoid problems of loss of amenity. The application site does not adjoin any existing residential development such that the sole consideration in relation to residential amenity is that of future occupiers of Phase 2, principally in terms of privacy distances and garden sizes having regard to guidance set out in the Council's Neighbourhoods for Living SPD.
- 10.35 In terms of standards for site layouts to protect privacy and amenity, the Council's Neighbourhoods for Living: A Guide for Residential Design in Leeds offers guidance

in respect of amenity space provision and recommends a number of key privacy distances between dwellings including the following:

- (i) Private gardens should have a minimum of two-thirds of total gross floor area of the dwelling (excluding vehicular provision);
- (ii) A minimum of 10.5 metres between main ground floor windows (living room/dining room) to the boundary where dwellings face each other (a distance of 21 metres between main facing windows);
- (iii) A minimum of 7.5 metres between secondary windows (ground floor kitchen/bedroom) and the boundary.

10.36 In this case, the following is noted:

- (i) Between the rear elevation of the houses of the River Terrace and the rear elevation of the Middle Terrace to the west of the Stitch Square, the distance between main facing windows is circa 16 metres;
- (ii) There is a distance of approximately 21 metres between the rear elevations of the north and south flanks of the courtyard blocks;
- (iii) Between the rear elevation of the houses of the River Terrace and the rear elevation of the Middle Terrace to the east of the Stitch Square, the distance between main facing windows is between 16 and 20 metres;
- (iv) The gardens between the River Terrace and Middle Terrace vary in depth between 6 and 9 metres in length and are between 38 and 50 square metres in size. This equates to between 19% and 25% of the gross internal area although in addition, eight of the 5-bed Middle Terrace houses benefit from additional external space in the form of a 20 square metre roof terrace. To the rear of the Mill Race Terrace, the formal gardens are constrained due to the topography of the site to 4 metres in depth and circa 30 square metres with seven of the 5-bed Mill Terrace also benefitting from a 20 square metre roof terrace. The Courtyard Houses are afforded shared amenity space within the courtyard garden as well as private roof terraces/balcony areas of between 8 and 40 square metres. These courtyard gardens incorporate a central lawn space as well as seating areas that maximise the southerly aspects. With the exception of the 2 studio apartments and one of the 1 bedroom units, who will also utilise the courtyard gardens, all of the remaining apartment units are provided with either a balcony or roof terrace of between 4 and 11 square metres.

10.37 In considering the distance between dwellings on this site, it is very important to acknowledge that the site at Kirkstall Forge establishes its own context; there is no relationship to any existing residential development and consequently, it has no impact upon the amenity of existing properties. It is therefore simply a determination as to whether the scheme offers an appropriate level of amenity to future residents. It is evident from the measurements noted above that Phase 2 does not meet the generic guidance on privacy distances set out within the Council's Neighbourhoods for Living SPG in terms of 21 metres between main facing windows. However, it is considered that Neighbourhoods for Living, whilst appropriate to more suburban housing schemes, is not so applicable to the dense urban form of development that is delivered at Kirkstall Forge, which is more akin to a City Centre or urban periphery development, particularly given the proximity of the Kirkstall Forge station and the

surrounding commercial development. Indeed, it is noted that other urban schemes within the City have been approved with significantly lower distances between dwellings than those recommended within Neighbourhoods for Living; for example, the scheme at Clarence Road, Hunslet, (16/02420/FU) approved by City Plans Panel has some separation distances as low as 5 metres although more typically, the separation distances between four storey blocks is 10 to 15 metres. The scheme at Low Fold in Hunslet (15/00415/FU) is similar such that there is precedent for accepting a more urban form of development with distances between dwellings that take account of context and are below those set out within Neighbourhoods for Living. Furthermore, the layout of Phase 2 is such that the relationship at first floor level between the River Terrace to the Middle Terrace dwellings is typically bedroom (secondary room) facing towards a bedroom (secondary) where Neighbourhoods for Living would recommended a minimum distance of 15 metres, with which the scheme complies. Between the Middle Terrace and the Mill Race Terrace it is typically bedroom windows (secondary) facing kitchen windows (secondary), where a privacy distance of 15 metres would also be considered reasonable. Within this context, it is considered that Phase 2 does provide an acceptable level of amenity for future residents in terms of privacy.

10.38 Having regard to private amenity space, it is acknowledged that the dwellings predominantly fall below the guidance set out in Neighbourhoods for Living in terms of garden depth, due to the topographical constraints of the site and also in overall size. However, the latter is, in part, a consequence of the internal space sizes, which are above the minimum standards set by the Government, as detailed in the paragraph below. Moreover, given the quality of the housing proposed, the dense urban grain that is delivered by the Kirkstall Forge site, which is appropriate given the wider regeneration vision for the site as well as the Pocket Park and Stitch Square that serves Phase 2 and the informal woodland area that lies to the rear of the Mill Race Terrace that will be accessible to them, it is considered that taking a balanced overall view and having due regard to the urban rather than suburban form of development that is created, the level of private amenity space is acceptable in this context.

10.39 With regard to the Government's Technical Housing Standards – the nationally described space standards, which were published on 27th March 2015, it is noted that these standards cannot be given any weight in the decision making process at this stage as they have not yet been adopted as part of the local plan and they must still be subject to public consultation. Nevertheless, the table below summarises compliance with the space standards and it is provided for information:

House Type	Bedrooms (Persons)	Space Standard (m ²)	Actual size (m ²) GIA	Compliance
Top Terrace	3 (6p)	108	177	✓
Top Terrace	5(10p)	134	240-260	✓
Middle Terrace	3(6p)	108	168	✓
Middle Terrace	5(10p)	134	205	✓
Riverside	4 (8p)	130	202	✓
Courtyard	2 (4p)	70	84.5	✓
Courtyard	3 (6p)	95	113	✓
Studio		39	39.9	✓
Apartment	1 (2p)	50	48.5-55.8	2 no 3 yes

Apartment	2 (4p)	70	58.4-71	7 no 4 yes
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- 10.40 Members will note from the table above that 103 of 112 units (92%) are compliant with the Government's space standards with only 9 apartments falling just below the standards. Furthermore, the size of many of the dwellings is significantly above the standards – particularly those on the Top Terrace, which is considered to compensate, in part, for the reduced amount of private external space that is available.
- 10.41 Overall, for the reason set out above, it is therefore concluded that Phase 2 will provide residential units of architectural merit and detail that typically exceed internal space standards and in the context of delivering a high density urban form of development, the housing will provide a sufficient level of amenity in terms of their size in accordance with Saved UDP Policy GP5.

Phase 2 Highway Layout

- 10.42 As noted in the introduction to this report, means of access in relation to the Kirkstall Forge development, including the highway impact of the development was approved in accordance with 11/01400/EXT and then 15/04824/FU such that it does not form a matter for consideration as part of this application. Furthermore, details of car parking and cycle parking in relation to this phase is actually required for submission prior to the commencement of development as part of Condition 10(g) of 15/04824/FU; it will therefore be determined as the subject of a separate discharge of condition application as noted above. However, details of the highway layout, parking provision, servicing and refuse provision for Plots E and F (Phase 2) are set out below for information.
- 10.43 Phase 2 will be accessed utilising the already constructed signalised western access road (named Exhibition Way) from the A65 Abbey Road, which also serves Plot J1 and the Kirkstall Forge Railway Station. This main access road between the A65 and the railway station has been constructed under a Section 278 Agreement such that it is an adopted highway. For information, Members are advised that it is intended that the main spine road through this site, which will eventually connect with the eastern access that was also approved in principle at outline stage, will be adopted; the construction of the eastern access is determined by Conditions 12 and 13 of 15/04824/FU and it is essentially triggered when a certain volume of development is occupied on site; for example, it would be triggered by the full occupation of the Phase 1 office development at Plot J1 and the occupation of 354 dwellings; it will certainly not be triggered by this Phase 2 development.
- 10.44 In terms of providing access to the residential dwellings within Phase 2, the highway layout constitutes two main streets; Exhibition Way running alongside the River and the Mill Race Terrace Street, both of which run east-west along the topographical grain of the site. Exhibition Way is the primary route and Phase 2 will deliver a further portion of this loop road and Riverside Walk introduced as part of Phase 1; this will include a continuation of the contemporary corten steel street furniture introduced as part of Phase 1. The Mill Race Terrace Street is designed as a shared street along its full length to create a pedestrian friendly environment; this is to be achieved by means of a unified paving surface of 4.8 metres in width that is narrowed in places to 4 metres by the careful positioning of street trees and furniture to create pinch points and slow the traffic naturally. These pinch points are located at each mini-stitch and will allow a single vehicle to pass across the space. In addition, a 2.5 metre footpath is provided along the southern edge of the street. On

the eastern edge of Phase 2 is a perpendicular sloping street providing north-south vehicular access and effectively creating a loop along the riverside, up the sloping street and along the Mill Race Terrace back onto the western access road. These smaller access roads within Phase 2 will be priority controlled junctions from the main western access road and it is intended that they will be privately managed rather than adopted. In order to address the matter of private roads and any future implications for their maintenance, a condition is proposed seeking details of a mechanism to secure details of their future management and maintenance to effectively ensure that neither the owner of the site nor any future tenants/owners of the dwellings can ever serve notice on the local highway authority requesting the highway authority to take responsibility for the maintenance of these roads.

- 10.45 With regard to parking provision, Members are advised that the Design Framework approved as part of the outline application includes a broad parking strategy and identifies that a total of 2175 car parking spaces would be provided across the site. It also acknowledges that the concept for the Kirkstall Forge development is based around a sustainable community such that the mix of uses is designed to realise an environment that combines a significant degree of a live/work/play ethic and the strong possibility that residents of the site may undertake all these activities without leaving the site boundaries. It also acknowledges that the site is well served by public transport routes, further reducing the dependence on the private car. The Framework accepts, however, that it is unrealistic to suggest that there will be no private car use into and out of the site such that it identifies the need for a design code to prioritise the concealment of cars wherever practical. It also acknowledges the need for short term parking to serve future shopping facilities and a concealed multi-storey to serve the influx of site population generated by the commercial uses. Indeed, the long-term vision for the provision of car parking to serve the commercial development within the site is the provision of a multi-storey car park most likely to be provided in a single location on the southern side of the river with the current preferred location being land to the west of the temporary station car park.
- 10.46 In the interim, for this phase of development, a total of 185 spaces are provided for the 112 residential dwellings, comprising 2 for each terraced house, 1 for each courtyard house and 1 per apartment (except for the two studios). Car parking for all of the residential dwellings is provided either in undercroft garages (on the Mill Race Terrace) or underground car parks to meet the original masterplan objective of concealing car parking. The undercroft garages on the Mill Race Terrace have been carefully designed such that where the garages are designed to allow cars to park one behind the other, the garages have an internal clear width of 3.3 metres and they are circa 10 metres in depth; the width of these garages is approximately 0.5 metres wider than the minimum internal width set out within the Leeds Street Design Guide with a 2.7 metre wide automated garage door in order to promote easy maneuverability and encourage their use. The Transport Statement submitted with this application notes that the level of parking for the terraced houses is provided in accordance with the Council's Street Design Guide and whilst the level of provision at 1 space per unit for the courtyard houses and apartments is lower than the standard, given the proximity of the dwellings to Kirkstall Forge Train Station, it is considered to be in line with that of City Centre residential dwellings. In addition, a further 32 visitor spaces are provided – 19 on the Mill Race Terrace, which are nestled into pockets of tree and shrub planting, 4 on the eastern sloping street, 6 on Exhibition Way (Riverside) and 3 on the western entrance road. For the commercial units, a total of 4 short-stay spaces are provided.

- 10.47 Although details of servicing arrangements are required by Condition 10(g) of 15/04824/FU such that they are not a matter for consideration as part of this application, it is noted that the applicant has prepared a full residential and commercial refuse strategy, which details how refuse and servicing will be managed. In essence, the Mill Race Terrace dwellings will simply pull their wheelie bins onto the road whilst those on the Middle and Riverside Terrace will move them to a central collection point and the refuse vehicle will reverse into the site to collect the bins. For the courtyard blocks, an estate management company will move larger euro bins from the communal bin stores to a collection point. For the commercial units, the Design and Access Statement advises that this part of the scheme has been carefully designed to allow the majority of units to have a rear service access for refuse and most of the units will share a central bin store that they can access from the rear of their premises. It is noted that it is expected that deliveries will be made through the shop fronts and will be restricted to certain times through the lease rather than requiring a specific condition. The service access provides an alternative rear delivery route when required or outside of restricted hours. In addition, two dual purpose loading/drop-off bays are proposed on each side of the Stitch Square on Exhibition Way to further serve the commercial units, which will be time restricted by traffic regulation orders.
- 10.48 In terms of overall parking numbers, the original aspirations of the outline planning permission, to, in effect, create a sustainable community are noted and this site will ultimately deliver a range of services and facilities to serve future residents. It is also in close proximity to the Kirkstall Forge railway station with a direct link into Leeds and beyond. In this context, it is a sustainable location such that the level of car parking that is proposed in terms of two spaces per dwellinghouse and 1 space per courtyard units, is justified. Furthermore, it is in accordance with the Council's parking standards (January 2016), which are maximum standards in any event rather than establishing a minimum requirement. It is acknowledged that the primary concern of the Highways Officer in relation to this phase of development is the lack of visitor parking for the Riverside and Courtyard apartments. However, the Council's Street Design Guide, which sets out the guidelines on parking in new residential development as referred to within the Council's Parking SPD recommends that visitor car parking be provided at a rate of 1 space per 5 units, which would equate to 23 spaces for 112 units; it is actually the case that 31 on-street visitor parking spaces are provided and although these are primarily on the Mill Race Terrace (19) with the remaining 4 on the eastern sloping street, 6 on the new river road and 3 on the western entrance road, they will still be accessible to the Riverside and Courtyard units. In addition, there are already a further 8 time-limited visitor spaces on the spine road delivered as part of Phase 1, which will further assist with visitor spaces such that overall, the provision does accord with adopted guidance.

Affordable Housing

- 10.49 In the course of the pre-application presentation to the 22nd December 2016 Plans Panel, Members of that Panel sought clarification with regard to the provision of affordable housing within the Kirkstall Forge development. As Members will appreciate, the provision of affordable housing is a matter pursuant to the Section 106 Legal Agreement secured as part of the original outline planning permission such that it does not form part of the assessment of this Phase 2 Reserved Matters submission. However, the following is advised for information only.

10.50 The Section 106 Legal Agreement secured in accordance with 11/01400/EXT (with the provisions carried through as part of the Section 73 approval 15/04824/FU) proposes that a financial sum of £4.67 Million (index linked) is payable to the Council when specific development triggers are met. The Council is then entitled in its absolute discretion to decide how this money is spent in relation to the following six matters: (a) the provision of footpaths between the railway station and canal towpath (completed) and to Kirkstall Abbey; off-site highway works to mitigate highway impacts associated with the development, primary and secondary education, affordable housing, community benefits and a Travel Plan monitoring fee.

10.51 For the purposes of affordable housing as well as the off-site highway works, education provision and community benefits, the Council is not entitled to call for payment of the contribution until the development reaches the trigger calculated in accordance with the following formula:

$(A \text{ (Dwellings occupied)}) + (4.72 \times B1 \text{ GFA square metres occupied}/100)$ is equal or greater than 750 dwellings

Phase 1 (Plot J1) delivers the B1 floorspace referenced within this formula. Plot J1 has a gross internal area of 14,736 square metres. For the purposes of this calculation, however, it is appropriate to exclude the basement parking area from this figure as it does not constitute B1 floorspace so the gross internal area of B1 office space that can be occupied within Plot J1 is 12,730 square metres.

10.52 Accordingly, pursuant to the formula, if Plot J1 is fully occupied a total of 149 dwellings could also be occupied before the Council is entitled to call for the Contribution to be paid. This Reserved Matters application for Plots E/F comprises 112 dwellings. Therefore, even with Plot J1 fully occupied, the Contribution would not be triggered until after Plots E/F was also fully occupied such that it will not be triggered by this phase of development. The payment of the contribution is therefore likely to be triggered in the phase following Plots E/F (i.e. Plots J3/J4). The contribution (or part of it) could then be used to buy properties from within the next residential phase of the development on site or off-site at the Council's discretion.

Response to representations

10.53 A response to the representation submitted by the Civic Trust has been sought from the applicant, as detailed below:

(i) The terraces' orientation can take advantage of winter solar gain and the large windows on the south sides do this. But shading may be needed in summer.

The applicant has advised that they are specifying low solar gain glass and have conducted overheating analysis on the properties, both using current climate data and predicted future climate data to take account of climate change. This has shown that natural ventilation through the properties is sufficient to reduce overheating risk in line with technical guidance without needing any solar shading other than the deep brick reveals of the windows. The majority of properties are also designed to benefit from cross-flow ventilation with opening windows/doors on both sides.

(ii) The orientation would also lend itself to provision of extensive solar panels and photo-voltaic panels, but no mention is made of these. In fact there is no indication

of how the heating would work. If not solar, then some form of CHP must be an obvious possibility for this layout.

The applicant has prepared some additional sustainability and energy information in relation to Phase 2. They principally advise that due to this first housing phase being burdened with some initial costs including the restoration of the Mill Race, the public realm works, the construction of the pocket park, they advise that it is not possible to achieve the carbon reduction targets set out in Policy EN1 of the Core Strategy, to provide a minimum of 10% of the predicted energy needs of the development from low carbon energy although they note that future phases can more easily accommodate such sustainable measures. It is considered that whilst it is disappointing that Phase 2 cannot achieve even 10%, it is noted that Condition 10(a) of 15/04824/FU requires the submission of a sustainability appraisal prior to each phase of development in any event and it may be necessary to consider the sustainability of Kirkstall Forge as an entire site rather than a single phase; indeed, Phase 1 (Plot J1) was designed to the equivalent of achieving a BREEAM rating of Excellent. Moreover, the outline permission pre-dates the adoption of the Core Strategy and specifically the introduction of Core Strategy Policy EN1 (carbon dioxide reduction) such that it would not be feasible to refuse the application on this basis but it is a matter that will be pursued through the sustainability appraisal for future phases.

(iii) The "Mill Race" street along the top terrace looks an attractive proposal, but with tandem garages, most will probably leave at least one car on the road, taking up street parking there.

This is addressed within the report above.

(iv) Issues like this and putting bins back in after collection, suggest that some form of resident agreements may be needed to ensure that the shared communal spaces are treated as they should be. Will this be self-managing?

CEG's (effectively the applicant) estate management company will own and manage the non adopted roads and communal spaces, so they advise that they will work hard to ensure that they are used appropriately although they note that it should also be self-managing.

(v) The central underground street is less attractive. Open vents, perhaps in the corners of gardens over, and in the communal garden of the flats, would be a good way of providing ventilation, natural light and some surveillance.

The applicant advises that for the gardens, it is not desirable to connect them with the covered mews below, especially for acoustic reasons. The applicant notes that they obviously wants these spaces to be as positive as possible and they are looking at adding some openings to assist with ventilation but the technical resolution of this is on-going and will be subject to condition.

(vi) It appears from the drawings, though this is not indicated in the Design and Access Statement, that the flats and houses by the Stitch could be wheelchair accessible, with a communal lift from the car park and space for a platform lift in the houses. If this is the case it is to be welcomed, though access to the communal lift is a little circuitous.

The applicant advises that access to all of these dwellings is possible by wheelchair as they all have level thresholds. All houses are designed as Part M category 1 “visitable dwellings”. Access to communal lifts is also quite direct for E3 from the River Boulevard and for E2 from the Mill Race Terrace.

- 10.54 In response to the comments made by WYCA regarding their concern that the development may be phased in a way to delay the infrastructure / bus service being provided, WYCA have not submitted any evidence to support this view and as advised at Paragraph 10.41, the construction of the eastern access and the provision of a bus route through the site is clearly controlled by Conditions 12 and 13 of 15/04824/FU and it is not a matter for consideration as part of this application. It is also considered unnecessary at this stage to consider the provision of indicative bus stop locations, which will be more appropriately determined when both the eastern and western accesses are in place, when the bus service route is defined and there is certainty over the location and form of future development.

11.0 CONCLUSION

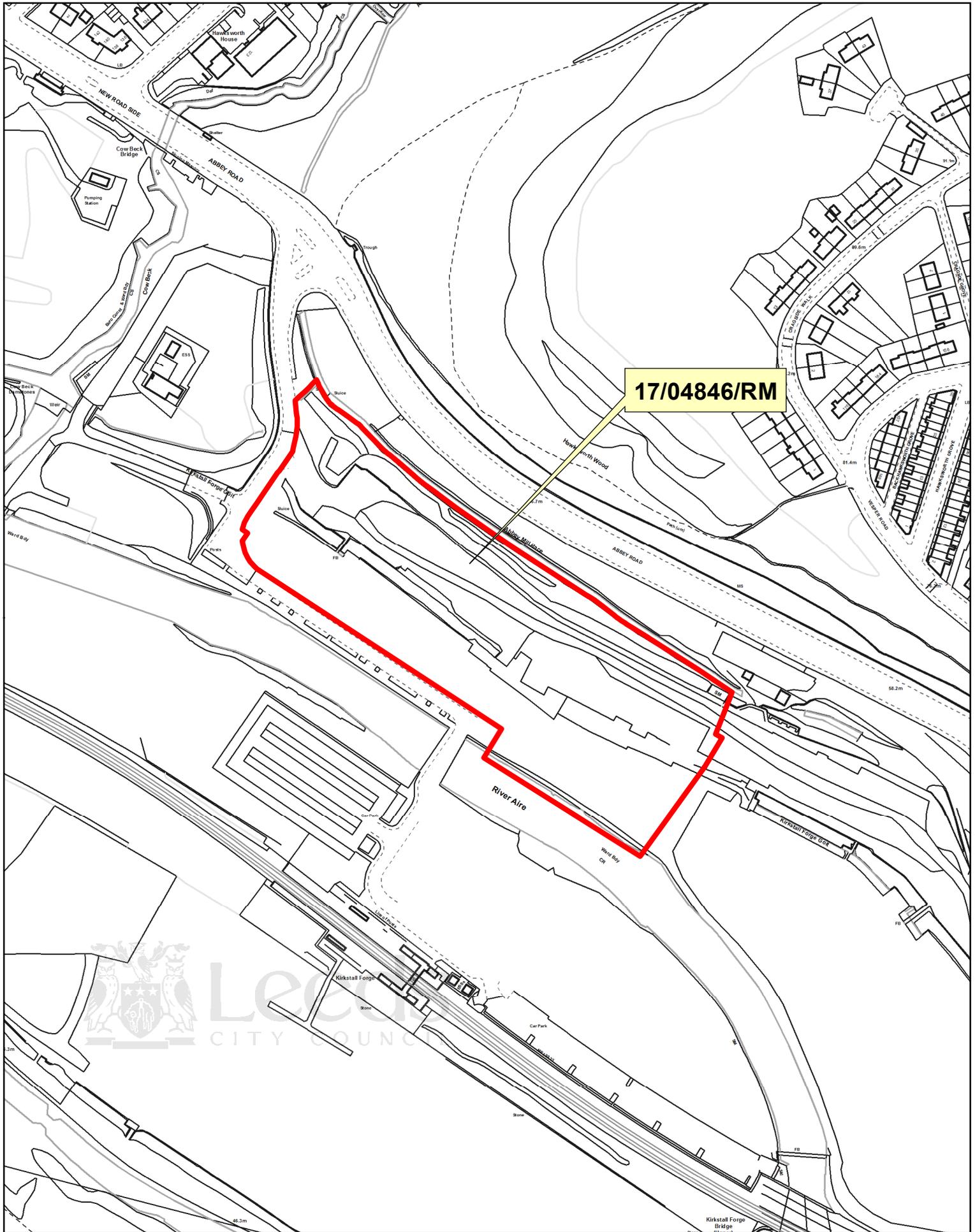
- 11.1 This is a Reserved Matters application to consider details of appearance, layout, scale and landscaping as required by Conditions 1, 2 and 3 of 15/04824/FU pursuant to the second phase of development within the Kirkstall Forge site – comprising 112 houses and apartments (Use Class C3), circa 2,925 square metres of commercial space, (Use Classes A1, and/or A2, and/or A3, and/or A4, and/or A5, and/or B1, and/or D1 and/or D2), amenity space and a new public square
- 11.2 Means of access in relation to the Kirkstall Forge development, including the highway impact of the development, was assessed and approved in accordance with 11/01400/EXT and subsequently as part of the Section 73 permission 15/04824/FU such that it does not form a matter for consideration as part of this application.
- 11.3 The extent of and location of the residential and commercial accommodation proposed within this application is entirely within the scope of the outline planning permission 11/01400/EXT and 15/04824/FU. It is therefore determined that the principle of development is clearly established by the outline permission and no further assessment of policy or principle is necessary in this regard.
- 11.4 It is concluded that this Reserved Matters application sufficiently demonstrates that the layout of Phase 2 has sufficient regard to the position of future development. It responds appropriately to the topography of the site and ensures a contextual response to the natural landscape. It is therefore considered to be based upon a thorough contextual analysis and provides a sound basis for future development on adjacent plots in accordance with Core Strategy P10 and guidance within the NPPF.
- 11.5 The scale of development is entirely within the parameters of the previous outline planning permission and ensures that the development maximises existing vistas and delivers a massing of development that is appropriate to its function and context in accordance with Saved UDP Policy BD2 and Core Strategy Policy P10.
- 11.6 With regard to its appearance, the design of Phase 2 is consistent with the objectives of the Design Framework approved as part of the outline planning permission to deliver a contemporary design solution to housing provision within the site and to contribute positively to place making in accordance with the objectives of both Policy P10 of the Adopted Core Strategy and guidance within the NPPF.

- 11.7 There has been a considerable emphasis upon securing a high quality landscape across Phase 2 to ensure that it is consistent with the objectives of the originally approved Design Framework. In this context, and subject to a review of species and planting density to be sought by condition, it is considered that it will enhance the natural landscape of Kirkstall Forge, provide a high quality public realm and deliver visual interest at street level across the site in accordance with Core Strategy Policy P12 and Saved UDP Policy LD1.
- 11.8 The Reserved Matters application is therefore considered to sufficiently meet the objectives of up-to-date policies within the Development Plan. It is also concluded that the details of scale, appearance, layout and landscaping submitted for this application demonstrate that Phase 2 will meet the intentions of the Design Framework approved in accordance with the outline planning permission. It will contribute to the objective of achieving a high quality aesthetic with buildings that are that 'robust and timeless, making reference to the local architectural heritage yet interpreted in a contemporary manner'. For the reasons set out in the report above, the application is recommended for approval subject to conditions.

Background Papers:

Application and history files.

Certificate A signed by the agent.



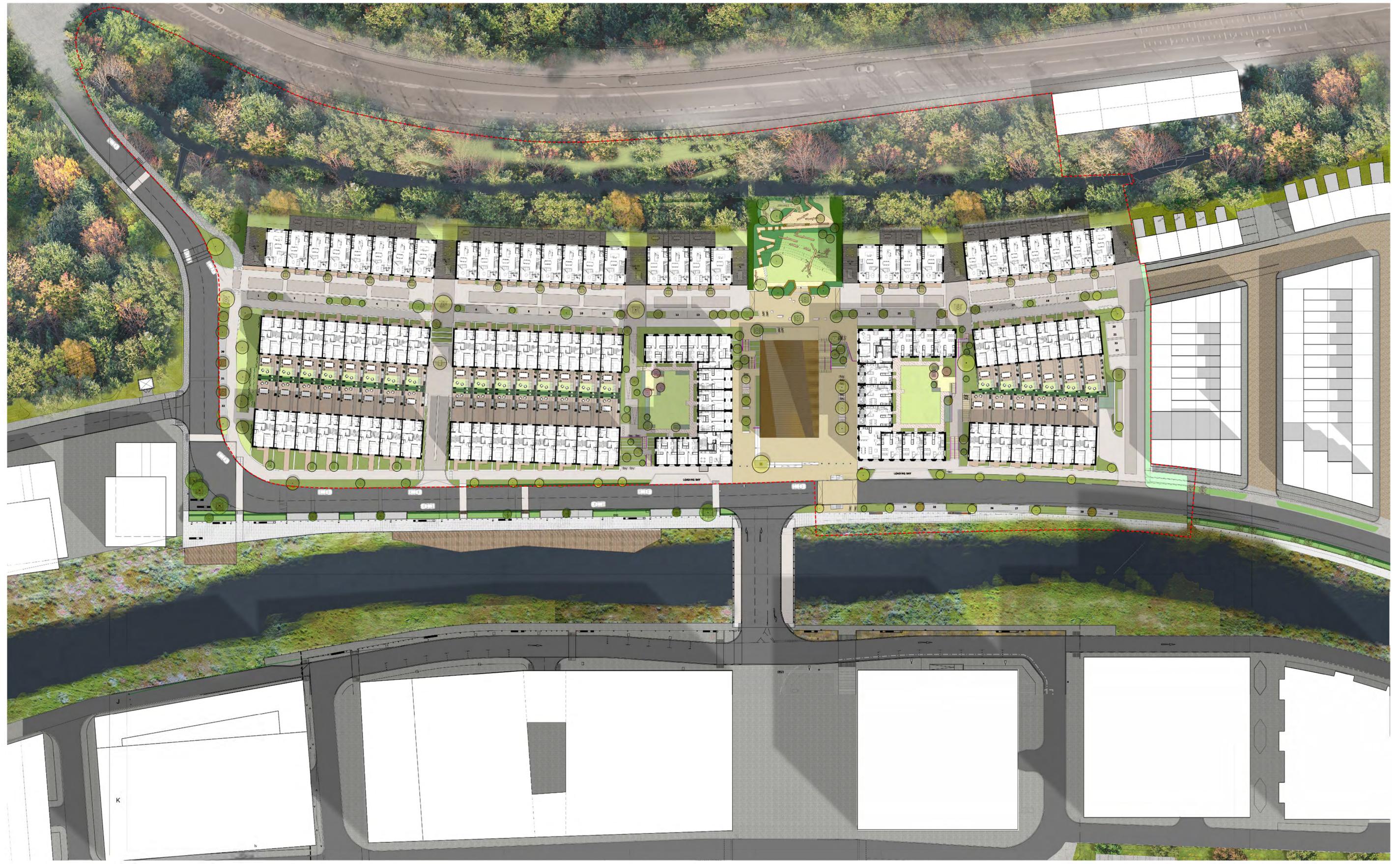
SOUTH AND WEST PLANS PANEL

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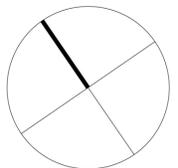
PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/2500





Amendment	Date
J - Planning amendments	16.10.2017
H - Revised site boundary line	21.09.2017
G - Revised planning submission	17.08.2017
F - Planning submission	20.07.2017
E - Draft planning submission	17.03.2017
D - Issued for Stage 3	14.03.2017
C - General Issue	15.12.2016
B - Updated Design	30.11.2016
A - Issued for Stage 2	13.10.2016



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KIRKSTALL FORGE HOUSING
SITE PLAN LEVEL 2
Do not scale
Original printed at A1

Job/Drawing No
1437-3/ P/005 J
Amendment
Scale 1:500 (1:1000 @ A3)
Date October 2017
Drawn STUDIO | BATH
All dimensions to be checked on site