



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 15 September 2011

Subject: PLANNING APPLICATION 10/02739/FU AND LISTED BUILDING APPLICATION P/10/02738/LI – CONVERSION OF BUILDINGS TO FORM 22 FLATS AND 14 HOUSES AND ERECTION OF 35 NEW HOUSES, WITH ASSOCIATED CAR PARKING AND LANDSCAPING AT FORMER WHARFEDALE HOSPITAL, NEWALL CARR ROAD, OTLEY, LEEDS, LS21 2LY.

APPLICANT

Homes And Communities
Agency

DATE VALID

15 June 2010

TARGET DATE

14 September 2010
*(Planning Performance
Agreement)*

Electoral Wards Affected:

Otley and Yeadon

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATIONS:

PLANNING APPLICATION 10/02739/FU

DEFER AND DELEGATE approval subject to the signing of a Section 106 agreement within three months from the date of the resolution to ensure the following: -

- 30% Affordable Housing built on site (50/50 split);
- Greenspace contribution of £39,054.02;
- Bus Shelter improvements of £10,000;
- Off-site highway works contribution of £43,000.00;
- Residential Metro Card scheme for residents of £28,304.32;
- Public Transport enhancements of £49,487.00;
- Travel Plan, Travel Plan Coordinator and monitoring fee of £2,500;

and subject to the following conditions:

1. Time Limit (3 years)

2. Development to accord with approved plans.
3. Details of Levels.
4. PD right removal (Garages)
5. Phasing Plan
6. Materials details and samples of external walling, roofing and surfacing
7. Surface materials to be submitted
8. Details of boundary treatments to be approved and carried out including existing stone boundary wall)
9. Landscape scheme to be submitted and implemented
10. Landscape Maintenance Scheme
11. Tree protection
12. Replacement trees
13. Biodiversity enhancement measures including bird and bat roosts;
14. Sustainable scheme;
15. Area used by vehicles laid out, surfaced and drained;
16. Details of cycle parking;
17. Implementation of travel plan measures;
18. Specified operating hours (construction); no Sunday / Bank Holiday operations;
19. Construction management plan;
20. Bin storage details;
21. Details of works for dealing with surface water discharges
22. No piped discharges of surface water until completion of drainage works.
23. Feasibility study into the use of infiltration drainage methods
24. Surface water discharged from the development will be subject to balancing of flows to achieve a maximum flow rate of 15 litres per second.
25. Details of on-site storage provided for additional run-off from storm events
26. Further site investigation required
27. Amendment of remediation statement
28. Submission of verification report
29. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

UDPR Policies SA1, SP3, SP4, GP5, GP7, GP9, E7, BD2, BD5, H1, H3, H4, H11, H12, H13, LD1, N2, N4, N12, N13, N18A, N18B, N19, N20, N22, N23, N25, N38B, N39A, T2, T2C, T2D, T15, T24.

Supplementary Planning Guidance: Affordable Housing (SPG3); Interim Affordable Housing Guidance – Issued 1st June 2011, Greenspace relating to new housing development (SPG4); Neighbourhoods for Living (SPG13); Sustainable urban drainage (SPG22).

Supplementary Planning Documents: Public Transport Improvements and Developer Contributions; and Travel Plans.

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.

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

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

LISTED BUILDING APPLICATION P/10/02738/LI

1. Time Limit (3 years)
2. Development to accord with approved plans.
3. Detailed large scale plans of windows and rainwater goods and restoration of other listed building features of interest to be approved and carried out.
4. In granting Listed Building Consent the City Council has taken into account all material matters relating to the building's special architectural or historic interest, including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

UDPR Policies, N12, N13, N14, BC1, BC2, BC6, BC7

On balance, the City Council considers the proposal would not give rise to any unjustified consequences for the special architectural or historic interest of the listed building.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Plans Panel because it relates to a substantial development proposal and is subject to a Planning Performance Agreement with the applicant, which agrees that the application will be presented to Plans Panel for determination.

2.0 PROPOSAL:

- 2.1 The proposed site previously formed part of the old Wharfedale General Hospital, which has relocated into a new building immediately to the west. The site was originally used as the Wharfedale Union Workhouse. The buildings on the site are currently vacant but were previously used for a variety of uses associated with the hospital.
- 2.2 The proposal aims to provide a new residential development which combines the conversion of the existing listed historic buildings on the site with contemporary new buildings to create a series of courtyard enclosures forming a succession of private and public spaces around which dwellings are orientated.
- 2.3 The proposal by the Homes and Communities Agency aims to create a well designed character development providing a wide variety of housing accommodation within an attractive landscaped setting. The proposal will provide a total of 72 units, 40 of which are within the existing buildings and 32 within new build blocks or extensions to the existing buildings.

- 2.4 The proposals comprise of: -
- 22 one, two and three bed refurbished retirement apartments in the existing Grade II listed dining, entrance, kitchen and main buildings managed by a Registered Social Landlord (RSL);
 - 8 two bed new build houses;
 - 14 two bed refurbished/new build extension houses in 'New Infirmary' building;
 - 15 three bed new build houses;
 - 4 three bed refurbished houses in the 'Old Infirmary' building; and
 - 9 four bed new build houses.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site lies to the north of Otley Town Centre, with access off Newall Carr Road and covers an approximate area of 1.9 ha. The new Wharfedale Hospital is situated immediately to the west of the site and the access road to the new hospital flanks the southern boundary of the site. Within the boundary of the proposed site there are eight buildings, originally built as part of the Wharfedale Union Workhouse, subsequently converted for Hospital use but now vacant.
- 3.2 The Main Workhouse Building, Old Infirmary, and the Entrance Block and Casual Wards are included on the list of Buildings of Special Architectural or Historic Interest as Grade II. Due to their age and relation to the listed buildings on site, the non-listed buildings on site are considered to be curtilage structures and are therefore afforded the same level of protection as those on the statutory list.
- 3.3 The grounds of the proposed site are well landscaped and include a number of trees that are protected by Tree Preservation Orders.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 During the period when the former workhouse functioned as a hospital various alterations were made to the site and existing buildings, for which planning permissions were required. Development of the hospital site to date has consisted of modifications, alteration and extensions to the existing buildings, laying of an access road, installation of CCTV cameras and, most recently, the construction of the new 3 storey Wharfedale Hospital.
- 4.2 A planning application and listed building consent were submitted for the redevelopment of former Wharfedale Hospital, including part demolition and conversion of buildings to form 40 dwellings (flats and houses) and erect 39 new dwellings (flats and houses), with associated car parking and landscaping, under references 09/02785/FU and 09/02784/LI.
- 4.3 However, these applications were withdrawn in October 2009 to allow the applicant to overcome issues relating to: -
- Flood risk;
 - Residential Amenity (overlooking of adjacent hospital building and residential properties on Newall Carr Road north of the application site)
 - Legal boundary issues; and
 - Vista towards the listed main building from the current Wharfedale Hospital access road junction to Newall Carr Road.
- 4.4 The applicant believes they have now resolved all these issues.

- 4.5 In relation to Flood Risk, the applicant has stated that the current proposals incorporate the recommendations of the Environment Agency. The Environment Agency required a wayleave of a minimum 3.0m on one side and 1.0m on the other side of the recently re-classified culverted Main River (Hol Beck) flowing through the site to allow for future maintenance. Surface water run off to be 30% reduction of current rate.
- 4.6 The applicant has also stated that detailed discussions with the NHS Trust have taken place in relation to potential overlooking of hospital patients and new residents and the legal boundary. The NHS Trust have confirmed in writing that they are satisfied with the changes made to the scheme and that they have no objections. The changes made relate to the units adjacent to the hospital (units 58-61) and the uses of houses rather than apartments, splayed windows, ground floor timber pergolas and internal changes to layout.
- 4.7 The applicant has in addition stated that the legal boundary issues with the NHS Trust have now been agreed. This was due to a discrepancy between the Land Registry Plan, location of fences on site and English Partnerships development plan, affecting the southern and western boundaries. The site layout has been amended to suit the agreed boundary.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Prior to the submission of the previous scheme, the Homes and Community Agency held a 3 day open public exhibition and consultation event between 19th and 21st June 2008 at Otley Civic Centre. In addition, a presentation was made to interested local societies during the consultation identified by Leeds City Council, including: The Victorian Society, Otley Town Partnership, local ward Councilors, Otley Civic Society and the Otley Conservation Taskforce.
- 5.2 A pre application presentation for the previous scheme was presented to Plans Panel West in July 2008. Members made comments in regard to:
- The principle of the development being acceptable;
 - The acceptability of the 'modern' approach to design; and
 - Potential to open the culvert on site.
- 5.3 The applicant has stated that they did explore the potential to open to culvert but the Environment Agency considers this would increase flood risk on the site due to possible future blockages.
- 5.4 A further pre application presentation for the current scheme was presented to Plans Panel West in May 2010. Members made comments in regard to:
- The principle of the development being acceptable
 - Preservation and enhancement of Listed Buildings;
 - The design, appearance, siting, scale and massing of the new dwellings;
 - Highways layout and access; and
 - Other Matters which are highlighted in the report.
- 5.5 During the course of the determination of the application detail alterations have been made to the siting and the external appearance of the building, highway layout and access arrangements.

6.0 PUBLIC/LOCAL RESPONSE:

Statement of community Involvement:

- 6.1 It has been agreed with the applicant that letters are sent to all members of the public who commented at the exhibitions held in June 2008. Letters will also be sent to the local groups and societies who attended presentations. The letters will inform the consultees, groups and societies of the minor changes to the proposal (since the application was withdrawn), how they can find out more and how to comment on the proposal. As agreed within the Planning Performance Agreement (PPA), letters will be sent week commencing 24 May 2010. Details of the responses will be outlined in the Statement of Community Involvement which will be submitted as part of the planning application.
- 6.2 The proposed level of consultation is considered acceptable given the extensive level of consultation which was carried out in June/July 2008 and the fact only minor amendments to the scheme are proposed.

Application Publicity:

- 6.3 The planning application has been formally advertised by the Local Planning Authority on site by means of site notices. These site notices gave reference to a *proposed major development affecting the setting of Listed Buildings*.
- 6.4 The application has been made available for public inspection at Otley Library and was also published in the local press.

COUNCILLORS:

- 6.5 No formal representations have been received from Local Ward Councillors.

MEMBER OF PARLIAMENT:

- 6.6 Greg Mulholland MP has written on behalf of constituents on Newall Carr Road, who object on grounds that the single storey former Mortuary building should not be demolished, and that frontage development to Newall Carr Road is out of character with the existing neighboring development

LOCAL AMENITY GROUPS:

- 6.7 No representations have been received from Local Amenity Groups.

LEEDS CIVIC TRUST

- 6.8 Support the scheme but suggest that the approved works to the Listed Buildings are carried in advance of, or at least contemporaneously with, any new build. Certainly, no occupation should be allowed until substantial progress has been made on any refurbishment for re-use.

OTLEY TOWN COUNCIL

- 6.9 The following observations and three objections were expressed:
- Objection that inadequate parking on site which will lead to overflow onto an already congested road;
 - Objection that no control of parking in the site which will lead to abuse by hospital parking and already problematic roadside parking, these two points based on specific local knowledge of the Councillors
 - Observed that the proposal for a bus pass to residents was inadequate. The site requires that each resident is provided with a full Metro pass for buses and trains for a number of years and that the use of these passes must be monitored to

demonstrate that developers have achieved a modal shift from car use to public transport;

- Observed that the Mortuary building should be retained and developed and the demolition of this is objected to;
- Observed that the chimney should not be reduced as it is a key feature on the site
- Observed that the modern buildings to be created are not in keeping with the vernacular style of the site and its current materials

LOCAL RESIDENTS:

6.10 There have been 8 letters of objection, one letter of support and 5 letters making general comments from local residents. Objections are:

- Existing parking problems on surrounding streets caused by the hospital will be exacerbated.
- Car parking for the proposed development is not sufficient.
- The development will add to local traffic congestion.
- The former mortuary building should be retained and not demolished.
- Overlooking and overshadowing of existing nearby dwellings will result.
- Plots 1 to 3 are out of keeping with local character.
- There should have been more public consultation.

General comments are:

- Would the biomass boiler cause pollution?
- No objections provided parking on Newall Carr Road and Billams Hill does not increase.
- The scheme has much to commend it

7.0 CONSULTATIONS RESPONSES:

Statutory Consultations:

HIGHWAYS:

7.1 No Objections, subject to conditions.

MAINS DRAINAGE:

7.2 No Objections, subject to conditions.

YORKSHIRE WATER:

7.3 No Objections, subject to conditions.

ENVIRONMENT AGENCY:

7.4 No Objections, subject to conditions.

Non Statutory Consultations:

TRANSPORT POLICY (TRAVEL WISE):

7.5 No objections, subject to conditions and S.106 Legal agreement.

PUBLIC RIGHTS OF WAY:

7.6 No Objections, subject to conditions.

METRO:

7.7 No objections, subject to conditions and S.106 Legal agreement.

NEIGHBOURHOODS AND HOUSING:

7.8 No objections, subject to conditions.

WEST YORKSHIRE ARCHAEOLOGICAL SERVICE:

7.9 No objections.

WEST YORKSHIRE POLICE:

7.10 No objections, subject to conditions.

CONTAMINATED LAND TEAM:

7.11 No objections, subject to conditions and informatives.

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

REGIONAL PLANNING POLICIES:

8.2 The Regional Spatial Strategy for Yorkshire and the Humber to 2026 (RSS) was adopted in May 2008 and sets out a strategic framework for development up to 2026.

8.3 The RSS for the Region was revoked by the Secretary of State on 6 July 2010. However, following a High Court Judgement on 10 November 2010, the RSS was re-established as part of the development plan until such time as the Localism Bill is enacted. At present, the government's intention to abolish the RSS can be a material consideration in the determination of planning applications.

8.4 However, it is not considered that this proposal raises any issues of regional significance.

LOCAL PLANNING POLICIES:

8.5 Locally Leeds City Council has begun work on the Local Development Framework ("LDF") with the Local Development Scheme most recently approved in July 2007. This provides a timetable for the publication and adoption of the Local Development Documents.

8.6 In the interim period a number of the policies contained in the Leeds Unitary Development Plan ("UDP") have been 'saved'. The Leeds UDP Review was adopted in 2006. The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

8.7 Within the adopted UDP Review (Sept 2006) are strategic goals and aims which underpin the overall strategy. Of these attention is drawn to strategic goals (SG), aims (SA) and principles (SP) as follows;

- Policy SG4: To ensure that development is consistent with the principles of sustainable development;
- Policy SA1: Secure highest quality of the environment throughout the District;
- Policy SA2: Strategic Aim to encourage development in locations that will reduce the need to travel, promote the use of public transport and other

sustainable modes and reduce the journey lengths of those trips which are made by car;

- Policy SP3: Seeks to ensure that new development will be concentrated within or adjoining main urban areas and settlements, with existing public transport provision or a good potential for new provision.

8.8 The site lies within the urban area of Otley and is unallocated with no specific land use allocation. The surrounding area of the site is predominantly residential. The proposed site is defined as previously developed. Clearly given the historic buildings on site any conversions would be assessed against the relevant policies and new buildings on the site should promote good urban design. Acceptable landscaping proposals are fundamental to the any proposed layout.

8.9 The relevant Leeds Unitary Development Plan policies are considered to be: -

- Policy GP5: refers to development proposals should seek to avoid loss of amenity.
- Policy BD5: new buildings design consideration given to own amenity and surroundings
- Policy H3: housing allocations.
- Policy N12: refers to all development proposals should respect fundamental priorities for urban design.
- Policy N13: refers to design of new buildings should be of high quality and have regard to character and appearance of surroundings.
- Policy A4: refers to development and refurbishment proposals designed to ensure safe and secure environment
- Policy T2: refers to development capable of being served by highway network and not adding to or creating problems of safety.
- Policy T5: seeks to ensure the safe and secure access and provision for pedestrians and cyclists within highway and new development schemes.
- Policy T6: refers to satisfactory access and provision for people with mobility problems within highway and paving schemes and within new development
- Policy T24: refers to parking guidelines for new developments
- Policy N2: support given to establishment of a hierarchy of greenspaces
- Policy N4: refers to provision of greenspace to ensure accessibility for residents of proposed development
- Policy N10: refers to development not permitted which adversely affects a public right of way
- Policy N24: Development abutting the Green Belt or other open land should achieve assimilation into the landscape.

- Policy N25: Site boundaries should be designed in a positive manner.
- Policy LD1: refers to all landscape schemes should meet specific criteria

8.10 This list is not inclusive or exhaustive.

SUPPLEMENTARY PLANNING GUIDANCE:

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

- SPG3: Affordable Housing;
- SPG4: Greenspace Relating to New Housing Development;
- SPG11:Section 106 Contributions for School Provision; and
- SPG13: Neighbourhoods for Living.

8.12 As well as the supplementary planning guidance documents that have been retained, new supplementary planning documents are relevant:

- Affordable housing SPD (2009);
- Public Transport Improvements and Developer Contributions SPD (July 2008);
- Sustainable design and construction SPD (2008); and
- Travel plans SPD (2008); and
- Street design guide.

NATIONAL PLANNING POLICY:

8.13 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be of relevance to the submitted proposal. This includes:

- PPS1: Delivering Sustainable Development (2005);
- PPS3: Housing; and
- PPG13: Highways.

9.0 MAIN ISSUES:

9.1 It is considered that the main issues are:

- The principle of residential development;
- The preservation and enhancement of the Listed Buildings;
- The design, appearance, siting, scale and massing of the new dwellings;
- Highways layout and access

10.0 APPRAISAL:

Principle of development:

10.1 The former Wharfedale Hospital site is a brownfield site which is also located within an existing settlement, close to public services, leisure and employment opportunities. The decision to build a new hospital adjacent to the site a number of years ago means that the existing buildings on the site are no longer required or suitable for hospital use and it is considered that conversion for residential purposes would be the most appropriate alternative use.

Preservation and enhancement of listed buildings:

- 10.2 Across the site the listed buildings have suffered from a variety of unsympathetic extensions. The proposals create the opportunity to strip away some of the later extensions and restore significant elements of the original facades and reinstate features such as gates and railings and other historic details.
- 10.3 The scheme entails the demolition of the frontage mortuary building which is a structure of some historic significance. It has been accepted by officers however, that as the reuse of this building presents difficulties in terms of residential reuse in terms of the past usage of the building, and as the scheme as a whole results in positive benefits to the listed buildings on the site and a viable new use for them, that the loss of the mortuary building can on balance be accepted.

The design, appearance, siting, scale and massing of the new dwellings:

- 10.4 It is considered that the new buildings respond positively to the existing structures and historic use of the site and to the wider urban and rural context. The scale and formality of the listed buildings has informed the layout of the new buildings on the site, which have been designed to provide an appropriate setting for the listed buildings. The new dwellings have been grouped together in order to reflect the scale and massing of both the existing buildings on the site, the surrounding housing estates and adjacent new hospital block. The new build elements on the site have predominantly been designed as terraced blocks on an east-west orientation.

Highway Issues:

- 10.5 The applicant's submitted transport assessment demonstrates that the traffic impact of the development will not be significant. Vehicular access is proposed via Newall Carr Road utilising and modifying the former Hospital access. An emergency link for the new Hospital is to be maintained through the site. The footway link through the archway on the Newall Carr Road frontage is to be retained and enhanced. The site layout has been designed to create a series of hierarchical public, semi-public, semi-private and private spaces reflecting the original concept of the workhouse. The extensive number of site constraints, together with a design philosophy to maximise semi-private and private pedestrian space dictated the majority of parking to be communal reflecting the sense of community, allowing private external space to be maximized and the design meets the requirements of the Street Design Guide SPD.
- 10.6 Parking provision will be in accordance with the Street Design Guide which also gives advice on acceptable size of parking spaces, driveways and garages. Cycle parking will be provided for each dwelling. This will be in curtilage where possible. If cycle stores are the only option these will be covered, lockable and managed. Details for the storage of wastes from the dwellings and access for their collection has also been agreed.
- 10.7 A Resident's Only Traffic Regulation Order will be required on the estate roads to deter visitors to the Hospital from parking within the development site. These would be secured under the highways act through a Section 38 agreement, not a S.106. In addition to the above, Traffic Regulation Orders are required on Newall Carr Road and highways in the vicinity of the site to prevent /restrict parking. These would be secured under the highways act through a Section 278 agreement. The

applicant has been made aware that they would be responsible for the full cost implications of introducing the above proposals including a commuted sum for the ongoing costs of the Residents Only scheme.

- 10.8 A travel plan framework was submitted with the application. It is considered that the Travel Plan itself is acceptable in principle. Provision of residential MetroCards, and monitoring and evaluation fee, should be included and secured through a Section 106 Legal Agreement.
- 10.9 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. In this case a contribution in the order of £49,487 is sought. In calculating the required sum a deduction of 10% has been incorporated to take account of the fact that; the development will be subject to other S106 obligations and abnormal costs associated with conversion of listed buildings.
- 10.10 Metro advise that the adjacent bus stop (10477) should have a shelter installed at a cost to the developer of around £10,000, this payment also includes maintenance of the shelter. The current shelter is old and needs replacing with a new improved shelter. A new shelter would benefit the residents of the new development. The shelter should include seating, lighting and bus information and should be provided by a contractor of Metro's choosing. This will be secured through a S.106 agreement.
- 10.11 The applicants have agreed to the provision of Residential MetroCards for any resident that requests one for this development. The total liability in connection with providing the MetroCards shall be limited to £28,304.32. This will also be secured through a S.106 agreement.
- 10.12 A contribution has been agreed towards the upgrading the ginnel from Croft House Drive to Weston Ridge to a cycle track. Upgrading this route for cycling would benefit children from the development attending Ashfield Primary School. The upgrade of the path is estimated to cost £25,000.
- 10.13 A contribution has also been agreed towards the provision of an improved informal crossing of Newall Carr Road (i.e. kerb build outs). Pupils from the development will have to cross Newall Carr Road to attend The Whartons Primary School. This issue has already been identified in the school travel plan as a problem. The kerb builds outs are estimated to cost £8,000.
- 10.14 The applicant has also agreed to fund promotional materials for 'car share Leeds' for all the residents at £10 per dwelling.

Other material planning considerations:

AFFORDABLE HOUSING:

- 10.15 Homes and Communities Agency (HCA) in conjunction with their preferred partnering Registered Social Landlord (RSL) propose to offer 22 one, two and three bed apartments within the refurbished grade II listed entrance block, main building and kitchen/dining block as affordable residential units, to ensure economic viability of the overall development.

- 10.16 The 22 apartments provide 30% affordable housing provision. The RSL will undertake a full landlord/management role for all the affordable units, with all units being located in the listed buildings; this will ensure these important historic buildings are adequately maintained for the future.
- 10.17 Members need to be made aware that the site is in the outer area/rural north and the interim policy has increased the % requirement to 35% from 30% in this area.
- 10.18 The provision does therefore not accord with the interim guidance. However as the affordable housing details were negotiated when the scheme was submitted in June 2010 and given the costs associated with the conversion and restoration of listed buildings, it is not considered that the scheme would be able to support the provision of affordable housing beyond 30%.

GREENSPACE:

- 10.19 For a development of this size, an area of greenspace of 0.288 would be required on site in accordance with Policy N2 of the UDP. The application provides 0.1512ha of what we would assess as publicly accessible and useable greenspace. There are other pockets of amenity space, however these are either for the flatted developments or act as landscaping.
- 10.20 To make up for the shortfall, a contribution to the laying out and maintenance of policy N2.1 Local Amenity off site greenspace equivalent to 0.137 hectares is required. In addition to this, the existing greenspace in the area does not satisfy the requirements of N2.2 (Local Recreational Areas) or the requirements of N2.3 (Neighbourhood/District Parks) greenspace, therefore, a commuted sum is required for the laying out of greenspace equivalent to 0.144 ha for N2.2 and 0.144 ha N2.3 (0.002 ha per unit respectively). In addition to the above, a contribution to off site play areas is required which has been calculated having regard to the number of residential properties proposed.
- 10.21 Taking into consideration the requirements of policy N2.2 and N2.3 together with the contribution towards equipped children's play, the total greenspace contribution is £139,054.02. This will be secured through a S.106 agreement.

EDUCATION:

- 10.22 As the 22 flats are less than 3 bedrooms then there would be no education contribution as the number of "family dwellings" would be 49 and the trigger point is 50.

LAND CONTAMINATION:

- 10.23 The ground investigation report submitted with the application has identified contamination and safety issues at the Wharfedale General Hospital site, in particular associated with potential ground contamination. The contamination issues are mainly associated with the north western part of the site, underlying and immediately south of the fuel storage area. The asbestos issue relates to the dated workhouse buildings, although other areas are potentially at risk.

- 10.24 Following further specialist and intrusive investigations being carried out at the site, no objections to the application are raised on this issue subject to the imposition of the relevant land contamination conditions.

FLOOD RISK ASSESSMENT:

- 10.25 A Flood Risk Assessment (FRA) was submitted with the application as the development proposals are over 1 hectare in Flood Zone 1 as designated by the Environment Agency. The Environment Agency have confirmed that the revised FRA submitted with this application does now comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS 25). The submitted FRA did therefore; provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

FOUL AND SURFACE WATER SEWERAGE:

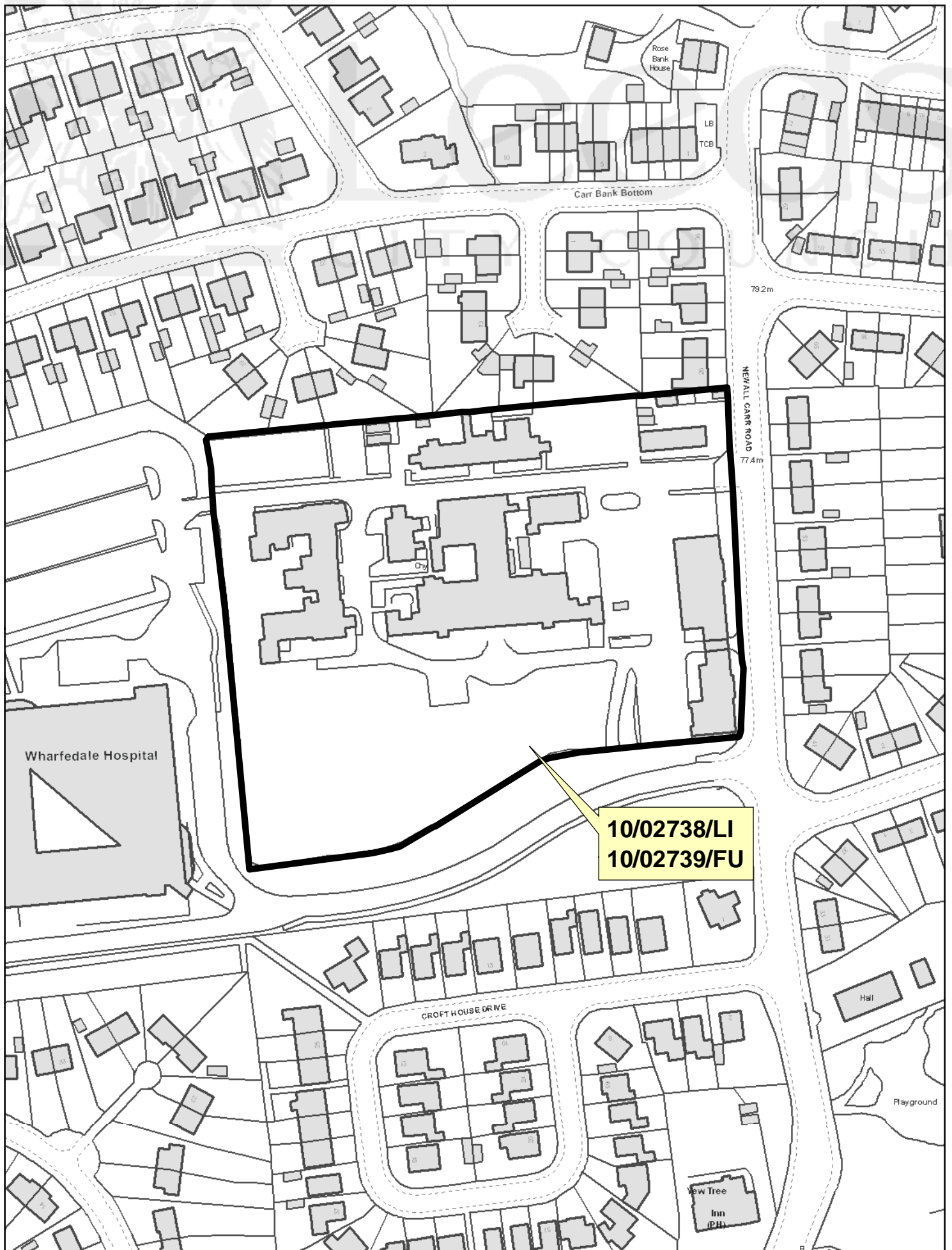
- 10.26 The FRA and Drainage Assessments have assessed the main aspects of the drainage of the development site and acceptable conclusions have been reached with regards to a drainage strategy for the site. The north to south running Hol beck watercourses which crosses the site is a Main River and this means that the 'policing' responsibility for it rests with the Environment Agency, but the land owner still has the riparian responsibility of actually carrying out any required watercourse maintenance works to the satisfaction of the EA. In addition the council can also require watercourse maintenance works of the riparian owner as part of the planning requirement for flood protection and Flood Risk Management of the site and adjacent properties.
- 10.27 The developer has undertaken a CCTV survey of the section of the watercourse within his riparian ownership and this flagged up that there were sections of the culvert which require repair or replacement. The lining of the culvert may be the most cost effective way of dealing with the entire length of the culvert which crosses the site however the developer may proposed appropriate alternative means of dealing with the repair/ maintenance of the culvert. The works must be undertaken before the surface water runoff from the redeveloped site is allowed to be discharged to the culverted watercourse.
- 10.28 The council's guidelines indicate that the peak surface water discharge from a redeveloped site should be reduced by a minimum of 30 %. This implies however that there should specifically be a reduction of the present peak rate of discharge where it exists to the watercourse and/or the public sewer. A reduction of the peak discharges from the site has been proposed however this has been arranged/ distributed in such a way that the discharge to the public sewer has been eliminated. On the whole the proposed rate of discharge does represent a decrease in the total discharge from the site but with no accompanying improvement/ flood risk reduction within the watercourse itself.

11.0 CONCLUSION:

- 11.1 This application represents an important opportunity to restore and secure the future use of the historic buildings on the site. The application is considered to comply with the relevant policies of the Unitary Development Plan and National Planning Guidance and as such the recommendation is that the application be approved.

Background Papers:

Applications 09/02785/FU and 09/02784/LI.



WEST PLANS PANEL

