



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 6th June 2013

Subject: APPLICATION 13/00288/RM – RESERVED MATTERS APPLICATION FOR 177 HOUSES, ONE BLOCK OF 9 APARTMENTS AND ONE BLOCK OF 6 APARTMENTS INCLUDING ASSOCIATED LANDSCAPING AT OPTARE, MANSTON LANE, CROSS GATES, LEEDS, LS15 8SU.

APPLICANT

Ben Bailey Homes

DATE VALID

25/1/13

TARGET DATE

20/6/13

Electoral Wards Affected:

Crossgates & Whinmoor

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions identified at Appendix 1 (and any others which he might consider appropriate) and the expiry of the revised publicity period and subject to no representations being received which raise new significant material planning considerations.

1.0 INTRODUCTION:

1.1 Reserved matters approval is sought for a major residential development at the former Optare/Draka UK site at Manston Lane, Cross Gates. A position statement regarding this application was presented to the March 14th City Plans Panel. Officers and Members raised a number of concerns at the March Panel therefore officers have been in negotiations with the applicant on a revised scheme. Significant progress has been made and the scheme is now considered to have addressed the concerns raised and is recommended for approval.

2.0 PROPOSAL:

2.1 Reserved matters approval is sought for 192 residential units, 12 less than the previous scheme presented to Panel. Outline consent has been granted for the

principle of development and means of access therefore the appearance, landscaping, layout and scale of development is to be agreed via the current reserved matters application. The development is to be delivered in two phases with 103 houses in the first phase and 89 units (74 houses, 15 apartments) in the second phase.

- 2.2 177 houses (2 five bed, 85 four bed, 60 three bed, 30 two bed) and 15 two bed apartments are proposed. There are fourteen different house types of both two and three storeys that are spread across the development and include detached, semi-detached and terraces of three and four dwellings. The 28 three storey properties are all semi-detached and are located in specific areas that are considered suitable for taller properties such as location overlooking the public open space and playing fields to the north and where there are taller, gable end two-storey properties adjacent. The houses are faced in one of two types of red multi-brick or an artificial stone, all houses have a concrete dark grey roof tile.
- 2.3 The 15 apartments are accommodated in two buildings in the north-east corner of the site. The apartment buildings are three-storeys and finished in the same red multi brick and concrete tile as the houses. To the rear of the flats are 17 parking spaces and amenity space for the residents.
- 2.4 There are two main vehicular access points serving the site off Manston Lane, as agreed under the outline application. There are also two further access points onto driveways serving two and five properties. The site accommodates a cycle route on a shared footpath and one of the internal roads provides a connection through the site and towards Pendas Fields and onto the strategic cycle route proposed through East Leeds.
- 2.5 10% of the site is provided as public open space (POS), this space is located in the centre of the site. The timing of the delivery of the POS is linked to the remediation strategy for the site. To avoid bringing large quantities of clean soil to the site unnecessarily, existing soil within the site is recycled as it becomes available during excavation works to provide the clean capping layer to the POS. The POS will therefore be completed prior to occupation of the 103rd unit (ie the last unit delivered in the first phase). Works on the POS will commence prior to occupation of the 29th unit and be 50% complete prior to occupation of the 52nd unit.
- 2.6 The 15% affordable housing for the first phase of development provides 15 units (9 two bed and 6 three bed semi detached and terraced properties).
- 2.7 Whereas there is a presence of coal underneath the site, it is acknowledged that the coal is too deep to viably extract.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site has an area of 6.3 ha. The site was formally occupied by buildings relating to the Optare bus builders and specialist cable manufacturers Draka UK but all buildings have been demolished and the applicant has commenced the remediation works required by the outline consent.
- 3.2 Limited landscape features can be found at the extreme boundaries of the site and the land gently slopes up from Manston Lane towards the sports field to the north. The former Manager's house for the Optare site is located on Manston Lane in the centre of the site, this building is excluded from the application boundary because it is in separate ownership but is still in residential use.

- 3.3 The application site is located within a part of Manston Lane which until recently was characterised by industrial development with the exception being only a handful of residential properties including the former manager's house in the centre of the site's frontage and a pair of semi-detached dormer bungalows to the east. However, Bellway are currently on site with a 122 unit residential scheme known as The Limes on the southern side of Manston Lane on the former Vickers Site and there are further housing proposals on the Vickers site currently under consideration therefore the character of the area has already changed and could do further in the coming years should further residential schemes be supported.
- 3.4 The Pendas Fields playing fields are located to the north (including a public footpath running east to west) and a dismantled railway (situated within a cutting and relatively overgrown) runs the length of the site's western boundary beyond which the residential properties within Penda's Way are located. There are a number of mature trees within the railway cutting abutting the western boundary, many of which overhang into the site. The Richmond ice cream factory is located directly to the east.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 13/00234/COND: Discharge of condition application for conditions attached to the outline consent 08/00298/OT. This discharge of condition application is still under consideration. The applicant has commenced remediation works.
- 4.2 08/00298/OT: Outline approval for the principle of and means of access for a residential development of up to 256 residential units. This application was originally considered by East Panel in September 2008 before lengthy Section 106 negotiations resulted in East Panel agreeing to grant permission in June 2012. The application was formally approved on 15th November 2012. Condition 4 attached to the outline consent restricts the development to a maximum of 256 units at a size and range shown on the approved illustrative layout plan (205 houses and 51 apartments). Condition 4 also prevents no more than 138 units (96 houses, 42 apartments) to be constructed until the Manston Lane Link Road (MLLR) is built through Thorpe Park to the M1. However, condition 4 does permit changes to be agreed with the Council subject to the highway implications remaining broadly the same.
- 4.3 06/06511/OT: Outline application for residential development, refused 5/4/07.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Officers commenced pre-applications discussions on the reserved matters (layout, scale, appearance and landscaping) and more detailed highways and amenity issues in August 2011. Meetings took place that sought to ensure the scheme adheres to the principles established through the outline application. Negotiations primarily related to the site layout to deliver a well connected street layout focused around a central greenspace, provide appropriate spaces between dwellings and ensures private amenity spaces are provided of a sufficient scale. The impact of noise from the adjacent ice cream factory was also closely examined.
- 5.2 The scheme originally submitted and presented to the March Panel raised a number of concerns. Since the March Panel officers have negotiated a significantly improved scheme that is now considered acceptable. The scheme has been reduced from 204 to 192 units, increased the space between most properties,

enhanced the public open space and landscaping across the site, includes some additional planting on Pendas Fields addressed the highway concerns and ensures the existing trees within the site and in the railway cutting abutting the western boundary are retained and protected. The improvements are discussed in detail below and a copy of the minutes of the March 14th Panel are provided at Appendix 2.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Site notices were posted 8/2/13 regarding the scheme first submitted. Two letters of objection were received in response to the originally submitted scheme. Following the receipt of revised plans the application has been re-advertised by way of site notice on 17/5/13 (expiry 7/6/13). Following direct consultation with the original objectors both objections have been withdrawn as the revised scheme has addressed the original concerns.

6.2 Ward Members have been consulted on the revised plans and raise no objections.

7.0 CONSULTATIONS RESPONSES:

7.1 Coal Authority: No objection. Previous stages of this development proposal have afforded due consideration to the potential presence of a mine entry on the southern site boundary and the applicant has undertaken intrusive investigations to locate the feature, with the permission of The Coal Authority.

7.2 Highways: The revised scheme is acceptable subject to confirmation of sight lines and a minor amendment to the cycle store to the flats.

7.3 Public Rights of Way: No objection provided the public footpath abutting the northern boundary is not obstructed.

8.0 PLANNING POLICIES:

8.1 Development Plan

8.2 The application site is unallocated within the UDPR, however the following policies are of relevance:

GP5: General planning considerations.

N2/N4: Greenspace provision/contributions.

N10: Protection of existing public rights of way.

N12/N13: Urban design principles.

N23/N24/N25: Landscape design and boundary treatment.

H4: Housing development of site not identified in the UDP can be considered acceptable.

BD5: Design considerations for new build.

T2: Development proposals should not create new, or exacerbate existing, highway problems.

T5: Consideration of pedestrian and cyclists needs.

T7/T7A: Cycle routes and parking.

T24: Parking guidelines.

LD1: Proposals should allow sufficient space around buildings to retain existing trees in healthy condition & allow new trees to grow to maturity.

8.3 Neighbourhoods for Living: A guide to residential development in Leeds.

- 8.4 Street Design Guide.
- 8.5 Natural Resources and Waste Development Plan Document.
- 8.6 Greenspace Relating to New Housing Development.
- 8.7 Designing for Community Safety: A Residential Design Guide.
- 8.8 National Planning Guidance
- 8.9 The National Planning Policy Framework (NPPF) came into force on 27th March 2012. The NPPF states that unless material considerations indicate otherwise development proposals which accord with the Development Plan should be approved. The NPPF identifies a presumption in favour of sustainable development and good design.
- 8.10 Emerging Policy
- 8.11 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. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013.
- 8.12 As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.
- 8.13 Policy P10 promotes good design reflective of the context of the site and the protection and enhancement of a site's natural features.

9.0 MAIN ISSUES

- Quantum of development, range of house types and phasing.
- Layout, design and landscaping.
- Residential amenity.
- Highways.

10.0 APPRAISAL

- 10.1 Quantum of development and range of house types
- 10.2 As highlighted above, the outline consent includes a condition (number 4) that restricts the development to no more than 256 units at a size and layout shown on the approved illustrative layout (205 houses and 51 apartments). Condition 4 also prevents no more than 138 units (96 houses, 42 flats) to be constructed until the MLLR is built from Manston Lane through Thorpe Park to the M1. However, all of the above can be varied through agreement with the Council.
- 10.3 The proposed scheme has a different layout and mix of houses than illustrated by the outline consent. A total of 192 units are proposed with 177 houses and 15 two bed apartments. There are 149 two-storey houses and 28 three-storey houses with

almost half the dwellings being detached. 103 houses (are proposed to be delivered in the first phase, i.e. pre-MLLR).

- 10.4 The previous illustrative layout produced in January 2008 indicated terraced properties as the predominant house type and included a greater percentage of apartments. Due to changes in the housing market and preferences of house builders/house buyers, the range of housing has changed and the reserved matters application now proposes a greater percentage of family houses and significant reduction in the number of apartments. In principle and subject to detailed design considerations, the change in type of housing available at the site is considered acceptable as there is still an intention to deliver a good mix of house types across the site that will ensure the delivery of a mixed community.
- 10.5 The approved illustrative layout highlighted two separate areas of public open space either side of a residential cluster in the centre of the site. At the request of officers, the proposed layout provides the public open space in the centre of the site. The proposed size is the equivalent to the combined size of illustrative public open space but as it is one large space and located in the centre of the site it is a much more usable space accessible by all properties.
- 10.6 As discussed, condition 4 on the outline consent prevented no more than 138 units (96 houses and 42 flats) to be delivered until local highway improvements in the form of the MLLR as it will help to alleviate pressure on the road junctions in and around Cross Gates. Under the current scheme and its amended layout the applicant proposes to deliver 103 houses in this first phase prior to the construction of the MLLR. Highways officers have agreed to this change as it is considered the impact in terms of number of vehicles on the highway network from 103 houses will have no greater impact than those originally anticipated from the 96 houses and 42 apartments specified within the condition.
- 10.7 For the reasons outlined above it is considered that a change to the layout, range of house types and phasing of the development is acceptable in principle.
- 10.8 Layout, design and landscaping
- 10.10 As highlighted above, pre-application discussions have resulted in the development including a central public open space. Officers strongly support this approach as it provides a central focus for the site and allows for an ordered highway network around the space. The layout also allows for many properties to have their rear garden backing onto other rear gardens as is desirable from a community safety point of view as natural surveillance is provided.
- 10.11 Since the March 14th Panel the detailed layout of the site has been closely scrutinised and significant improvements have been made that now result in a layout that reflects the principles set out in pre-application discussions and responds to the issues raised at Panel. The number of houses on the site has been reduced by 12 to allow better spacing between properties. Many properties now have single or double driveways or garages between them therefore creating a much more spacious streetscene. Whereas some of the distances between properties are still below the guidance distance set out in Neighbourhoods for Living that seeks 2.5m to the boundary from a dwelling, it is considered that the overall spatial character of the development is acceptable as this distance is achieved or exceeded in some instances but reduced in others. It is worth noting that with some of the properties already being close together, this would limit the ability to use permitted development rights to extend in the future therefore ensuring the streetscene agreed

today would remain roughly the same in the years to come so is less likely inappropriately eroded as can sometimes occur where greater gaps are provided at the outset.

- 10.12 A number of hipped roof properties have been introduced to further increase the perception of space and house types have been closely examined to ensure complementary houses are placed next to each other. Streetscenes now have a more gentle increase in height up to the three-storey properties rather than jumping up and down. Almost all houses along Manston Lane front onto the highway to give the development presence onto the road. These properties are set back from the highway and have therefore allowed a good landscape buffer to be introduced that will provide the first part of what is intended to be a lengthy landscape buffer along to whole of the new Manston Lane Link Road (MLLR).
- 10.13 The internal roads now have gentle curves that provide interest and slow traffic without creating awkward highway movements. At key gateways along the internal roads pairs of houses have been introduced to emphasise the gateway whilst at the end of most key views feature stone properties have are now present.
- 10.14 Garden depths have been increased and improved and all properties are now considered to have an acceptable garden size and depth to ensure sufficient amenity is provided to residents and avoid conflict with off site trees. This is particularly important on the western boundary of the site where the mature trees within the former railway cutting overhang the boundary of the site therefore garden depths and the location of dwellings are reflective of the space considered necessary to ensure the retention and protection of these trees. In this area permitted development rights will be removed to ensure any future extensions require planning permission.
- 10.15 As previously reported, the apartment blocks are located in the north east corner of the site with the parking provided on the north east boundary adjacent to the ice cream factory. It is considered this is an appropriate location for the apartment blocks as it is preferable to incorporate a parking area on the boundary adjacent to the factory rather than private gardens.
- 10.16 At the March Panel concerns were raised regarding the presence of short ginnels that provided rear access to a number of the terrace properties, Members requested these be removed from the proposals. Best efforts have been made to remove these routes and the numbers of terraces have been reduced. However, there are still three instances where such routes are required to provide rear access and therefore avoid the need for bins to be stored at the front of dwellings potentially appearing unsightly in the streetscenes. In order to ensure the security concerns that often apply to these features are reduced, each ginnel would be relatively short in length and well overlooked by a number of properties. Importantly, each ginnel would serve no more than two dwellings and will incorporate lockable gates. On balance it is considered that this limited number of routes combined with the specified measures do not raise significant safety concerns and are therefore acceptable in this instance.
- 10.17 The substation has been relocated from its original position in the corner of the POS to a less prominent location away from the main vehicular routes and now has a more appropriate relationship with two adjacent properties.
- 10.18 Most of the house types proposed across this site have been previously accepted by the Council on other sites and are considered appropriate for this site. There is a

wide variety of house types proposed that generates interest within the streetscenes and avoids monotony. The house types are considered to be well designed with additional details such as projecting bay windows and art-stone heads and cills. The dwellings will be finished in one of two types of red multi-brick with a small number finished in artificial stone. Since the March Panel more house types have been introduced, the number of hipped roofs increased and the pitch to many of the roofs have been reduced to remove the top heavy character.

- 10.19 An additional benefit the scheme now delivers is an area of off site tree planting within Pendas Fields to the immediate north of the site. This planting will provide a softening buffer to the development when viewed from the playing fields and provide an attractive continuation of the existing planting within the fields.
- 10.20 The design of the POS has been significantly improved and now offers an attractive place for all elements of the community to congregate and walk through. The POS includes seating, raised mounds and other natural play features such as stepping stones and tree stumps in addition to around 45 trees.
- 10.21 The Manston Lane frontage now incorporates a landscape buffer with an attractive railing to reflect that used on the Bellway site opposite and a continuous landscape scheme that includes shrub and tree planting. It is envisaged this form of boundary treatment to Manston Lane can be incorporated along the full length of Manston Lane as other sites are developed and therefore significantly enhance the character of the area.
- 10.22 As previously reported, the general layout of properties set around a central greenspace and ordered streets is entirely appropriate and fully supported. Significant improvements have been made to the layout and density of the scheme whilst close scrutiny of the streetscenes has resulted in a character and appearance that is considered acceptable.
- 10.23 Residential amenity
- 10.24 A noise assessment has been carried out that seeks to discharge a condition on the outline consent and give comfort regarding the proposed site layout and its relationship with Manston Lane to the south and the ice cream factory to the east. Officers are awaiting updated comments from colleagues in Environmental Health on this matter and Members will be updated with these comments at Panel. Nevertheless, the two pronged approach to dealing with noise issues both at source by attenuating operations at the ice cream factory and through the use of acoustic fencing around a number of private gardens is considered appropriate.
- 10.25 The length and size of rear gardens areas has generally been increased and are now considered acceptable. Furthermore, the problems of overlooking, loss of light or overshadowing of both proposed and existing properties should not occur due to changes in the orientation and position of properties and the relationship between windows. Both residents that abut the site have removed their objections following the revisions made.
- 10.26 Highways
- 10.27 The main means of access into the site were agreed at outline stage and those agreed access points are retained on the current layout. There are however an additional two access points from Manston Lane serving groups of two and five

detached properties. These additional accesses are required from a highways perspective.

10.28 As highlighted above, the change in phasing that delivers all houses in the first phase has been examined by highways officers and is considered acceptable since its overall impact on the local highway network would be no greater than considered at outline stage and in fact would likely to be less than originally agreed. Furthermore the development delivers its section of cycle route through the site that ultimately links to Cross Gates railway station and forms part of the strategic cycle route identified for East Leeds.

10.29 The latest layout plan is considered to achieve appropriate levels of off-street parking including suitable opportunities for more casual visitor parking on-street, or in the case of the two new accesses off Manston Lane, within the cul-de-sacs themselves.

11.0 CONCLUSION

11.1 The proposals have been significantly improved since last presented to Panel and are now considered acceptable. Changes to the housing layout, relationship between properties and to Manston Lane, design of the houses and landscaping of the whole site have resulted in a scheme that is now considered complementary to the Bellway development across Manston Lane and a good example for future housing development along Manston Lane. Panel are therefore recommended to defer and delegate approval to allow for the revised publicity period to expire.

12.0 BACKGROUND PAPERS

12.1 Application file 13/00288/RM history file 08/00298/OT and discharge of condition application 13/00234/COND.

APPENDIX 1 – Conditions

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any provision in any statutory instrument revoking or re-enacting that Order, planning permission shall be obtained for any extensions or outbuildings to the rear of the properties on the western boundary (plot numbers 37-51 and 104-111 on drawing 4120/01/C Rev I), to the western side of plot number 35 and any extensions or outbuildings to plot 6.

To ensure trees adjacent to these properties are protected and fully considered prior to any works taking place in accordance with the adopted Leeds UDP Review (2006) policy GP5.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any provision in any statutory instrument revoking or re-enacting that Order, the garages and carports hereby approved shall be kept available and used solely as garages for the parking of motor cars for the benefit of the occupant of the dwelling for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

APPENDIX 2 – Minutes of the 14th March City Plans Panel

Application 13/00288/RM - Reserved Matters application for 189 houses, one block of 9 flats and one block of 6 flats including associated landscaping - Optare, Manston Lane, Cross Gates, LS15 - Position Statement

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented a report of the Chief Planning Officer setting out the current proposals in respect of the Reserved Matters application for a residential development on Manston Lane Cross Gates LS15. The Panel noted that the outline application for up to 256 residential units had been agreed by the former Plans Panel East as its meeting held on 7th June 2012 (minute 22 refers)

Officers presented the report and informed Members that the scheme would be delivered in two phases, the second phase being dependent upon the delivery of the Manston Lane Link Road (MLLR). Members were informed that the dwellings would be sited around a central area of public open space (POS), with the highways layout revolving around that to give a good order to the streets

Concerns remained about the lack of separation between dwellings which created high density and a terraced feeling to many of the areas. Whilst it might be possible to accept less than the standard 3.5m distance between dwellings in some cases, distances of 2.00m were being generally proposed across the site, with in some cases, distances of 1.00m being shown. In addition, some of the gardens did not comply with the requirements set out in Neighbourhoods for Living and in relation to some properties, there were no active frontages which also was a concern for Officers

Regarding the delivery of the POS, the developer proposed commencing on this when 25% of the scheme was introduced and that half of the POS would be completed when 50% of the units were occupied, with Members' views on this being requested

Receipt of a letter of objection from a local resident was reported with Panel being informed that the issues raised in the objection would be outlined when the scheme was brought for determination

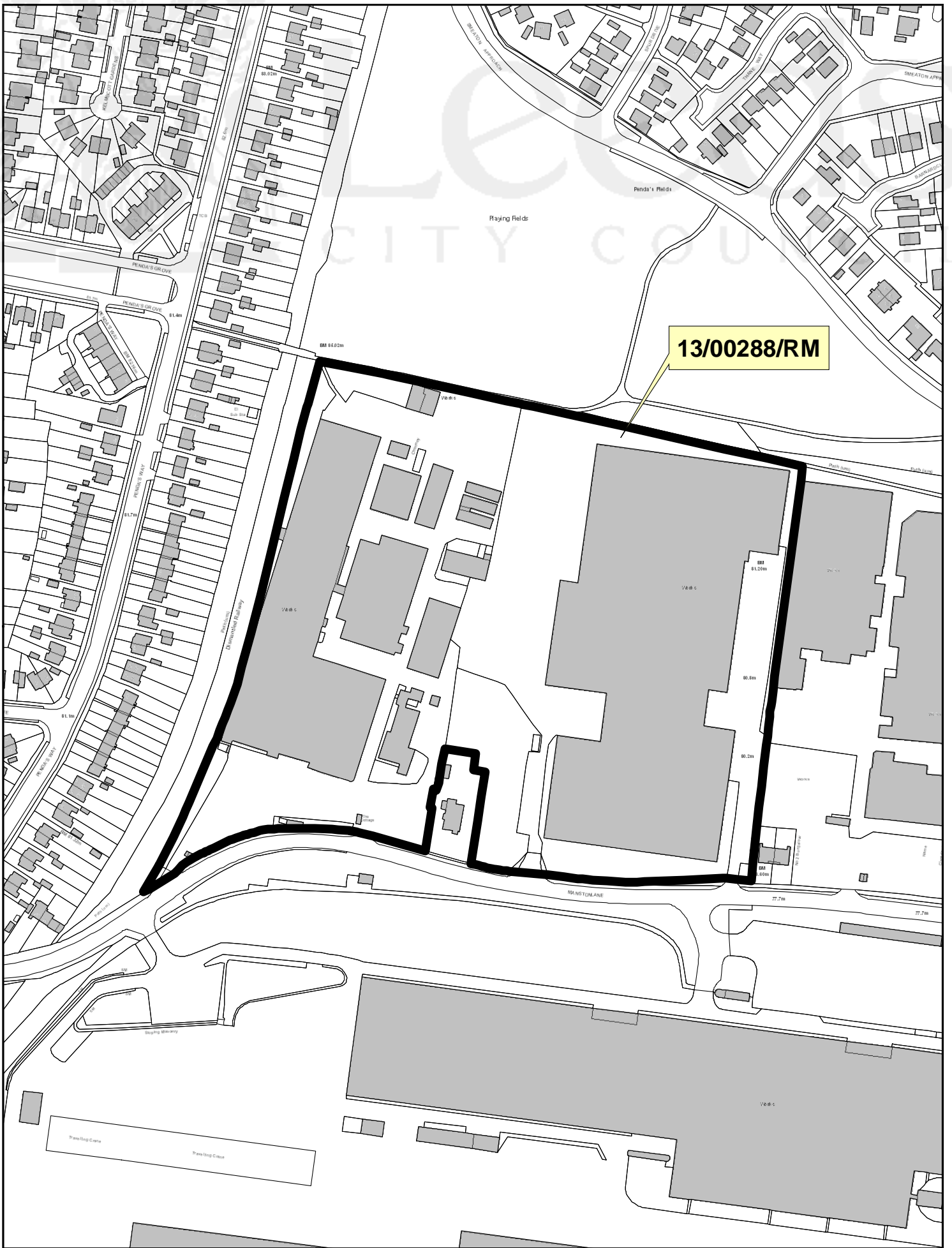
Members commented on the following matters:

- the separation distances and that across the site these were not acceptable
- the public open space and whether this was considered to be in the correct place. Officers were of the view that the central area was the most appropriate location for the POS and that it ensured it was easily accessible from all properties
- that the report referred to ginnels and that these must be removed and there should be no alleyways
- the phasing of the scheme and the number of properties to be delivered in the first phase. Members were informed that the first phase was restricted to 138 units, although the condition could be varied slightly to accommodate the 115 houses the developer wished

to bring forward in the first phase

- the need for the square to be a major feature in the scheme, that this had been achieved successfully in several London boroughs and that a quality scheme was needed for this area which provided more than benches
- that the proposals represented overdevelopment
- that there was a need to ensure there was a masterplan for this area
- the symmetry of the site and that this was not enhanced by the proposed house types and materials; that much more work was needed to improve the quality of the design of individual units and the layout generally and that it would be helpful for Members to see this site in context with the development on the adjacent site
- the position of driveways and parking which created a much too linear scheme
- the need to ensure that if the density of the scheme was reduced, that the same amount of POS, i.e. 10% of the site, was being provided
- that the proposed house types were of a poor standard from a volume house builder and that further discussions were needed between Officers and the developer to devise a more acceptable scheme
- the need for some consideration to the provision on site for homes for older people
- the need to adopt a common approach to landscaping and boundary treatment along the whole of Manston Lane

RESOLVED – To note the report, the comments now made and that Officers be asked to continue discussions with the applicant to address the concerns raised by Members



13/00288/RM