
Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 6th October 2011

Subject: Position statement regarding proposed and future development in the vicinity of Manston Lane, Cross Gates, Leeds.

Electoral Wards Affected:

Cross Gates and Whinmoor

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION:

Members are asked to note the contents of this report.

1.0 INTRODUCTION:

1.1 This report is brought to Plans Panel East following a request from Members at the 8th September 2011 Plans Panel meeting. The report seeks to set out the context of approved, proposed and future development in the vicinity of Manston Lane and its relationship with the Manston Lane Link Road (MLLR).

1.2 Members also requested that a separate meeting be set up with Martin Farrington (Director of Development) and Christine Addison (Acting Chief Asset Management Officer) to discuss the approach to bringing about a comprehensive and coordinated approach to the delivery of development within the area and the delivery of the MLLR. At the time of writing, a meeting has been set up and a verbal update shall be provided to the Plans Panel as necessary.

2.0 KEY ISSUES:

2.1 A key issue is the delivery of the MLLR and the following paragraphs set out to explain the approach that has been undertaken.

2.2 Historically, the Council originally granted planning permission for the development of a business park at Thorpe Park in 1995. A further permission granted in 2004 extended the maximum commercial floorspace from 1,200,000sq feet to 1,800,000 sq feet. This was subject to a S106 Agreement which included the following obligations:-

- (a) no more than 900,000 square feet gross floor area of buildings intended for commercial use and occupation shall be brought into beneficial occupation and use until a highway connecting Manston Lane and the A1/M1 Link Road has been constructed to base course level
- (b) that no more than 1,000,000 square feet gross floor area of buildings intended for commercial use and occupation shall be brought into beneficial occupation and use until (inter alia) a highway connecting Manston Lane and the A1/M1 Link Road has been constructed and opened to use by the public.'

- 2.3 The reason for imposing the obligations in the S106 Agreement requiring a highway to be constructed connecting Manston Lane and the A1/M1 Link Road (the MLLR) was to facilitate access for public transport to Thorpe Park from Manston Lane, to improve access for local residents of Cross Gates, and to allow HGVs from and to the Manston Lane industrial area to divert from Manston Lane through the MLLR to the motorway, rather than driving through the Cross Gates residential and shopping area.
- 2.4 The developer has already secured planning permission for the construction of the Manston Lane Link Road and has partly constructed the southern section of this from the new roundabout off the M1 motorway to a new roundabout within Thorpe Park.
- 2.5 The Council subsequently received planning applications for the Vickers and Optare sites. Application 32/147/OT (submitted March 2005) related to the west end of the Vickers site and proposed a residential development which was refused on highway grounds in May 2007. Subsequently, application 08/00298/OT, relating to the Optare site and application 08/03440/OT, relating to the west end of the Vickers site, were submitted in 2008, both proposing residential developments. Further detail on the negotiations that took place is provided in para. 3.2.
- 2.6 At the time, the view was reached that the local highway network, as existing, had some limited remaining capacity to accommodate new development, subject to phasing. Beyond the permitted phases, there was a need for the MLLR to be open before any further development could occur in order to ensure that the necessary additional highway capacity was available. Phasing is dealt with in more detail in part 3.0. During consideration of both of these planning applications, the Council has been involved in discussions with Thorpe Park, Vickers and Optare with a view to bringing forward the delivery of MLLR.
- 2.7 Accordingly, some development, such as the site at the west end of the Vickers site on Manston Lane already has an outline planning permission, subject to a condition regarding phasing. Whilst currently undetermined, a similar phasing approach is suggested to allow for some development to take place on the Optare site. The phasing issue and the rationale behind it is discussed in more detail in part 3.0. Any development over and above the agreed quantum of development cannot take place until the MLLR is open.
- 2.8 A masterplan has been produced to guide development for the remainder of the Vickers site and this has previously been presented to Panel. Similarly, a masterplan has been developed for Thorpe Park.

3.0 PLANNING APPLICATIONS AND PERMISSIONS:

- 3.1 The first part of this report sets out the detailed negotiations that have taken place in relation to the site at the west end of the Vickers site and the Optare site. Only the west end of the Vickers site benefits from an extant outline planning permission. The

Optare site is subject to an outline planning application that has a Panel resolution to grant permission, but the S106 agreement has not yet been completed.

Development capable of being served by the existing highway network

- 3.2 The outline application on the western end of the Vickers site, 08/03440/OT, was submitted following negotiations about how to share highway capacity with the nearby Optare site, subject to outline planning application 08/00298/OT. The solution was to promote two distinct phases of development. The first phase comprises of 260 residential units in total across both sites. The second phase of development (allowing up to 407 residential units in total across both sites) would only be permitted on the opening of the MLLR. Accordingly, the current reserved matters application for the western end of the Vickers site, 11/02315/RM, comprises two phases of development - phase 1 containing 122 units (this site's share of the initial 260 units allowed before the MLLR is in place) and for phase 2 a further 29 units (post completion of the MLLR).
- 3.3 Accordingly, phase 1 of the site may be developed for housing in the short term, prior to the construction of the MLLR, as allowed by the outline permission. However, the construction of phase 2 may only commence following commencement of the MLLR. In light of the above, the number of units proposed to be developed in the current reserved matters application is in accordance with what has previously been agreed.
- 3.4 Whilst there are a number of off-site highway works associated with the approved outline planning permission for the west end of the Vickers site, 08/03440/OT, there is no express requirement to contribute to or carry out work on the MLLR. However, as above, the amount of development that can be permitted in the absence of the MLLR has been established and restricted by condition and planning permission granted on this basis. Clearly, the future phase 2 development of the Vickers and Optare sites is reliant upon the opening of the MLLR.

Summary of planning applications and permissions affecting Manston Lane

- 3.5 This section of the report seeks to summarise all of the planning permissions that are affected by the delivery of the MLLR.

Application site - Vickers site (west)

- 08/03440/OT - Outline application for partial redevelopment of the former Vickers tank factory for residential development – Approved 16/3/09. Condition 3 of the planning permission restricts the development to a maximum of 151 units and no more than 122 units (split into 112 houses and 10 flats) can be constructed until the MLLR is built and opened to the public. The planning permission has been granted and a current reserved matters application seeks to resolve the detailed design/layout issues.

Optare site

- 08/00298/OT - Outline application to layout access and erect residential development – Pending decision. This is the planning application which was also considered by Members at the 11th August Plans Panel when a request to amend the affordable housing contribution was made. Although the application was deferred, based on the figures presented in para. 3.2 of this report and the draft conditions, a total of 256 units may be developed, but with no more than 138 units being constructed until the MLLR is built and open to the public. Thereafter, a second phase of development for a further 118 units could be developed. The 138 unit first phase trigger assumes the existing Optare use would cease completely. In the event it remains, only 98 units can be constructed.

Vickers site (east)

- 09/04999/OT - Outline application for residential (C3), employment (B1c), health centre (D1), foodstore (A1), ancillary uses (A1/A2/A3/A4), community building (A4/D2), associated car parking, landscaping and infrastructure (eastern half of the former Vickers site). Whilst this application is still outstanding, officers do not consider any development should take place in advance of the MLLR being delivered.

Thorpe Park

- There are a number of planning applications relating to the overall development of the Thorpe Park scheme. The most relevant aspect is that Thorpe Park is required to construct the MLLR before it can exceed 1,000,000sqft of floorspace. The development that has taken place so far equates to approximately 600,000sqft (permission exists for approximately 1,800,000sqft) and falls substantially short of this figure. Nevertheless, the link road itself has already been started as part of the Thorpe Park development although further stretches are still to be constructed before its route over the railway line and connection with Manston Lane is progressed.

4.0 EAST LEEDS EXTENSION:

- 4.1 In the wider strategic context, it is also worth noting that a phase 3 housing allocation exists around the eastern fringe of the city, which is dependant on the delivery of the MLLR and will facilitate improvements to the wider highway network. Details of this are contained in an extract from the UDP Review at Appendix A.
- 4.2 In light of the current planning policy position in respect of housing supply and recent appeal decisions, it is likely that a developer may seek to bring forward sites in this locality. As such, thought has to be given as to how the City Council manages the development process and the masterplanning of this wider area.

5.0 DELIVERY OF THE MLLR

- 5.1 In light of the above summary of planning applications and permissions, together with the longer term development of the East Leeds Extension, it may be some years before the implementation of the Manston Lane developments, if approved, and/or the Thorpe Park development are in a position such that the MLLR is required in order to facilitate further development. However, the City Council has been involved negotiations with the interested parties and landowners in order to facilitate the delivery of the MLLR as soon as possible. It is also noted that an agreement is in place between the Council and Network Rail to facilitate the necessary bridge over the railway by 2015. Nevertheless, in the meantime, each application must be determined on its merits.
- 5.2 As discussed above, a meeting has been arranged for Members to discuss the current position with Martin Farrington and Christine Addison and a further verbal update shall be provided to the Plans Panel as required.

6.0 CONCLUSION

- 6.1 The current position is that some development has the benefit of planning permission (the west end of the Vickers site) and there is scope for the agreed quantum of development to occur without detriment to the existing highway network. Whilst the MLLR is required in order to facilitate further development along Manston Lane and also the East Leeds extension, it is not required to allow the agreed quantum of development on the west end of the Vickers site and the Optare site to take place.

- 6.2 Ultimately, the delivery of the MLLR is subject to detailed negotiations between the interested parties, although there are some time pressures, such as the need to bridge the railway, which may affect timescales and start to bring forward the delivery of the road.

7.0 Background Papers:

- 7.1 Application files

APPENDIX A

A.0 UDP Site Proposals – East Leeds Extension

- A.1 Land around the eastern edge of Leeds is identified as a long-term reserve of land to be used in the event that brownfield sites do not come forward at the rate and in the quantity necessary to meet the annual average housing requirement set out in the Regional Spatial Strategy. It will only be released if monitoring shows that this is the case, if any orbital road produces clear public benefits, and if development there is demonstrably the most sustainable option. It is intended that development of this area will include housing, employment, greenspace and ancillary uses. The overall site is a substantial greenfield area, however, the urban edge location will allow residents the opportunity to benefit from services and facilities available within the City Centre and adjacent communities.'

- A.2 **Under Policy H3-3A.33 the East Leeds Extension is identified for housing under Phase 3 of the Review, together with employment uses, greenspace and other ancillary facilities subject to:**

i. PREPARATION OF A DEVELOPMENT FRAMEWORK WHICH WILL DETERMINE THE PHASING, MIX AND LOCATION OF USES, DENSITY OF DEVELOPMENT AND LOCATION OF ACCESS POINTS;

ii. ASSESSMENT OF THE NEED FOR AN ORBITAL RELIEF ROAD AND IF REQUIRED, FUNDING BY THE DEVELOPMENT;

iii. THE PROVISION OF APPROPRIATE HIGHWAY INFRASTRUCTURE INCORPORATING THE FACILITY FOR PUBLIC TRANSPORT TO SERVE THE DEVELOPMENT;

iv. AN ASSESSMENT OF THE APPROPRIATENESS OF AN EXTENSION OF THE PROPOSED SUPERTRAM LINE;

v. FINANCIAL SUPPORT FOR ENHANCED PUBLIC TRANSPORT ROUTES, PROVISION AND SERVICES;

vi. PROVISION OF LOCAL, COMMUNITY AND EDUCATION FACILITIES;

vii. PROVISION OF AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING;

viii. ESTABLISHMENT OF A SIGNIFICANT OVERALL LANDSCAPE STRUCTURE INCLUDING SUBSTANTIAL PLANTING TO SITE BOUNDARIES AND MAIN HIGHWAY AND FOOTPATH CORRIDORS;

ix. RETENTION OF EXISTING FOOTPATHS AND CREATION OF ADDITIONAL LINKS TO EXISTING COMMUNITIES, LOCAL FACILITIES AND THE COUNTRYSIDE;

x. SUBMISSION OF A SUSTAINABILITY APPRAISAL;

xi SUBMISSION OF A SATISFACTORY FLOOD RISK ASSESSMENT INCORPORATING AN APPROPRIATE DRAINAGE STRATEGY. THE ALLOCATION WILL BE BROUGHT FORWARD FOR DEVELOPMENT ONLY IF:

- i. MONITORING INDICATES THE NEED FOR FURTHER LAND TO BE RELEASED TO MEET THE RSS ANNUAL AVERAGE HOUSING REQUIREMENT;**
- ii. THE ASSESSMENT OF THE NEED FOR AN ORBITAL ROAD DEMONSTRATES THAT SUCH A ROAD WOULD BOTH SERVE THE PROPOSED DEVELOPMENT SATISFACTORILY AND PRODUCE CLEAR PUBLIC BENEFITS TO USERS OF THE HIGHWAY SYSTEM; AND**
- iii. SUSTAINABILITY APPRAISAL DEMONSTRATES THAT THERE ARE NO PREFERABLE, MORE SUSTAINABLE SITES; AND THAT THE DETAILED PROPOSALS FOR THE EXTENSION ARE INTRINSICALLY SUSTAINABLE.**

- A.3 'Development will need to be planned in an integrated way, which links to adjacent residential communities and employment areas. New highway infrastructure will be required at an appropriate level based upon an assessment of the need for a new orbital relief road which would not only serve the development but offer an alternative to the existing A6120 Ring Road and could relieve the main built up area from congestion. The costs involved with a new orbital relief road will be borne by the developer. The impact of such a road upon the highway system will be fully assessed and, so far as the trunk road network is concerned, this will be done in consultation with the Highways Agency. The highway infrastructure should incorporate the facility for a major public transport facility, which provides links to existing and proposed public transport facilities. The site, which will benefit from the proposed terminus of the eastern spur of the East Leeds Supertram line and its park and ride facility, represents a sustainable location providing excellent public transport accessibility to Leeds City Centre. An assessment of the appropriateness of an extension of the Supertram line should be undertaken to ensure that satisfactory public transport facilities are provided. The southern area of the proposed allocation also has the potential to be linked to the existing Leeds-Hull railway line and the possibility of opening a new station or alternatively reopening the disused spur to Scholes also with a new station. The outer edge of development will require sensitive boundary treatment including N24 planting, to assimilate the area with the countryside beyond. Land at Red Hall is already identified for employment (Policy E4:11). While the scope for further employment use will be determined through the development framework it is recognised that significant scope exists to the north of Thorpe Park (E4:6). The timing of any employment proposals is not constrained by the housing land release mechanism and will be considered through the development framework and in relation to any necessary infrastructure provision.' (The references to Supertram were relevant to when the UDP was prepared, but should now be read as referring to the New Generation Transport (NGT) scheme.)