



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 14th December 2017

Subject: 17/03974/RM Reserved Matters application for 292 dwellings [currently revised upwards to 300] including layout, scale, appearance, landscape and access. Northern development pots on land south of railway line at Thorpe Park, Leeds, LS15 8ZB

APPLICANT	DATE VALID	TARGET DATE
Redrow Homes (Yorkshire) Limited	19/06/17	Extension of time to be agreed

Electoral Wards Affected:

Temple Newsam

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE APPROVAL to the Chief Planning Officer.

1.0 INTRODUCTION:

- 1.1 This application is presented to the Panel because the proposal is a significant one in terms of its relative size, and when the Panel initially granted outline planning permission it requested that the reserved matters detail be brought back to the Panel for its determination.
- 1.2 On 2nd February this year the development was the subject of a pre-application presentation by Redrow under ref: PREAPP/16/00661. Members made a number of detailed comments about the scheme and Redrow responded to them positively. On 12th October this year Members also received a position statement on the formal submission that is the subject of this report where the scheme and design of the house

types was in particular well received. Redrow are continuing to work positively with officers to address the remaining and largely detailed technical issues, and the application is therefore now brought back to the Panel to seek delegated authority to keep up the momentum moving towards final determination, with the recommendation being to defer and delegated final approval to the Chief Planning Officer.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application relates to the northern half of the employment allocation at Thorpe Park that totalled approximately 65 hectares. The site is located to the south of the Leeds-York railway line and Manston Lane, west of the M1 (junction 46), north of the A63 Selby Road and the existing Thorpe Park buildings. Austhorpe Lane is to the west. The site covers Zone B of the Thorpe Park masterplan but excludes what it termed 'Central Park', which is an important landscaping and open space feature running east to west across the site and which contains the SUDS attenuation/balancing ponds.

3.0 PROPOSAL

- 3.1 The application seeks approval of the detailed reserved matters relating to layout, scale, appearance, landscaping and detailed access arrangements for this residential development. The main access from a signalised junction from the north south Manston Lane Link Road (MLLR) has already been approved at the outline stage.

4.0 PLANNING HISTORY

- 4.1 Outline planning application reference 14/05481/OT for up to 300 dwellings was the subject of a position statement at the 20th November 2014 meeting of City Plans Panel at which Members resolved to visit Derwenthorpe, York, images of which had been displayed at the meeting. Member visited Derwenthorpe in late December that year to view it as an example of a contemporary, waterside residential development.
- 4.2 The outline application was subsequently considered at the 22nd January 2015 meeting where it was resolved to grant planning permission, subject to conditions and a S106 legal agreement. Planning permission was granted on 2nd April 2015, following the decision of the Secretary of State not to call in the application (they were consulted as it was a departure from the employment allocation), and following completion of the requisite legal agreement. A consequential variation to the quanta of uses for a reduction in the amount of B1 office uses on the main Thorpe Park development was also approved under application reference 14/05483/FU.
- 4.3 Under the extant outline planning permission for the residential element all matters were reserved, save for the main access point which as approved incorporates a single access point off a signalised junction from the MLLR. An approved masterplan for the wider Thorpe Park development establishes the broad layout of the residential development and includes the provision of greenspace in the form of Central Park, which is also to contain SUDS drainage ponds that serve all of Thorpe Park. The masterplan envisaged three 'green fingers' which would project northwards from Central Park into the residential development and active frontages facing central park.
- 4.4 The S106 agreement under the outline permission covers the following areas and is provided for information:

- **Affordable Housing:** 15% provision (of which 60% to be sub market/intermediate affordable units and 40% social rented affordable units, the type and mix to be agreed).
- **Education:** An interim education contribution of £357,286.50 prior to first occupation, a further £357,286.50 prior to occupation of 75 units, a further £357,286.50 prior to occupation of 150 units (total £1,071,859.50), and a further final payment prior to occupation of 225 dwellings (in accordance with an education contribution formula depending on the number of family units ultimately provided on the site).
- **Greenspace:** A new area of public open space within Central Park and public access to it, to include the continuation of a 4 metre wide tarmacked and illuminated footpath (prior to first occupation of any Dwelling), and a residential contribution of towards Green Park of £106,080 (upon commencement of the residential development).
- **Transport:** Residential Public Transport Contribution of £300,000 (prior to first occupation of more than 49 dwellings); a thirty minute frequency bus service; a Residential Bus Infrastructure contribution of £10,500 (prior to first occupation of any dwelling); a Car Club Contribution of £15,000; a Metrocard Contribution of £4,350, and; a Travel Plan and Travel Plan monitoring fee *

**Total contributions in relation to transport are capped at £2million for Thorpe Park as a whole.*

- **Employment:** Requirement to work with Employment Leeds from the start of the tendering process, throughout the period when the residential development is under construction, and to use reasonable endeavours to develop a scheme to promote employment opportunities for Local People.
- **Expansion Land:** Requirement not to permit first occupation of any dwelling until the owner has entered into a Section 38 Agreement and has dedicated the expansion land required for ELOR as highway pursuant to the agreement.

4.5 Conditions of the outline planning permission cover:

- A maximum of 300 dwellings (4).
- Adherence to the submitted masterplan (5).
- Landscaping implementation programme, management and maintenance arrangements for each phase (6) & (7).
- Removal of permitted change of use rights for the complimentary uses to the east of the residential development [which are outside the redline area of this pre-application enquiry] (8).
- External materials and excrescences to be agreed (9) & (10)
- External surfacing materials to be agreed (11)
- No occupation of any unit until the N/S and E/W sections of the Manston Lane Link Road have been practically completed and opened to traffic (12).
- Precise access, junction and crossing details/maximum gradient (13) & (14).
- Surfacing of highways prior to occupation (15).
- Details of rights of way, cycle routes and bridge detail, including implementation timetable, prior to occupation (16) & (17).
- Travel Plans prior to occupation of a phase (18).
- Measures to suppress dust and mud on haul and circulation routes (19) & (20).

- Contractor parking provision and management (21).
- Parking provision including for city car club [2 spaces] and cycle/motorcycle storage (22) & (23).
- Quarterly updates on delivery of Manston Lane Link Road (24).
- Sustainability Statement/BREEAM assessment, including low and zero carbon measures to generate 10% on-site energy and a target of 20% above Building Regulations (25).
- Surface and foul water drainage, SUDS pond detail and early cultivation/seeding of Central Park prior to commencement (26), (27) & (30).
- Adherence to 'Secured by Design' principles (28).
- Demonstration prior extraction of coal has been considered (29).
- Site levels (31).

5.0 HISTORY OF NEGOTIATIONS

- 5.1 Following the 12th October 2017 position statement discussions have continued between the applicant and officers in order to respond to a number of final detailed technical considerations, most of which are now resolved. Officers have discussed the concerns of the Coal Authority with them in relation to mining legacy, and Redrow have subsequently met with them, both culminating in the Coal Authority's earlier objection being withdrawn.
- 5.2 Discussions regarding detailed layout considerations not yet fully resolved are still ongoing with officers although it is not anticipated the overall scheme, and in turn its wider impact will alter to any great extent. Any required changes relate to detailed plot by plot relationships and accordingly officers do not consider such revisions to raise issues beyond the application site. Accordingly the 'defer and delegate' officer recommendation is not in this instance considered to result in the need for further formal consultation or publicity. Notwithstanding this, it is intended to share any revised plans with Ward Members prior to formal approval should Panel Members accept this officer recommendation.

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 The application was publicised by way of a site notices placed around the site and on neighbouring residential streets in the wider area, and in the Yorkshire Evening Post on 21st July 2017. In response one letter of objection has been received from Leeds Civic Trust. Points raised therein can be summarised as follows:
- We do not object on design grounds but have a number of comments:
 - I) The division of the site into groups of "modern" style houses and retro "garden village" style houses seems arbitrary.
 - II) The flats seem bulky and boxy in contrast with the houses.
 - III) The energy plan suggests that the means of meeting Condition 35 of the outline will be solar photo-voltaic panels on south facing roofs however none are shown on the drawings; these should be integrated into the roofs using photo-voltaic tiles rather than added on as panels.
 - Any development located next to a transport hub should be at higher densities than further away to reduce travel distance for more people, and the proximity of

the proposed station suggests that the developer should be striving for a higher standard of sustainability in this respect.

- The Design and Access Statement makes no mention of the proposed railway station and park and ride which will immediately adjoin the site. This is an important element in the Leeds Transport Strategy, without which the development of this site is unsustainable as there is no guarantee the bus services as part of the S106 agreement will be available in perpetuity.
- Consideration of the location of the proposed station would radically alter the proposed layout.

6.2 Ward Members have been advised of the application but no formal comments have been received to date.

7.0 CONSULTATION RESPONSES:

7.1 Statutory:

Health and Safety Executive: Do not advise against the grant of permission.

Coal Authority: No objection; summary:

Intrusive site investigations have been carried out across the application site by the land owner to establish the extent of mine workings and have been/are to undertake to remediate the site to ensure the safety of future occupants. These measures include the extraction of coal and the removal of worked seams within the western part of the site and the grouting of shallow workings elsewhere. These works are subject to a Coal Authority Incidental Coal Agreement and Permits. A cluster of mine entries to the eastern portion of the site have been/will be capped. In light of the exceptionally robust specification for the reinforced caps installed/to be installed over the mine entries in this particular instance **we withdraw our objection to this proposal**. This is subject to ongoing treatment works being carried out strictly in agreement with those details approved under the permitting process. The Coal Authority would expect the remedial works carried out at the site to be fully considered as part of any subsequent application for the development under the Building Regulations in terms of the final foundation designs for the dwellings, and in terms of the need for the incorporation of gas protection measures within the development.

Network Rail: No objection.

7.2 Non Statutory:

Yorkshire Water: No objections.

Contaminated Land: No objections.

Highways: No objection but detailed comments made in relation to accesses/driveways on a plot by plot basis required before the proposal would be regarded as fully acceptable in highway terms.

Landscape: Recommends revision to layout in relation to the green fingers and requests further technical information on soils and planting.

Nature Team: Recommend revised boundary treatment along west boundary and an appropriate meadow mix/maintenance regime for specified area to allow for better connectivity for amphibians from central park to the banks of the railway. The open water flow from central park northwards should not be culverted in accordance with Saved UDP policy N39.

Environment and Housing: No objection subject to further information on noise mitigation from the Railway.

8.0 RELEVANT PLANNING POLICIES

8.1 Section 38(6) 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. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan Review (2006) and the Natural Resources and Waste Development Plan Document (2013), and any made Neighbourhood Development Plans.

8.2 Thorpe Park is formally allocated by saved UDP (Review) 2006 policy E4:6 as employment land and is afforded further policy support within the Core Strategy under policies SP9 and EC2. Combined, these policies seek to ensure Leeds retains an adequate supply of employment land (including office accommodation) up to the year 2028.

Adopted Core Strategy:

8.3 The Core Strategy is the development plan for the whole of the Leeds district. The Core Strategy (CS) was adopted in November 2014. The following CS policies are most relevant:

Spatial policy 1 Location of development
Spatial policy 9 Provision for offices/employment land
Spatial policy 13 Strategic green infrastructure
Policy H3 Density of residential development
Policy H4 Housing mix
Policy H5 Affordable housing
Policy P10 Design
Policy P12 Landscape
Policy T1 Transport management
Policy T2 Accessibility requirements and new development
Policy G1 Enhancing and extending green infrastructure
Policy G4 New greenspace provision
Policy G8 Protection of important species and habitats
Policy G9 Biodiversity Improvements
Policy EC2 Office Development
Policy EN1 Sustainability targets
Policy EN2 Sustainable design and construction
Policy EN5 Managing flood risk

Saved Leeds Unitary Development Plan (UDP) (Review) Policies:

8.4 The most relevant UDP Review (2006) policies are listed below for reference:

Policy GP5 Requirement of development proposals
Policy N23/ N25 Landscape design and site boundaries
Policy N24 Development proposals next to green belt/ corridors

Policy N32 Green Belt
Policy N39B Watercourses and new development
Policy BD5 Design considerations for new build
Policy LD1 Landscape schemes

Natural Resources and Waste Local Plan:

8.5 The most relevant Natural Resources and Waste Local Plan (adopted) policies are listed below for reference:

AIR 1	Management of air quality through development
WATER 1	Water efficiency
WATER 2	Protection of water quality
WATER 6	Flood Risk assessments
WATER 7	Seeks to ensure no increase in the rate of surface water run-off and the incorporation of sustainable drainage techniques.
LAND 1	Requires submission of information regarding the ground conditions
LAND 2:	Relates to development and trees and requires replacement planting where a loss is proposed.

Supplementary Planning Guidance / Documents:

8.6 SPG10 Sustainable Development Design Guide (adopted).
SPG13 Neighbourhoods for Living (adopted).
SPG22 Sustainable Urban Drainage (adopted).
SPD Street Design Guide (adopted).
SPD Designing for Community Safety (adopted).
SPD Sustainable Design and Construction (adopted).

National Planning Guidance:

8.7 The National Planning Policy Framework (NPPF) identifies a number of core planning principles which include for planning to be genuinely plan-led with plans kept up-to-date and to provide a practical framework within which planning decisions can be made; proactively drive and support sustainable economic development and seek to secure high quality design. In this case the following sections are most relevant:

Achieving sustainable development
Building a strong, competitive economy
Section 4 Promoting sustainable transport
Section 6 Delivering a wide choice of quality homes
Section 8 Promoting healthy communities
Section 7 Requiring good design
Section 11 Conserving and enhancing the natural environment
Section 12 Conserving and enhancing the historic environment
Decision taking
Annex 1: Implementation

DCLG - Technical Housing Standards 2015:

8.8 The above document sets internal space standards within new dwellings and is suitable for application across all tenures. The housing standards are a material consideration in dealing with planning applications. 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 the local plan to the nationally described space standard. With this in mind the city council is currently looking at incorporating the national space standard into the existing Leeds Standard via the local plan process,

but as this is only at an early stage moving towards adoption, only limited weight can be attached to it at this stage.

9.0 THE MAIN ISSUES

9.1 The main issues that fall to be considered are:

- Principle of the development
- Highways
- Appearance, layout and landscaping
- Representations
- Other considerations
- Community Infrastructure Levy

10.0 APPRAISAL

Principle of the Development:

10.1 The long term ambition of the Core Strategy (and the UDPR before this) is to maintain and strengthen Leeds's position as the economic hub at the heart of the City Region and to provide new jobs and appropriate locations which meet the needs of future employers. The focus of this approach is to continue the growth of a strong, diverse and successful urban and rural economy, with skilled people and competitive businesses which are sustainable, innovative, creative and entrepreneurial, and which support the delivery of the Council's Growth Strategy. Thorpe Park is delivering the MLLR which feeds into the East Leeds Orbital Road, and has an important role to play in achieving this growth, particularly in East Leeds, and in turn this housing application is a significant component in that and one which makes a meaningful contribution to the City's housing needs.

10.2 Outline permission has been granted and the primary access is as approved from a signalised junction westwards off the MLLR (north – south section). The layout follows the basic masterplan shown at outline stage and Members have already advised that they are broadly content with the amount and scale of development. The comfort offered by the detail which is required under the conditions of the outline permission and contributions required under the legal agreement, which are summarised above, all still apply. The principle is therefore well established and what falls to be considered is the appearance, layout and landscaping of the scheme, together with any housing need and other policy requirements.

Highways:

10.3 The main access is approved from the MLLR. Whilst there remain a few outstanding technical issues in relation to detailed highway matters these are already being actively reviewed by the applicant. In addition, earlier concerns over the arrangement of residential accesses from the spine road immediately off the MLLR have been addressed by their removal; access to these specific dwellings having been relocated to the west accessed from the north of the easternmost green finger. Subject to some minor amendments on a plot by plot basis, the development is not considered to raise any highway safety concerns and accordingly no highway objection to the development is raised.

Appearance, Layout and Landscaping:

- 10.4 As Members will recall from the position statement, Redrow have sought to introduce a more contemporary design of dwelling facing central park and the main Thorpe Park developments, and this was generally well received. Two broad character areas are proposed. That which faces central park and running up the 'green fingers' which project into the development now makes use of a more contemporary design, using brick, light render and timber cladding with grey windows, similar to the style of dwellings which members saw at Derwenthorpe. Design colleagues comment that they are more contemporary in appearance and are considered to be based on simplicity, having a balanced order in terms of window to wall ratios and window proportions, making use of a simple palette of materials in a disciplined manner. Some of the palette of materials continues into the second character area bringing overall cohesion and consistency to the development as a whole.
- 10.5 The proposal does not directly impact on any existing residents in terms of privacy or amenity because there are no immediate neighbours. Whilst broadly policy compliant officers are continuing to work with Redrow in terms of ensuring that the proposals meet the aspirations of the development plan and Neighbourhoods for Living in terms of privacy, defensibility, outlook, and outdoor amenity space for future residents.
- 10.6 In responding to Members' concerns over the layout Members will recall Redrow have removed the Flats Over Garage units (6 No.) to ensure a continuous active frontage with central park and the easternmost 'green finger' is now more in line with the approved masterplan in terms of width. Further to 10.3 above, however, it is very slightly shortened by the introduction of an access point, in order to remove residential accesses from the main spine road which was problematic in highways terms. Discussions are ongoing over the precise detail and treatment of this area, and also in relation to the need to avoid culverting a watercourse to the west to allow for the movement of amphibians across the site. The layout however remains generally acceptable and final and fully detailed landscaping proposals will flow under conditions of the outline permission. Any updates will of course be provided at the meeting.

Representations:

- 10.7 The Civic Society has no objection to the design per se though they comment that the division into two character areas is arbitrary. They also commented that the flats seemed bulky and boxy in contrast with the houses and that any solar panels should be within the planes of the roofs and not bolted on later. In response and following the advice of design consultees Redrow removed the parapets from the flats to reduce their massing and addressed other more detailed design concerns. Redrow have demonstrated the incorporation of solar panels into roof planes. With regard to the objection to the relationship with the proposed station and the sustainability of the density of the development, there is a limit to the number of dwellings that can be accommodated from a single access from the MLLR (300), and the outline permission with approved masterplan and parameters pre-date any planned station.

Other Considerations:

- 10.8 The applicant has responded positively to housing mix and housing type policy concerns. Although well pepper potted through the site the affordable housing mix is still skewed towards flats. Redrow have been asked to provide information in justification for this, for example it has been questioned if flats are fitted with lifts and designed for elderly occupants. An update will be reported at the meeting.
- 10.9 The Coal Authority objection has been removed as is reported above, and in relation to nature conservation the Great Crested Newts have already been relocated from the site

to receptor ponds to the west under licence from Natural England. The boundary treatment detail to the west is being revised to ensure no unauthorised access to the ponds is made by future residents, in order to protect them. The approved water features in central park require a biodiversity enhancement plan by condition and existing conditions cover the requirements for a Great Crested Newt Licence. The development in relation to the Nationally Described Space Standards is currently being reviewed due to the introduction of some new house types and this will also be reported at the meeting.

- 10.10 All matters in relation to affordable housing provision (*15% on site*), education (*total contribution of £1,071,859*), greenspace (*contribution of £106,080 towards the adjacent local authority Green Park proposal and establishment of open space in central park adjacent with a lit footpath*), and transport contributions (*£300,000 towards establishment of a thirty minute bus service, travel plan, car club contribution of £15,000 and residential bus infrastructure contribution of £10,500*) are all covered under the existing S106 agreement. The agreement also incorporates a requirement to work with Employment Leeds from the start of the tendering process, as set out at 4.4 above.

Community Infrastructure Levy

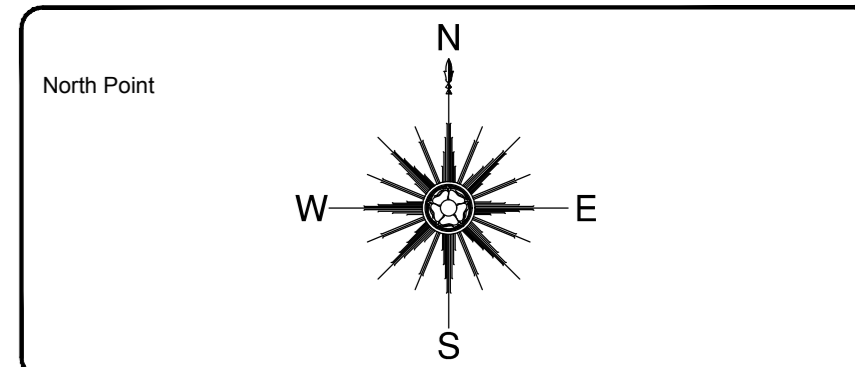
- 10.11 The Community Infrastructure Levy (CIL) was adopted by Full Council on the 12th November 2014 and was implemented on the 06th April 2015. Outline planning permission was granted before the implementation of the Adopted Charging Schedule, and therefore this reserved matters application is not CIL liable.

11.0 CONCLUSION

- 11.1 Permission in principle has been granted with a single access off the MLLR, and having earlier received a position statement, Members are generally content with the overall scale and amount of development, general appearance of the various house types and the basic layout noting it largely follows the details shown at the outline stage. The Coal Authority objection has now been withdrawn, and whilst there are a number of final detailed technical considerations in relation to highways, detailed design and layout to conclude, the scheme is generally acceptable and the recommendation is therefore to defer and delegate final approval of the reserved matters to the Chief Planning Officer.

Background Papers:

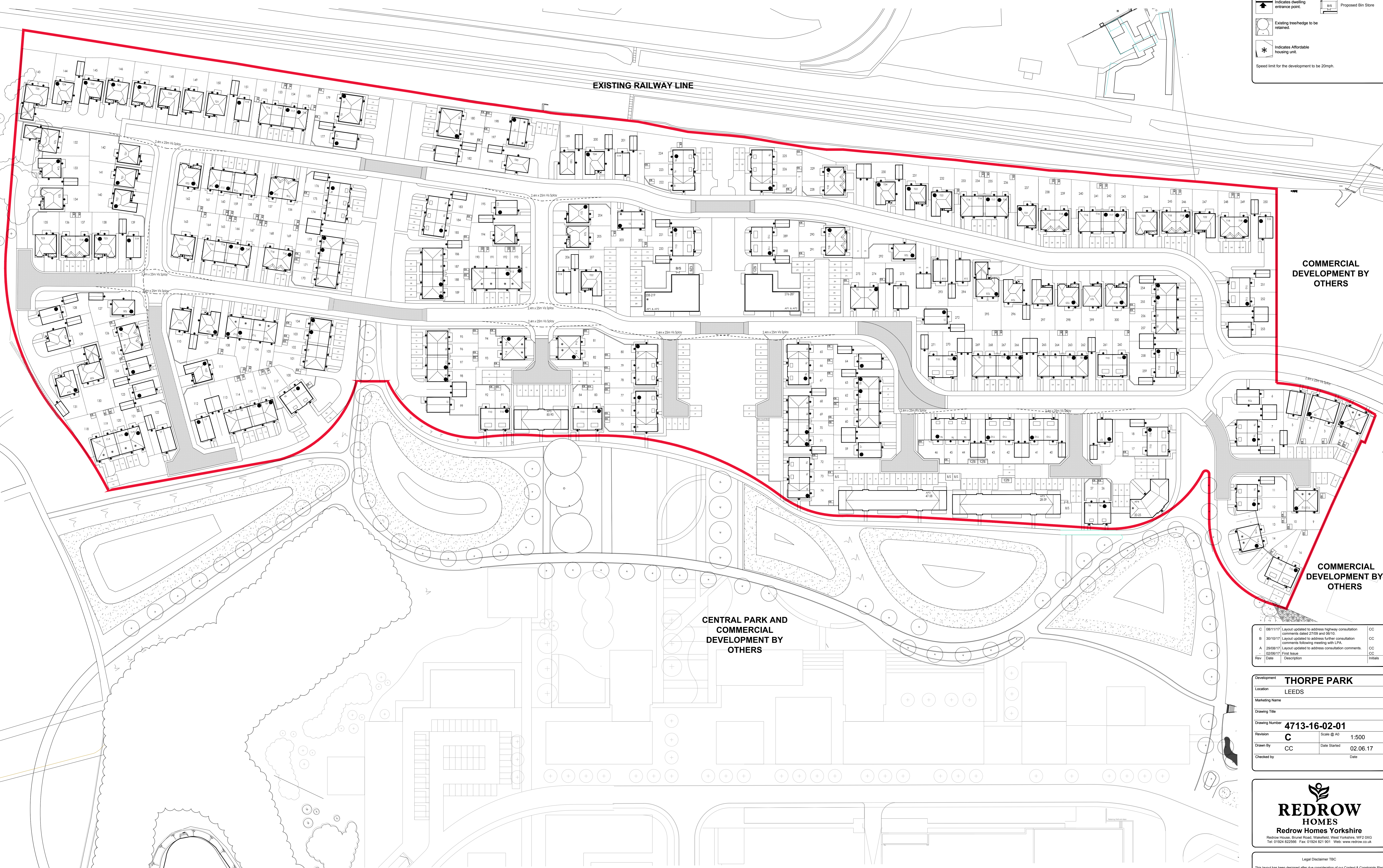
Case files: 14/05481/OT
PREAPP/16/00661
17/03974/RM



Key

- Indicates 'opposite' handing.
- Indicates dwelling entrance point.
- Existing tree/hedge to be retained.
- Indicates Affordable housing unit.
- Proposed Cycle Store.
- Proposed Bin Store.

Speed limit for the development to be 20mph.

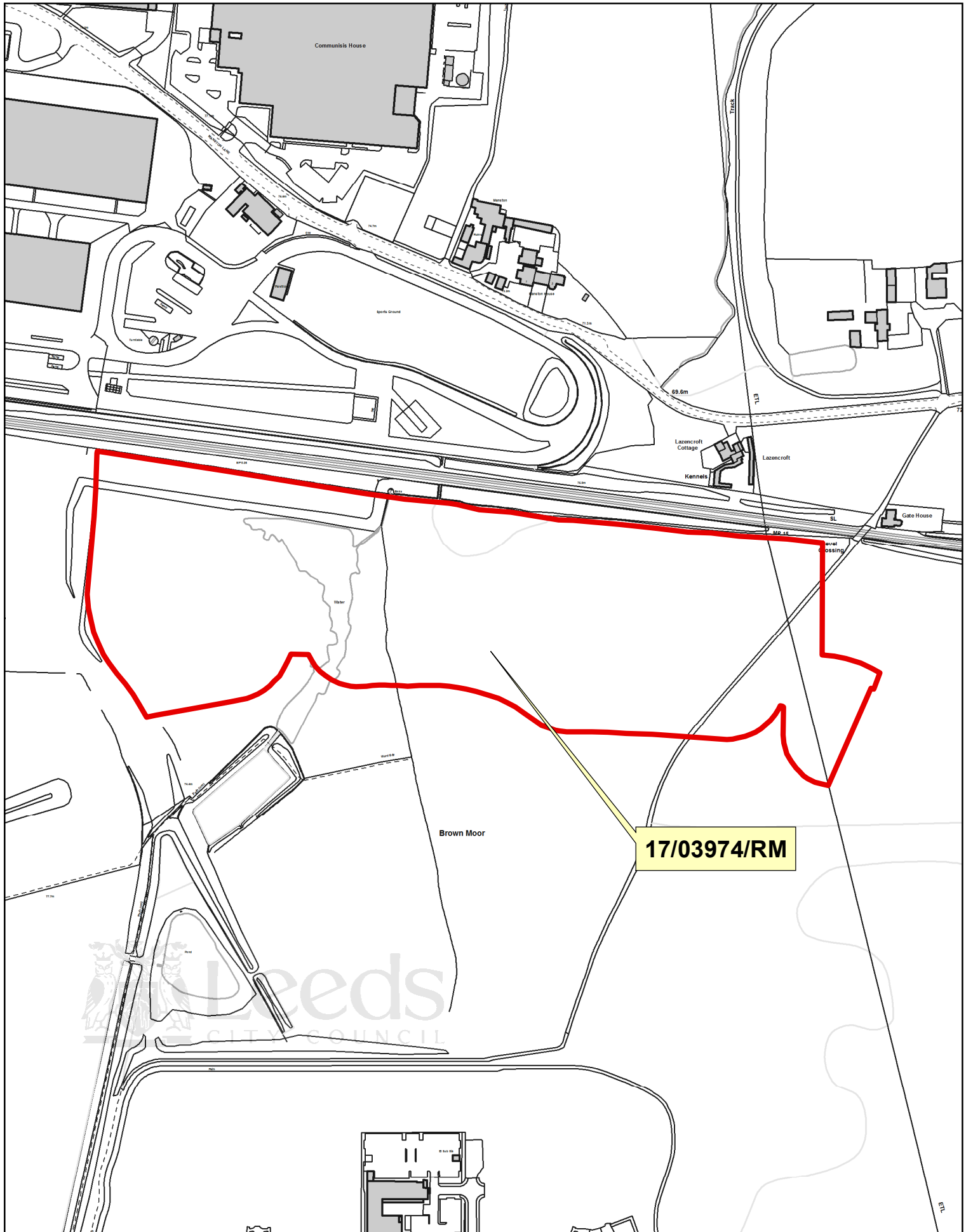


Rev	Date	Description	Initials
C	08/11/17	Layout updated to address highway consultation comments dated 27/09 and 05/10.	CC
B	30/10/17	Layout updated to address further consultation comments following meeting with LPA.	CC
A	29/08/17	Layout updated to address consultation comments.	CC
-	02/06/17	Final Issue	CC

Development	THORPE PARK		
Location	LEEDS		
Marketing Name			
Drawing Title			
Drawing Number	4713-16-02-01		
Revision	C	Scale @ A0	1:500
Drawn By	CC	Date Started	02.06.17
Checked by		Date	

REDROW HOMES
Redrow Homes Yorkshire
Redrow House, Brunel Road, Wakefield, West Yorkshire, WF2 0XG
Tel: 01924 822546 Fax: 01924 821 901 Web: www.redrow.co.uk

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CITY PLANS PANEL

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SCALE : 1/3500

