
Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 12th August 2010

Subject: APPLICATION 10/02221/LA– OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT ON LAND OFF MISTRESS LANE, ARMLEY

APPLICANT

Leeds City Council

DATE VALID

14th May 2010

TARGET DATE

13 August 2010

Electoral Wards Affected:

Armley

☐ Y

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions.

1. Submission of Reserved Matters.
2. Time limit on outline permission (3 years).
3. Plans to be approved.
4. Samples of walling and roofing materials to be submitted.
5. Provision for contractors during construction.
6. Areas to be used by vehicles to be laid out.
7. All car parks must be completed and available to vehicles prior to the first occupation of any dwelling on the site.
8. Prior to the development being brought in to use a scheme shall be submitted to and approved in writing requiring improvements to footways, steps and where appropriate the provision of ramps to ensure that the development is DDA compliant.

9. Submission of landscape details.
10. Landscape implementation.
11. The Reserved Matters for approval shall include an arboricultural survey of the existing trees on site. This shall indicate trees to be retained and trees to be removed.
12. Preservation existing trees/vegetation
13. Protection of trees/other vegetation
14. Scheme to be submitted to detail noise insulation measures
15. Details of fencing and walls to be provided.
16. Submission of Phase 2 Study.
17. Amendment to remediation statement.
18. Submission of verification reports.
19. Measures to prevent mud, grit and dirt being carried onto the public highway from the development shall be submitted for the approval and shall be implemented at the commencement of work on site.
20. A scheme to prevent dust generated by construction vehicles in dry weather conditions shall be submitted for the approval and shall be implemented at the commencement of work on site.
21. Separate systems of drainage to be provided.
22. No development until details of works for dealing with foul and surface water discharges have been submitted for approval.
23. The site shall be drained by sustainable drainage methods with infiltration methods used in preference.
24. No piped discharges of surface water from the application site shall take place until the surface water drainage conditions approved under the foregoing conditions have been completed.
25. Unless otherwise agreed in writing by the local planning authority, no building or other obstruction (including trees) shall be located over or within 3.0 (three) metres either side of the centre line of the sewers, which cross the site.
26. Notwithstanding the plans hereby approved, full details of the servicing and access arrangements for the development shall be submitted to and approved in writing by the Local Planning Authority no later than the submission of the first Reserved matters application. The servicing and access arrangements thereby approved shall be implemented prior to the first occupation of the development.

27. Scheme to be submitted to provide a sufficient number of car parking spaces both for existing and prospective residents.
28. The first Reserved Matters submission shall include plans of and sections through the site showing details of the existing and proposed ground levels with a fixed datum point within and outside the development site and proposed finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
29. No development shall commence until a scheme has been submitted to approved in writing to deliver public transport improvements.
30. Submission of updated travel plan to include arrangements for monitoring.
31. No development shall commence until a scheme has been submitted to approved in writing to deliver greenspace improvements.
32. All properties to be retained as social housing.
33. Scheme to be submitted to provide highway junction improvements including appropriate visibility splays, footways and turning head to adoptable standards.
34. Reasons for approval.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Plans Panel because it relates to a substantial and significant redevelopment proposal of community interest and forms part of a wider major regeneration programme aimed at delivering affordable housing across the City. The application has also been advertised as a departure from the development plan.
- 1.2 Lifetime Neighbourhoods for Leeds is a housing PFI project which, subject to Government approval, will result in the development and 25 year management of at least 675 new build homes for older people, comprising of both extra care and general needs units. This site is one of several sites which are currently under consideration for a combination of both extra care and general needs housing across the City. A further 4 applications will be submitted in a second phase.
- 1.2 All properties will meet Lifetime Homes standards and Code for Sustainable Homes Level 4/BREEAM Very Good as a minimum. In July 2009 the Homes and Communities Agency (HCA) approved the Council's Expression of Interest for the project. An Outline Business Case is now being prepared which will be submitted to the HCA in the summer. This includes detailed costs and outputs for all sites which have been prioritised under this scheme. Outline planning approval must be obtained for these 11 sites prior to the PFI contract procurement process, which is programmed to commence in early 2011.
- 1.3 The Lifetime Neighbourhoods for Leeds project is the result of a partnership between Housing, Regeneration, Adult Social Care and Health. It will create or enhance services for older people across a number of neighbourhoods in Leeds to enable residents to lead more active and independent lives. The project seeks to strengthen existing neighbourhood regeneration strategies and focuses on the provision of new and high quality, affordable homes with extra care options for older people. It also supports the City Council's vision that neighbourhoods in Leeds will

be transformed into places that are mixed, cohesive and able to meet the aspirations of all residents. This includes ensuring the availability of a range of housing, health and support services to meet varying lifetime needs. By investing in the needs of older people, their valuable contribution to achieving mixed and sustainable communities will be enhanced leading to the improved inclusion and social well being of our local neighbourhoods.

2.0 PROPOSAL:

- 2.1 This application is seeking outline planning permission for residential development on an area of land measuring 1.1 hectares. Consent is sought for the access to the site only, with appearance, landscaping, layout and scale all reserved for future consideration.
- 2.2 The indicative illustration does however indicate a form of development which consists of 3 separate blocks of varying scales ranging from 3 storey to 6 storey for the purpose of general needs housing (C3) aimed specifically at the over 55's. On site amenity space and resident and visitor parking will also be provided.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located in Armley, which is a well established, inner city area of Leeds, 4.8km (3 miles) to the west of Leeds City Centre.
- 3.2 The site itself lies in a prominent position, elevated above the A647 Armley Road, to the north, which is a main radial route linking Leeds with Bradford. Mistress Lane is located along the southern boundary of the site where there is a vehicular access point. The area has become available due to the need for demolition of 3 blocks of maisonettes and garage courts on the site. However, the two nearby blocks of high-rise flats are to remain. In addition, a religious meeting house on Mistress Lane is to remain. These three buildings are therefore excluded from the area identified for redevelopment. The site is constrained with a severe variation in levels with Mistress Lane considerably elevated in comparison with Armley Road. Permeability through the site is difficult with steep footways and stepped areas.
- 3.3 To the west lies Crab Lane from which access to the site can be gained to part of the site via Westerly Croft, beyond this the area is characterised by commercial units of varying scales and character. Of particular interest and almost directly opposite to this access lies a Grade 2 Listed Building (Mike's Carpets). Crab Lane itself is a steep and well used road linking the A647 with Armley Town Centre. The area to the south is predominately in residential use and characterised by dwellings which are generally of a two storey form. To the east also lies residential properties of a scale of two and occasional three storey
- 3.4 The site contains a number of footpaths and links as well as greenspace (N1 protected and some mature tree cover, which positively contribute to the character of the area. The site is also close to the edge of the Armley Town Centre Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There is no relevant planning history relating to this site albeit some commercial interest was expressed in the site approximately 2 years ago for a apartment led scheme which formed a pre application discussion / presentation to Panel Members. This however never led to the submission of a formal planning application.

- 4.2 The site is the subject of a detailed planning brief which was approved in June 2006. The planning brief recognises that due to its strategic position and context within the 'Armley Gateway' that careful consideration and guidance should be given to help developers formulate their plans.
- 4.3 It is also acknowledged that the site is interesting and challenging from a design point of view, with opportunities for innovative design. This is largely due to the considerable slope across the site from the Mistress Lane side in the south to the main road frontage. This provides good vistas from out of the side to Kirkstall Valley and Headingley to the east.
- 4.4 In terms of the wider planning context, the development site lies within the area covered by the West Leeds Gateway Area Action Plan (WLG AAP). The aims of the (WLG AAP) are threefold:-
- to encourage and facilitate sustainable regeneration for housing and employment, together with environmental improvements with the plan area;
 - to improve the education and skills base of the area, thereby improving job opportunities for local people; and
 - to improve linkages with West Leeds and adjoining areas, including Leeds City Centre, Holbeck Urban Village regeneration area and Kirkstall.
- 4.5 In this context, the Mistress Lane site is an important focus for regeneration and presents an opportunity to help in assisting and stimulating investment and confidence in this area.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Extensive discussions have taken place involving pre- application work and design workshops with key stakeholders. Community consultation and feed back events have also been held to help inform the development process. Briefing sessions with Ward Members have also taken place.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The aforementioned public consultation exercise extended over 3 months and started in March 2010. This has given all surrounding residents in the area the opportunity to comment and involved leaflets, drop-in sessions, residents meetings and display and notice boards in local libraries and community centres.
- 6.2 The proposals were generally supported, especially by local residents who acknowledge the need for improved housing provision for older people in the area.
- 6.3 The application has been advertised by site notices posted on 2 June 2010. The application has been advertised as a major development and as a departure from the development. At the time of preparing this report no representations have been received.

7.0 CONSULTATIONS RESPONSES:

- 7.1 The Council's Highway Engineer has raised no objections to the principle of development. However the following issues have been raised:-

The new access from Mistress Lane must be designed to adoptable standards as identified in the Council's Street Design Guide i.e. a 5.5 m carriageway flanked by 2 metre footways with an adoptable turning head which must be designed to accommodate the 2.5 m x 11 m refuse vehicle currently employed by Leeds City Council. The gradient of the access road must not exceed 1 in 40 for the first 10 metres and thereafter must not exceed 1 in 20.

- 7.2 The existing access point must be formally closed under Section 247 of the Town and Country Planning Act and the footway along the Mistress Lane frontage must be reinstated to full footway construction at the applicant's expense. There are numerous footpaths within the site and as a result of the redevelopment some of these will need to be closed/diverted.
- 7.3 As part of any reserved matters application a pedestrian accessibility study should be carried out and this must clearly identify the main pedestrian desire lines to and from the development and where necessary improvements including dropped kerbs and tactile paving must be provided at the applicant's expense.
- 7.4 The applicant's statement indicates that they will provide car parking for the existing blocks of flats which abut the development and a figure of 40 spaces is quoted. Evidence is required to ensure that this is sufficient to serve the parking needs of the existing development.
- 7.5 Given that the future residents would be adults over 55 years of age and that the site is well located in respect of access to Public Transport and local facilities the level of car parking proposed, i.e. 0.75 spaces per dwelling is considered to be acceptable.
- 7.6 Colleagues working on the New Generation Transport (NGT) scheme have stated that the proposed development will generate a large number of trips, a proportion of which will have to be accommodated on the public transport network. The scheme has been assessed in accordance with the City Councils adopted Supplementary Planning Document (SPD) "Public Transport Improvements and Developer Contributions". As a C3 use the threshold for public transport contributions is 50 units. As a result of this assessment, it is clear that the proposed use will have a significant travel impact, which will need to be addressed. Under the terms of the SPD guidance, therefore, 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.
- 7.7 Metro advise that there are several bus services running next to the development serving various locations including; Leeds, Old Farnley, Crossgates, Seacroft etc. There are also more services nearby. Future residents would benefit if one of Metro's new 'live' bus information displays were to be erected at bus stop number 10986 at a cost of approximately £10,000 (including 10 years maintenance) to the developer. The display is connected to the West Yorkshire 'real time' system and gives accurate times of when the next bus is due, even if it is delayed.
- 7.8 Colleagues in Public Rights of Way advise that the identified site is located within an area of Leeds currently excluded from the coverage of the Definitive Map. However, this does not preclude unrecorded public rights of way from being present within this area.

7.9 Yorkshire Water state that if planning permission is to be granted conditions relating to separate systems of drainage, no development until drainage details agreed, no discharge of surface water until drainage works completed and no building within 3m of the sewers which cross the site should be included.

They also advise that:

- There are public surface water and public foul sewers recorded to cross the red line site boundary. The presence of the pipes may affect the layout of the site and as such may be a material consideration in the determination of the application.
- The local public sewer network does not have capacity to accept any additional discharge of surface water from the proposal site.
- The use of Sustainable Systems (SUDS) should be encouraged.
- Discharges to the public sewer must be on a like for like basis and take into account climate change i.e. have a reduction of a minimum of 30%.
- The developer will have to demonstrate positive drainage to the public sewer.

7.10 The Council's Drainage Engineer states that if planning permission is to be granted conditions relating to no development until drainage details agreed, no discharge of surface water until drainage works completed, submission of a feasibility study into the use of infiltration drainage, restriction of surface water flows from the development, details of on-site storage for additional run-off from storm events to be agreed, no trees or structures within 3m of the public sewer, porous surfacing to be used where practicable and submission of a Flood Risk Assessment, should be included.

7.11 The Drainage Engineer also states that the final drainage proposal must be supported with appropriate calculations and confirmation of the present drainage arrangement in order to determine and justify the final detail proposals for surface water disposal from the site. Attention is drawn to the extract from the Drainage Impact Assessment (DIA) which reiterates the council's requirements that surface water discharges from Brownfield sites should be reduced.

7.12 The Council's Contaminated Land Officer has no objections to planning permission being granted as long as conditions relating to the submission and approval of a Phase 2 Desk Study, notification of unexpected contamination during development, submission and approval of a verification report upon completion of remediation works are required.

7.13 The West Yorkshire Police Architectural Liaison Officer supports the development and advises that the proposal should be designed to ensure a safe and secure environment and reduce the opportunities for crime. It would benefit from achieving the Secured by Design award and a number of design principles relating to design out crime are recommended.

7.14 The Council's Neighbourhoods and Housing Officer has raised no objection to the principle of development subject to conditions to ensure appropriate noise insulation measures are introduced and site construction controls.

8.0 PLANNING POLICIES:

8.1 Unitary Development Plan (Review 2006)

GP2 – supports the development of vacant and under-used sites.

GP5 - seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD5 – requires new buildings to give consideration to both their amenity and that of their surroundings.

H3 Housing land supply and phasing.

H4 – relates to residential development on sites not identified for that purpose.

H9 – seeks to ensure a balanced provision of housing types.

H10 – requires proposals to consider the suitability of a site to accommodate development specifically for the elderly and disabled.

H11 Affordable housing.

H12 Affordable housing requirements.

LD1 - development proposals should protect existing vegetation, allow sufficient space around buildings to retain existing trees in healthy condition and allow new trees to grow to maturity.

N1 – Protected public open space

N2 – supports the establishment of a hierarchy of green spaces.

N4 – relates to the provision of green space in new residential developments.

N8 – requires development in urban green corridors to ensure the function of the land is retained, enhanced or replaced.

N10 - development will not be permitted which adversely affects a public right of way.

N12- states that development proposals should consider and respect spaces between buildings; the best buildings of the past; good design; character and scale; encouragement of walking and cycling; adaptability for future uses; the needs of the elderly and people with disabilities and restricted mobility; visual interest; and crime prevention.

N13 - requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

N23 – incidental space around built development should provide a visually attractive setting.

T2 – developments need to be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

T5 - safe and secure access for pedestrians and cyclists should be provided to new development.

T6 - satisfactory access to new development for disabled people and people with mobility problems should be provided.

T7A - secure cycle parking is required in new developments, to reflect standards in UDP Appendix 9.

T24 - parking provision to reflect the guidelines set out in UDP Appendix 9.

8.2 Supplementary Planning Documents

Neighbourhoods for Living.

West Leeds Gateway Area Action Plan.

Mistress Lane Planning Brief.

Designing for Community Safety.

Travel Plans.

Public Transport Improvements and Developer Contributions.

8.3 National Planning Policy

Planning Policy Statement 1 Delivering Sustainable Development (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and aims to improve urban design.

Planning Policy Statement 3 Housing sets out the Government's policy on housing and aims to ensure that everyone has the opportunity of living in a decent home.

9.0 MAIN ISSUES:

1. Principle and suitability of site.
2. Design and landscape.
3. Access, traffic and car parking.
4. Other planning issues.
5. Conclusion.

10.0 APPRAISAL:

Principle and suitability of site

- 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 Armley. The site has been identified as a regeneration area and supported by a planning brief. The brief suggests that residential development is acceptable in land use terms and identifies areas where previously developed land could be redeveloped. In the main, the development proposals as annotated, are generally consistent with this approach.
- 10.3 The site also includes two areas of land which are allocated in the Unitary Development Plan as N1 public open space and therefore also classified as greenfield land. With this exception the site is regarded to be previously developed land 'brownfield' and has no specific UDP policy or allocation. The indicative layout arrangement does show one of the proposed blocks, served off Mistress Lane, slightly encroaching into one of the protected areas of public open space (to the east of the site) which would in turn also be regarded as greenfield development. Residential proposals which affect such areas will be treated on merit and subject to the requirements of housing policies H3 and H4.
- 10.4 The site lies within an existing residential settlement which is already served by existing infrastructure capable of serving a development of the scale proposed. The site lies within a sustainable location and the proposal is considered to comply with Policy H4 and in broad terms PPS3 in respect of raising density and locating new housing within existing settlements.
- 10.5 The Mistress Lane planning brief recognises that these two parcels of public open space are not useable in practical terms and provide a mainly visual amenity. It is also acknowledged that there are other calls on this development site, including further provision for existing resident parking. In this context and in adopting a pragmatic approach in terms helping facilitate development, the brief accepts that as an exception to normal planning policy, the Council may accept design considerations for new housing which only provide private amenity space and not public open space. Effectively this creates a framework to redesign this whole area and to put forward a design concept which addresses the wider planning needs of

the area, together with parking and servicing requirements, a reconfiguration of the greenspace and a platform to put forward imaginative and viable design solutions.

- 10.6 In this context, and providing all the wider planning objectives, as set out in the development brief are satisfied, it is considered that the principle of development can be supported.

Design and landscape.

- 10.7 Although the exact layout has yet to be determined an indicative layout plan has been submitted. This has evolved over a period of time from weekly workshops and meetings with technical experts. The proposed development is however presented in three distinct blocks. The first block fronts on to Armley Road, on a parcel of land which has been previously developed, and overlooks the main junction interchange area. The indicative height of the building is articulated at 6 storey's. This part of the site is important in visual terms given that it is both a prominent site and strategically placed as a gateway into Armley therefore providing a focus for regeneration. The site is also adjacent to a Grade II Listed Building (Mike's Carpets). It is therefore critical that the scale and massing of the building together with its detailing is responsive and sensitive to these issues.
- 10.8 In this regard to vertical emphasis, the planning brief indicates that 'the site can accommodate a significant overall height, given the proximity and need to involve the two existing tower blocks in the overall visual design concept for the new build site.'
- 10.9 In terms of massing, the planning brief indicates that a sensitive approach is required. It is suggested however, 'that the main frontage could accept something fairly dominant, by way of design and massing, particularly at the western end, to help towards some visual enclosure at this wide and busy traffic junction.' The brief goes on to advocate a prominent 'landmark building to help turn the corner of Armley Road to Crab Lane.' Notwithstanding the indicative nature of the development proposed, the scheme presented does articulate a building with a scale and massing sufficient to provide a structure of some gravitas without upsetting the balance and conformity of the streetscene or indeed the adjacent listed building.
- 10.10 Elsewhere, the two development parcels served off Mistress Lane, are presented at a scale of 3 storey's and given the split levels of the site, it is considered that such a form of development can be satisfactorily achieved. This will help maintain a domestic proportion and remain reflective of the surrounding streetscene and immediate character. Members should note that whilst the vast majority of the development is shown on land which has been previously developed, block 'b' on the drawing (appended), does project into an area allocated as N1 public open space. Whilst ordinarily this is something which is normally resisted, it is acknowledged that the planning brief does encourage this rationalization and reordering of space to ensure that the most appropriate design solution can be achieved.
- 10.11 This is therefore a question of balance to assess the needs and demands of existing and future residents, in terms of their greenspace requirements, against the need to sensibly rationalize space to create a framework for redevelopment. In assessing these matters it is considered that a satisfactorily balance can be achieved which makes the best and most appropriate use of the land available and provides the setting to regenerate and improve this important site. It is also considered that the

loss of this small area of N1 open space can therefore be justified on these grounds and particularly so, if wider environmental improvements and enhancement measures are also accrued through its redevelopment.

- 10.12 Overall, it is considered that the proposal as submitted can be suitably accommodated on site and that the general scale and form of development will provide a satisfactory level of space to ensure that it can be satisfactorily integrated into the urban landscape whilst also protecting the living conditions of existing and prospective residents. In this context it is considered that the development proposed does take account of the general character of the locality of the area whilst having regard to the protection and retention of trees and open space with a pattern of development which is complimentary to the character and appearance of this area. It is therefore considered that a subsequent detailed scheme is capable of satisfying GP5, BD5, N12 and N13 in this regard.

Access, traffic and car parking.

- 10.13 The Council's Highway Engineer in assessing this proposal has raised no objection to the principle of development subject to conditions. Whilst the development has been submitted in outline form, approval has been sought for means of access.
- 10.14 The applicant proposes two points of access. The first is off Crab Lane utilizing the existing junction arrangement. The second is a new central point of access from Mistress Lane. There is no vehicular link through the site however parking is provided within the development both for existing and prospective residents in the form of three courtyard areas.
- 10.15 There are numerous footpaths within the site and as a result of the development, it may be necessary to close or divert these. As part of any reserved matters application a pedestrian accessibility study should be carried out to identify the main pedestrian desire lines to and from the development and where necessary, identify improvements including dropped kerbs and tactile paving.
- 10.16 As well as being located in an area well served by public transport, the development is for affordable housing for those over 55. Car ownership is therefore expected to be low and the car parking demand is envisaged to be below Unitary Development Plan guidelines. It is therefore envisaged that resident parking is to be limited to 0.75 spaces per property with additional visitor parking provision. The actual number of spaces required however will be re-assessed when the detailed proposals are finalised.
- 10.17 Provision is also required within the development site for car parking for residents of the tower blocks remaining (each comprising of 47 flats), due to the demolition of garage courts. The approved planning brief indicates that a total of 40 replacement car parking spaces are required to be accommodated into the new build residential scheme.

Other Planning Issues

- 10.18 The Council's Environmental Protection Officer has been consulted on this proposed application and has raised no objections subject to planning conditions. Conditions are required to protect future occupants of the development from traffic noise associated with Armley Road and to protect living conditions of existing residents arising from the construction issues.

10.19 The proposed development is a major scheme and will need to satisfy wider planning objectives to ensure that the development can be satisfactorily accommodated and accompanied by the appropriate supporting infrastructure. In this context the applicant has agreed to fully comply with all planning policies and SPD's with regard to greenspace improvements, public transport infrastructure and travel plan monitoring. In terms of delivering affordable housing requirements, the whole scheme is 100% social housing.

11.0 CONCLUSION:

11.1 The proposed development would help provide much needed housing in this area of West Leeds and forms part of a wider regeneration programme (Lifetime Neighbourhoods) aimed at providing affordable general needs and extra care housing specifically towards people aged 55 and over across the City.

11.2 This application site is considered to be a visually important and a strategic site which has been identified for residential development. Considerable weight should therefore be given to this opportunity to deliver significant regeneration benefits, its linkages with wider Council's objectives and to help secure environmental, social and economic improvement. After careful consideration of all relevant planning matters, it is recommended that the application be approved.

Background Papers:

Application file 10//LA.

Certificate of Ownership – signed as applicant.

Round 6 PFI Housing
MISTRESS LANE
 Armley

10 / 02 221 N2



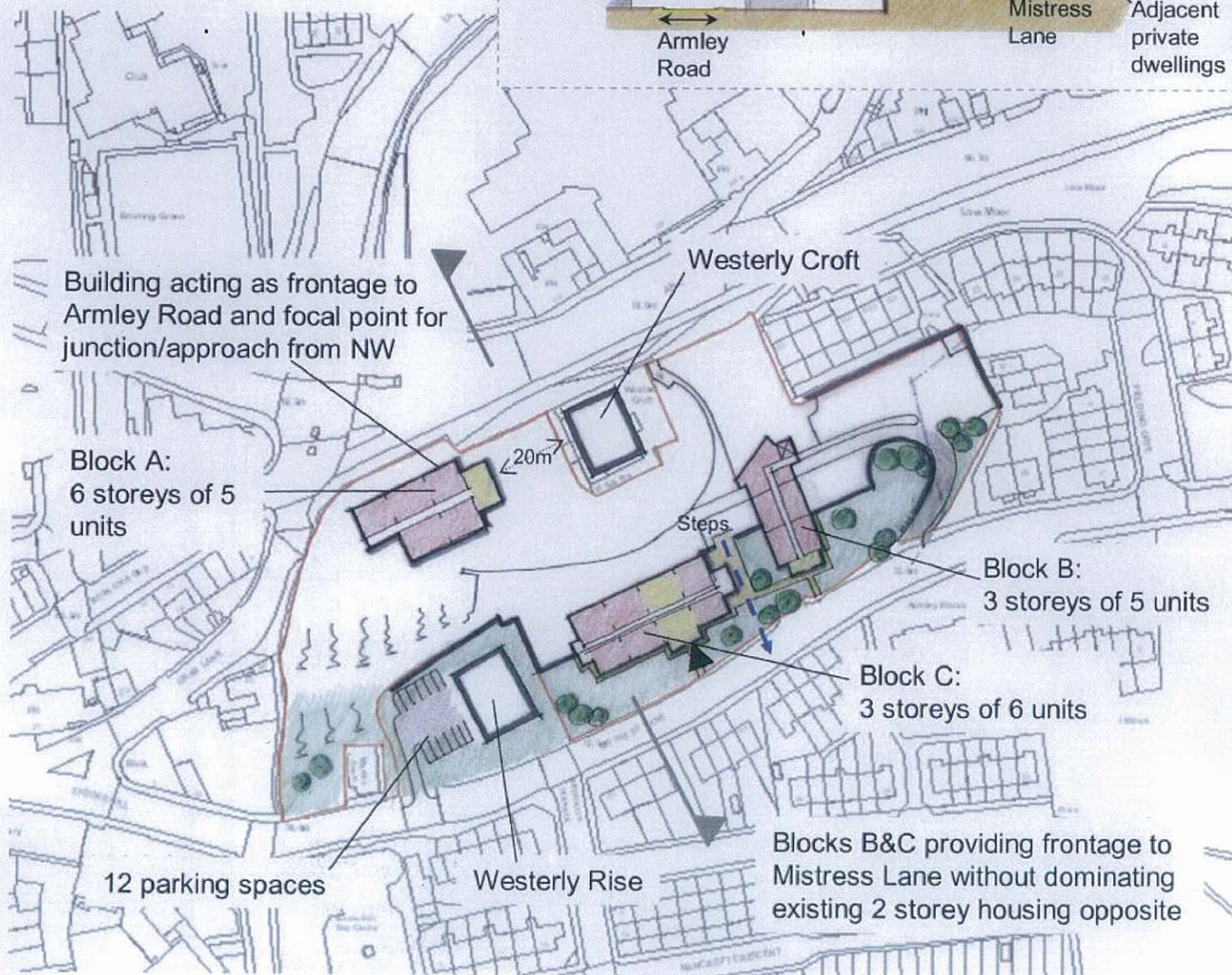
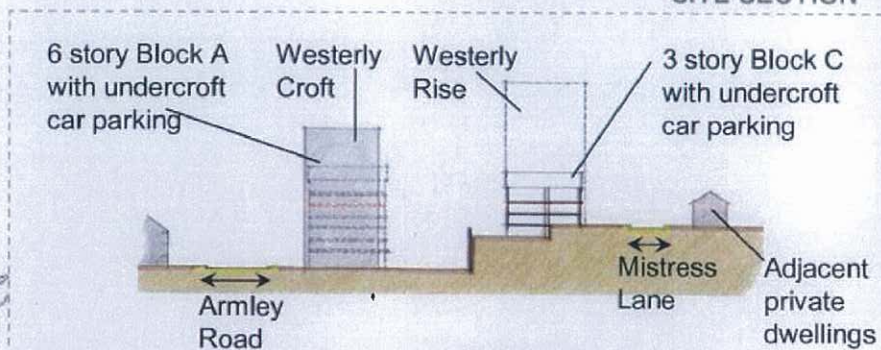
Upper Level – Mistress Lane (73.0m)

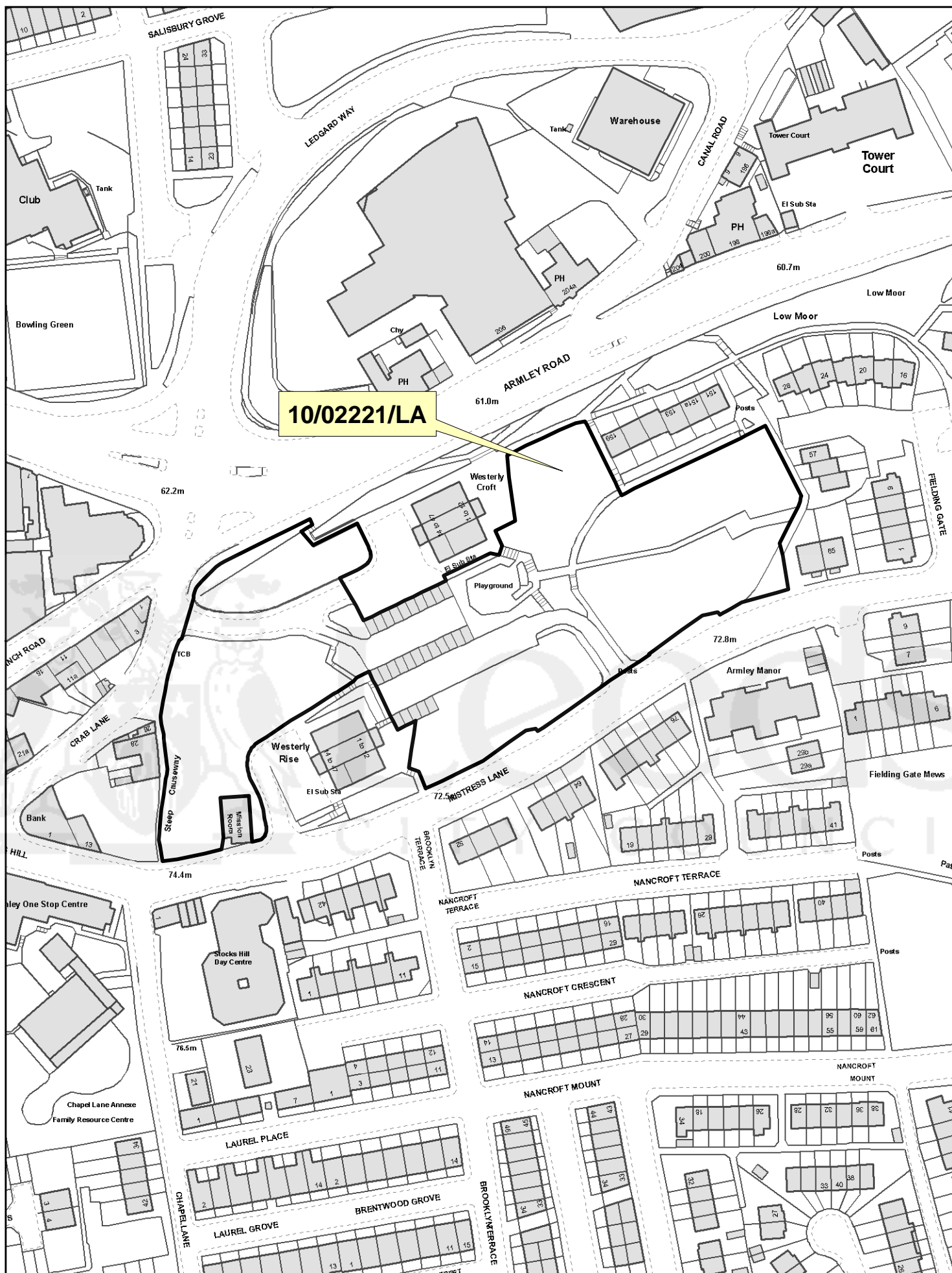
66 Units

3-6 Storey

99 parking spaces

SITE SECTION





WEST PLANS PANEL



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