



Leeds
CITY COUNCIL

Originator: Chris Marlow

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Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 6th October, 2011

Subject: APPLICATION 10/01412/OT – Outline application for residential development on land off Queen Street, Allerton Bywater, Leeds

APPLICANT

Hargreaves Management &
Estate Services Ltd

DATE VALID

25 March 2010

TARGET DATE

24 June 2010

**Electoral Wards Affected:
Garforth and Swillington**

☐ Yes

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

POSITION STATEMENT:

Members are requested to note this progress report and to give views in relation to a number of issues set out in the report to aid progression of the application.

1.0 INTRODUCTION:

- 1.1 This position statement is brought to Members for information/comment as it proposes the redevelopment of a significant brownfield site located within the Bywater / Gt. Preston area of the City.

2.0 PROPOSAL:

- 2.1 The application is submitted in outline seeking approval for access and layout, with matters relating to scale, appearance and landscaping reserved.
- 2.2 The layout details 79 dwelling houses comprising 2, 3 and 4 bedroom properties in detached, link detached, semi-detached and terraced form. The proposed development includes approximately 0.32ha of on-site open space which accords with the Councils green space calculation criteria in relation to the number of dwellings.
- 2.3 Vehicle access into the site would be through the provision of a single road from Queen Street. The site also includes a secondary access for emergency vehicles. Pedestrian access will be from three points, two from Queen Street with the third from the land to the south of the site close to the public bridleway.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is a brownfield site situated to the south side of Queen Street. The red line boundary incorporates the existing Biffa Waste Depot and the Hollinhurst Depot used for the storage and distribution of coal. The latter is operating on a reduced scale and temporary basis. The site covers a total area of 2.83 hectares.
- 3.2 Whilst there are some poorly defined landscaping elements to the south west and south eastern boundaries of the site the only existing trees of note are situated in front of the Biffa site on a grassed verge adjacent to Queen Street. Otherwise the application site itself is dominated by hard-standings for the two industrial operations. The Biffa site has direct access onto Queen Street, with the main area of the coal bagging depot reliant on a relatively narrow informal access road leading to Queen Street further to the east.
- 3.4 The site is bounded on three sides by areas of designated green belt. The main frontage of the site sits opposite a small residential development of cottages to the north side of Queen Street named Bowers Row with Hollinhurst Wood (Site of Ecological and Geological Interest SEGI) lying further to the north and west. There is a public right of way running alongside the south and south western boundaries of the site with land beyond forming part of the former St Aiden's colliery site currently in the ownership of UK Coal but is likely to be opened up as a Country Park.
- 3.5 The eastern boundary of the site abuts a former green field site allocated for housing. This site has received outline planning approval at appeal for up to 120 houses and is the subject of a current Reserved matters application (11/01713/RM) forming the other half of this presentation for Plans Panel. Land between the coal bagging yard and Queen Street has been redeveloped in the last 5 years with 34 houses in two phases by Barwick Developments.

- 3.6 The front of the application site is set down from the highway (Queen Street) then reduces in levels towards the south and east of the site. Setting aside the current Industrial uses the area is semi-rural in character.

4.0 PLANNING BACKGROUND / HISTORY:

- 4.1 The applicant has been seeking planning permission for a residential development of the site since 2009 and was the subject of a previous scheme (09/04606/FU) for a total of 115 dwellings which was withdrawn. Negotiations between the applicant and Officers prior to this re-submission resulted in the current application initially being submitted for 88 dwellings and included 3 blocks of flats. The applicant has since revised the scheme in light of market forces to be wholly for houses. The protracted process of the application has been largely a result of the applicant seeking to satisfy the Council's Flood Risk Management Team that the site can be satisfactorily drained. This has recently been agreed in principle, coinciding with the adjacent Taylor Wimpey site being close to agreeing the reserved matters. Prior to the application being presented Plans Panel Ward Member's were invited to comment on the current applications or request a briefing from Officers. No comments have been received at the time of writing this report.

5.0 RELEVANT PLANNING HISTORY:

09/04606/OT: outline application for a residential development to coal bagging depot and biffa waste site. Withdrawn.

09/04353/OT: outline application for residential development to adjacent site to the east granted on appeal 26/01/11 (Taylor Wimpey Site)

11/01713/RM: reserved matters application for 120 dwellings Pending. (Taylor Wimpey site)

33/392/01/FU: residential development of 24 houses on site adjacent to the north of the coal bagging granted 19/08/2003 (Barwick Developments)

09/02870/FU: retrospective application for planning permission for residential development of 6 semi-detached and 4 terraced houses on remainder of site granted 27/01/2010 (Barwick Developments)

6.0 PUBLIC / LOCAL RESPONSE

- 6.1 The application has been advertised by site notices, posted 12th April, 2010. The application has also been advertised in a local newspaper, published 15th April, 2010.
- 6.2 2 letters of representation have been received in response to the public notification process. One letter welcomes the proposed redevelopment of this brownfield site in favour of the adjacent greenfield site to the east. Whilst the second letter objects to the proposed development on grounds of the excessive

number of dwellings without the necessary infrastructures being place, including parking, schools, doctors, buses etc. In addition, the proposal will increase the level of traffic in the area and prejudice the interests of highway safety along Queen Street in particular. The second letter has the support of Councillor Mark Dobson.

- 6.3 Allerton Bywater Parish Council oppose the development given the increase in traffic generation particularly when viewed in context with the adjacent site for 120 dwellings. They also objected on grounds of the lack of sufficient infrastructures to support the development with regard to school places and doctors surgeries.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

Environment Agency: No objection subject to conditions.

7.2 Non-statutory:

Yorkshire Water: No objection subject to conditions.

Highways: no objection in principle subject:-

Pegasus crossing.

Access (refuge and right turn lane).

DDA kerbing and bus shelter upgrades.

Upgrade emergency access for pedestrians and cyclists.

Provision of footpath and cyclist links to the south and east of the site as indicated on the layout plan. Subject to agreement on the layout of the on-site POS

In addition, Highways have referred to some elements/dimensions that are not wholly compliant with the required standards, however they are mindful of comments that the proposed development will meet the Councils criteria contained in the SPD the " Street Design Guide"

Flood Risk Management:

Initial concerns regarding the lack of a proper outfall to the south of the site have been withdrawn subject to the drainage improvements to be funded initially by the developer of the adjacent site (Taylor Wimpey).

Parks and Countryside Initial comment : Will not adopt the detention basin or pumping station as part of the Public Open Space and will not maintain such features. Revised comment: are happy to allow a private management company to maintain such facilities

Transport Policy (Travel Wise): In accord with the relevant guidance the following g should be included in a S.106 agreement:-

LCC Travel Plan Evaluation Fee of £2500; Residential Metro Cards;

Contribution to Cycle improvements; Secure Cycle compound to Brigshaw High School.

NGT/Public Transport: In accord with relevant supplementary guidance a S.106 contribution is required totalling £86,661.

Metro: Provision for Bus Stop improvements x2 @ £10,000 each; and Travel Cards.

Architectural Liaison Officer: concerns regarding potential gathering of youths, anti-social behaviour and burglary. If granted permission conditions should include lighting schedule and landscaping that does not hinder surveillance.

Sustainable Development – Landscape: Greater level of detail required for buffer planting area.

Sustainable Development – Nature: No objection subject to conditions and greater detail relating to the drainage of the site.

Access Officer: No objection to outline proposal. Reserved Matters should be in accord with parking standards criteria for the disabled.

Contamination: No objection subject to conditions

Public Rights of Way: the proposed link to an existing footpath (No.10) is welcomed.

Neighbourhoods and Housing: No objection subject to conditions relating to hours of construction and mud/dust control.

Education: S.106 contribution required revised figure for 79 dwellings is £234,813.

8.0 PLANNING POLICIES:

- 8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level

8.2 Regional Spatial Strategy (adopted May 2008):

H4: Affordable housing.

YH4: Focus development on Regional Cities

YH4(b): Informs detailed design considerations

8.3 Government Guidance:

PPS1: Delivering Sustainable Development

PPS3: Housing

PPS9: Biodiversity and Geological Conservation

PPS25: Development and Flood Risk

PPG13: Transport

8.4 UDP Review (adopted July 2006):

SA1: Secure the highest possible quality of environment.

GP7: Use of planning obligations.

CP11: Sustainable development.

N2: Greenspace hierarchy.

N4: Provision of greenspace.

N24: Development proposals abutting the Green Belt

N38a: Prevention of flooding.

N38b: Flood Risk Assessments.

N39a: Sustainable drainage.

N49: Habitat protection.

N51: Habitat enhancement.

T2: New development and highways considerations.

T2D: Public transport contributions.

T5: Safe access for pedestrians and cyclists.

T7: Development and cycle routes.

T7A: Requirement for secure cycle parking.

LD1: Landscape schemes.

8.5 Leeds City Council: Supplementary Planning Guidance / Documents:

SPG4 Greenspace relating to new housing development (adopted).

SPG3 Affordable Housing (adopted) and Affordable Housing interim policy (applicable to all applications received after July 2008)

SPG10 Sustainable Development Design Guide (adopted).

SPG11 Section 106 Contributions for School Provision (adopted).

SPG13 Neighbourhoods for Living (adopted).

SPG22 Sustainable Urban Drainage (adopted).

SPG25 Greening the Built Edge (adopted).

SPD Street Design Guide (adopted).

SPD Public Transport Improvements and Developer Contributions (adopted).

SPD Designing for Community Safety (adopted).

SPD Travel Plans (draft).

SPD Sustainability Assessments (draft).

9.0 MAIN ISSUES

Principle

- 9.1 The proposed development is to a brownfield site and therefore, subject to other planning considerations being met, is considered appropriate in principle for residential development. The most recent guidance has removed a prescriptive minimum figure for housing density in favour of development reflecting local character and surroundings.

Do Members consider the principle of development acceptable ?

Access

- 9.1 The site will be served by a single access road which will run largely parallel to the off-site public right of way. This will terminate where it meets the open space towards the southern boundary where pedestrian access will continue through the open space and link to the public areas to the south and east of the site. The main access road gives access to a hierarchy of smaller roads and cul-de-sacs.
- 9.2 Other pedestrian links to the main urban areas of Allerton Bywater will be via the emergency vehicle access (currently the access road to the coal bagging depot). There are existing bus stops on Queen Street close to the proposed new access road. Because of the distance of the site from the main urban settlement Highway Officers are seeking highway improvements and/or enhancements on sustainability grounds.
- 9.3 Highway Officers have highlighted that the amended layout is difficult to measure (accurately) the widths and lengths of driveways, carriageways, footways etc. However given the Developer has stated that the layout will be in accordance with the Street Design Guide, the revised layout is generally acceptable subject to the layout of the parking area for plots 35 – 38. Here, there is potential for conflict between pedestrians/cyclists using the pedestrian route and vehicles manoeuvring in and out of the adjacent parking spaces.

Do Members consider Access to the outline application acceptable ?

Layout

- 9.4 The application is seeking permission for access and the laying out of 79 dwellings. Officers consider that the layout is an interesting and varied design helping to create a sense of place. The applicant has stated that the proposed development will conform to the Council's relevant supplementary design guidance in terms of residential amenity standards. In light of the information submitted (i.e, no house types/elevations) Officers cannot accurately assess the applicants claim on the layout and have some concerns regarding a small proportion of the proposed plots regarding distances to rear boundaries and rear garden sizes, although unlikely to result in any significant reduction of house numbers.

Landscaping N24-Planting

- 9.5 The applicant has submitted an indicative landscaping scheme which includes retaining the existing trees to the Queen Street frontage and new planting to the south and south west boundaries of the site given that it abuts designated green belt. The scheme, while showing trees of significant size, does not offer scope for a "buffer" of considerable depth, however Officer's note the presence of a scrubland bund on the UK Coal site that could help mitigate for the need of a more significant landscape buffer to the boundary of the development site.

Appearance

- 9.6 Appearance of the development is a Reserved Matter however the applicant has provided an indicative street scene drawing which shows two storey dwellings of a traditional design for Members to consider in conjunction with the Queen's Court Development (Barwick) and in particular the Taylor Wimpey site forming the other part of this presentation to Panel Members.

1. Do Members agree that the development should meet the guidelines as set out in Neighbourhoods for Living in terms of distances to rear boundaries and private amenity space provision ?

2. Do Members consider that the landscaping structure proposals are acceptable ?

3. Do Members consider that a traditional approach to the appearance of the houses is appropriate ?

Flooding & Drainage

- 9.7 The Outline planning permission indicated that surface water drainage would be discharged to a watercourse adjacent to the south western corner of the site.
- 9.8 The Council's Flood Risk Management section considers that this watercourse does not constitute a 'proper outfall' for the surface water run off discharge from the new development. The ditch is very shallow, completely overgrown, and, it is considered, does not drain. There have been incidents of flooding and blockages in the ditch and records indicate that this ditch has no connectivity to downstream watercourses that go to the River Aire.
- 9.9 This point of discharge is the same as proposed by the adjacent Taylor Wimpey site to the east of the application site, The same ditch also takes water from the recently completed Queens Court development.
- 9.10 Flood Risk Management has negotiated with the developers of both sites. It offered to construct a piped outfall from the lower western end of the ditch that will connect to the existing large 1.0m diameter culvert that runs down the west side of the Biffa site heading south to the river. The cost of the construction of this outfall, including future maintenance is £30,000. The applicant has agreed to pay for the piped outfall.
- 9.11 The use of underground tanks has been agreed for the site and Parks and Countryside have agreed that they would adopt and maintain the land above these tanks.

Package of S.106 Contributions

- 9.12 As with all large scale residential applications developers are expected to provide contributions to support the development. On submission of the application the requirement for the level of affordable housing was 30%, however the more recent interim Policy requirement is 15%. The current proposal. In addition, a green space contribution of £46,961 is required for

Children's play. A maintenance figure if carried out by the Council for the on-site green space has been calculated on the basis of an area measuring 0.318 ha. The indicative figure is calculated at £42,999. This is assuming that it is not the developers intention to maintain the on-site green space themselves. Other contributions required are Public Transport (£86,661); Travel Plan monitoring fee (£2500); Metro (£32,313.60); and Education (£234, 813) with additional funding of a 20 bay cycle shelter at Brigshaw High School.

- 9.13 The developer has been advised of all the potential contributions resulting from the proposal. The applicant has indicated that a viability appraisal is to be carried out effectively confirming that they consider the level of contributions to be so restrictive as to threaten the overall viability of the scheme.

Representations/Parish Council Comments

- 9.14 It is acknowledged that the highway safety issues on the roads highlighted by the Parish Council is a serious matter and the lengths of road and sites specified are monitored by the relevant authority with remedial measures undertaken as necessary. However the impact of this development on these lengths / sites is considered to be negligible and certainly less than natural day to day variations in traffic flows.
- 9.15 In respect of schools being at capacity, the proposed development requires a contribution for school facilities through the Section 106 Agreement to be attached to any grant of permission.
- 9.16 The lack of a doctors surgery within the village is not sufficient reason to refuse planning permission. Indeed increased demand for doctor's facilities in the village may make it a more commercially viable proposition for a GP practice to establish.

10.0 Conclusion

- 10.1 Members are asked to note the content of this position statement and raise any specific issues/concerns so that they can be addressed as part of the application's consideration in advance of the scheme being formally brought to the Panel for determination.

Questions:

- 1 Do Members consider the principle of development acceptable.**
- 2 Do Members consider access to the outline application acceptable.**
- 3 Do Members agree that the development should meet the guidelines as set out in Neighbourhoods for Living in terms of distances to rear boundaries and private amenity space provision.**

- 4 **Do Members consider that the landscaping structure proposals are acceptable.**
- 5 **Do Members consider that a traditional approach to the appearance of the houses is appropriate.**

11.0 Background Papers:

Application files and history.

Certificate of Ownership: B – Notice served on the Highway Authority.



Rev B: 21.08.11 Pump station added.
Rev A: 14.7.11. Note 37/38 re-arranged.

Client:
**HARGREAVES ESTATE &
MANAGEMENT SERVICES LIMITED**

Project:
FORMER HOLLINHURST DEPOT

Drawing Title:
**PROPOSED FLOOR PLANS
EXTRA CARE ACCOMMODATION**

Scale @ A1: Project Co-Ordinator: Date:
1:500 SC MAR 2011

Job No: Stage: Drawing No: Rev:
8655 FE 004 B

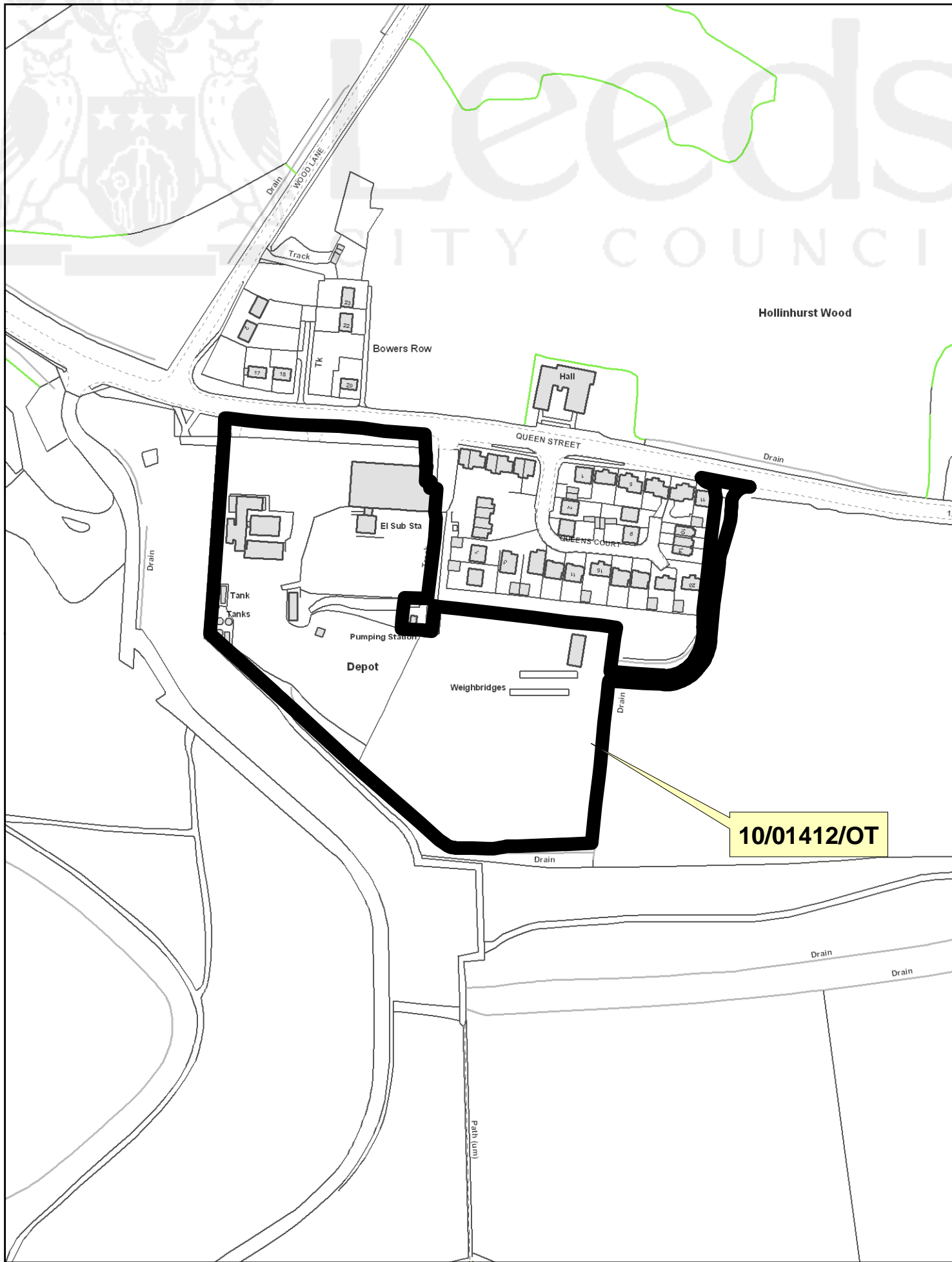
Issue Status:
Construction ☐ Preliminary ☐
Information ☐ Approval ☐
Tender ☐

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