



## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

**Date: 27<sup>th</sup> September 2012**

**Subject: PRE-APP/11/00459 - Pre-application presentation for the laying out of access and erection of circa 1150 houses at Thorp Arch Industrial Estate.**

#### **Electoral Wards Affected:**

**Wetherby**

Yes

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

**For Members to note the content of the report and presentation and to provide any comments on the proposals.**

#### **1.0 INTRODUCTION:**

1.1 This pre-application proposal is brought to City Panel due to the scale of development proposed. The proposal is for the redevelopment of part of the site for up to 1,150 two to five bedroom dwellings (35% affordable housing), a new primary school and associated access, landscaping and public open space.

#### **2.0 SITE AND SURROUNDINGS:**

2.1 The Thorp Arch Estate, Wetherby covers approximately 159 hectares (391 acres) with 103 hectares (254 acres) of developed land providing a range of employment uses, a retail park, and ancillary leisure and other supporting services. The Estate with its 140 businesses has approximately 2000 employees with a further 2000 people employed on the adjoining British Library, HMP Wealstun and Rudgate sites.

2.2 The land surrounding the Estate is rural agricultural land. Immediately to the north of the Estate the large buildings of the British Lending Library dominate the landscape. The northwest boundary is formed by the solid fencing surrounding HMP Wealstun, although partially screened by trees the perimeter fence would benefit from further screen planting.

2.3 The proposed sites for residential development, for ease of reference, has been divided with four residential sites called zone 1, 2, 3, and 4, the school site, the western corridor and SEGI. Zones 1 to 3 form the western site, and are zoned as they each have distinctive physical characteristics. Zone 4 is the eastern site, also referred to as Wighill Lane. The SEGI describes a large block of land to the centre of the western site which is not to be used for development but retained for its ecological value, whilst the western corridor describes the green edge to the Estate which forms the western boundary, also valuable for its ecological value as well as recreational and visual screening values. The identified zones may be described as follows:

**Zone 1 - 10.0569 ha; 24.9 acres.**

Zone 1, which forms the northern part of the large western site, is a mix of scrub woodland and open grassland with some notable large mature trees. The scrub woodland is a largely a mix of self seeded hawthorn, black thorn and elder and covers a large area of the site including the adjoining SEGI land. The grassland containing several fine quality trees is subdivided by a hedgerow, now rather grown out, which runs parallel with the prison boundary. Several small buildings/ structures have been demolished on the site.

**Zone 2 - 10.4472 ha: 25.8 acres**

Zone 2, currently known as Westminster Yard is a large area of hard standing to the centre of the site containing several redundant / semi redundant buildings. The hard standing dates back to the ROF when the site was used for both testing and burning of materials. The site is now largely vacant with some small businesses occupying space and buildings towards the western edge. The site is bounded by trees to its north, west and eastern boundaries with a mix of scrub woodland and mature trees in linear stands, many of which are in poor condition. A square of mature trees/scrub lies to the south west corner of the site and several large trees are located on the site in the East. An area of scrub woodland occupies the north eastern corner.

**Zone 3 – 9.9638 ha: 24.6 acres**

Zone 3 is a large rectangular block that was formerly heavily populated by buildings of the munitions factory. Before vacating the site the buildings were demolished by the use of explosives. The material from this demolition is still on site with mounds of brick concrete and reinforcement, partially overgrown covering much of the site. Since this demolition in the late 1950's the site has remained vacant and is now heavily treed with a mix of mature and scrub woodland interspersed with open areas, particularly to the south. The remnants of railway embankments are visible in the north of the site and two large mounds of surplus material from the Estate have been formed to the north east of the site.

**Zone 4 – 3.3956 ha; 8.4 acres**

Zone 4 is positioned to the East of the Estate and is set above the general Estate level requiring separate access from the road network. The site is mainly open grassland with 3 bunded buildings to the western boundary accessed from the main body of the Estate. A hedgerow forms the eastern boundary running along the side of Wighill Lane. Small trees/ vegetation cover the top of the mounds and form some visual screening to the southern boundary with the Rudgate Estate.

**School Site – 1.5138 ha; 3.7 acres**

The school site is situated between zone 1 and 2. The site is varied physically with an area of hard standing and scrub woodland together with stands of mature trees. The stream / surface water drain runs diagonal through the site forming interesting habitat. Levels on the site vary.

### **3.0 HISTORY OF NEGOTIATIONS:**

- 3.1 The applicant has been engaged in pre-application discussions with officers and the following matters have been discussed:
- The principle of development
  - The mix of uses and scale of development
  - Issues of sustainability
  - Highways and transport issues
  - Urban design
  - Nature conservation
  - Sec.106 issues including education provision and affordable housing.
  - Engagement with the local community
- 3.2 Discussions are ongoing and issues remain unresolved. The applicant has been advised that extensive and meaningful local consultation should take place prior to the submission of an application. In addition an application should only be submitted when Neighbourhood Plans for the nearby villages and the Council's Site Allocations DPD have been further advanced.
- 3.3 Ward Members have been informed of the proposals.
- 3.4 The prospective applicant has also meet with Walton and Thorp Arch Parish Councils in May and July of this year and a community consultation event was held on 16<sup>th</sup> June.

### **4.0 PLANNING POLICIES:**

- 4.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. 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 including housing.

#### Regional Spatial Strategy (RSS) (adopted May 2008):

- 4.2 H1: annual average additions to housing stock and previously developed target.  
H2: Sequential approach to allocation of land.  
H3: managed release of housing land.  
H4: affordable housing.  
YH1: Spatial pattern of development and core approach.  
YH2: Sustainable development.  
YH4: focus development on regional cities.  
YH5: Focus development on principal towns.  
YH7: location of development.  
LCR1: Leeds city region sub area policy.  
LCR2: regionally significant investment priorities, Leeds city region.

#### Leeds Unitary Development Plan (UDP) Review:

- 4.3 GP5: General planning considerations.  
GP7: Use of planning obligations.  
GP11: Sustainable development.  
N2/N4: Greenspace provision/contributions.

N10: Protection of existing public rights of way.  
 N12/N13: Urban design principles.  
 N23/N25: Landscape design and boundary treatment.  
 N24: Development proposals abutting the Green Belt or other open land.  
 N29: Archaeology.  
 N38 (a and b): Prevention of flooding and Flood Risk Assessments.  
 N39a: Sustainable drainage.  
 BD5: Design considerations for new build.  
 T2 (b, c, d): Accessibility issues.  
 T5: Consideration of pedestrian and cyclists needs.  
 T7/T7A: Cycle routes and parking.  
 T18: Strategic highway network.  
 T24: Parking guidelines.  
 H1: Provision for completion of the annual average housing requirement identified in the RSS.  
 H2: Monitoring of annual completions for dwellings.  
 H4: Housing development on unallocated sites.  
 H11/H12/H13: Affordable housing.  
 E7: Loss of employment land to other uses.  
 LD1: Landscape schemes.

Supplementary Planning Guidance / Documents:

4.4 Neighbourhoods for Living – A Guide for Residential Design in Leeds  
 Street Design Guide

Neighbourhood Plans

4.5 The Trading Estate falls within Thorp Arch Parish Council and Walton Parish Council's boundaries. The majority of the proposed development falls within Thorp Arch Parish Council's area. Both Parish Council's are preparing neighbourhood plans with Walton's plan being at a more advanced stage. Walton PC has produced a pre-submission draft of their plan and this has been commented upon by the council and by the owners of the Trading Estate. Both parties have commented that the neighbourhood plan should address planning issues concerning the Trading Estate. As the Parish Council's share a common boundary, and this runs through the Trading Estate, there is a clear benefit in the Parish Council's working together to ensure that their respective approach to planning issues at the Trading Estate are consistent and complimentary.

National Planning Guidance:

4.6 National Planning Policy Framework:

- Promotion of sustainable (economic, social and environmental) development.
- Encourage the effective use of previously developed land.
- Secure high quality design.
- Promote the delivery of housing to meet local needs (5 year supply and affordable housing).

**5.0 MAIN ISSUES**

1. Principle of development
2. Loss of employment land
3. Urban Design issues
4. Housing issues
5. Highway issues and sustainability
6. Ecology / conservation /landscape issues
7. Drainage issues

8. Local Consultation
9. S106 / infrastructure

## **6.0 DISCUSSION OF MAIN ISSUES**

### Principle of development

- 6.1 The land is not allocated for residential development in the UDP Review 2006. The sites are largely unallocated but parts are allocated/identified to be retained for employment purposes. The latest masterplan also identifies one of the units within the existing retail park is identified as a “potential food store”. However, this unit falls outside of the boundary of the proposed application site.
- 6.2 A key aspect to accepting the principle of this is being able to demonstrate sustainability. This revolves around a number of key elements including:
  - the need to improve public transport and to generally make the site accessible, improve cycling and walking, improve connectivity,
  - creating a sustainable community with linkages to the wider community,
  - embracing best practice in sustainable construction, energy efficiency, environmental protection and enhancement and sustainable drainage.
- 6.3 There is an absence of a 5 year housing supply and this shortfall is recognised in the emerging Core Strategy. The emerging Core Strategy proposes that 5,000 new dwellings should be provided within the outer north-east sector of Leeds. The area of Thorp Arch has been identified as an “Opportunity for Regeneration and Brownfield Land / Residential development” within the draft Core Strategy. It is arguable that the location of significant new residential development at Thorp Arch Estate will ease the pressure of development on Greenfield and Green Belt sites. There are approx. 4,000 people employed in the local area (the Trading Estate and British Library) where there is a general absence of a choice of residential accommodation. Whilst employees within the area may not live in any of the potential housing development, the proposal provides the opportunity that does not otherwise exist.
- 6.4 The proposal incorporates areas of previously developed land (PDL) with some areas of open grassland. The proposal does offer the opportunity of bringing forward a relatively large area of PDL for residential development that would go some way to delivering a significant proportion of the housing numbers identified in the emerging Core Strategy. Balanced against this the proposal has been promoted and prepared for submission well in advance of the formulation and adoption of the Local Development Framework including the site allocations document.
- 6.5 Whilst it appears that the retail element will not form part of the planning application it is worth noting that the provision of convenience retailing at this (out of centre) location does not comply with national or local planning policy. However, in light of the scale of the residential development proposed, its relatively remote location and the desire to reduce trips (and length of trips) by private car an argument can be made for a convenience store to serve the needs of the proposed residential development.

**Do Members have any comments to make about the principle and scale of residential development in this location?**

### Loss of employment land

- 6.6 Part of the proposed development site is allocated for employment purposes and the development sites fall within an established employment estate. The applicant will need to demonstrate that there is sufficient land available to cater for the Council's employment needs and that this development will not prejudice this supply. As part of the consideration of this issue regard needs to be had to the fact significant numbers of people are already employed locally including at the Trading Estate, the British Library and the prison and an opportunity exists to provide new housing opportunities for key workers and people employed locally.

#### Urban Design issues

- 6.7 It is likely that any application will be in outline only, except for means of access. A masterplan has been prepared by the potential applicant that essentially provides for a series of connected streets with development arranged in a series of perimeter blocks fronting streets. Discussion concerning the masterplan is ongoing and regard needs to be had to good design practice, the topography of the site, views into and out of the site, retention of trees, provision of greenspaces, provision of and enhancement of routes across the site and the urban green corridor functions.
- 6.8 Design workshops will be necessary. It is also considered that the scheme needs to provide generous amounts of space to provide for the 'green links' and footway/cycleway connections across the site in order to address Green Corridors functions. The primary access should therefore have regard to the mature trees and its soft landscape setting and integration into the wider landscape.

#### **What are Members thoughts on the approach to the indicative masterplan for the site?**

#### Housing issues

- 6.9 The site is significant in terms of its size and context within North East Leeds and has the potential to offer a range of housing, including Affordable Housing. The applicant has been asked to undertake a Housing Needs Assessment and that the development should reflect the findings of that study. With regard to Affordable Housing, the Council's policy is to secure 35% Affordable Housing in this part of the city. It is noted that there may be opportunities to consider how this scheme helps to deliver Affordable Housing and other regeneration benefits in the surrounding east Leeds area and this is something which needs to be explored further.

#### **What are Members views on the nature, mix and type of housing provision (including affordable housing) on this site?**

#### Highway issues and sustainability

- 6.10 The highway impact of the proposal is under consideration by the applicant and highway officers. It is also important to note the wider context of the development and its relationship with the existing industrial estate and employment uses, the scheme will need to take into account this cumulative impact for the purposes of the Transport Assessment, to robustly test the highway impact of the proposals on the surrounding infrastructure

6.11 A critical aspect is accessibility and the need to significantly improve this in order to support the level of residential accommodation proposed. The draft Core Strategy provides a series of standards which specifies the frequency and distance of residential development to local services, employment sites, primary and secondary education facilities, healthcare facilities and town and city centres. The proposal for residential accommodation at Thorp Arch Estate meets some of these criteria, but not all. Therefore, it is officer's view that the site and proposed solution do not fully comply with local policy. However, the Thorp Arch site is unique (in Leeds) and does offer certain benefits in the context of a housing need. In addition, the following aspects should be taken into account in the accessibility debate:

- The developer is committing to a significant investment in supporting a diverted and new local bus services that would not only benefit the new residents, but also existing businesses on the site.
- The site is brownfield in nature and part unallocated and part allocated for employment use in the UDP. Residential use gives the opportunity for a more sustainable mix in the estate.
- The site offers the potential for some residents to be employed within or immediately adjacent to it.
- The scale of development supports the building of a new primary school which would be within walking distance of all new dwellings and those residents of Walton Village.
- The scale of development (and existing uses on site) has the potential to support some form of convenience store.
- Discussions are ongoing concerning public transport provision at the site and Metro are involved in these discussions.
- NPPF para. 29 advocates flexibility of approach with sustainable transport solutions which recognise location. This is particularly relevant given the status of the Core Strategy and Site Allocations DPD.

6.12 There are some outstanding matters to be resolved as part of the public transport offer, such as early implementation of the through route, routing and destinations served by the shuttle bus, impact on the prison and residents on Walton Road and how this might be mitigated, provision of bus stops within and close to the site, and the length or subsidy (10 years or until substantially occupied, whichever is longer). Concerns also exist around the impact that traffic generated by the development will have local communities and that appropriate traffic management measures should be put in place to minimise disruption.

6.13 The proposed development does not fully comply with the Council's accessibility standards. However, if a satisfactory conclusion to the outstanding matters is reached, the overall package of measures and site / development characteristics would need to be considered alongside the identified housing need in this part of the city.

**Do Members have any particular concerns, beyond those identified in the report, around the issue of sustainability, traffic impact and accessibility?**

#### Ecology / conservation /landscape issues

6.14 As already mentioned, there are key groups of trees on site, particularly around the boundaries and in small clusters around the central southern part of the site. Elsewhere on site, it is highly desirable that as many trees as possible are retained,

not least because they provide immediate landscape structure to some of the proposed greenspaces.

**What are Members thoughts on the nature and location of greenspaces on site and how these link into the wider strategic green areas?**

Local Consultation

- 6.15 This is clearly a large scale development that will have a significant impact on the local environment, services and facilities. In such circumstances officers have sought to encourage the developers to work closely with the local communities affected including Thorp Arch, Walton and Boston Spa Parish Councils. Some consultation has taken place and this has included meetings with the Thorp Arch and Walton Parish Council's and a community drop in event. Officers have advised that in terms of the timing of the submission of an application this should be at a time when the Neighbourhood Plans for the nearby villages have been further advanced, when the Council's Site Allocations DPD is at a more advanced stage and when significant and meaningful consultation has been undertaken with local communities.

S106/ Infrastructure issues

- 6.16 A planning obligation may only constitute a reason for granting planning permission for development if the obligation is:
- Necessary to make the development acceptable in planning terms - Planning obligations should be used to make acceptable, development which otherwise would be unacceptable in planning terms.
  - Directly related to the development - Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement. And:
  - Fairly and reasonably related in scale and kind to the development - Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.
- 6.17 All contributions have to be calculated in accordance with relevant guidance, or otherwise considered to be reasonably related to the scale and type of development being proposed.
- 6.18 In terms of the main Section 106 obligations that would be required, these would be:
- Affordable Housing – 35%
  - Education Contribution and provision or expansion of primary school/s
  - Provision of Public Transport Facilities
  - Provision and Maintenance of Greenspace
  - Travel Plan and monitoring fee
  - Local Employment and Training
  - Provision of convenience store
  - Ecology and landscape management
  - Traffic management measures
- 6.19 With regard to education provision, given the quantum of development, the scheme is likely to generate a significant demand for school places to this end the prospective applicant's proposals involve the delivery of a new primary school. Consideration will



have to be given as to whether it is appropriate to provide a new school or extend existing school/s. The issue of secondary school provision also needs to be fully addressed and resolved.

- 6.20 It is also noted that the development is likely to create a significant amount of jobs in the construction phase and it would be expected that training and employment initiatives will need to be included as an obligation in the S106 agreement, focussed on the north east Leeds area.

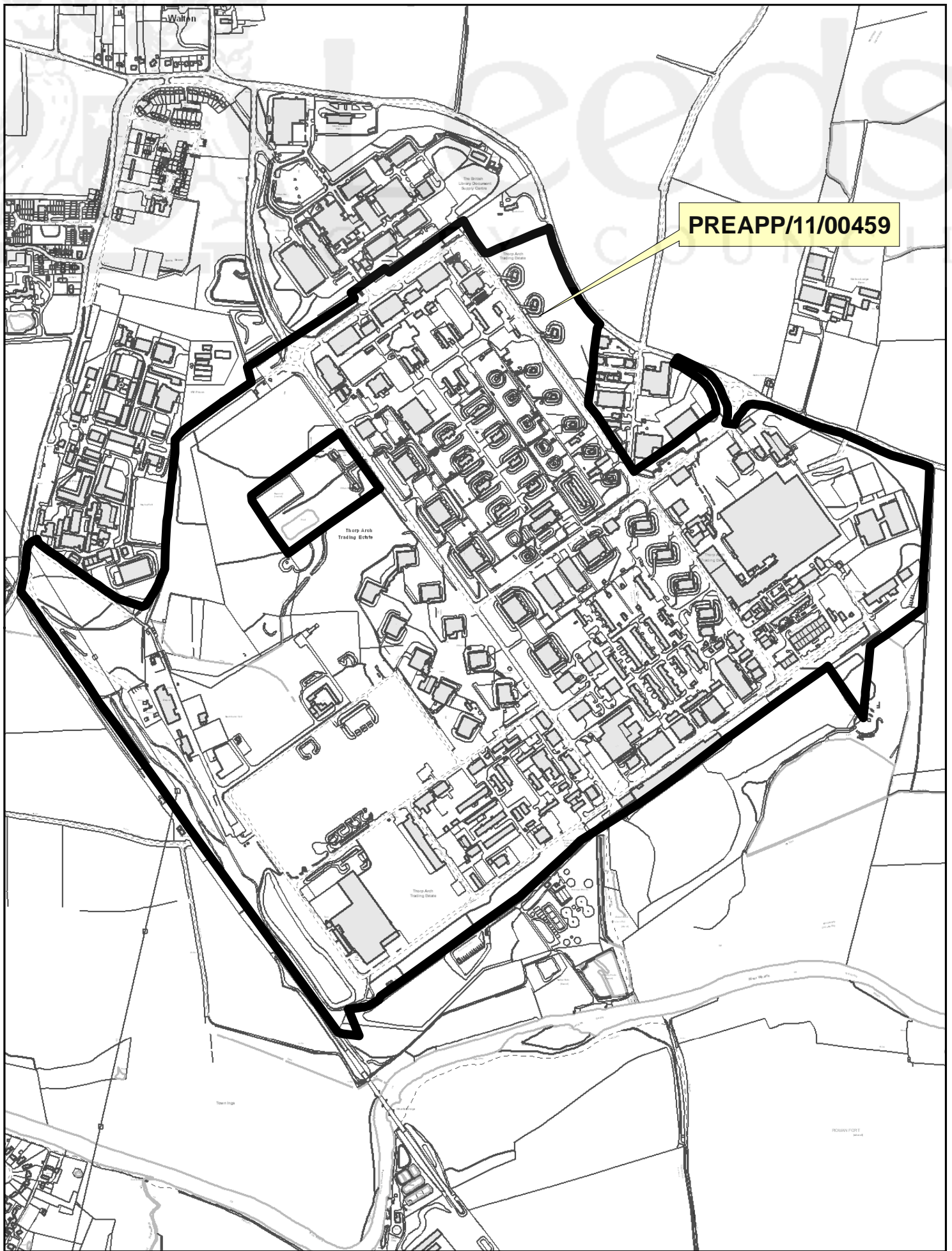
**In the context set by the appropriate planning regulations do Members consider that the proposed heads of terms cover the appropriate obligations?**

**Are there any other issues Members would like to raise?**

## **7.0 CONCLUSION**

- 7.1 Members are asked to note the contents of the report and the presentation, and are invited to provide feedback on the issues outlined below:

- **Do Members have any comments to make about the principle and scale of residential development in this location?**
- **What are Members thoughts on the approach to the indicative masterplan for the site?**
- **What are Members views on the nature, mix and type of housing provision (including affordable housing) on this site?**
- **Do Members have any particular concerns, beyond those identified in the report, around the issue of sustainability, traffic impact and accessibility?**
- **What are Members thoughts on the nature and location of greenspaces on site and how these link into the wider strategic green areas?**
- **In the context set by the appropriate planning regulations do Members consider that the proposed heads of terms cover the appropriate obligations?**
- **Are there any other issues Members would like to raise?**



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