



Report of the Chief Planning Officer

Plans Panel West

Date: 31st January 2013

Subject: APPLICATION NUMBER 12/04051/OT: Outline Planning Application for the demolition of existing buildings and erection of circa 29 dwellings, University of Leeds, Bodington Hall. Otley Road, Adel LS16 5PT

APPLICANT	DATE VALID	TARGET DATE
University Of Leeds	24.09.2012	PPA

Electoral Wards Affected:

Weetwood
Adel and Wharfedale

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER AND DELEGATE APPROVAL to the Chief Planning Officer subject to the conditions specified and the completion of a Section 106 agreement within 3 months of the date of the Panel resolution to include:

- **affordable housing at 15% of the total number of dwellings with a 50/50 split between sub market and social rented (if commenced in accordance with Interim policy. ie within 2 years of date of decision being issued otherwise affordable housing reverts to policy position at that time),**
- **on site provision of greenspace and off site contribution in accordance with the formula and worked out at Reserved Matters stage,**
- **£22,500 contribution towards A6210 crossing,**
- **education in accordance with the formula and worked out at Reserved Matters stage,**
- **travel planning measures including metro cards and monitoring fee and**
- **public transport infrastructure in accordance with the formula and worked out at Reserved Matters stage and the following conditions.**

1. Standard 3 year outline permission
2. Submission of Reserved Matters for Layout, Appearance, Landscaping and Scale
3. Development to be carried out in accordance with approved plans
4. Walling and roofing, surfacing materials to be submitted and approved
5. Tree protection conditions
6. No works or development shall commence until a written arboricultural method statement for a tree care plan during construction is submitted and approved by the LPA

7. A landscape management plan for both the woodland and non woodland areas to be submitted and approved by LPA.
8. Updated tree survey to be submitted.
9. Levels conditions
10. Submission and implementation of a landscaping plan
11. Landscape maintenance schedule
12. Tree replacement condition
13. Submission and approval of surface water drainage details
14. Details of bin and cycle storage to be submitted and approved
15. Details of boundary treatments to be submitted and approved
16. Areas to be used by vehicles to be laid out, hard surfaced and drained
17. Parking spaces except for private driveways and garages shall be unallocated for the lifetime of the development
18. Phase 2 site investigation report
19. Amendment of remediation statement
20. Submission of verification statements
21. Construction management plan including programme for demolition, hours of working, deliveries etc
22. The hours of construction including deliveries shall be restricted to after 0800 hours and before 1800 Monday to Friday and after 0900 hours to before 1400hours on Saturday. There shall be no construction or deliveries on Sunday or Bank holidays
23. Development shall not commence until a scheme detailing surface water drainage works has been submitted to and approved in writing by the Local Planning Authority.
24. Notwithstanding any details on the approved plans, drawings showing details of (i) amendments to the right turn lane into the site from Otley Road, (ii) an informal pedestrian crossing point on Otley Road including linking footways, dropped kerbs and tactile paving and (iii) a traffic calming scheme on Adel Lane between St Helens Lane and Long Causeway, shall be submitted by the developer to the Local Planning Authority and agreed in writing by the Local Planning Authority prior to commencement of development. The details as agreed shall then be implemented prior to first occupation.
25. Sustainable design and construction. New build houses to be constructed to Code Level 4 Sustainable Home

In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

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 National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR) and the emerging Publication Draft Core Strategy Nov 2012 (DCS) .

H4, H11, H12, H13, N2, N4, GP7, GP5, GP5, T2, T5, SG4, E4 & E17
Neighbourhoods for Living

On balance, the City Council considers that there are material considerations to justify a departure from the Development Plan.

1.0 INTRODUCTION:

- 1.1 This application is brought to South and West Plans Panel as the site is allocated within the RUDP for employment use under policy E4. The proposed residential development is therefore a departure from the Development Plan.
- 1.2 The site is located within the Weetwood Ward but is also adjacent to the Adel and Wharfedale ward. Accordingly, members of both wards have been consulted to keep them informed of the development proposals.
- 1.3 Members may recall that in June 2012 Plans Panel West deferred and delegated for approval an Outline planning application for the redevelopment of the wider Bodington Hall site for redevelopment for circa 160 dwellings. This current application relates to the parcel of land adjoining the approved Bodington Hall site.

2.0 PROPOSAL:

- 2.1 The proposal seeks Outline planning permission for residential development for around 29 dwellings. All matters are reserved except for Access which is applied for in detail. The vehicular access proposals would utilise the existing access off Otley Road. The indicative masterplan provided for this application shows this site as an extension to the phase 1 masterplan. Accordingly it would be possible for future residents to utilise the Adel Lane access also, but this is excluded from the red line boundary plan provided with this application. The Otley Road access and proposed internal loop road would be capable of serving a bus should an operator retain the existing bus service into the site. A new footway is proposed from Otley Road into the site.
- 2.2 An indicative masterplan has been submitted which shows a layout of mainly semi detached and detached dwellings located around two main loop roads with cul de sacs and parking courts located off the main loop roads. The dwellings would likely be mostly 2 and 2.5 storey in height. Members should note that the masterplan is indicative and would not form part of the approved set of drawings.

3.0 SITE AND SURROUNDINGS:

- 3.1 The wider site is currently in use as purpose built halls of residence for students. The application site itself is an area of open green space and woodland. There are several blocks on the wider site making up the Bodington Halls of residence. These are of various heights but generally the blocks are 4-5 storeys high. The site is bordered by N6 protected playing pitches to the south and government office buildings to the north. There are substantial TPO'd trees located to the west, north and east forming a buffer around the developable areas of the site. The area is predominantly two storey residential in character though there are some commercial and non residential premises in the locality.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 11/05065/OT- Outline Application for residential development including means of access and demolition of existing buildings. Refused March 2012; on grounds of lack of information being submitted to demonstrate that Adel Lane could be used safely for access, concerns over the indicative masterplan not responding to local character,

lack of information for sustainable design and construction and non-compliance with S106 requirements.

- 4.2 12/02071/OT- Outline Application for residential development including means of access and demolition of existing buildings. Approved June 2012.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application discussions have taken place also since the phase 1 site was approved in June 2012.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 There have been 2 responses received to the publicity of this planning application. One objection relates to the use of Adel Lane. The objector refers to an accident that happened on Weetwood Lane. The second letter received is from Headingley Development Trust. They request that the affordable housing contribution should be in the form of a commuted sum that could be spent buying vacant properties in the Area of Housing Mix.

7.0 CONSULTATION RESPONSES:

- 7.1 Drainage - no objections in principle subject to conditions
- 7.2 Contaminated land – conditions recommended
- 7.3 Highways – no objection subject to conditions and contributions for the Ring Road crossing
- 7.4 Environment Agency: No objections

8.0 PLANNING POLICIES:

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

Development Plan:

The Statutory Development Plan for the area comprises the Regional Spatial Strategy (RSS) for Yorkshire and the Humber adopted May 2008 and the saved policies of the Leeds Unitary Development Plan (Review) 2006. The site is allocated within the UDP on the Proposals Maps as being allocated for Employment Use.

The most relevant policies of the RSS are listed below:

Policy YH1 – seeks to manage growth and change across Yorkshire and Humber
Policy YH4 - Refers to Regional Cities and Sub Regional Cities and Towns being the focus for housing, employment, shopping, leisure, education, health and cultural activities.

Policy LCR1 – refers to Leeds City Region should be developed for significant growth in jobs and housing.

Policy H1 – Sets of the approach for the provision and distribution of housing.

The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

SG4- Sustainable development principles

GP7- Planning obligations

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

N2- Green space

N4- Greenspace

N12 – Urban design priorities

N13- Design quality for new housing

H4- Windfall housing sites

H11- Affordable housing

H12 – Affordable housing

H13- Affordable housing

T2 – highways issues

T24 – parking provision for new development

E4 – Allocated Employment sites. Bodington Hall, Adel – 6.5ha.

E17 – Allocated Employment sites

E18- Specific sites for B1 office –Bodington Hall, Adel 6.5ha.

Emerging Core Strategy

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its submission stages limited weight can be afforded to any relevant policies at this point in time.

Spatial Policy 6 refers to the housing land allocation and requirement.

Spatial Policy 8 refers to Economic development priorities

Policy EC2: Office development states:

Appropriate locations for allocations and windfall office development;

(i) The City Centre will be the focus for most of office development. Locations on the edge of the City Centre will also be appropriate for offices as part of mixed use development.

(ii) Town Centres and edge of town centres are promoted as locations for office development. A target of 23,000 sqm (equivalent to 2.3% of identified need over the plan period) of new office floorspace is set for locations in or on the edge of town centres to guide allocation documents.

Due to the availability of development opportunity in centre and edge of centre, out of centre proposals would normally be resisted however there are exceptions which are:

(iii) Existing commitments for office development will be carried forward to meet the identified floorspace requirement over the plan period, unless it would be more sustainable for the land to be re-allocated to meet identified needs for other uses.

(iv) To provide flexibility for businesses, smaller scale office development (up to 1,500 sqm) will be acceptable in out of centre locations in the following locations:

i. Regeneration areas identified under Spatial Policy 4

ii. Other accessible locations (defined in Policy T2) within the Main Urban Area, Major Settlements and Smaller Settlements.

(v) In existing major employment areas, which are already a focus for offices, some small scale office floorspace may be acceptable where this does not compromise the centres first approach.

Relevant supplementary guidance:

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.

Street Design Guide SPD
Neighbourhoods for Living SPG
Adel Neighbourhood Design Statement
Public Transport Infrastructure SPD
Travel Plan SPD (Draft)
Education SPG
Affordable Housing SPG (Interim Policy)

National planning policy

National Planning Policy Framework: Paragraph 56 refers to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to the desire to optimise the potential of the site to accommodate development.

9.0 MAIN ISSUES:

9.1 The principle of the development

9.2 Highways issues

9.3 Amenity

9.4 Sustainability

9.5 Section 106 package

10.0 APPRAISAL:

The principle of the development

10.1 The site forms part of an employment allocation (reference E4.17 and E18.8 in the RUDP), proposed as a key business park for B1 offices. Given that the overall approach of the Core Strategy is to direct office uses to town centre locations, continuing to promote large scale office use at Bodington would be out of kilter with this strategy. However, as the Core Strategy is not yet in place the RUDP is the current development Plan. Members may recall discussing this site when they considered the previous application for the Bodington Hall site. It seems sensible to support the departure from the development plan in this instance because of its connection to the previous application and its suitability to the wider Adel/Weetwood area. The loss of the employment land is not considered harmful to the objectives of the development plan and is not envisaged to lead to a significant shortfall of

employment land elsewhere in the City. The principle of residential development is therefore considered acceptable and accords with sustainable development considerations of the National Planning Policy Framework.

Highways issues

- 10.2 Members may recall that highway access was a main issue in the determination of the previous Bodington Hall application. The use of Otley Road was however, considered acceptable and the debate around the previous application focused largely on the use of Adel Lane. Members should note that whilst this current application has its red line boundary plan drawn so that access is provided from Otley Road the indicative masterplan for this site shows a connected road network. That means future residents could utilise Adel Lane if they wished. Given the limited scale of the additional traffic onto Adel Lane, which this additional development would generate this is considered acceptable. Members may recall that they discussed the Transport Assessment submitted with the phase 1 application at Panel in June 2012. The phase 1 TA was prepared on the basis of 180 dwellings using Adel Lane. A planning condition which is attached to the previous permission has been re-used on this application to ensure the off site highway works to both Adel Lane and Otley Road are delivered. Subject to the traffic calming measures on Adel Lane and footpath improvements and crossing contribution for the Ring Road and the amendment to the existing right hand turn road markings being installed for Otley Road, access arrangements are considered acceptable.

Amenity

- 10.3 The proposed development is not considered likely to have a significant impact on the amenity of existing neighbouring residents. The site is fairly discreet and self contained given the extent of substantial TPO'd trees which are being retained. The Trees are located around the sites boundaries with the Government Offices and Adel Lane. Given the nature of the proposed end user it is not envisaged that the future occupiers will have significant effects on neighbouring dwellings through either noise and disturbance, comings and goings or through any over looking or loss of privacy. The indicative masterplan is broadly acceptable in terms of siting of dwellings and general layout considerations. Further design and highway layout works will be required but this will be dealt with at Reserved Matters stage when a house builder comes forward. The proposed off site highway works and section 106 package are considered reasonable and necessary to mitigate the effects of the future occupiers on the surrounding area. The proposed access arrangements are not envisaged to impact on the existing neighbouring dwellings to any significant extent. The comings and goings from the use of the existing Adel Lane access should not result in serious impacts on the neighbouring residents. Finally the proposed development should afford future occupiers with a good level amenity. There is a proposal for an area of public open space to be created. The road layout will be designed to ensure a bus service can still enter and exit the site and subject to further design negotiations with the house builder the scheme will aim to be built to high levels of sustainable design and construction.

Sustainability

- 10.6 Matters of principle such as sustainable construction must be addressed at Outline application stage and not as a Reserved Matters. Therefore to ensure sustainable construction outcomes are considered and appropriately delivered on site by the developer, a Planning Condition to this end is required on this Outline Planning Application.

Section 106

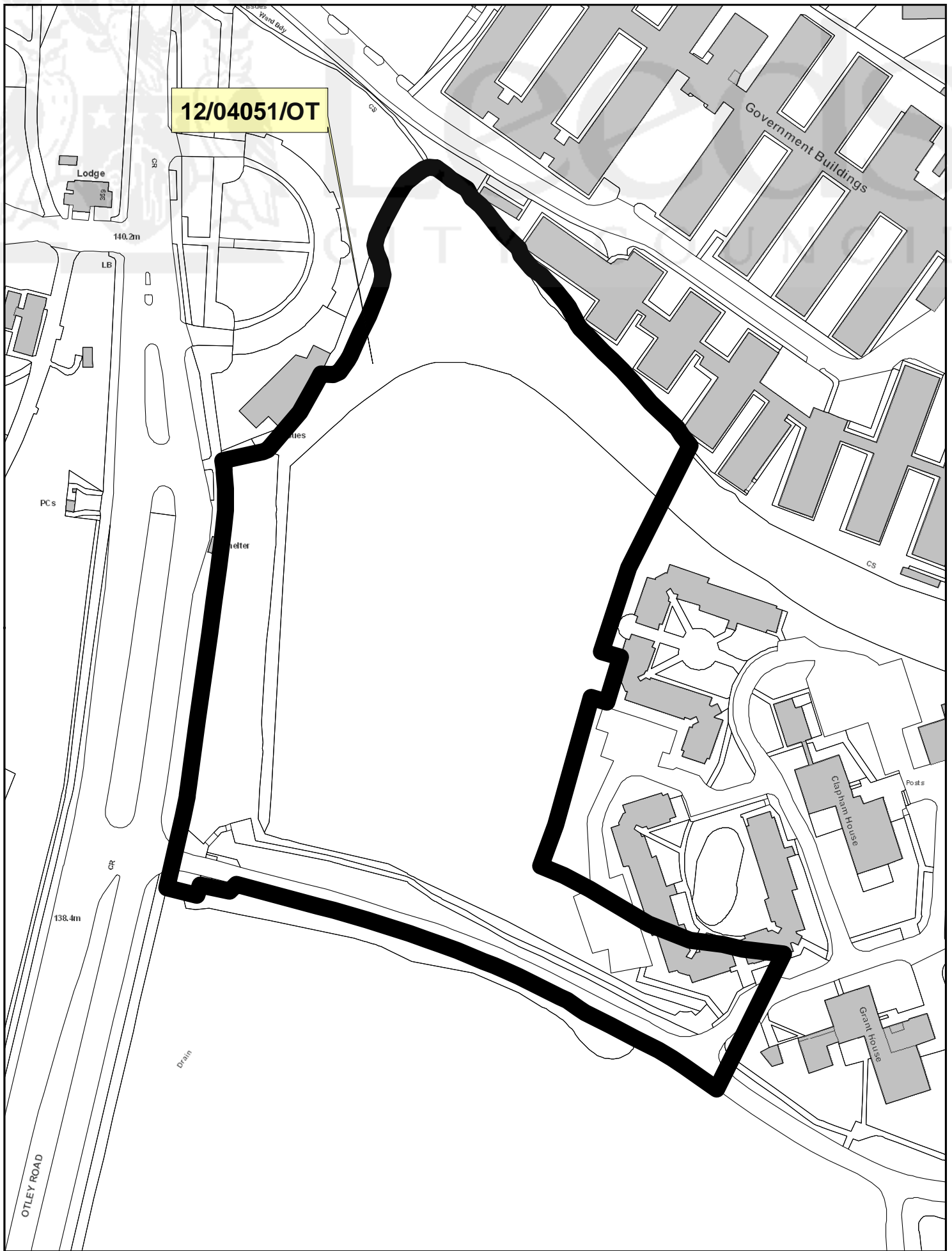
- 10.7 As this application is submitted in outline with all matters except access reserved the section 106 cannot specify specific amounts as numbers and types of units are not confirmed at this stage. Although this planning application indicates that less than 50 dwellings will be provided because of the nature of this site and its relationship with the wider phase 1 approval it is considered appropriate to apply contributions based on the total number of units coming forward at Reserved Matters stage. Effectively seeing this site as one masterplan rather than 2 distinct sites. The Section 106 will cover all the required policy areas where this development will need to make contributions towards including education, affordable housing (15% of total number of dwellings with a 50/50 split in tenure type), off site greenspace and laying out and maintenance of the on site public open space, public transport infrastructure and travel planning measures and the travel plan monitoring fee. The request by the Headingley Development Trust for an off site contribution is not considered justifiable because this site is located a substantial distance from the Area of Housing Mix which is the source of the concentration of houses in multiple occupation or vacant properties that the Headingley Development Trust would seek to purchase. Affordable housing is required in this location as such providing affordable housing on site is considered necessary. Members will also note that the phase 1 planning permission granted the affordable housing element on site.
- 10.8 The off site highway works required include; Crossing infrastructure (as yet to be determined) on the Ring Road West Park A6120 to allow safe access to the local facilities and in particular Lawnswood School. A contribution of £22,500 towards this crossing is required. Depending on the delivery of NGT it may be possible that NGT would fund this crossing. However, given the uncertainties around the timings of NGT and the potential that this housing scheme could be built out before NGT is delivered the crossing contribution is required from the developer at this stage.

10 CONCLUSION:

- 11.1 The proposal is considered an appropriate departure from the development plan which will contribute to delivering housing targets for Leeds. The creation of a residential development as an extension to the previous redevelopment of Bodington Hall could create a community of around 190 dwellings. The merits of the scheme include the, provision of family housing and on site affordable housing and a Section 106 package to mitigate the impacts of this development in relation to highway matters, public transport and education provision. The proposal would also create areas of public open space including informal paths through the woodland which is currently private. Overall therefore planning permission is recommended.

Background Papers:

Application and history files.



SOUTH AND WEST PLANS PANEL