



SOUTH AND WEST PLANS PANEL

**Meeting to be held in Remote on
Thursday, 28th January, 2021
at 1.30 pm**

MEMBERSHIP

Councillors

B Anderson
K Brooks
C Campbell
C Gruen (Chair)
S Hamilton
J Heselwood
D Ragan
J Shemilt
P Wray
R Finnigan

Note to observers of the meeting: To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=950&MId=10067&Ver=4>

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>No exempt items or information have been identified on the agenda</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 10 DECEMBER 2020</p> <p>To receive and consider the minutes of the meeting held on 10 December 2020</p>	7 - 10
7	Kirkstall		<p>APPLICATION 20/05885/FU – PHASE 2 OF THE KIRKSTALL FORGE DEVELOPMENT (PLOTS E AND F), KIRKSTALL FORGE, ABBEY ROAD</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding reserved matters approval comprising 213 houses and apartments (Use Class C3), circa 2,400 square metres of commercial space, (Use Classes A1, and/or A2, and/or A3, and/or A4, and/or A5, and/or B1, and/or D1, and/or D2), amenity space and a new public square.</p>	11 - 30
8	Armley		<p>POSITION STATEMENT - APPLICATION 19/01670/FU – LAND OFF COCKSHOTT LANE, ARMLEY, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for eleven houses, one block of four bungalows with staff facilities and one block of thirteen flats with one staff accommodation unit.</p>	31 - 52

Item No	Ward	Item Not Open		Page No
9			<p data-bbox="675 181 1233 215">DATE AND TIME OF NEXT MEETING</p> <p data-bbox="675 255 1203 288">Thursday, 4 March 2021 at 1.30 p.m.</p> <p data-bbox="675 360 1015 394"><u>Third Party Recording</u></p> <p data-bbox="675 434 1382 651">Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p data-bbox="675 692 1310 763">Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> <li data-bbox="724 804 1382 1021">a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. <li data-bbox="724 1039 1394 1339">b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	

SOUTH AND WEST PLANS PANEL

THURSDAY, 10TH DECEMBER, 2020

PRESENT: Councillor C Gruen in the Chair

Councillors B Anderson, K Brooks,
S Hamilton, J Heselwood, D Ragan,
J Shemilt and P Wray

38 Appeals Against Refusal of Inspection of Documents

There were no appeals.

39 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

40 Late Items

There were no late items.

41 Declarations of Disclosable Pecuniary Interests

There were no declarations.

42 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor C Campbell and R Finnigan.

43 Minutes - 29 October 2020

RESOLVED – That the minutes of the meeting held on 29 October 2020 be confirmed as a correct record.

44 Application 20/05524/FU - Chevin Nurseries, Carlton Lane, Yeadon

The report of the Chief Planning Officer presented an application for a detached dwelling at Chevin Nurseries, Carlton Lane Yeadon.

Site plans and photographs were displayed and referred to throughout the discussion of the application.

Further issues highlighted in relation to the application included the following:

- The application had been brought to Panel at the request of a local Ward Councillor.

- The application site has had 3 previous refusals for planning permission. One for a development of 6 dwellings, one for a development of 4 dwellings and one for the development of a single dwelling. The application for the single dwelling was refused due to impact on the greenbelt, being out of character for the area and not being sustainable.
- Reference was made to neighbouring applications that had been refused and subsequent appeals including an appeal at the application site where the Inspector did not uphold the reasons for refusal due to impact to the greenbelt and sustainability with regards for a single dwelling.
- Comparisons between this and the previously refused application.
- Materials to be used.
- There was an additional objection to those outlined in the report that a five bedroom house in this location was not necessary to supply local need.
- The application was recommended for approval.

In response to comments and questions, the following was discussed:

- The floor area of the proposed property was of a similar scale to other houses on the street.
- There was still some concern that there were issues with regard to the greenbelt and highways.
- Access to the site was difficult due to it being situated on a corner.
- Were the proposals infill or not?

In reaching their decision the Panel noted the planning history of the application site and a nearby site on Carlton Lane. Specifically appeal decisions relating to each of the sites both of which were received in July of this year, and both of which concerned proposals for new houses in the Green Belt. Whilst both appeals were dismissed the two Planning Inspectors reached different conclusions on the acceptability of the principle of development and specifically whether the proposals constituted infill development (in principle an acceptable form of development in the Green Belt). For the application site the Inspector concluded that a new dwelling was acceptable in principle and dismissed the appeal for reasons relating to the impact of the proposed dwelling on the spatial characteristics of the locality. The application before Members presented a revised proposal that sought to overcome the Inspector's criticism. The Panel were concerned and disappointed with the conclusions reached by the Inspector at appeal and the inconsistency of approach adopted by the respective Inspectors. However, Members concluded that in light of the Inspector's decision they had no option but to grant planning permission in accordance with officer advice.

RESOLVED – That the application be granted in accordance with the officer recommendation.

In reaching their decision the Panel noted the planning history of the application site and a nearby site on Carlton Lane. Specifically appeal decisions relating to each of the sites both of which were received in July of this year, and both of which concerned proposals for new houses in the Green Belt. Whilst both appeals were dismissed the two Planning Inspectors reached different conclusions on the acceptability of the principle of development and specifically whether the proposals constituted infill development (in principle an acceptable form of development in the Green Belt). For the application site the Inspector concluded that a new dwelling was acceptable in principle and dismissed the appeal for reasons relating to the impact of the proposed dwelling on the spatial characteristics of the locality. The application before Members presented a revised proposal that sought to overcome the Inspector's criticism. The Panel were concerned and disappointed with the conclusions reached by the Inspector at appeal and the inconsistency of approach adopted by the respective Inspectors. However, Members concluded that in light of the Inspector's decision they had no option but to grant planning permission in accordance with officer advice.

45 Chair's Closing Remarks

The Chair informed the Panel that Pam Warburton would shortly be leaving her role as Customer Services Manager within Planning Services. On behalf of the Panel, the Chair expressed appreciation to Pam for all her hard work and wished her well for the future.

46 Date and Time of Next Meeting

Thursday, 28 January 2021 at 1.30 p.m.

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Originator: Richard Smith

Tel: 0113 3788030

Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 28th January 2021

Subject: Application 20/05885/FU – Reserved matters approval comprising 213 houses and apartments (Use Class C3), circa 2,400 square metres of commercial space, (Use Classes A1, and/or A2, and/or A3, and/or A4, and/or A5, and/or B1, and/or D1, and/or D2), amenity space and a new public square within Phase 2 of the Kirkstall Forge Development (Plots E and F), Kirkstall Forge, Abbey Road.

APPLICANT
GMV Twelve Ltd

DATE VALID
07/06/2020

TARGET DATE
29/01/2021

Electoral Wards Affected:

Kirkstall

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT RESERVED MATTERS APPROVAL subject to the following conditions:

1. Development in line with approved plans
2. Large scale details (window frames, window reveals, balconies)
3. Provision of Electric Vehicle Charge Points
4. Mill Race Woodland – enhancement / additional planting
5. Hard and Soft Landscaping Details (excluding Mill Race Woodland area)
6. Tree Protection measures / construction method – Mill Race Woodland
7. Ventilation Strategy – car parks (apartment blocks)
8. Management plan – maintenance of private road areas

INTRODUCTION:

1. This application is brought to Plans Panel as the request of the Chair of South & West Plans Panel who notes the significance of this Major development and with reference to the Officer Scheme of Delegation, it is therefore appropriate to report the application to Panel for determination.

PROPOSAL:

2. The application proposed is the submission of a new Reserved Matters (“RM”) application for plots E/F of the Kirkstall Forge masterplan, relating to Outline consent 15/04824/FU. Further to the input of a new architectural team, this has been proposed in addition to previous designs approved, namely consents 18/03602/RM and 17/04846/RM.
3. The new RM application, is submitted for the following matters:
 - Siting
 - Design
 - External Appearance
 - Landscaping

Access has been previously approved under the original Outline application (15/04284/FU).

4. It would consist of 136 apartments (in blocks E2 and E3) and 77 dwellings (total of 213 residential units) in class C3 use. The previous RM approval 18/03602/RM related to 54 apartments and 81 dwellings (total of 135 residential units). The dwellings (exactly as they were in application 18/03602/RM) are 3/4/5 bedroom in size. The apartments as now proposed are formed of 80 x 1-bed, 40 x 2-bed and 16 x 3-bed. The new layout of apartments and houses - aside from the loss of the 4 dwellings (which has been undertaken to offer more ‘breathing space’ to the two apartment blocks on the north-west and south-east sides) - generally reflects the previous RM approval 18/03602/RM.
5. The application now is designed upon the apartments being a managed rental product (i.e. ‘Build to Rent’ (“BtR”)).
6. The RM application would also again offer commercial space at both ground floor level of and also set in-between blocks E2 and E3 within a new building (called “The Pavilion”). These units would provide up to 2400m² of commercial floorspace, amenity space and a new public square to form Phase 2 of the wider Kirkstall Forge development. Again this is consistent with the earlier approved application 18/03602/RM.

SITE AND SURROUNDINGS:

7. In its entirety the wider Kirkstall Forge estate site extends to 22.93 hectares of land situated circa 6km (3.7 miles) to the north west of Leeds City Centre. The estate site is broadly rectangular in shape extending from the north-west to south-east between the Leeds to Shipley/Ilkley Railway and the A65 Abbey Road. The Leeds-Liverpool canal and the Leeds-Shipley/Ilkley railway line all run through the Aire Valley in parallel with the River Aire.
8. Since the granting of Outline planning permission, the estate site has been levelled and remediation works have been undertaken in accordance Condition 5 of the outline permission, which was approved as part of application 14/02638/COND. In addition, the Kirkstall Forge Railway Station has been operating since June 2016, presently providing services to Leeds and Ilkley whilst the eastern access road and highway connection onto the A65 Abbey Road, including the installation of traffic lights to this junction, has also been completed. The first phase of development at

plot J1, a seven-storey office block providing 15,534m² of office space within Use Class B1, has been tenanted and occupied since 2017.

9. Phase 2, the focus of this application, extends to 3.09 hectares. The site is positioned immediately to the north and east of the eastern access road that provides the current point of vehicular access into the site from Abbey Road. To the north, Phase 2 is bounded by the Mill Race, which runs through the woodland (recognised as being part of the Leeds Habitat Network) that bounds the northern edge of the site adjacent to Abbey Road. To the east of Phase 2 are Plots C and D, which will form a future phase of what is anticipated to be further residential development. The topography is a key aspect of the site with a level change of 10-12 metres across the site from north down to the south.
10. The site is located in Flood Zones 2 / 3.

RELEVANT PLANNING HISTORY:

11. **18/03602/RM: Phase 2 (plots E/F) Reserved Matters application** 135 houses and apartments (Use Class C3), circa 2,400 square metres of commercial space, (Use Classes A1, and/or A2, and/or A3, and/or A4, and/or A5, and/or B1, and/or D1, and/or D2), amenity space and a new public square within Phase 2 of the Kirkstall Forge Development (Plots E and F) – Approved under delegated decision 16th May 2019.
12. **17/04846/RM: Phase 2 (plots E/F) Reserved Matters application** 112 houses and apartments (Use Class C3), circa 2,925 square metres of commercial space, (Use Classes A1, and/or A2, and/or A3, and/or A4, and/or A5, and/or B1, and/or D1 and/or D2), amenity space and a new public square to form Phase 2 of the Kirkstall Forge Development (Plots E and F) - Approved by South and West Plans Panel on 9th November 2017.
13. **15/04824/FU:** Application under Section 73 of the Town and Country Planning Act 1990 comprising the variation of Condition 9 (lighting (a), boundary treatments (c) and signposting (d), Condition 10 (a) sustainability appraisal (b) foul and surface water drainage, (c) surface water run-off limitation, (d) works to the River Aire, (e) nature conservation works, (f) provision of footpath and cycle links, (i) existing and proposed levels, (j) tree works and tree protection measures and (k) measures to protect the river during construction, Condition 12 (Timescale for the completion of both the eastern and western accesses), Condition 13 (Timescale for the delivery of a bus route through the site), Condition 17 (Provision of an interpretation board), Condition 19 (Programme for works for the refurbishment of the Listed Buildings), Condition 23 (Materials) and Condition 27 (Construction of a flood risk channel) of **Outline 11/01400/EXT** for each phase of development to allow the earliest development on site. Approved under delegated decision 17th December 2015
14. This variation application (15/04824/FU) was identical to 11/01400/EXT as noted below retaining (with the exception of the amended conditions above) the same conditions and Section 106 Heads of Terms.
15. **11/01400/EXT: Extension of Time pursuant to Outline application 24/96/05/OT** for mixed use development comprising residential, offices, leisure, hotel and bars and restaurants, including access, site remediation, construction of bridges and river works, car parking and landscaping. Approved by Plans Panel West on 18th August 2011 with the decision finally issued on 4th April 2014 following resolution of the Section 106 agreement.

16. This application (11/01400/EXT) was identical to the original Outline application 24/96/05/OT (see below) in terms of the extent of development to the original outline planning permission below with the exception of an amendment to the Section 106 agreement to provide additional funding for the new (then emerging / proposed) Kirkstall Forge train station.
17. **24/96/05/OT: Outline application** to erect mixed use development comprising residential, offices, leisure, hotel and bars and restaurants, including access, site remediation, construction of bridges and river works, car parking and landscaping. Approved by Plans Panel 20th July 2007.
18. The 24/96/05/OT application was the original outline planning permission for the re-development of Kirkstall Forge with details of access only approved as part of this outline and matters of design, layout, appearance, landscaping reserved for future consideration. The application was accompanied by a Design Code / Statement, indicative Masterplan and Environment Statement which was based upon the following:
- 1,355 dwellings (1,109 apartments and 246 townhouses/ maisonettes);
 - 146,000 square feet of offices;
 - Support facilities including bars, restaurants, small-scale retail, health and fitness and spa, banking, hotel, a crèche and accommodation for social community uses totalling 104,000 square feet;
 - Preservation and change of use of existing grade 2 listed lower forge building to provide food and drink uses;
 - Change of use grade II listed stables to residential.
 - Areas of amenity green space;
 - Wildlife and ecological enhancements;
 - Park and ride for approximately 150 cars;
 - Improvements to vehicular junctions, allowing access to the A65;
 - Internal access roads, catering for new bus services;
 - Network of pedestrian and cycle routes, enabling connections to the national cycle network and canal towpath, including new footpaths alongside the former abbey mill race;
 - New pedestrian and vehicular bridge across River Aire;
 - Site remediation works;
 - Riverside improvement works and creation of flood relief channel.

Additional Information:

19. The following application (but outside of the current phase 2) is also noted: **15/03561/RM: Phase 1 Reserved Matters** for a seven-storey office block with basement parking (Phase 1) at Plot J1. Approved by South and West Plans Panel on 17th September 2015. This first phase of development has now been completed on site and is occupied.
20. It should also be noted that a further pending application **20/08541/FU** has also been very recently validated (21st December 2021) for the variation of conditions 12 (completion of eastern and western accesses) and 13 (provision of bus route) of Outline approval 15/04824/FU to amend the wording of these conditions. It is expected that following publicity, consultation with Highways and West Yorkshire Combined Authority (WYCA) this may / could be presented at Plans Panel on 4th March 2021.

HISTORY OF NEGOTIATIONS:

21. A pre-application enquiry was submitted in March 2020. Due to the Pandemic, it was not possible to present this to Plans Panel, however a presentation was made by Officers and the applicants / architects to Chair of Plans Panel and the case closed in May 2020. This focussed in particular on parking levels and design improvements including the creation of balconies and increased external private amenity space.

PUBLIC/LOCAL RESPONSE:

22. The application has been publicised by a site notice which was erected on the 2nd October, which expired on the 23rd October 2020. The application was also advertised in the Yorkshire Evening Post on 9th October 2020, which expired on 30th October 2020.
23. One letter of support has been received from the Civic Trust who state:
- Strongly support the project for commendable design intentions / care afforded
- Notwithstanding the above, the following comments are suggested:
- the two blocks of flats would benefit from more modelling and articulation
 - Access to outdoor space, which appears tight, for individuals is unclear
 - Access lobby constrained in size
 - Like to see Pavilion area to remain open to Public at all times (not enclosed at night for instance)
 - Accessibility could be improved through external (blocks) and internal (houses) whilst access to existing bus stops on Abbey Road is poor / could benefit from more direct / closer access
 - Blocks E2 / E3 would benefit from gating system and degree of natural daylight and ventilation from patios above

CONSULTATION RESPONSES:

24. Yorkshire Water (22/10) – No objections.
25. Contaminated Land Team (07/10) – No objections.
26. Employment & Skills Team (09/11) – Support the Employment and Skills Plan produced by the applicants.
27. Environmental Studies Transport Strategy Team (Transport Noise) (08/12) – No objections.
28. Environmental Studies Transport Strategy Team (Air Quality) (15/10) – No objections.
29. Flood Risk Management (28/09) – No objections.
30. Highways (30/10) – No objections in principle but following points made:
- Improvements to local bus service accessibility could be discussed with WYCA (also however a subject more directly linked with pending application 20/08541/FU)
 - Vehicular access is appropriate
 - Parking for houses is considered acceptable (15 visitor parking also required)

- Parking to the apartments has been based on DCLG methodology for rented accommodation; it is considered that to ensure parking provision doesn't create local pressures elsewhere (i.e. on local vulnerable streets outside of the managed Forge estate) that a mechanism reflecting that used for office buildings K3/K4 may be required alongside Travel Plan and possibly additional TRO funding

31. Local Plans / Policy Officer (17/12) - No objections given the application is dictated by the Outline consent but a good housing mix across either the development or wider Masterplan would be welcomed.
32. Sustainable Development Unit (Design Officer) (19/10) – No objections.
33. Sustainable Development Unit (Landscape Officer) (30/10) – Existing TPO trees being retained in 'Stitch' require safeguards. Remainder of 'Stitch' emerging design lacks greenness in approach; opportunities for further planting exist.
34. Sustainable Development Unit (Nature Conservation Officer) (19/10) – Clarification over the Woodland Management Strategy / ownership requested.
35. Travelwise (15/10) – No objections. Existing estate wide travel plan will however need updating (which is secured under existing Outline conditions).

PLANNING POLICIES:

36. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Local Planning Policy

37. In its entirety, the Kirkstall Forge site in terms of the boundary of the outline planning application (including this site) comprises land within the main urban area.
38. It is designated within the Site Allocations Plan as a mixed use site ref. MX1-3 with a site area of approximately 17.82 hectares.
39. A small part of the western site is allocated as part of the 'existing' employment supply under Policy E3A:28 of the Unitary Development Plan Review. The southern part of the wider Forge site (south of the river), is designated under saved UDPR policy N8 as Urban Green Corridor. A small part of the site to the northern and western boundary (but not the Reserved Matters site) is also designated as Green Belt. To the south of the wide site boundary lies a designated nature reserve LNA 020 (Bramley Fall & Newlay Quarry) and the designated SSSI 009 (Leeds/Liverpool Canal).
40. The Development Plan for Leeds currently comprises the following documents:
 1. The Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019)
 2. Saved Unitary Development Plan (UDPR) Policies (2006), included as Appendix 1 of the Core Strategy
 3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
 4. Any Neighbourhood Plan, once Adopted
 5. Aire Valley Area Action Plan (adopted 2017)

6. Site Allocations Plan (adopted 2019).

41. Leeds Core Strategy (amended by the Core Strategy Selective Review 2019)

The adopted Core Strategy (as amended) sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant policies are set out in the paragraphs below:

Policy H9: Minimum Space Standards: to be adhered to for residential accommodation.

Policy H10: Accessible Housing Standards: accessible and adaptable housing to be provided. New build residential developments should include the following proportions of accessible dwellings:

- 30% of dwellings meet the requirements of M4(2) 'accessible and adaptable dwellings' of Part M Volume 1 of the Building Regulations.
- 2% of dwellings meet the requirement of M4(3) 'wheelchair user dwellings' of Part M volume 1 of the Building Regulations. Wheelchair user dwellings should meet the M4(3) wheelchair adaptable dwelling standard unless Leeds City Council is responsible for nominating a person to live in the dwelling.

Policy P10: Design: New development for buildings and spaces to be based on a thorough contextual analysis, deliver high quality innovative design that contributes positively towards place making and is accessible to all. Car parking, cycle, waste and recycling storage should be designed in a positive manner and be integral to the development.

Policy P12: Landscape: The character, quality and biodiversity of Leeds' townscapes and landscapes, including their historical and cultural significance, will be conserved and enhanced to protect their distinctiveness through stewardship and the planning process.

Policies T1: Transport Management and T2: Accessibility Requirements and New Development: identify measures to ensure new development is adequately served by highways and public transport, and provides safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policy EN5: Managing Flood Risk: identifies requirements to manage flood risk.

Policy EN8: Electric Vehicle Charging Infrastructure: outlines the ratio of Electric Vehicle Charge Points (EVCP) required across different development uses / proposals.

42. Relevant Saved Policies from the UDPR are:

GP5: Requirement of Development Proposal
N25: Development and Site Boundaries
N39B: Watercourses and new Development
BD2: Design and Siting of New Buildings
BD3: Disabled Access - New Buildings
BD4: Mechanical Plant and Service Areas
BD5: Amenity and New Buildings
LD1: Landscaping schemes

43. Leeds Natural Resources and Waste DPD 2013
The Natural Resources and Waste DPD sets out where land is needed to enable the City to manage resources, like trees, minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Relevant policies include:
Minerals 2: Requires that within development sites, removal of sand and gravel (sites over 1 Ha) are considered in proposals
Air 1: All major applications required to incorporate low emission measures
Water 1: Requires water efficiency, including incorporation of sustainable drainage
Water 2: Requires development to demonstrate surface water runoff controls for the lifetime of development including construction
Water 4: Development in Flood Risk areas
Water 6: Flood Risk Assessments
Water 7: Surface Water Run-off
Land 1: Contaminated Land
Land 2: Development and Trees

44. Supplementary Planning Guidance and Documents

Accessible Leeds SPD (2016): Guidance document is intended for use by developers, architects, design teams, and those applying for planning permission, to ensure an inclusive design approach is adopted.

Biodiversity and Waterfront Development (2006): Objectives are to identify and safeguard existing habitats; provide ecological design guidance on waterfront developments; provide guidance on the conservation of protected and important species; identify opportunities for habitat enhancement, creation and restoration; encourage appropriate long term habitat management. It requires development to be set back from river banks.

Designing for Community Safety: A Residential Design Guide (2007): This guide demonstrates how good design and good physical security can complement the environment and create safe, sustainable communities.

Neighbourhoods for Living: A Guide for Residential Design in Leeds (December 2003, updated 2015) aims to provide further guidance on good design in residential schemes in Leeds. Neighbourhoods for Living is relevant to all residential development in Leeds and provides advice and principles for good residential design across the themes of use, movement, space and form. It promotes local character, analysis of landmarks, views and focal points, and quality buildings. It also states that the scale, massing and height of the proposed development should be considered in relation to its surroundings. It needs to respond well to that of adjoining buildings, the topography, the general pattern of heights in the area and views, vistas and landmarks. Buildings also need to be carefully positioned to relate to the spaces around them. The enclosure of the street, and the ratio of building height to the space, needs to be carefully considered in order to create the correct feel for that space and the people who will use it.

Parking SPD (2016): sets out parking guidelines across the City.

Street Design Guide (2009): This is a key element to delivering high quality residential and mixed development environments in the City, and should be used in the context of other national and local planning or design guidance.

Sustainable Design and Construction SPD (Building for Tomorrow Today) (2011, updated 2020): Advocates the use of a range of measures to ensure that the best possible practices are used to ensure a sustainable environment is created.

Tall Buildings Design Guide (2010): The aim of this document is to provide clear design guidance on the location, form and appearance of tall buildings so that they can be successfully integrated into the environment and contribute to the changing skyline of the city.

Draft Transport SPD (2020): Amalgamating the Street Design Guide SPD, Parking SPD, Travel Plans SPD and Public Transport and Developer Contributions SPD, The Transport SPD is intended for use by developers, design teams and others, and seeks to stimulate innovative designs that are appropriate for the context, character and location of a site and can be used safely by the travelling public.

Travel Plans SPD (2015): This Supplementary Planning Document (SPD) sets out the Leeds City Council (LCC) requirements for travel plans and identifies when they are required in support of a planning application. It is also intended for use by existing firms or organisations who wish to draw up a travel plan to facilitate more efficient and sustainable working practices.

Waterfront Strategy (2002): This advocates public access to the waterfront as well as its laying out with landscape treatment, which seeks to soften the bank edge. In addition, open space oriented towards the river, uses which take advantage of the amenity offered by the river and the protection of any wildlife habitats are also advocated. This document should be read in conjunction with the Biodiversity and Waterfront Development (2006) SPD.

45. Neighbourhood Plan

A Neighbourhood Plan is currently being progressed at Kirkstall. The plan area was designated in November 2015 and the pre-submission plan is currently in preparation. The plan is not at an advanced stage of development and has not yet been formally adopted; as such, policies contained within it are not afforded weight at this time.

National Planning Policy Framework

46. The NPPF and the National Planning Practice Guidance (NPPG) set out the national policies for England and how these are expected to be applied. One of the key principles running through the NPPF is a presumption in favour of Sustainable Development set out in three parts: Economic, Social and Environmental. The revised NPPF (2019) now seeks to tighten definitions on the presumption in favour of sustainable development, increases the emphasis on high-quality design and place-making.

Paragraph 59 of the revised NPPF directs Local Planning Authorities to apply a presumption in favour of sustainable development and that they should approve development proposals that accord with an up-to-date development plan without delay.

The below sections of the Revised NPPF are also considered to be relevant:

Section 5: Delivering a sufficient supply of homes – to support the Government’s objectives of significantly boosting the supply of homes.

Section 8: Promoting healthy and safe communities - Planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Section 9: Promoting Sustainable Transport – developments should give priority first to pedestrian and cycle movements and facilitate access to high quality public transport; address the needs of people with disabilities; create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles; avoid unnecessary street clutter; respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Section 11: Making effective use of land - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land

Section 12: Achieving well-designed places

Para 127: Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 14: Meeting the challenge of climate change, flooding and coastal change - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Section 15: Conserving and enhancing the natural environment - Planning policies and decisions should contribute to and enhance the natural and local environment.

CLIMATE EMERGENCY

47. The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change, The Planning Act 2008, alongside the Climate

Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear at paragraph 148 and footnote 48 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.

48. As part of the Council's Best Council Plan 2019/20 to 2020/21, the Council seeks to promote a less wasteful, low carbon economy. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.
49. The application is designed with many principles of sustainable development at its core including its proximity to public transport / encouragement of forms of transport other than the private car including cycle parking provision. An Energy Statement has also been provided which offers the following:
- proposed building design achieves a 13.9% betterment over the requirements of Part L (2013) Building Regulations when using the current carbon factors associated with the grid with reference to policy EN1. Section 4.2 of the Energy Statement however, identifies that, when adjusting the carbon factors to ensure they closely reflect those that are being experienced at present, the simulated building has significantly lower carbon emissions.
 - Using SAP10 carbon factors, the development achieves a 57.3% betterment over the gas boiler/Part L baseline. This trend of decarbonisation will extend into the future as grid electric factors continue to reduce.
 - Air Source Heat Pump (ASHP) systems to provide heating for domestic hot water with high performance MVHR systems providing ventilation for the E2 and E3 domestic elements of the scheme. For the houses in the Plot F development, energy and domestic hot water will be provided via high performance natural gas fired boilers.
 - As the masterplan development is phased over several years and with no district heating network planned for the Kirkstall area no provision for connection to a district system is proposed.

MAIN ISSUES:

- Principle of Development – Policy and Land Use;
- Layout;
- Scale;
- External Appearance;
- Landscaping;
- Highway Considerations;
- Residential Amenity.

APPRAISAL:

Principle of Development – Policy and Land Use

50. As noted within the 2017 report to Plans Panel for application 17/04846/RM (earlier Reserved Matters approval for this phase 2 site), the outline planning permission granted in accordance with 11/01400/EXT in April 2014 as amended by the subsequent Section 73 permission 15/04824/FU includes permission on this site for up to 1,355 dwellings (1,109 apartments and 246 townhouses/maisonettes) and

support facilities including bars, restaurants, small scale retail, health and fitness and spa, banking, hotel, a crèche and accommodation for social community uses totalling 9662m².

51. The only limitations on floorspace imposed by these previous consents relates to the proportion of A1 retail space, which is limited by Condition 25 of 15/04824/FU. Condition 25 states that the Class A1 retail floorspace shall not exceed 1,449m² and shall consist of a medium sized supermarket of not more than 750m² gross together with a number of smaller units unless otherwise agreed in writing by the Local Planning Authority.
52. This Reserved Matters application proposes 213 dwellings and circa 2400m² of commercial floorspace, which is entirely within the scope of the previous outline as amended by the subsequent Section 73 application (15/04824/FU). It is also compliant with the scope of the Environmental Statement approved as part of the outline permission. The uses also fit within the wider mixed use designation that the site is recognised within the Site Allocations Plan. It is therefore determined that the principle of development is already established and no further assessment of policy is necessary in this regard. The only matters for consideration are whether the siting / layout of this phase of development, the appearance of the buildings, the scale of development and the landscaping is acceptable.

Layout

53. As per the previous Reserved Matters approvals, the layout closely mirrors a very similar form / linear grain that is determined by the topography of the site such that it broadly comprises three rows of residential development, which follow the natural form of the land established by the woodland to the north and the River Aire to the south, juxtaposed with the central commercial area, which provides an important perpendicular connection through the site.
54. This linear form of development created by these three residential terraces is still, as before, broadly consistent with the indicative masterplan layout of development envisaged at Outline planning stage, with the development blocks following the topography and form of the valley such that the layout of these terraces is entirely appropriate in this regard. Indeed policy P10 advises that '*...Developments should respect and enhance existing landscapes, waterscapes... according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing*' to which this phase of development is considered to be compliant.
55. The linear residential development again comprises the river terrace houses, the middle terrace house and the top terrace houses. The layout and form of the terraces and their accessibility including undercroft parking has been assessed previously and accepted under the earlier Reserved Matters approvals and therefore is a fall-back position against which this application should be assessed.
56. The key original design elements relating to the Stitch Square, its open space, the level changes together with accessibility for all across this area remains broadly as approved before. Beyond the northern Plaza and across the Mill Race Terrace, the hard-surfaced public space again is shown as a landscaped Pocket Park that provides a transition to the woodland and the Mill Race continuing the north-south connection into the woodland at the northern fringes of this phase.

57. In considering this layout previously, it was determined that it is entirely appropriate for the site layout to respond to the topography of the site such that the provision of the upper, middle and river terraces to which the houses have a frontage ensures a contextual response to the natural landscape. Moreover, the inclusion of the Stitch Square, the mini-Stitch and the continuation of the Square into the woodland as the pocket park ensures that a key objective established within the outline planning permission of a clear perpendicular route north to south through the site is reinforced resulting in strong public spaces and clear permeability through the site. These broad principles have not changed in these latest layout designs.
58. The changes mainly relate to the design of the apartment blocks E2 and E3 set either side of the commercial building and 'Stitch Square', although to better deliver this form of development four townhouses shown on the previous consent 18/03602/RM (2 to each side of blocks E2 and E3) would be lost to give more 'breathing space' and a better relationship for external space to the apartments. Whilst the layout is still very similar to previous approvals, the additional breathing space also allows for good use of external private space and some balconies for residents offering views across the wider Forge estate on the south elevations and aiding natural surveillance of those coming into and out of the site.
59. The vehicular route into the two blocks would be via two side entrances reached via a 90° turn in the road layout from the original access road 'Mill Race Terrace'.
60. In terms of the layout / design of the commercial units, the additional separation from the townhouses is welcomed and provides a better relationship both in respect of amenity and massing / design. The commercial units are intended will be served from nearby external laybys and deliveries would be taken through the fronts. This would be also controlled through condition discharge under the Outline application (condition 10g). Bin collection is via the side access roads either side of blocks E2 and E3.
61. The internal layout is of a stacked design and some units will benefit from more direct outlook / access onto the areas of elevated landscaped balconies at first floor level.
62. The internal layout of both dwellings and apartments has been based upon all units meeting Minimum Space Standards (discussed further below) and being afforded good levels of natural light and good outlook.
63. The Stitch Square reinforces the north-south connections across the wider Kirkstall Forge estate that were established within the outline planning permission. 'The Stitch' itself is identified within the Masterplan at outline planning stage as an important connective perpendicular route through the site and a primary pedestrian thoroughfare. In its present form, it comprises the main pedestrian route from Kirkstall Forge Station that extends immediately to the front of office plot J1 as a wide pedestrianised space and then narrows to a pedestrian footpath route on the bridge across the River Aire before opening out again into this new Stitch Square.
64. As previously approved, this again would provide a significantly sized public space separating the eastern and western terraces of Phase 2; occupied by a double-height 'pavilion' building which alongside the commercial units at ground floor level in blocks E2 and E3 can provide a range of retail and food offers that can spill out onto the surrounding square. To the south of the pavilion is a broad open plaza space immediately adjacent to the access road and providing the clear visual connection to the Stitch adjacent to plot J1 and the bridge across the River.

65. Beyond the northern Plaza and across the Mill Race Terrace, this hard-surfaced public space becomes a landscaped Pocket Park that provides a transition to the woodland and the Mill Race continuing the north-south connection into the woodland at the northern fringes of this phase.
66. In considering the layout, it is determined that it is entirely appropriate and consistent with previous approved Reserved Matters and objectives set out in the Outline application. It is therefore concluded that the proposed layout of this revised Phase 2 is based upon a thorough contextual analysis and provides a sound basis for future development on adjacent plots in accordance with Core Strategy policy P10 and guidance within the NPPF.

Scale

67. The proposed drawings including the images and sections as to be shown at Plans Panel still represent what is considered to be of an acceptable scale of development within the wider context / Masterplan.
68. The dwellings remain as approved before at 2-4 storey heights whilst blocks E2 and E3 at 7-9 stories are reflective of their siting overlooking and lining with the 'Stitch' space. Their heights are marginally higher than previous approved Reserved Matters applications. This will become slightly more prominent particularly when viewed from the spine road approach into the wider estate, when related to the lower height townhouses on the front terrace. However, due to the omission of the 4 houses and the wider street scape that is emerging (both built and proposed) south of the river with both office plot J1 and also office plots K3/K4, the massing still is considered appropriate in context and not overly dominant. The importance of keeping the main brick materials consistent between apartments and dwellings also aids this relationship in scale from the dwellings up to blocks E2 / E3.

External Appearance

69. The revised proposals are again considered to give a similar and ordered form of architecture and this is welcomed given the uniformity in design already seen within plot J1 (No1 Kirkstall Forge).
70. It is considered that the revisions still demonstrate consistency with the objectives of the Design Statement approved as part of the outline planning permission. This will again deliver a contemporary design solution to housing provision within the site and again the Pavilion introduces architectural merit within the public open space that will also contribute positively to place making.
71. The updated balcony designs of the apartments tie in neatly and provide consistency in materials and design with the dwellings. This includes a Corten steel material metal balcony design to tie with the materials to be used for the Pavilion building also and in doing so knitting together the architecture as a whole across plots E / F. To blocks E / F, there is also some finer treatment of the ventilation openings of the parking level (1st floor) and bay window designs with perforation that is based upon a mechanical wheel cog to reflect Kirkstall Forge's history. This is a subtle but welcome new piece of detailed design. Otherwise the material palette remains as broadly as previously approved, mainly brick amongst these metal openings / elements.

Landscaping

72. The approach to the landscaping is again broadly as per the previous schemes approved. However it is noted that the original concept of the "Stitch" was to provide a green wedge down the middle of the scheme, across the river stitching the woodland to the north down to the station and to the views of woodland behind. This concept played a prominent role in the acceptability of the scheme in planning terms.
73. The Landscape Officer believes that this public area could be still be greener in appearance and of a softer material palette. Some revised plans have attempted to improve this offer and strike the right balance between this softer visual appearance and external everyday 'public' use of the area by the tenants / users of the surrounding commercial units.
74. The landscaped Stitch reached beyond the Pavilion building and the site generally at this point is defined by a steep level change. The Stitch Square will now be served by a public external ramp adjacent to the Pavilion building to negotiate the 3m change in level, considered to be an improvement beyond the original designs showing a mechanically operated external platform lift arrangement.
75. The pocket park, at the north of the square, has a 6m level change across it. As consistent with the previous consents, it is considered appropriate to not cover it with ramps (and end up with a limited pocket park), therefore again a flatter / level access area has been shown adjacent to the road, suitable for buggy access and smaller kids.
76. The layout particularly in relation to the upper Mill Race dwellings reflects the previous consents and again a Woodland Management Plan will be required by condition to manage the relationship / intersection between residents and nature conservation interests within the woodland.

Highways Considerations

77. The levels of parking for the dwellings remain as previously approved with two spaces accommodated within a garage or undercroft area. Visitor spaces at 1 per 5 dwellings is also provided within the site as per guidance within the Street Design Guide SPD.
78. For the 136 apartments, 52 parking spaces are proposed. Based upon DCLG methodology as used to reflect the end product / rental nature of the apartments, 54 spaces would normally be required but this includes space for visitors. As space for visitors in the surrounding road layout is provided, the apartment parking which will be all provided with electric charge points, is on balance considered acceptable.
79. However given that the parking demands for the development are assessed / based on a rental model and further to previous historical pressures in recent years from the estate in local streets (now considered to be resolved through Traffic Regulation Orders (TROs)) and notwithstanding the Travel Plan secured and regularly assessed / reviewed under the Outline consent, a 'Parking Strategy Management Plan', listed as an approved document, like that approved for office plots K3/K4 is considered appropriate to ensure local parking demands are not beyond these designed requirements. This would sit in conjunction also with condition 10g (parking details) of the Outline application as approved. Account here has been taken of the site's proximity to the station and other connections available via buses (currently via A65) and through cycle routes into the site.

80. The development will provide secure cycle parking for 229 long stay cycles based on 1 space per dwelling, 1 per apartment and 16 for the commercial space. A total of 31 short stay spaces supplements this located around the development.

Residential Amenity

81. Policy GP5 of the UDPR advises that development proposals should resolve detailed planning considerations including seeking to avoid problems of loss of amenity. The application site does not adjoin any existing residential development such that the sole consideration in relation to residential amenity is that of future occupiers of this Phase 2, both in terms of the relationship between the various dwellings themselves and also to that of the commercial units.
82. The application layout very closely reflects the previous approved Reserved Matters applications in respect of privacy and amenity. This includes distances between the habitable windows of the river terrace and middle terrace of between 16 – 21m. Between the middle and top terrace it is around 15m separation between properties which itself is interspersed with some street planting to help provide additional privacy.
83. Like in the 2017 and 2018 applications, again in considering these distances between dwellings on this site, it is also very important to acknowledge that the site at Kirkstall Forge establishes its own context and reflects the original design masterplanning that created lines of terraced dwellings between the river and woodland to the north.
84. Also as was acknowledged in the 2017 and 2018 applications, it is evident from the measurements noted above that Phase 2 does not meet the generic guidance on privacy distances set out within the Council's Neighbourhoods for Living SPG (e.g. in terms of 21m between main facing windows). However, it is considered that the SPG, whilst appropriate to more suburban housing schemes, is not so applicable to the dense urban form of development that is delivered at Kirkstall Forge, which is more akin to a central or urban periphery development, particularly given the sustainable proximity of the Kirkstall Forge station and the surrounding commercial development.
85. Within this context, it is considered that Phase 2 does provide an acceptable level of amenity for future residents in terms of privacy.
86. Having regard to private amenity space, the gardens / curtilages again follow closely the layouts and sizes of the 2017 and 2018 applications. As it was noted in those earlier applications there were some smaller gardens created to the rear of the top terrace to ensure that distances to the woodland trees and the gradients are reflective of the natural tree cover, vegetation and topography. As per the previous applications, this was in part also a consequence of the dwelling internal space sizes, which then met (emerging policy at the time) and still meet minimum space standards set out in adopted policy H9. The designs again very much follow the design statement and masterplan of the original Outline application. Consideration is also given with consistency of previous decisions in this respect and the approved fall back position.
87. As mentioned above, the dwellings are designed to meet space standards. Policy H9 requires new housing developments to comply with the Nationally Described Space Standards. The proposed house designs remain as broadly as previously

consented and are compliant with the space standards. In terms of the changes to the apartments we note the following:

Type	Description	Size	NDSS	Compliant?
Type A	1-bed studio	40sqm	39sqm	Yes
Type B	1-bed large	50sqm	50sqm	Yes
Type C	2-bed small	66sqm	61sqm	Yes
Type D	2-bed large	76sqm	70sqm	Yes
Type E	3-bed small	89sqm	74sqm	Yes
Type F	3-bed large	97sqm	95sqm	Yes

88. All units contained within the revised E2/E3 apartment blocks meet the requirements of M4(2) 'accessible and adaptable dwellings' of Part M Volume 1 of the Building Regulations with over 2% of the units being able to meet the wheelchair adaptable dwelling standard and all flats are also designed with level access (with access via lift to the upper floors) in line with policy H10.
89. Overall, for the reasons set out above, it is therefore concluded that Phase 2 will provide residential units of architectural merit and detail that meet internal space standards and in the context of delivering a high density urban form of development, the housing will provide a sufficient level of amenity in terms of their size in accordance with Saved UDP Policy GP5.

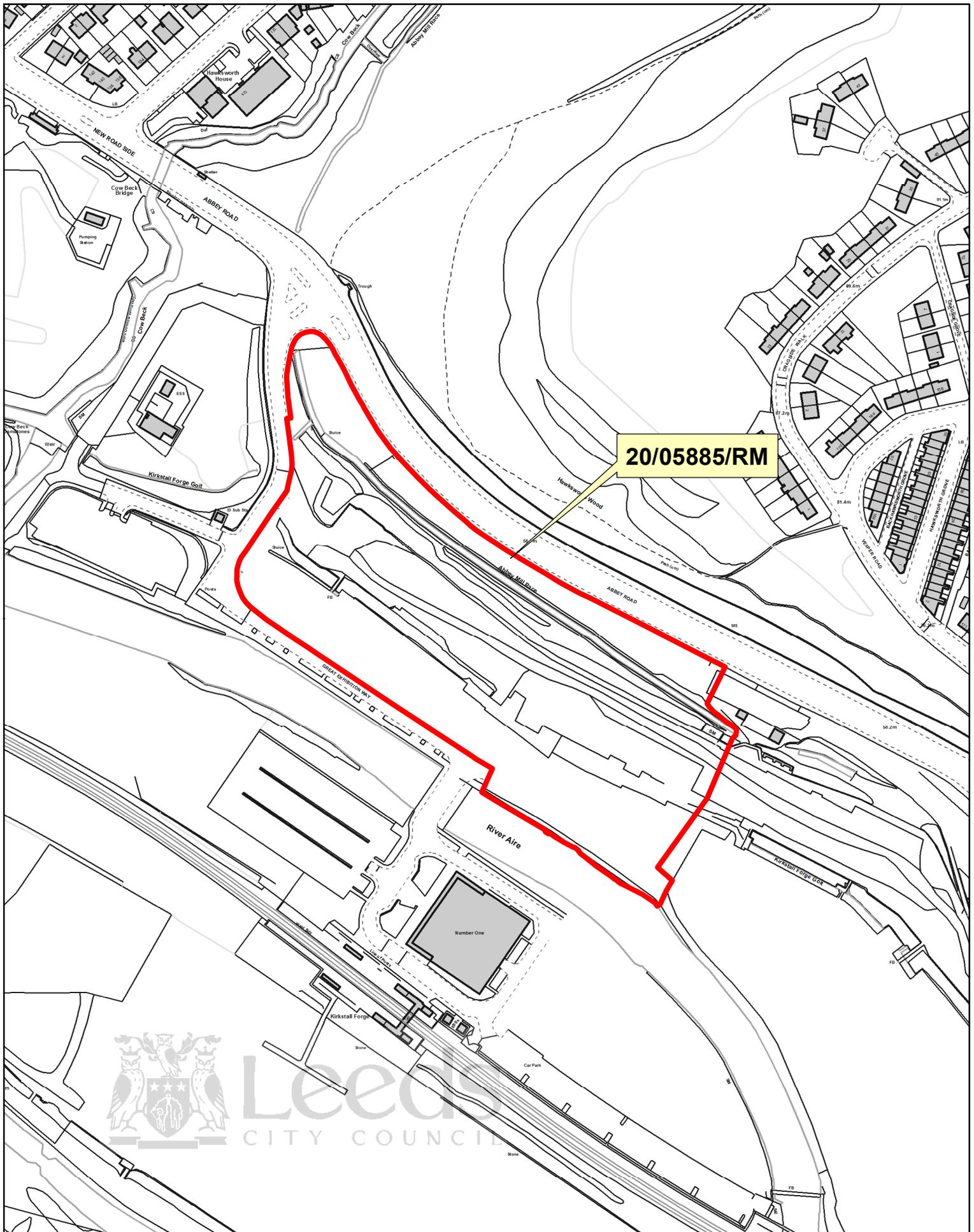
CONCLUSIONS:

90. The proposal provides for what is considered to be an updated and improved design arrangement to an established general set of parameters secured through previous Reserved Matters consents relating to the original Outline consent and Masterplan / place making of the wider Forge estate.

Background Papers:

Application and history files.

Certificate of ownership: Signed on behalf of the applicant.



SOUTH AND WEST PLANS PANEL



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Originator: Richard Smith

Tel: 0113 3788030

Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 28th January 2021

Subject: Application 19/01670/FU – Eleven houses, one block of four bungalows with staff facilities and one block of thirteen flats with one staff accommodation unit at Land off Cockshott Lane, Armley, Leeds

APPLICANT

MD Construction Ltd

DATE VALID

29.04.2019

TARGET DATE

31.08.2019 (previously agreed, expired extension of time)

Electoral Wards Affected:

Armley

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 the contents of this report on the proposal and to provide views in relation to the questions posed to aid the progression of the application.

INTRODUCTION:

1. The application is presented to South and West Plans Panel, upon the request of the Chair as it is a sensitive application which also has potential wider public benefits which warrant consideration by Members. This report is a Position Statement meaning that the application is not being reported for determination at this point in time. The purpose of this Position Statement is to inform Members of the proposal, to report on the progress of the application and to seek Members comments on key planning issues associated with this particular development.
2. The proposals are well advanced but some outstanding matters principally around tree protection, landscaping and future use of / access to (allocated) Greenspace and biodiversity net gain remain. It is considered that Members feedback on these matters would be beneficial prior to determination.

3. Furthermore the application has been discussed with Ward Members, Councillor McKenna and Councillor Cunningham who consider that the merits of the application would be best considered by Members at Plans Panel.

PROPOSAL:

4. The application proposed is hybrid in form for the development of eleven (private) new 3-bed houses (semi-detached / terraced) (plots 1-11) and two blocks of 'supported living' (assisted care) housing made up of 4 x 1-bed bungalows and 13 x 1-bed flats with a 1-bed staff flat (plots 12-28). This would form a development of 29 residential units in total.
5. It is understood that the full development would be built out by the applicant but the supported living element would then most likely be managed through a specialist company, Specialist Supported Living Ltd (SSL), who in working with Leeds Commissioners would take residents who can live as independently as possible, or in small group settings, but with a certain level of care in the form of on-site sporadic supervision by wardens 24/7, hence the need for warden / staff accommodation too on site.
6. SSL would expect to work with Aspire Community Benefit Society, a not-for-profit social enterprise (charitable status), which is based in LS12 and offer care and support services to those with learning disabilities. These residents can also often have a range of additional needs such as physical disability, sensory impairment or autism spectrum disorders. Aspire and SSL would likely work in partnership with a Registered Social Landlord (such as Care Housing Association and the Council's Learning Disability Care Management Teams) to deliver and provide accommodation.
7. The houses would be two storey in size, built in artificial stone under a tiled roof. The apartments (also proposed at two storey high) and the bungalows would be of the same material palette. Stone heads and cills and uPVC windows are proposed.
8. The development would be linked by a new access taken off Cockshott Lane linking all residential accommodation together off a single spine road with some shared surface areas. Parking spaces for 2 cars per private house and 18 spaces for the supported living blocks are proposed.
9. The built development is broadly contained within the front 2/3rd's of the overall applicant's red line site boundary, nearest to Cockshott Lane ('urban' area recognised within the Development Plan). The application, however, also involves the laying out, landscaping and 'reopening' up of an area of (private) greenspace (amenity space) to the bottom 1/3rd of the site. This area of greenspace is now under the ownership of the applicant. This would be reached / connected by two existing Public Right of Way connections linking Cockshott Lane with Armley Ridge Road and Cockshott Drive respectively.

SITE AND SURROUNDINGS:

10. The site can be said to be split into two parts; the front section (2/3rd's approximately) is that of the former Wyther Park Hotel (also lately called 'The Yorkshireman'), which was demolished in 2004. This front section also immediately behind the hotel contained a bowling green which can be seen on historic mapping up to at least 1938, but does not appear beyond 1950. This front section is now very overgrown, much of which is natural vegetation and self-seeded. The bottom 1/3rd

section contains a large electricity pylon and some former garages served off Cockshott Drive, which were built around the late 1950s. The garages have also since been demolished and this area has for a long time been abandoned and overgrown.

11. Therefore this is a brownfield site. Sized at just under 1 Hectare in size, it is recognised as undesignated urban land to the front (brownfield) section and designated greenspace to the rear (greenfield) section, recognised through the Unitary Development Plan Review and site ref. G753 in the Site Allocations Plan. The land gradually slopes down from west to east.
12. It is surrounded by residential development in the main supplemented with some small local shops / commercial units on Cockshott Lane itself either side of the site. This includes Wyther Park Post Office. The principle access has historically (to the original Public House) been taken off Cockshott Lane although are pedestrian linkages / 'claimed' rights of way (not definitive) that exist to the north-west boundary and two which connect off Cockshott Drive between no's 23 and 25 and no's 37 and 39. The latter appears to have been fenced / closed off although it is not clear whether this has been done formally. The surrounding residential development is two storey in height and a mixture of semi-detached and small rows of townhouses in general.
13. There are a number of trees on the site some of which are protected under Preservation Order 47/94. There is also a large electricity pylon set approximately at the line of the bottom third of the site. The connecting overhead wires mean that any proposed development is restricted by a 5m stand-off distance to this structure / route.

RELEVANT PLANNING HISTORY:

14. 07/03503/FU - Laying out of access road and erection of 27 two bedroom flats and 11 one bedroom flats in two three storey blocks and 6 two bedroom and 10 three bedroom houses, with car parking and landscaping. Finally Disposed Of - 05.11.2010 (*whole site*)
15. 24/524/04/FU - 64 flats in 4 three storey blocks. Withdrawn - 31.03.2005 (*front 2/3rds of site*)
16. 24/251/03/OT - Outline application to layout access and erect residential development. Approved - 27.08.2003 (*front 2/3rds of site*)
17. 24/371/95/OT - Outline application to erect dwelling house Refused – 05.02.96, Appeal Dismissed – 30.10.96 (*bottom third of the site*)
18. 24/88/95/FU - District shopping centre with 106 car parking spaces Refused - 16.05.1995, Appeal Dismissed – 16.07.96 (*front 2/3rds of site*)
19. 24/232/94/FU - District shopping centre with 90 car parking spaces Refused - 06.12.94, Appeal Dismissed – 16.07.96 (*front 2/3rds of site*)
20. 24/266/93/FU - Detached supermarket with 110 car parking spaces to rear of public house. Refused – 22.02.94 (*front 2/3rds of site*)

HISTORY OF NEGOTIATIONS:

21. A pre-application enquiry was submitted in October 2018 for a hybrid residential development comprising fifteen houses (private) and four bungalows and 12 flats (supported living). The final proposed scheme was set across the top 2/3rds of the site and was revised down from development covering the full site totalling 12 flats and 16 houses (private) and four bungalows and 12 flats (supported living).
22. Upon revision, which enabled the greenspace area to remain undeveloped, the scheme was considered acceptable to support in principle but should be subject to further development of a suitable relationship with existing surrounding residential properties and Preservation trees. The response also set out that compliance with the Street Design Guide as to the new access and road layout would be required. Also advised was that the area of greenspace be landscaped, made suitable and safe and ultimately re-opened up for public accessibility / recreation. Meeting space standards and levels of amenity including suitable spacing between properties was also outlined in the final response as requiring further consideration as part of the proposals.
23. During the course of the current application, the layout has been amended to provide an improved relationship to existing residential property. The elevations of the apartments have been reduced in size also from three storey down to two storey.

PUBLIC/LOCAL RESPONSE:

24. The application has been publicised by an initial site notice which was erected on the 29th May 2019 and which expired on 19th June 2019. Upon receipt of revised plans, the application was then re-advertised for a further 14 days on 16th July 2020, expiring on 6th August 2020. In addition, neighbours who made initial representations were sent notification letters of the revised plans on 30th June 2020. The application was also advertised in the Yorkshire Evening Post on 17th May 2019, which expired on 10th June 2019.
25. Eight letters of representation (six of which are objections) have been received from local residents. The following points have been raised as separated between the two rounds of publicity:

May 2019 – Feb 2020:

- Concerned the layout proposed / Public Right of Way would obstruct use of private garage
- Revised plans much better than previous ones / less impact upon existing residents
- Front of site suffering from severe fly tipping
- High boundary treatment should be avoided to prevent screening of drug taking
- 3 storey apartment block in massing and window design would be detrimental to surrounding neighbours' amenity
- Removal of trees and bushes fails to protect visual amenity and is detrimental to nature conservation on site including an owl and a woodpecker
- Traffic congestion / encouragement of further cut-through / speeding traffic along Gotts Park Avenue
- Local bus services infrequent (Cockshott Lane) or oversubscribed during peak times (Stanningley Road)
- Lack of shops in Armley to cater for incoming residents

- Suggested laying of hardstanding and use of area to rear of 23-25 Cockshott Drive for construction staff parking opposed

Nov 2020 onwards

- Laying of hardstanding, erection of portable cabins, portable loos etc. and use of area to rear of 23-25 Cockshott Drive for construction staff parking opposed on basis of obstruction to property, noise, heavy traffic and wear and tear, long term mis-use by others (e.g. motorcycles), invasion of privacy
- Construction traffic should be taken off Cockshott Lane

CONSULTATION RESPONSES:

26. Yorkshire Water (10/06/19) – No objections (subject to conditions).
27. Contaminated Land Team (13/05/19) – No objections (subject to conditions).
28. Environmental Studies Transport Strategy Team (Transport Noise) (03/05/19) – No objections.
29. Flood Risk Management (22/05/19) – No objections (subject to conditions).
30. Highways (05/11/20) – No objections (subject to conditions):
31. Local Plans / Policy Officer (28/10/20) – Supported Living element understood to be delivered by Registered Provider. These units should be retained in this affordable use in perpetuity through the s106. Remaining 11 houses (private) should provide 2 units (15%) for affordable occupation again through the s106. Greenspace being brought back to use welcomed. Management of this private space should be contained within the s106. Greenspace contribution for new units required. Mix of the private housing is not considered to varied enough.
32. Public Rights of Way (12/06/19) – Developer required to re-surface (tarmac) footpath behind Gotts Park Avenue properties
33. Sustainable Development Unit (Design Officer) (20/05/19) – Recommendations for revised scheme including lowering of massing to 3 storey apartment block.
34. Sustainable Development Unit (Landscape Officer) (07/12/20) – Absence of Arboricultural Impact Assessment and concern as to survival of trees under the Tree Preservation Order (in relation to Root Protection Areas). Greenspace could be improved in design.
35. Sustainable Development Unit (Nature Conservation Officer) (16/12/20) – Re-calculation of initial Biodiversity score required to inform biodiversity net-gain.
36. West Yorkshire Combined Authority (METRO) (04/09/2019) – Relocation of bus stop (no.12525 – Cockshott Lane) required. Sustainable travel measures could include funding of Resident MetroCard scheme.
37. West Yorkshire Police Architectural Liaison Officer (15/05/19) – No objections (subject to condition).

Notable level of crime within surrounding streets (56 offences in 12 month period) although mainly at Armley Ridge Road including burglary (13), theft (21), vehicle crime (6), criminal damage (7) and Anti-Social Behaviour (9). Advice given on

boundary treatment heights (balance between wider natural surveillance and private security), windows to aid surveillance of parking areas, bin storage, external lighting, door and window standards, intruder alarms, access systems, CCTV, mail delivery, management of private amenity space

PLANNING POLICIES:

38. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
39. The Development Plan for Leeds currently comprises the following documents:
1. The Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019)
 2. Saved Unitary Development Plan (UDPR) Policies (2006), included as Appendix 1 of the Core Strategy
 3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015)
 4. Any Neighbourhood Plan, once Adopted
 5. Aire Valley Area Action Plan (adopted 2017)
 6. Site Allocations Plan (adopted 2019)
40. Leeds Core Strategy (amended by the Core Strategy Selective Review 2019)

The adopted Core Strategy (as amended) sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant policies are set out in the paragraphs below:

Spatial Policy 1: Location of Development: prioritises the redevelopment of previously developed land within the Main Urban Area, taking advantage of existing services and high levels of accessibility.

Spatial Policy 4: Regeneration priority programme areas: The following Regeneration Priority Programme Areas identified on the Key Diagram will be given priority for regeneration funding and resources:

- East Leeds
- Aire Valley Leeds
- Leeds Bradford Corridor (incorporating West Leeds Gateway SPD)
- South Leeds.

Priority will be given to developments that improve housing quality, affordability and choice, improve access to employment and skills development, enhance green infrastructure and green space, upgrade the local business environment, and improve local facilities and services.

Spatial Policy 6: The Housing Requirement and Allocation of Housing Land: The provision of 70,000 (net) new dwellings will be accommodated between 2012 and 2028.

Delivery of 500 dwellings per annum (8,000 over the plan period) is anticipated on small and unidentified sites.

Guided by the Settlement Hierarchy, this policy outlines the measures used by the Council in consideration of sites for 66,000 gross house units:

- (i) Sustainable locations (which meet standards of public transport accessibility - see the Well Connected City chapter), supported by existing or access to new local facilities and services, (including Educational and Health Infrastructure),
- (ii) Preference for brownfield and regeneration sites,
- (iii) The least impact on Green Belt purposes,
- (iv) Opportunities to reinforce or enhance the distinctiveness of existing neighbourhoods and quality of life of local communities through the design and standard of new homes,
- (v) The need for realistic lead-in-times and build-out-rates for housing construction,
- (vi) The least negative and most positive impacts on green infrastructure, green corridors, green space and nature conservation,
- (vi) Generally avoiding or mitigating areas of flood risk.

Policy H2: New Housing Development on non-allocated sites: New housing development will be acceptable in principle on non-allocated land, providing that:

- (i) The number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development,
- (ii) For developments of 5 or more dwellings the location should accord with the Accessibility Standards in Table 2 of Appendix 3,
- (iii) Green Belt Policy is satisfied for sites in the Green Belt.

Policy H3: Density of Residential Development: Housing development in Leeds should meet or exceed the following net densities unless there are overriding reasons concerning townscape, character, design or highway capacity:

- (i) City Centre and fringe - 65 dwellings per hectare
 - (ii) Other urban areas - 40 dwellings per hectare
 - (iii) Fringe urban areas - 35 dwellings per hectare
 - (iv) Smaller Settlements - 30 dwellings per hectare
- Special consideration will be given to the prevailing character and appearance in Conservation Areas.

Policy H4: Housing Mix: residential developments to provide an appropriate mix of dwelling types and sizes to address long term needs.

Policy H5: Affordable Housing: the Council will seek affordable housing either on-site, off-site or financial contributions from all developments of new dwellings. Housing developments above a certain threshold should include a proportion of affordable housing to be normally provided on the development site.

This be based upon the following split:

- 40% affordable housing for Intermediate or equivalent affordable tenures
- 60% affordable housing for Social Rented or equivalent affordable tenures

Policy H8: Housing for Independent Living: the Council will seek contributions on schemes of over 50 units or more to make a contribution to supporting needs for Independent Living. Sheltered or other housing schemes aimed at elderly or disabled

residents should be located within easy walking distance of town or local centres or have good access to a range of local services.

Policy H9: Minimum Space Standards: to be adhered to for residential accommodation.

Policy H10: Accessible Housing Standards: accessible and adaptable housing to be provided. New build residential developments should include the following proportions of accessible dwellings:

- 30% of dwellings meet the requirements of M4(2) 'accessible and adaptable dwellings' of Part M Volume 1 of the Building Regulations.
- 2% of dwellings meet the requirement of M4(3) 'wheelchair user dwellings' of Part M volume 1 of the Building Regulations. Wheelchair user dwellings should meet the M4(3) wheelchair adaptable dwelling standard unless Leeds City Council is responsible for nominating a person to live in the dwelling.

Policy P10: Design: New development for buildings and spaces to be based on a thorough contextual analysis, deliver high quality innovative design that contributes positively towards place making and is accessible to all. Car parking, cycle, waste and recycling storage should be designed in a positive manner and be integral to the development.

Policy P12: Landscape: The character, quality and biodiversity of Leeds' townscapes and landscapes, including their historical and cultural significance, will be conserved and enhanced to protect their distinctiveness through stewardship and the planning process.

Policies T1: Transport Management and T2: Accessibility Requirements and New Development: New development will identify measures to ensure such development is adequately served by highways and public transport, and provides safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policy G3: Standards for Open Space, Sport and Recreation: The following open space standards will be used to determine the adequacy of existing supply and appropriate provision of new open space:

Type	Quantity (per 1000 people)	Accessibility	Quality*
Parks and gardens	1 Ha	720m	Good (7)
Outdoor sports provision	1.2 Ha (excludes education provision)	Tennis court 720m, bowling greens and grass playing pitches 3.2km, athletics tracks, synthetic pitches 6.4km	Good (7)
Amenity Green Space	0.45 Ha	480m	Good (7)
Children and Young People's equipped play facilities	2 facilities	720m	Good (7)
Allotments	0.24 Ha	960m	Good (7)
Natural Green Space	0.7 Ha – main urban areas and major settlements, 2 Ha other areas	720m and 2km from site of 20 Ha	Good (7)
City Centre open space (inc. civic space)	0.41 Ha	720m	Good (7)

Policy G4: New Greenspace Provision: requires on-site green space on a 'per residential unit' basis. Where this quantity of green space is unachievable on-site a financial contribution, or a combination of on-site and financial contribution for provision in lieu, should be sought.

Policy G6: Protection and redevelopment of existing green-space: Green space (including open space and pedestrian corridors in the City Centre) will be protected from development unless one of the following criteria is met: (i) There is an adequate supply of accessible green space/open space within the analysis area and the development site offers no potential for use as an alternative deficient open space type, as illustrated in the Leeds Open Space, Sport and Recreation Assessment, or, (ii) The green space/open space is replaced by an area of at least equal size, accessibility and quality in the same locality; or (iii) Where supported by evidence and in the delivery of wider planning benefits, redevelopment proposals demonstrate a clear relationship to improvements of existing green space quality in the same locality

Policy G8: Protection of important species and habitats: Development will not be permitted which would seriously harm, either directly or indirectly, any sites designated of national, regional or local importance for biodiversity or geological importance or which would cause any harm to internationally designated sites, or would cause harm to the population or conservation status of UK or West Yorkshire Biodiversity Action Plan (UK BAP and WY BAP) Priority species and habitats.

Policy G9: Biodiversity Improvements: requires an overall net gain for biodiversity commensurate with the scale of new development including new areas and opportunities for wildlife in the Leeds Habitat Network. There should be no significant adverse impact on the integrity and connectivity of the Network.

Policy EN1: Climate Change and Carbon Dioxide Reduction: Carbon Dioxide Reduction: sets out the sustainable construction and on-going sustainability measures for new development. It establishes targets for CO₂ reduction and requires at least 10% low or zero carbon energy production on site.

Policy EN2: Sustainable Design and Construction: requires developments of 1,000 sqm of non-residential development to be BREEAM 'excellent' and of more than 10 dwellings to meet a water use standard of 110 litres per person per day.

Policy EN4: District Heating: Hierarchical approach to connection to a district heating system.

Policy EN5: Managing Flood Risk: identifies requirements to manage flood risk.

Policy EN8: Electric Vehicle Charging Infrastructure: outlines the ratio of Electric Vehicle Charge Points (EVCP) required across different development uses / proposals.

Policy ID2: Planning Obligations and Developer Contributions: Section 106 planning obligations will be required as part of a planning permission where this is necessary, directly related to the development, and reasonably related in scale and kind in order to make a specific development acceptable.

The upper two thirds of the site, totalling 0.65 Hectares are not allocated for any specific land use in the Site Allocations Plan (SAP). The lower one third of the site is recognised in the SAP as Amenity Greenspace, ref. G753 forming a total of 0.34 Hectares.

The SAP was adopted in July 2019. Following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the green belt, has been remitted to the Secretary of State and is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight.

Background Paper – Greenspace (Submission Draft) May 2017: This Background Paper is intended to provide further explanation to the provision of green space in the SAP (CD1/1) and to be a tool to help direct resources for future provision when the opportunity arises. The paper contains updated information regarding quantity, quality and accessibility and a list of all sites proposed for designation as green space.

The implications of the site's partial recognition in the SAP (and the weight this is to be accorded in terms of decision-making) is considered in more detail as part of the analysis provided below.

43. Relevant Saved Policies from the UDPR

GP5 Requirement of Development Proposal

N1 Protection of Urban Greenspace

N25 Development and Site Boundaries

BD2 Design and Siting of New Buildings

BD3 Disabled Access - New Buildings

BD5 Amenity and New Buildings

LD1 Landscaping schemes

44. Leeds Natural Resources and Waste DPD 2013

The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like trees, minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Relevant policies include:

- Minerals 2 and 3 requires that within development sites, removal of sand and gravel (sites over 1 Ha) and coal extraction (all non-householder) respectively are considered in proposals
- Air 1 All major applications required to incorporate low emission measures
- Water 1 requires water efficiency, including incorporation of sustainable drainage
- Water 2 requires development to demonstrate surface water runoff controls for the lifetime of development including construction
- Water 7 Surface Water Run-off and incorporation of SUDs
- Land 1 Contaminated Land
- Land 2 Development and Trees requires development to conserve existing trees and introduce new planting

45. Supplementary Planning Guidance and Documents

Accessible Leeds SPD (2016): Guidance document is intended for use by developers, architects, design teams, and those applying for planning permission, to ensure an inclusive design approach is adopted

Designing for Community Safety: A Residential Design Guide (2007): This guide demonstrates how good design and good physical security can complement the environment and create safe, sustainable communities

Neighbourhoods for Living: A Guide for Residential Design in Leeds (December 2003, updated 2015) aims to provide further guidance on good design in residential schemes in Leeds. Neighbourhoods for Living is relevant to all residential development in Leeds and provides advice and principles for good residential design across the themes of use, movement, space and form. It promotes local character, analysis of landmarks, views and focal points, and quality buildings. It also states that the scale, massing and height of the proposed development should be considered in relation to its surroundings. It needs to respond well to that of adjoining buildings, the topography, the general pattern of heights in the area and views, vistas and landmarks. Buildings also need to be carefully positioned to relate to the spaces around them. The enclosure of the street, and the ratio of building height to the space, needs to be carefully considered in order to create the correct feel for that space and the people who will use it.

Parking SPD (2016): sets out parking guidelines across the City

Street Design Guide (2009): This is a key element to delivering high quality residential and mixed development environments in the City, and should be used in the context of other national and local planning or design guidance.

Sustainable Design and Construction SPD (Building for Tomorrow Today) (2011, updated 2020): Advocates the use of a range of measures to ensure that the best possible practices are used to ensure a sustainable environment is created.

Draft Transport SPD (2020): Amalgamating the Street Design Guide SPD, Parking SPD, Travel Plans SPD and Public Transport and Developer Contributions SPD, The Transport SPD is intended for use by developers, design teams and others, and seeks to stimulate innovative designs that are appropriate for the context, character and location of a site and can be used safely by the travelling public.

Additional Relevant Information

46. Leeds Open Space, Sport and Recreation Assessment (2011): This assessment of sport, open space and recreation needs and opportunities is presented in three parts:

- i) how greenspace is classified and the strategic position across Leeds
- ii) current provision, quality and accessibility, results from consultation exercise
- iii) implementation and how proposed quantity, accessibility standards and quality should inform future planning policy and development management decisions.

47. National Planning Policy Framework

The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) set out the national policies for England and how these are expected to be applied. One of the key principles running through the NPPF is a presumption in favour of Sustainable Development set out in three parts: Economic, Social and Environmental. In particular, the NPPF places emphasis on high-quality design and place-making.

Paragraph 59 of the NPPF directs Local Planning Authorities to apply a presumption in favour of sustainable development and that they should approve development

proposals that accord with an up-to-date development plan without delay. Correspondingly, development proposals should be refused consent where the adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole

The below sections of the NPPF are also considered to be relevant:

Section 2: Achieving Sustainable Development – planning system have three overarching objectives, namely economic, social and environmental and that decision makers should approve proposals that accord with an up-to-date development plan without delay.

Section 4: Decision-making – LPAs should approach decisions on proposed development positively and work with applicants to improve local economic, social and environmental objectives in the area. LPAs should consider whether to make development acceptable conditions or planning obligations (meeting relevant tests) can be used to address unacceptable impacts.

Section 5: Delivering a sufficient supply of homes – to support the Government’s objectives of significantly boosting the supply of homes.

Section 8: Promoting healthy and safe communities - Planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Section 9: Promoting Sustainable Transport – developments should give priority first to pedestrian and cycle movements and facilitate access to high quality public transport; address the needs of people with disabilities; create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles; avoid unnecessary street clutter; respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Section 11: Making effective use of land - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land

Section 12: Achieving well-designed places

Para 127: Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 14: Meeting the challenge of climate change, flooding and coastal change -

The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Section 15: Conserving and enhancing the natural environment - Planning policies and decisions should contribute to and enhance the natural and local environment.

CLIMATE EMERGENCY

- 48. The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making.
- 49. The NPPF makes clear at paragraph 148 and footnote 48 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
- 50. As part of the Council's Best Council Plan 2019/20 to 2020/21, the Council seeks to promote a less wasteful, low carbon economy. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.

51. **MAIN ISSUES:**

Given that a Position Statement is under consideration and the application is not at Plans Panel for determination at this time, only the key planning issues will be covered in order to focus discussion. The key planning considerations for the current proposal are considered to be:

- Principle of Development – Policy and Land Use;
- Housing Mix, Density, Affordable Housing
- Highway Matters and Accessibility;
- Layout, Scale, Design and Protection of Residential Amenity;
- Greenspace, Tree Protection and Landscaping;
- Nature Conservation.
- Other Matters

APPRAISAL:

Principle of Development – Policy and Land Use

52. The majority of the site that is the two thirds at the upper end from the Cockshott Lane side is unallocated previously developed land (former Wyther Park Hotel) set within a sustainable urban area (Armley) which affords good accessibility into both Leeds and Bradford (principally via frequent bus services along Stanningley Road (A647)) and centrally located in-between the three recognised Town Centres of Armley, Bramley and Kirkstall. The bottom third of the site is designated within the SAP as designated greenspace (amenity greenspace).
53. The development of housing proposed is considered to accord with the Development Plan in principle forming a residential development on an unallocated area of land set within a well-established sustainable residential community with good access to shops, services and public transport. The application is acceptable in respect of policy H2 where the number of dwellings (under 30 units in total) would not exceed transport capacity or educational and health infrastructure. The site also accords with the accessibility standards contained within Table 2 of Appendix 3 to the Core Strategy due to local shopping facilities (including the Wyther Park Post Office adjacent to the site) and good bus links on Stanningley Road.
54. The supported living accommodation would also provide specialist designed and managed housing further supporting community residents to live locally whilst having access to the level of care required to still live otherwise independently. This is an important social provision managed by local providers for the benefit of the community in LS12.
55. The re-use / enhancement / re-opening of the designated greenspace to the bottom third of the site is also considered to accord with the Development Plan further to its allocation with the SAP.

Housing Mix, Density, Affordable Housing

56. The 11 private houses are noted to all be 3-bed (5 person) units and the supported living is made of 1-bed units. As the latter is specialist housing, a broader 'mix' of unit types here within this part of the scheme is not possible. The addition, however, of the 3-bed dwellings on balance, is considered to provide a sufficient and suitable mix with reference to policy H4 in respect of single and family occupancy across the site. Whilst the provision of the 3-bed houses (38% of the total unit numbers) fits within the parameters of the preferred housing mix in policy H4, the 1-bed properties exceed the 50% intended target. This however is considered reasonable in the circumstances as accommodation for specialist care needs is largely required for individuals only.
57. The density provided on the unallocated urban site (upper two-thirds) which is sized at 0.65 Hectares would be constructed at a density of 45 dwellings per Hectare (dph). This meets the minimum guideline standards set out in policy H3 for the urban areas of 40 dph.
58. Affordable Housing at 15%, namely two units would be provided from the eleven private houses to be secured via a Section 106 Agreement. Arrangements to seek any expressions of interest from Registered Providers in taking on two of the units are being progressed but should interest not be forthcoming it is expected that a financial contribution to supplement this off-site would be undertaken instead and

secured within the s106 Agreement. The 'supported living' element / proposals, as secured for occupation by tenants of a Registered Social Landlord under the terms of the s106 Agreement / conditions, will not be expected to contribute to additional affordable housing provision.

Highway Matters and Accessibility

59. The Highways consultation response recognises the sustainable location of the development and accessibility to bus stops on Stanningley Road, Armley Ridge Road and indeed immediately outside of the site (to be relocated). The stops on Stanningley Road are 3-4mins walk and offer several different services to a regular frequency, generally every 10 minutes throughout the day. The relocated stop to Cockshott Lane would be coordinated with West Yorkshire Combined Authority further to their consultation response (through the Section 106 Agreement).
60. The original but redundant points of access either side of the former Public House footprint are no longer suitable to provide a new access from, which instead has been optimally positioned with available sight lines and proximity to other junctions off Cockshott Lane considered. This is acceptable to the Highways consultee and has helped inform the broad layout proposed in the submitted (revised) plans.
61. Although sight lines shown of 2.4m x 43m in both directions are acceptable there is potential for parking to overspill into Cockshott Lane around the kerb radii and therefore a Traffic Regulation Order will be required to protect against this (as controlled under condition).
62. Once within the site, the speed limit would be expected at 20mph and the use of ramps and tables and the road layout helps to slow traffic down whilst maintaining good levels of forward visibility for the benefit of pedestrians and drivers alike.
63. The proposed parking for the private houses at two curtilage spaces per dwelling is considered acceptable. These would be positioned at the rear of properties fronting Cockshott Lane reducing any new further crossings onto this route other than the principal site access point itself.
64. The supported living apartments are not expected to generate the same level of demand for parking. The 18 spaces provided equal 1 per unit and based on experience drawn from supported living schemes like this, the level of parking is considered sufficient. As this element of the scheme will be secured as supported living under condition / obligation with the expected residents not anticipated to be car owners / drivers, the parking will adequately cater for wardens, health practitioners visiting and other visitors (family, friends). Due to change over of staff, visitors etc, it is expected that any visitor parking for the private houses (2 spaces based on 1 per 5 units) can be incorporated within this area also. All car parking would be expected to be designed and connected to Electric Vehicle Charge Points under policy EN8.
65. The surfacing and landscape improvements to enable better access and use of the Public Rights of Way is supported. These have been underused in more recent years as the site become more unsafe / overgrown. However they offer good access between the principal routes of Cockshott Lane, Cockshott Drive and Armley Ridge Road opening up better pedestrian routes between buses, shops and leisure / greenspace opportunities (latter both on-site and off-site).

66. Cycle parking opportunities exist within the apartments although like with car usage this is not expected to be in high demand by the incoming residents. Communal areas and storage areas exist here and a condition will be provided to agree the exact details of these and any additional on-site facilities as space exists around both the apartment and bungalow blocks for long and short stay cycle parking. For the new dwellings, lockable and secure containers for two cycles are provided within the fenced curtilage within the rear of the properties. The provision of cycle parking is considered acceptable under Core Strategy policies T2 and P10 subject to the detail being secured by way condition as proposed by the Highways consultee.
67. Bin storage is contained within smaller secure stores at the point of the driveways / parking for the private houses. For the apartments and bungalows eight 1100l commercial wheeled bins are provided which is considered sufficient for the 18 units of supported living. These are also screened from wider views and secured at accessible positions in the layout for weekly collection.
68. Construction access to the site is expected to be taken from Cockshott Lane under conditions including the submission of a Construction Management Plan. This would serve as a practical step to allay and remedy local residents' concerns regarding the noise, dust, dirt and disturbance of amenity arising during the construction process. Some work by the applicant to carry out electrical cabling / connections between 23-23 Cockshott Drive did see a number residents raise concerns / queries as to whether this was related to the intended development. This did become a sensitive issue locally and Ward Members were contacted by residents. Compliance Services have liaised with the applicant and no further work is believed to have taken place within this vicinity.

Layout, Scale, Design and Protection of Residential Amenity

69. The layout has undergone a number of changes since both the original pre-application enquiry and validation of this application in 2019. Resultantly the number of residential units has been reduced to ensure the layout can provide suitable access including the geometry and positioning of the new internal road as designed further to the guidance of the Street Design Guide, suitable spacing between existing and proposed dwellings and sufficient amenity space for both private and shared areas.
70. The layout - positioning the majority of the private dwellings (plots 1-6) with their front elevations facing Cockshott Lane - will positively aid natural surveillance and promote increased sustainable pedestrian access to both bus stops and local shops. The design of these front units is considered to both reflect the existing surrounding context in both their scale and design / materials. They have been designed with gable ends and, whilst the commercial properties on Cockshott Lane either side of the site have hipped roof forms, many of the residential properties set around the site on this Cockshott Lane side are designed with gable ends.
71. They also contain render at first floor level and the use of render has been also shown at this level within the projection frontages of the new dwellings. These gable projections and the use of render reflect both the local context and also indeed much of the original character of the Public House that once stood on the site here. The materials, whilst still under discussion are expected would otherwise be of brick under a concrete tiled roof (controlled by condition).
72. The dwellings set more within the centre section of the development site (plots 07-11) would contain back gardens onto back gardens to the north-east and south-west

respectively. They also are positioned to aid natural surveillance of those coming and going through the new road layout. Their position containing side gable ends which sit opposite the rear habitable elevations of plots 1-6 are set at 23m apart; again well in excess of guidance in Neighbourhoods for Living SPG. Between these units 07-08 and 10-11 there is 25m between the front elevations, again well in excess of guidance. Equally their rear gardens set at between 12-15m deep will not additionally create any concerns with separation distances to the deep gardens of Gotts Park Avenue and Cockshott Drive.

73. The apartment block has been scaled down from 3 storeys to 2 storeys and does not overlook the gardens of dwellings on Gotts Park Avenue. However importantly it does provide good natural surveillance of the Public Right of Way to this side of the site. From the side of the gable end to the rear principal elevation of no.47 Gotts Park Avenue this totals approximately 26m in distance, well in excess of guidance set out in Neighbourhoods for Living.
74. The private amenity space of the new dwellings (plots 1-11) is varied in size to accommodate the requirements of road, separation distances and tree protection / landscaping design. Some of these units to the front of the site do not have deep rear gardens to the preferred guidance of Neighbourhoods for Living (circa 10.5m deep). They range from 5-7m deep but are also supplemented by some additional good sized provision to the front as well in being set from the road slightly. The range of garden sizes in relation to the 3-bed dwellings are considered sufficient when supplemented also with the direct access to the newly accessible greenspace within the bottom third of the wider site.
75. The general layout has been designed with good levels of natural surveillance of public realm, property and pedestrian / vehicular links through and adjacent to the site. The application would also have the positive role of providing a development to the site and further address the current anti-social and crime related activity (e.g. fly-tipping) that currently exists due to the lack of any human presence over such an expansive area. The exact treatment of boundaries with respect to design and height of fences will be controlled under condition in collaboration with West Yorkshire Police as consultee alongside other matters of crime prevention design such as detailed analysis of door and window locking systems.

Greenspace, Tree Protection and Landscaping

76. No significant physical development is proposed here on the bottom one-third of the wider site; only landscaping enhancement and improvements to Public Rights of Way. This is being developed in part through a Landscape Plan. This private area of greenspace totalling 0.34 Hectares, has for a number of years (prior to its purchase by the applicant), largely been unusable or inaccessible to the local community as a result of its condition / management. Therefore, this is a welcome opportunity to improve access to existing (private) provision in this dense built-up area and further safeguard existing residential amenity through better future management. This will assist in alleviating problems that have developed in more recent years of mis-use of the area (fly-tipping, anti-social behaviour, motor biking, drug dealing).
77. This enhancement is very much supported in principle in the context of CS policy G3 where a deficiency exists in Armley for the provision of many types of greenspace (4 of 6) (however notwithstanding that the existing classification as Amenity Greenspace isn't one of them). The Right of Way to the main route (behind Gotts Park Avenue) and its fork to 23-25 Cockshott Lane will be re-surfaced better

signposted / routed (under condition) and as suggested in the response from Rights of Way officers.

78. Given the improvements to surfacing / treatment of the existing recognised Public Rights of Way running through the site, this would open up / improve close links to the greenspace for a greater number of local residents within the accessibility standards set out in policy G3 (for amenity greenspace, 0.45 Hectares should be available to every 1000 people within 480m). However, one of the 4 'deficiency' types in Armley ward is the 'natural' greenspace as set out in the SAP Greenspace Background Paper (2017), therefore a more 'natural' design with planting amongst biodiversity improvements is considered equally appropriate and would not conflict with the use / nature of the current classification currently given as 'Amenity Greenspace'. The development of the 11 houses is expected to make a contribution to greenspace provision within the wider ward under policy G4 (the 'supported living' proposals are not expected to have wider impacts upon Ward provision that warrants improvement under policy G4).
79. **Members are requested to consider whether the Landscape Plan as drafted is appropriate in its design and characteristics and suitable in light of the above commentary?**
80. The site currently contains some trees under protection (TPO Order 47/94). The site has also become very overgrown and much self-seeded vegetation, bushes etc. have covered the site over time. Consequently with accessibility difficult it has not been easy to see clearly which of the TPO trees within the middle section of the site still exist today (behind where the former Public House was demolished - plans will be shown at Panel).
81. The survey details on the 1994 Order also do not seem to completely tie up with the more recent survey work undertaken. Notwithstanding this and given their position very central within the site which makes a development very difficult to design, TPO trees G1 (Sycamore and Elder) is intended to be removed. TPO trees T1 (Silver Birch), T2 (Rowan) and Group G2 (Sycamores) are not present on the site any more. Trees T3 and T4 (both Hawthorn), however, are intended to remain although it accepted their position close to parking and the apartment block respectively is closer than ideal. Trees lost through development would be replaced on a 3 for 1 basis (policy LAND2 of the Natural Waste & Resources DPD) to the side of the new access road upon arrival into the site and also within the Greenspace area.
82. However what is clear is that some of the much larger trees, in particular to the boundary behind the gardens of 13-21 Cockshott Drive (T5 – Sycamore, T6 – Poplar and G3 – Poplars) should remain in any layout given their presence, condition and contribution to local residential and visual amenity. These have been shown retained in the new layout which has been revised to better safeguard the trees and their Root Protection Areas. At the time of writing an Arboricultural Impact Assessment is expected, due before Plans Panel on the 28th January, and a verbal update is intended to be given to Members of whether the proposed development can be confidently supported in respect of tree protection. The Landscape Officer does until this point, have some reservations that the footprint of the bungalows within the layout may still be too close to these trees in this area.
83. **Subject to further verbal information from the conclusions of an Arboricultural Impact Assessment as being presented at Panel, Members views' on the layout and tree protection are requested. Can the layout be supported in its current form in this respect?**

Nature Conservation

84. The application has been accompanied by a Biodiversity appraisal of the site's existing quantified calculation with reference to Core Strategy policy G9. It is appreciated that some overgrowth, scrub and vegetation clearance within the site may lessen the site's biodiversity offer. However, it is felt that the greenspace could be focal point for improvements here as discussed above within the report.
85. At the time of writing, appraisal of this matter (including the exact calculation score of the present site) is ongoing with the Council's Nature Conservation Officer but it is considered that either on-site provision within the Greenspace area or more likely a combination of this alongside an off-site contribution elsewhere within the Ward can be expected.
86. **Subject to further verbal information from the conclusions of the Biodiversity Metric calculations as being presented at Panel, Members views on the biodiversity offer are requested. Are Members content with the proposals that the application in respect of biodiversity be supported in its current form?**

Other Matters

87. The application proposals have been considered against space standards set out in policy H9. The private houses, which total approximately 81m² are just so slightly under the 84m² advised for 3b4p households. Given that the gable ended roofspace would be capable of conversion itself (subject to usual Building Regulations) and could offer additional space such as that for storage, this minor shortfall is not considered on balance a concern particularly given the size of the remaining accommodation on site. This is made up of the apartments which at between 50-54m² and bungalows (51m²) for 1b1p occupation (based on the expected supported living model) are far in excess of the advised 37m² space standard. This already generous area of floorspace is also supplemented by communal space / meeting room facilities too for the additional benefit of all residents / staff.
88. The proposed supported living accommodation (apartments and bungalows) is designed with full accessibility in mind under policy H10 including wheelchair accessible sized rooms and lift facilities (for apartments) throughout.
89. The details of how the development can meet the requirements of policies EN1 and EN2 are being collated from the architect at the time of drafting this report and it is expected that this information will be summarised at the Plans Panel meeting. The plans do show the fabric of the development to be fitted with high performance security uPVC windows and doors.

CONCLUSIONS:

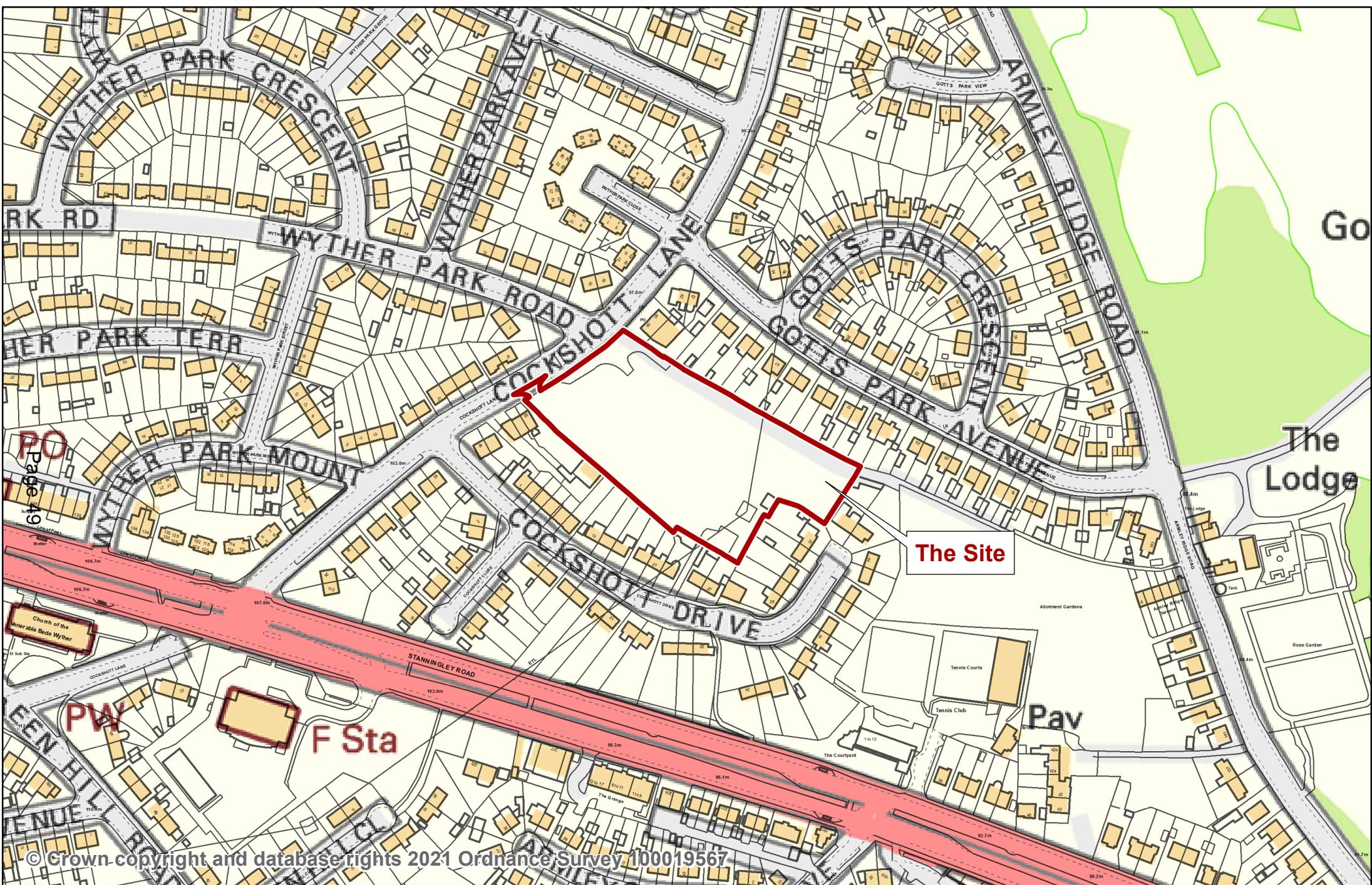
90. The proposed development and enhancement of the Greenspace area is considered to be well developed and will greatly promote sustainable development objectives within the NPPF relating particularly to social and environmental considerations. However, the detail around some aspects of the environmental considerations are more balanced ones with respect to tree protection and nature conservation impacts within the immediate site. Members' views on these matters is requested to proceed positively towards an eventual decision within the near future. The following questions / views of Members on these matters are therefore requested as follows:

- **Members are requested to consider whether the Landscape Plan as drafted is appropriate in its design and characteristics and suitable in light of the above commentary?**
- **Subject to further verbal information from the conclusions of an Arboricultural Impact Assessment as being presented at Panel, Members views on the layout and tree protection are requested. Can the layout be supported in its current form in this respect?**
- **Subject to further verbal information from the conclusions of the Biodiversity Metric calculations as being presented at Panel, Members views on the biodiversity offer are requested. Are Members content with the proposals that the application in respect of biodiversity be supported in its current form?**
- **Do Members wish to raise any other matters at this point in time?**

Background Papers:

Application and history files.

Certificate of ownership: Signed on behalf of the applicant.

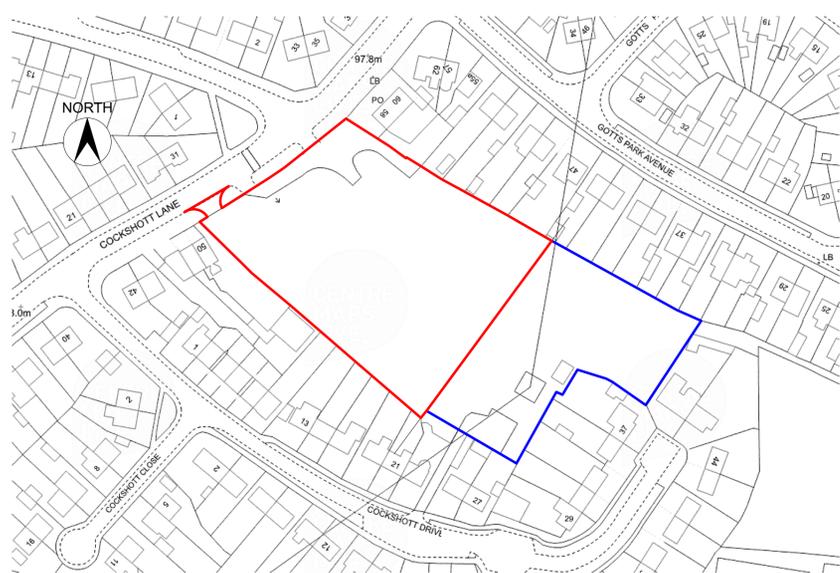


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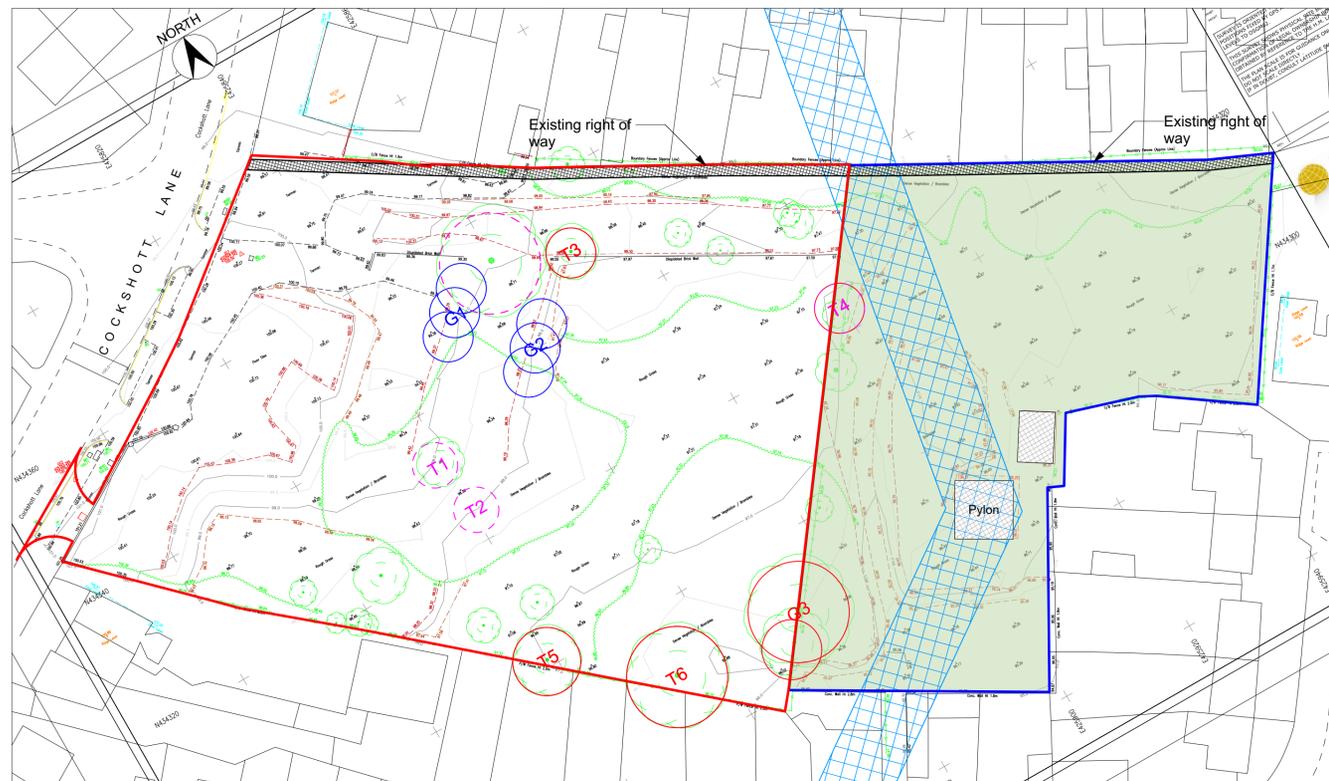
PLANS PANEL PRESENTATION

SCALE 1:2500





Site Location Plan
Scale 1:1000
Redline Area: 6517sqm/ 0.65Ha



Site Plan As Existing
Scale 1:500
Redline Area: 6517sqm/ 0.65Ha

AS EXISTING



Site Plan As Proposed
Scale 1:500

Surfaces

- Tarmac to Roads
- Grey Permeable Resin/ Brick Paviers
- Red Permeable Resin/ Brick Paviers
- 600 x 600mm Permeable Paving
- Unobstructed 900mm Pathway

Key to Trees

- Tree to be retained.
- Tree previously removed.
- Tree to be removed.
- Proposed tree.

Accommodation:
13 x 1 Bedroom Flats
1 x Staff Accommodation Unit
4 x 1 Bedroom Bungalows
11 x 3 Bedroom Houses

NOTES:
Any errors or omissions to be reported to Code L6 immediately.
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E	Bungalow position Amendments	22/12/20
D	Annotations amended	24/06/20
C	General amendments	22/06/20
B	General amendments	29/04/19
A	General amendments	15/04/19

Code L6 Architecture Ltd
31 Halifax Road Brighouse West Yorkshire HD6 2AA
T: 01484 714 870
E: codeL6@btinternet.com
W: www.CODEL6.com

Project:
Cockshott Lane
Leeds
LS12 2RG

Client:
MD Construction
Drawing:
Site Plan as Existing & Proposed and Location Plan
Date: 10/11/17 **Scale:** 1:1250/1:500 **Size:** A1

Drawing Number:
17-015-01E

AS PROPOSED