

**Report of the Chief Planning Officer**

***PLANS PANEL WEST***

**Date: 15<sup>th</sup> April 2010**

**Subject: APPLICATION 09/05311/OT OUTLINE APPLICATION TO DEMOLISH MILL BUILDINGS, LAYOUT ACCESS ROAD AND ERECT RESIDENTIAL DEVELOPMENT, COMPRISING OF DWELLINGS, SHELTERED HOUSING ACCOMMODATION (C3) AND CARE HOME (C2) AND CONVERSION OF MILL BUILDING TO RESIDENTIAL (INDICATIVE ONLY), WITH CAR PARKING, AT SPRINGHEAD MILLS, SPRINGFIELD ROAD, GUISELEY.**

**APPLICANT**

Springhead Development  
No1 Ltd

**DATE VALID**

7<sup>th</sup> December 2009

**TARGET DATE**

18<sup>th</sup> March 2010 (PPA)

**Electoral Wards Affected:**

**Guiseley and Rawdon**

☐ Y

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

**RECOMMENDATION:**

**REFUSE** the application for the following reasons

1. The Local Planning Authority considers that as the proposed development makes insufficient provision of affordable housing within the application. It is contrary to Policies H11, H12 and H13 of the Leeds Unitary Development Plan Review (2006), guidance set out in the adopted Supplementary Planning Guidance 'Affordable Housing', Interim Affordable Housing Policy (2008) and to the aims and objectives of Planning Policy Statement 3: Housing (PPS3).

2. The Local Planning Authority considers that the proposed development makes insufficient provision of additional or improved Greenspace to meet the needs of the development. The proposals are therefore contrary to the Leeds Unitary Development Plan Review (2006) policies N2 and N4 and Supplementary Planning Guidance 4, Greenspace relating to new housing development.

3. The Local Planning Authority considers that the proposed development makes insufficient enhancements to strategic public transport infrastructure, basic public transport site access provision and fails to encourage and promote access by sustainable modes of travel. It is contrary to Policies T2, T2C and T2D of the Leeds Unitary Development Plan Review (2006), Planning Policy Statement 1: Delivering Sustainable Development (PPS1) and Planning Policy Guidance 13: Transport (PPG13), Regional Spatial Strategy and provisions of the Councils 'Travel Plans' and 'Public Transport Improvements and Developer Contributions' Supplementary Planning Documents.

4. The Local Planning Authority considers that the proposal includes inadequate information to enable an informed decision to be made regarding the impact of the proposal on the highway network. In the absence of such information it is considered that it is likely to lead to an intensification of use which, in the absence of off site traffic management measures, would generate additional congestion as well as conflicting traffic movements to the detriment of road safety, the free flow of traffic and the amenity of existing and prospective residents in this vicinity, and the proposed development is therefore contrary to policies GP5 and T2 of the Leeds Unitary Development Plan Review (2006)

5. The proposed development, as indicated in the submitted plans and the Design and Access Statement, by virtue of its over intensive nature, height, scale, massing, layout and associated parking would appear over dominant and inappropriate in relation to the surrounding character of the area . This, combined with other design elements of the scheme are not considered to be of a sufficiently high quality and combined with the loss of heritage assets in the north eastern part of the site will have a detrimental impact upon the character and appearance of the area and the adjacent Guiseley Town Gate Conservation Area. The scheme is therefore considered contrary to Policies GP5, BD2, BD5, N12, N13, N19 and LD1 of the Leeds Unitary Development Plan Review (2006) and to guidance contained within Supplementary Planning Guidance in 'Neighbourhoods for Living' as well as being contrary to the aims and objectives of Planning Policy Statement 1: Delivering Sustainable Development (PPS1), Planning Policy Statement 3: Housing (PPS3) and Planning Policy Statement 5: Planning for the Historic Environment (PPS5).

6. The Local Planning Authority considers that the mix of accommodation proposed has failed to demonstrate that the development meets the needs of balanced provision of housing and mixed communities as required by policies GP5 and H9 of the Leeds Unitary Development Plan Review (2006) as well as being contrary to the aims and objectives of Planning Policy Statement 1: Delivering Sustainable Development (PPS1) and of Planning Policy Statement 3: Housing (PPS3).

7. The Local Planning Authority considers that the development has provided insufficient detail to enable an informed and accurate assessment of the proposals. In particular the applicant's assessment of the proposed 'assisted living' block as falling within Use Class C2 has not been supported with any evidence such as services to be provided to residents and the qualifying criteria of eligible residents. The likely infrastructure needs of the development including car parking, open space and the provision of affordable housing can therefore not be adequately assessed, contrary to policies GP5, GP7, N2, N4, H11, H12 and H13 of the Leeds Unitary Development Plan Review (2006) as well as being contrary to the aims and objectives of Planning Policy Statement 1: Delivering Sustainable Development (PPS1) and of Planning Policy Statement 3: Housing (PPS3).

## **1.0 INTRODUCTION:**

1.1 This application is brought to Panel due to the scale and amount of development on the site and due to the planning history of the site.

## **2.0 PROPOSAL:**

- 2.1 The proposal is an outline application to demolish mill buildings, layout an access road and to erect a residential development, comprising of dwellings, sheltered housing accommodation (C3) and care home (C2). The proposal also involves the conversion of a mill building to residential (indicative only), and the laying out of car parking. Permission has been sought for means of access only with all other details reserved for future consideration.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site lies within the urban area of Guiseley, close to the Town Centre situated to the south west of the site. To the immediate east of the application site lies residential units and to the south east, the Aireborough Leisure Centre. To the immediate west lies open land which forms public open space. To the north of the site lies Springfield Road which runs into Well Lane. This section of highway is dog legged and primarily serves housing. The site is nestled on the outside edge of the Guiseley Conservation area which is located to the north, east and west of the site.
- 3.2 The general character of the local area is dominated by a series of distinctive stone terraces of generally a 2 and 2 ½ storey scale albeit there are limited examples of 3 storey developments . The predominant materials are stone and slate. The style of architecture is compact and symmetrical. The area is of attractive character, and this is reflected in its status as a conservation area , the quality of this pattern of development provides a distinctive local character.
- 3.3 The site itself is of an irregular shape and comprising of 1.9 hectares of land and occupied by a number of buildings of different qualities some of which are currently used and others previously used for commercial purposes. The most interesting and architectural pleasing buildings are located generally within the north eastern corner of the site and comprise of traditional mill buildings which sit adjacent to Well Lane and contribute positively to the character of the area. These particular buildings are used as small workshop units for commercial and light industrial purposes. The other significant building largely occupies the remainder of the site and comprises of a substantial utilitarian structure, brick built unit with asbestos roofing.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 There is a lengthy planning history relating to this site much of which is not considered to be relevant to the determination of this application.
- 4.2 However, in 2006 an application was submitted for the demolition of mill, laying out of access and erection of 80 dwellings with the refurbishment of retained buildings for employment use . This was withdrawn on the 20<sup>th</sup> November 2006.
- 4.3 An outline application was submitted in 2009 to demolish mill buildings, layout access road and erect residential development, comprising dwellings, sheltered accommodation (use Class C3) and care home (use class C2) and conversion of mill building to residential (indicative only), with car parking. This too was not considered acceptable and was withdrawn.

## 5.0 HISTORY OF NEGOTIATIONS:

- 5.1 A detailed planning application was submitted in 2006 for 80 dwellings and the refurbishment of some of the existing buildings for employment use, but was withdrawn.
- 5.2 Discussions were recommenced in June and July 2008 where a draft layout was presented for a residential development comprising of a nursing home (C2) and dwelling houses (C3). Edited extracts from the written response provided to the applicant are set out below:
- 5.2.1 *Whilst in my view a mixed use scheme would be more preferable in planning terms, any redevelopment proposal must offer a high standard of urban design in a context which is sympathetic to a residential area and particularly one which lies on the fringe of the Guiseley Conservation Area.*
- 5.2.2 *There are some traditional buildings on site which are attractive and make an important contribution in providing local distinctiveness. As such these positively contribute to the character of the area in my view, where possible, these buildings should be retained and incorporated into any proposed scheme.*
- 5.2.3 *The character of the local area is dominated by distinctive stone terraces of generally a 2 and 2 ½ storey scale . The architecture is strong, uniformed, compact and linear. In my view, any scheme to redevelop this site must positively respond to this distinctive local character and reflect its intrinsic qualities in terms of form, pattern, space and movement.*
- 5.2.4 *The draft proposal as presented is dominated by a substantial residential home as a gateway feature into the site. In my opinion the orientation of this main block to the road is uncharacteristic of the area and appears set back rather awkwardly. It appears like a standard building type placed to fit without responding correctly to the local character. I have taken into account the prospective views breaks in the rhythm and alignment to the street scene, but I remain unconvinced of its appropriateness.*
- 5.2.5 *The public open space to the south west of the site, is well located and strongly related to the existing open space provision. In turn this should provide the opportunity to create improved usability, better accessibility and improved vistas. This is to be welcomed.*
- 5.2.6 *With regard to affordable housing, you should be aware that the Council's Executive Board has recently made two changes to its affordable housing policy and this came into effect on the 21<sup>st</sup> July 2008.*
- 5.2.7 *The first change is to increase the affordable housing targets to accord more closely with the recently adopted regional policy (Policy H4 of the Yorkshire & Humber Plan). All other existing housing policy remains in force. The effect of such in relation to this particular proposal will be a requirement for a 30% affordable housing provision.*
- 5.2.8 *The second change will be the introduction of guidelines to influence the mix and sizes of dwellings. New –build residential development should provide:-*
- *At least 65% of new dwellings as houses with gardens, including private communal gardens as appropriate.*

- *At least 40% of new dwellings to be 3 or more bedroom in size.*

5.2.9 *In relation to the scheme presented, in my opinion, the nursing home would be classed as a residential institution (C2), therefore affordable housing would not be required. The remainder of the development including the reference to units for 'assisted living' are classified as dwelling houses (C3) and will require affordable housing to be provided at a 30% provision.*

5.2.10 *In respect of highway issues, there is a requirement to provide a continuous footway along the site frontage. The proposal must also be designed in accordance with the Street Design Guide. Additionally you will be aware that a transport assessment will be required to accompany an application of this nature as well as a green travel plan.'*

5.3 The current application has not been the subject of a formal pre-application submission, although there has been some ongoing dialogue between officers and the applicants. The application is similar in content to the application submitted in January 2009 (09/00107/OT), the key difference being a revision to the design of the assisted living block. Previously the block included three wings arranged in a broadly perpendicular fashion, whereas the current proposal is more linear in form, with some lower elements closest to the Springfield Road / Well Lane frontage. The former application was withdrawn prior to determination.

5.4 A meeting was held on 2<sup>nd</sup> February 2010 between officers, the applicants and Ward Members Councillor Graham Latty and Councillor Stuart Andrew to discuss issues raised by the application. A public consultation event involving the same Councillors and Council officers took place at Aireborough Leisure Centre on 10 February 2010, while other public consultation events were held by the applicants on 22<sup>nd</sup> and 23<sup>rd</sup> March 2010.

5.5 Members will recall that a Position Statement was presented to the Plans Panel West meeting of 18<sup>th</sup> February 2010. At that meeting, Members commented generally on the change in the nature of Guiseley from a thriving commercial centre to a largely dormitory town, and went on to discuss the following:

- Principle of the proposals: a desire to see strong evidence that the site was not required for employment use, and a previously expressed concern that units which could house small local businesses appears to have been ignored;
- Character of the conservation area: the design of the scheme, including large three storey blocks, would not be appropriate to the character of the conservation area; use of appropriate materials;
- Highways: access and highway infrastructure concerns; difficulty of considering access arrangements when there was a lack of clarity regarding the nature of the proposed uses;
- Developer contributions: 30% affordable housing should be provided, spread throughout the site.
- Sustainability: the importance of achieving the right mix of uses on the site, in particular in relation to the demographic profile of Guiseley;
- Other issues: potential for land contamination due to former industrial use.

- 5.6 The Chair of the Panel highlighted the number of concerns raised, and questioned whether these could be successfully addressed through revisions rather than refusal at this point in the process. Following the Panel meeting the applicant has requested that the application be determined as it stands.

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

- 6.1 The application has been advertised by means of site notices dated the 7th January 2010, neighbour notification letters dated 24<sup>th</sup> December 2009, and a notice published in the Leeds Weekly News dated 7<sup>th</sup> January 2010. Copies of all plans and supporting information have also been made available at Guiseley Library. To date 56 representations have been received including correspondence from the local MP. Of these, 54 are objections and two are letters of support. The main points of objection can be summarised as follows:
- 6.2 Mr. Paul Truswell MP, states that whilst the application is in outline form, it is also necessary to raise and consider broader issues. In particular concern is expressed in relation to increased traffic movements and further pressures being placed on existing access and parking facilities. Further comments are made in respect of wider issues, questioning the need for the development and the fact that there is an oversupply of housing in the Guiseley area.
- 6.3 Other letters of objection raise concerns that:-
- The proposed development is out of character with the area;
  - The scale and proportions of the units are too excessive;
  - Loss of privacy and overlooking issues;
  - Increased noise and disturbance;
  - The proposal will result in increased traffic congestion on a road of substandard; width, causing noise and disturbance, damage and create issues of road safety;
  - There is an insufficient amount of on street car parking in the area and the development will exacerbate this problem;
  - The demolition waste may contain hazardous substances;
  - Loss of traditional buildings;
  - There is already an oversupply of retirement accommodation in the area;
  - Large buildings of the scale proposed are out of keeping with the area and will fail to preserve or enhance the adjacent conservation area;
  - Proposals will place extra pressure on already stretched health services and other related infrastructure such as schools;
  - Access to and from the site by construction vehicles will have serious implications for road safety;
  - Noise and disturbance associated with the development of the site will harm the living conditions of surrounding residents; and
  - Insufficient details have been provided to deal with waste disposal, foul sewage, flood risk and land contamination issues.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 More detailed summaries of the consultation responses were provided in the Position Statement considered by Panel Members at the Plans Panel meeting of 18<sup>th</sup> February 2010. An outline of the mains points raised are provided below:

### **Statutory:**

#### ENVIRONMENT AGENCY:

- 7.2 No objections subject to conditions being appended to any subsequent planning consent relating to improvement of the existing surface water disposal system.

#### YORKSHIRE WATER:

- 7.3 The submitted site layout details and Flood Risk Assessment are not acceptable to Yorkshire Water as the proposed new buildings would be located over the line of existing sewers;
- 7.4 The local public sewer network does not have capacity to accept any **additional** discharge of surface water from the proposal site. Sustainable Systems (SUDS), for example the use of soakaways and/or permeable hard standing, may be a suitable solution for surface water disposal;
- 7.5 An off-site foul and an off-site surface water sewer may be required.

#### MAINS DRAINAGE:

- 7.6 A public sewer crosses the site which also serves the area north of the site; and
- 7.7 It has been determined that the surface water discharges from the site go to the watercourse which crosses the site.
- 7.8 Not enough investigation has been undertaken to discount the option of using infiltration drainage methods for any part of the surface water disposal; conditions are recommended.

#### HIGHWAYS:

- 7.9 The submitted TA indicates that the junctions of the A65 / Oxford Road and A65 / The Green are already operating above theoretical capacity;
- 7.10 Submitted calculations don't include programmed addition of pedestrian facilities on A65, and traffic flows used in the TA are from 2006 but growthed to 2008;
- 7.11 Impact on junctions needs to be re-assessed with up to date information;
- 7.12 Applicant must contribute toward cost of TRO's on Springfield Road / Wells Road

### **Non-statutory:**

#### METRO:

- 7.13 Real time information displays should be installed within the residential units, particularly in any communal areas to give maximum exposure to residents.

7.14 The development qualifies for the application of the SPD for public transport contributions for the North West sector; funding obtained through the SPD could be used for station improvements at Guiseley.

7.15 The travel plan content needs to be strengthened.

NGT / PUBLIC TRANSPORT TEAM:

7.16 The proposed use will have a significant travel impact.

7.17 Under the terms of the SPD guidance, a financial contribution proportionate to the travel impact of the scheme will be required towards the cost of providing the strategic transport enhancements (detailed in the SPD) which are needed to accommodate additional trips on the network.

7.18 The formula within the adopted SPD gives a required public transport contribution of **£78,478**.

CONTAMINATED LAND:

7.19 No objection to planning permission being granted, as long as conditions and directions are applied.

7.20 Development shall not commence until a Phase II Site Investigation Report has been submitted and approved in writing.

TRANSPORT POLICY (TRAVEL WISE):

7.21 In accordance with the SPD on Travel Plans the Travel Plan should be included in a Section 106 Agreement.

7.22 A residential travel plan is also required.

7.23 The travel plan needs to include information on pedestrian, cyclist and wheelchair access to the site and nearby facilities.

7.24 The care home/assisted living travel plan needs to make clear which measures will be promoted to staff, residents and/or visitors. At present the travel plan does not promote all measures to all groups.

7.25 Real time information screens should be provided within the reception area of the assisted living and care home, and also in the communal areas of any flats. Residential MetroCards should be provided and a MetroCard scheme should be set up for staff.

7.26 The travel to work target of the travel plan is not very ambitious. A 58% single occupancy target is suggesting that the site will not operate any differently from a residential site without a travel plan.

7.27 It needs to be clear how the travel plan will be passed on at each stage of the development to reach the management personnel responsible for each establishment.



## ENVIRONMENTAL HEALTH:

- 7.28 No objection in principle to this outline application subject to suitable noise attenuation measures being provided; conditions are recommended.

## NATURE CONSERVATION:

- 7.29 The bat survey is acceptable.
- 7.30 Condition regarding a biodiversity enhancement plan required.

## 8.0 PLANNING POLICIES:

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).
- 8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below.
- 8.3 Regional Spatial Strategy adopted May 2008:
- H1: Provision and distribution of housing;
  - H2: Managing and stepping up the supply and delivery of housing; and
  - H5: Housing mix.
- 8.4 UDPR Policies:
- SA1 Securing the highest environmental quality;
  - SP3: New development should be concentrated within or adjoining the main urban areas and should be well served by public transport;
  - SP4: Public transport infrastructure;
  - GP5: General planning considerations;
  - GP7: Guides the use of planning obligations;
  - GP9: Promotes community involvement during the pre-application stages;
  - E7: Retention of Employment land;
  - BD2: Design of buildings should complement skylines and vistas;
  - BD5: Consideration to be given to amenity in design of new buildings;
  - H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy;
  - H3: Delivery of housing land release;
  - H4: Residential development on non-allocated sites;
  - H11, H12 and H13 Affordable Housing;
  - LD1: Criteria for landscape design;
  - N2 and N4: Provision of green space in relation to new residential developments;
  - N12: Development proposals to respect fundamental priorities for urban design;
  - N13: Building design to be of high quality and have regard to the character and appearance of their surroundings;
  - N18A to N22: conservation areas;
  - N23: Incidental open space around new built development;
  - N25: Seek to ensure the design of boundary treatments is positive;
  - N38B and N39A: set out the requirement for a Flood Risk Assessment;

- T2: Seeks to ensure that developments will not create or materially add to problems of safety, environment or efficiency on the highway network;
- T2C Green Travel Plans;
- T2D Developer Contributions;
- T15: Improving vehicle accessibility; and
- T24: Requires parking provision to reflect detailed guidelines.

8.5 Supplementary Planning Guidance:

- Affordable Housing (SPG3);
- Interim Affordable Housing Guidance – Issued 2008;
- Greenspace relating to new housing development (SPG4);
- Neighbourhoods for Living (SPG13); and
- Sustainable urban drainage (SPG22).

8.6 Supplementary Planning Documents:

- Public Transport Improvements and Developer Contributions; and
- Travel Plans.

8.7 National Planning Policy Guidance:

- PPS1: Delivering Sustainable Development;
- PPS3: Housing;
- PPS5: Planning for the Historic Environment;
- PPG13: Transport;
- PPG15: Planning and the Historic Environment; and
- PPS25: Development and Flood Risk.

## 9.0 MAIN ISSUES:

9.1 Having considered this application and representation, it is the considered view that the main issues in this case are:

- Principle of development / loss of employment land;
- 'Assisted living' proposals;
- Design issues and Impact on the character of the area;
- Impact on highway network;
- Public transport infrastructure;
- Greenspace / landscape / tree issues;
- Affordable housing;
- Drainage; and
- Conclusion.

## 10.0 APPRAISAL:

### Principle of development/loss of employment land:

10.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004, indicates that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

10.2 The application site lies within the urban area of Guiseley and has no specific land use proposal in the UDP Review (2006). Residential proposals which affect such

areas will be treated on merit and subject to the requirements of housing policies H3 and H4.

- 10.3 Ordinarily the proposal would be considered acceptable in sequential terms as the Policy H3 identifies unallocated brownfield windfall sites as being within Phase 1 of Housing allocations which runs from 2003-2008. The site lies within an existing residential settlement on the edge of the town centre which is already served by existing infrastructure capable of serving a development of the scale proposed subject to the provisos set out below. The proposal could be considered to comply with Policy H4 and the general principles of PPS3 in respect of raising density and locating new housing within existing settlements.
- 10.4 Policy E7 of the UDP (as modified) requires that development on land last in employment use should only be permitted where:
- 10.4.1 The site is not reserved for specific types of employment use under policies E8 and E18;
- 10.4.2 Sufficient alternative employment sites exist district wide and are readily available in terms of quantity and quality so as not to prejudice the achievement of employment land strategy through policies E1 and E2;
- 10.4.3 Within the locality there are sufficient alternative employment sites available in the locality so as not to prejudice opportunities for local employment uses; and
- 10.4.4 The proposal would not result in environmental, amenity or traffic problems.
- 10.5 To assist in any assessment, the applicants have produced a survey and employment land analysis. The report assesses the impact of the proposed residential development and the loss of employment land in the context of Policy E7.
- 10.6 In summary, it is concluded that the loss of this site for employment purposes would not prejudice the current supply of employment land and would not have any detrimental effect on the land supply for the area.
- 10.7 To accompany this submission the applicants have also produced details of a marketing report which indicates that over a period of 7 years the site has been marketed by a number of agents. It states the promotion of the site has been conducted in conventional form and included site boards and press coverage. In summary it concludes that whilst the smaller units have been let from time to time, the larger units have failed to attract any tenants. The reasons cited for the lack of market interest include:- the age and condition of buildings, accessibility issues and that the buildings do not meet the needs of modern business requirements.
- 10.8 The Council's policy data team has assessed the findings of the employment and marketing report and its contents are not disputed.
- 10.9 Against this background the principle of residential development is considered to be acceptable subject to compliance with all other development control issues.
- 10.10 However, Members comments regarding the desirability of retaining some of the existing buildings in employment use have been recommended to the applicant as a desirable element of any revised scheme.

### **‘Assisted living’ proposals**

- 10.11 The applicant contends that the proposed assisted living accommodation would fall within Use Class C2 (residential institutions) rather than Use Class C3 (dwelling houses). This is a change from the previous application where a very similar building was shown as sheltered housing (C3). The applicant has indicated that this change is in response to demand from prospective operators.
- 10.12 The significance in planning terms is that affordable housing contributions and Greenspace provision are needed in support of C3 housing proposals of this scale, whereas C2 proposals would not attract any such contribution. A C3 housing development would also have a higher car parking requirement.
- 10.13 The applicant suggests that the use is differentiated from retirement accommodation by the level of care provided, and provides copies of two appeal decisions which, it is suggested, establishes the principle of the use class of this type of facility. These decisions indicate that a minimum of 1.5 hours of personal care for each resident per week would represent a level of care sufficient to establish the proposal as a C2 use, although other appeal decisions suggest that considerably more care would be required to place a use into the C2 Class.
- 10.14 Advice provided by Legal Services indicates that a legal agreement should be provided to establish what services would be provided and who would be eligible to live in the apartments. A further safeguard would be to require the premises to be registered with the Care Quality Commission, a body which requires all providers of health and adult social care to register if they provide regulated activities such as accommodation with nursing or personal care. Officers have also requested evidence of other comparable developments in order to help achieve a greater clarity of understanding as to the nature of the proposal.
- 10.15 However, such information has not been received. There is therefore a lack of clarity over the definition of the nature of the use of this part of the proposal. This therefore leads to difficulties assessing the appropriate level of contributions, such as greenspace and affordable housing, and the appropriate level of car parking.

### **Design issues and Impact on the character of the area:**

- 10.16 Notwithstanding the fact that the application has been submitted in outline form with means of access as the only detailed consideration, the scheme has been accompanied by a Design and Access Statement and by indicative plans showing the scale and layout of the proposed development.
- 10.17 Within the design and access statement it is stated that the design is at an advanced stage and represents an efficient and effective use of the space to accommodate the uses proposed. The design submitted is therefore a material consideration.
- 10.18 The existing development is served by 3 entrances. Of these only one access of Well Lane is to be retained. It is proposed that the other two will be closed and a replacement access on Well Lane provided to maximise visibility. In addition, it is also proposed that a building which currently sits tightly against the carriageway will be partially demolished to create a section of footway along this section of highway.
- 10.19 A mix of 2, 2 ½ and 3 storey units are proposed throughout the development. The scheme also identifies an existing unit which, albeit partially demolished, to provide a footway along the site frontage, would be converted into apartments.

- 10.20 The most striking aspect of the development is the proposed assisted living unit located to the northern part of the site.
- 10.21 The modeling of this unit is based on the idea of single and two storey buildings closest to the northern boundary of the site with the higher three storey elements behind these. The applicant suggests that the length of the three storey wings equates to the lengths of existing terraces of house nearby. The building would comprise a series of linked elements arranged in an approximately linear fashion running north-south adjacent to the proposed access road.
- 10.22 To the south east of the site, a care home is proposed also of a three storey scale and illustrated as a right angled feature following the alignment of the site boundary. To the north east of the site it is proposed that a small courtyard feature is to be developed utilising the existing means of access off Springfield Road. This aspect of the development comprises of the proposed conversion of an existing mill building, which although partially demolished would provide 8 apartments.
- 10.23 Flanking the existing mill building and to the east, it is proposed that a pair of semi-detached houses would be developed. To the south of the courtyard it is also proposed that a detached 2½ storey apartment block would be developed comprising of 10 apartments aimed at providing affordable housing accommodation.
- 10.24 To the western side of the site, it is proposed that family housing would be provided. These units would be 2, 2½, and 3 storey; in a terraced form surrounding a cul-de-sac and comprising a total of 28 units.
- 10.25 The scheme also includes a discrete parking area for the assisted living block to the south of the building, and a proposed area of public open space in the south west corner of the site. The latter would connect to the existing public open space provision and would enhance it by providing a larger more meaningful piece of open space, as well as relieve an existing pinch point.
- 10.26 Overall it is considered that the principle of residential development is acceptable and, broadly speaking, the removal of the utilitarian commercial buildings should be welcomed. It is also the case that the site is close to the edge of the Town Centre and is in a sustainable location.
- 10.27 The character of the local area is dominated by distinctive stone terraces of generally a 2 and 2 ½ storey scale. The application site lies adjacent to the Guiseley Conservation Area.
- 10.28 The draft Guiseley Conservation Area Appraisal identifies the stone clad buildings to the northern part of the application site and stone perimeter wall as positive buildings and proposes to extend the boundary of the Guiseley Town Gate Conservation Area to include them.
- 10.29 The architecture of the area adjoining the site to the north is strong, uniform, compact and linear. It is therefore considered that any scheme to redevelop this site must positively respond to this distinctive local character and reflect its intrinsic qualities in terms of form, pattern, space and movement.
- 10.30 As previously described, the scheme as presented is dominated by a predominantly residential block as a key feature of the site. This unit is essentially of a three storey scale and formed by 3 wings arranged in linked blocks in a broadly linear fashion.

The units which adjoin Well Lane and Springfield Road are scaled down to single storey and two storey to help provide relief. However this having been said, the unit as a whole is of a considerable scale and massing and is contextually at odds with the character of the area with its domestic proportions. The area has a predominantly domestic and 'human' scale, and the large bulk of the assisted living block and care home would be inappropriate. This aspect of the development represents a standard building type placed to fit without responding adequately to the local character area. Local residents are also concerned that the interesting and attractive skyline with the church tower as a backdrop could also be lost when approached from Springfield Road, to the detriment of the visual amenity of the area.

- 10.31 Also of significant concern is the proposed loss of traditional mill buildings and stone perimeter wall on the site which reflect the historical architectural style of the area and make an important contribution to local distinctiveness. The recently issued PPS5 indicates that Local Planning Authorities can attach significant weight to the retention of identified 'heritage assets' even if they are not listed or within a conservation area. As such these structures positively contribute to the character of the area and should be retained and integrated into the design.
- 10.32 The loss of these buildings is therefore seen as a negative feature and does not offer an acceptable design solution contrary to Revised UDP policies GP5, BD2, BD5 N12, N13 and N19.
- 10.33 The remaining aspect of the development involves the introduction of family housing. Situated to the eastern part of the site and to the western part between the proposed sheltered housing accommodation and the care home. Whilst in broad terms the general design of these units seems to be acceptable, there remains concerns in relation to exposed rear gardens facing the access cul-de-sac and car parking areas.
- 10.34 Exposed rear gardens are generally not successful in design terms as they would present unattractive rear boundary treatments to the road frontage but also create a community safety issue as they would provide access to the rear of the properties with little surveillance.
- 10.35 The development as proposed also contains hard surfaced areas for parking provision which provide no or very little landscaping.
- 10.36 Overall it is considered that the design in its current format is unacceptable and offers no adequate design solution. The size of the main buildings is too large and appears out of character and unreflective of the urban grain of the area. It is also considered that the opportunity to utilise existing buildings has not been fully explored as a means of adding value to the character of the area and the way its functions. Against this background the proposal is considered to be substandard and does not reflect the requirements set in PPS1 and PPS3 as well as the Council's Supplementary Planning Guidance, Neighbourhoods for Living. The proposals are therefore contrary to GP5, BD2, BD5, N12, N13, N19 and LD1 of the Revised UDP.

**Impact upon highway network:**

- 10.37 The application seeks to consider the means of access only; however it is also important at this stage to assess the impact of the proposal on the associated road infrastructure. As a consequence the applicant has also produced a Traffic Assessment and Green Travel Plan.

- 10.38 In assessment the Council's Highway Engineer has raised objections to the proposals. A major concern is the fact that Springfield Road is already heavily trafficked and on street parking is extremely limited; a point also borne out by the weight of public concern relating to these issues. This is also exacerbated by the physical constraints of this access road and general manoeuvrability and parking issues identified. As it is considered that the proposed development will lead to an intensification of use, in order to properly assess general accessibility an up to date traffic survey is required to assess the impact upon junctions and to indicate whether or not any traffic management measures are needed in the vicinity of the site.
- 10.39 Additionally officers have requested further information on the nature of the proposed use in order to assess the likely requirement for off-street car parking, however no such details have been received. It has not therefore been possible to adequately assess this aspect of the proposals.
- 10.40 In the absence of more up to date information, it is considered that the proposal includes inadequate information to enable an informed decision to be made regarding the impact of the proposal on the highway network, and the proposed development is therefore contrary to policies GP5 and T2 of the Revised UDP.
- 10.41 In relation to the submitted Green Travel Plan this is also considered to be inadequate. At present the travel plan covers the care home and assisted living blocks; a residential plan is also required.
- 10.42 In accordance with the SPD, a legal agreement would be required to provide a Travel Plan Monitoring fee, provision of a pedestrian link to the footpath to the west of the development, and provision of Metro Cards to prospective residents at subsidised rates for a period of time to help support and promote sustainable travel.
- 10.43 Further work would be required in respect of pedestrian and cyclist access, wheelchair access and the provision of real time information screens for public transport within communal parts of buildings.
- 10.44 The current proposals fail to provide adequately for the above. Against this background the scheme does not meet the planning policy requirements set out in the relevant SPD and is therefore contrary to policy GP5 of the Revised UDP.

#### **Public Transport Infrastructure:**

- 10.45 In accordance with the requirements of SPD Public Transport Improvements, a public transport contribution of £78,478 would be required. This has not however been covered in a Section 106 agreement. In the absence of such an agreement, the proposal does not comply with the SPD and Policy GP5 of the Revised UDP.

#### **Greenspace /Landscaping and Tree Issues:**

- 10.46 The scheme would attract Greenspace provision on site and a contribution under policies N2, N4 and guidance in SPG4 Greenspace relating to New Housing Development. The scheme as presented would therefore require an on site provision and a commuted sum payment to contribute towards enhancing off site POS provision. The indicative scheme submitted shows an on site provision of open space. Based on the number of units indicated there would therefore be a shortfall of on-site Greenspace, although as the site abuts Springhead Park it is considered that this shortfall can be dealt with through a financial contribution to enhancing existing Greenspace provision.

- 10.47 The required Greenspace contribution is calculated at £167,077.31. It is proposed that greenspace contributions be used to implement improvements to the existing greenspace adjacent to the site to ensure that the contribution directly benefits the new and existing residents of the local area.
- 10.48 While this may be acceptable, the application does not provide a commitment to any particular level of contribution. It would in principle be acceptable for the on-site shortfall to be made up by commuted sum payments. However, the absence of a legal agreement or draft heads of terms means that the proposal does not comply with the SPG and Policies N2 and N4 of the Revised UDP.
- 10.49 In respect of landscape issues, it is considered that the relationship of the proposed new housing and the proposed open space is poor, with a lack of fronting of the development to the open space, or of modification of ends of terraces to fulfil this. Much of the frontages to the care home would be dominated by parking, with only very narrow strips of buffer planting proposed. Additionally there is no defined amenity space allocated to the former mill conversion building, and a very unclear boundary between the affordable unit gardens and the assisted living curtilage.
- 10.50 The lack of levels or cross sections means that it is difficult to assess the usability of the POS or its relationship to the existing greenspace. There may also be negative implications for off-site trees in Council ownership close to the care home at the south of the site. The site is likely to have a history of contaminating uses; this has a direct implication for levels and landscaping if material has to go off-site.
- 10.51 The applicant has produced a tree report to accompany this application but no indicative landscape scheme.

### **Affordable Housing:**

- 10.52 Council policy requires that on sites where 15 or more units are proposed affordable housing will be required. In this location the Council's Affordable Housing Interim Planning Guidance indicates that 30% of the total number of units should be affordable. In this case, the applicant has not submitted a viability assessment as part of the application. However some discussions have been held with the Council's Asset Management Unit regarding this issue, who have indicated that viability details submitted to them suggest that the entire scheme is unviable and as such it would not be possible for the site to deliver an amount of affordable housing consistent with these policies.
- 10.53 The Council's Senior Development surveyor, in assessing the viability assessment, is of the view that it is unreasonable and unrealistic to assume, in the circumstances described, that the site owner would remain prepared to develop this site for this purpose and accept a commercial loss.
- 10.54 The application proposes a legal agreement to ensure that the Council agrees to consider updated viability assessments at the time of the reserved matters applications. The application further suggests that the appraisal parameters be agreed now as part of the current application. This would not be acceptable to the officers; it suggests that a reduced provision of affordable housing is implicit, and it would bind the Council to assessing future viability by parameters set now, which may of course not be applicable at some time in the future when economic circumstances change.



- 10.55 In this context the development is at odds with UDP policies H11, H12, and H13 and the related SPD.
- 10.56 Furthermore it is also the case that the affordable housing provision has been offered as a separate development and unreflective of the general mix of development presented. This is also at odds with the Council's policy and general approach in promoting and encouraging social cohesion.

**Drainage:**

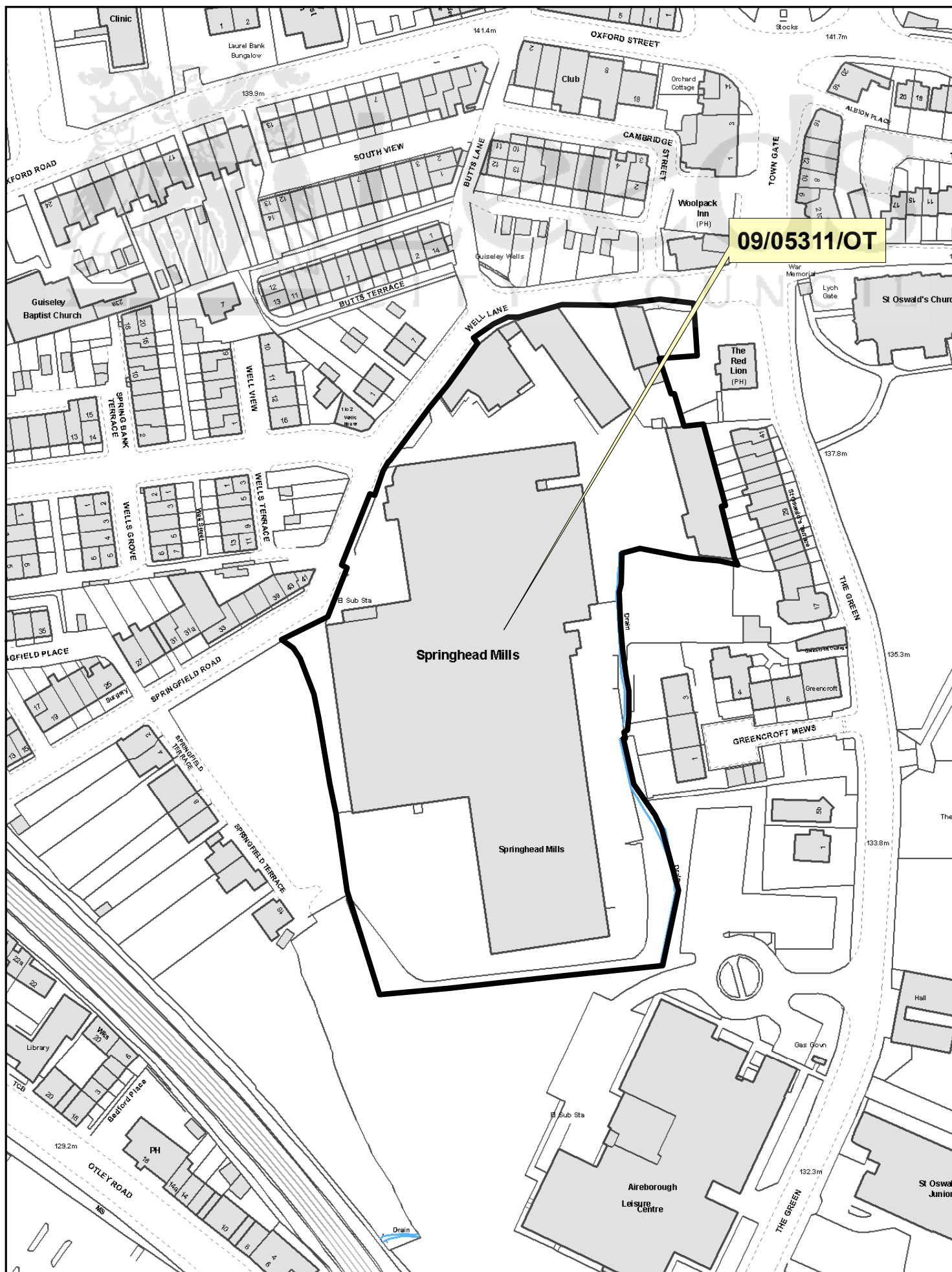
- 10.57 Comments received from Yorkshire Water raise objections to the proposals in respect of building over the line of existing sewers. While this is the case, sewer plans indicate that the line of the existing sewer runs adjacent to the existing mill building, close to the eastern site boundary. It would therefore be feasible to re-site the proposed buildings sufficiently to provide the required easement. Local residents have raised concerns about the drainage of the site, in particular in respect of the presence of a high water table. However consultations with the statutory drainage body indicates that there would not be grounds to resist the proposals on drainage grounds.

**11.0 CONCLUSION:**

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is unacceptable and does not comply with the planning policies set out in the Leeds Unitary Development Plan Review (2006) and supplementary planning guidance planning related to affordable housing, greenspace, green travel and public transport infrastructure.
- 11.2 In the absence of more up to date information, the LPA considers that the proposal includes inadequate information to enable an informed decision to be made regarding the impact of the proposal on the highway network, and the proposed development is therefore contrary to policies GP5 and T2 of the Revised UDP
- 11.3 In terms of general design, and whilst it is accepted that the development is submitted in outline form, the indicative layout is not of an acceptable quality and fails to make positive contribution towards the character of the area or to preserve or enhance the character of the conservation area.
- 11.4 Against this background, it is recommended that the application is refused.

**Background papers:**

Application File 09/05311/OT  
and  
Previous application File 09/00107/OT



# WEST PLANS PANEL

Scale 1:1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL

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