



PLANS PANEL (WEST)

Meeting to be held in Civic Hall, Leeds on
Thursday, 13th September, 2012
at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar	J Bentley	P Wadsworth	T Leadley
M Coulson		R Wood	
J Hardy			
J Harper (Chair)			
C Gruen			
C Towler			
J Walker			

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 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer 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 those 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</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which may 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 AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest in accordance with paragraphs 19-20 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence</p>	
6			<p>MINUTES - 16 AUGUST 2012</p> <p>To conform as a correct record, the minutes of the meeting held on 16 August 2012.</p>	3 - 6
7	Headingley		<p>APPLICATION 12/03264/FU - 3 SPRING ROAD, LEEDS, LS6 1AD</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the change of use of a former crisis centre to a 12 bedroom house in multiple occupation.</p>	7 - 14

Item No	Ward	Item Not Open		Page No
8	Weetwood		<p>APPLICATION 12/03473/FU - 35 CLAREMONT DRIVE, HEADINGLEY, LS6 4ED</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the change of use from a children's home to a 7 bedroom house in multiple occupation</p>	15 - 22
9	Otley and Yeadon		<p>PREAPP/12/00192 - RUMPLECROFT, OTLEY</p> <p>To receive and consider the attached report of the Chief Planning Officer for a pre-application presentation for a housing site.</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. There is no opportunity for public speaking about the proposals outlined in the presentation</i></p>	23 - 28
10	Adel and Wharfedale		<p>PREAPP/12/00835 - TILE LANE, ADEL</p> <p>To consider the attached report of the Chief Planning Officer regarding a pre-application presentation for a proposed replacement secure unit.</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. There is no opportunity for public speaking about the proposals outlined in the presentation</i></p>	29 - 34

Item No	Ward	Item Not Open		Page No
11	Kirkstall		<p>PRE-APPLICATION PRESENTATION - KIRKSTALL DISTRICT CENTRE, COMMERCIAL ROAD, KIRKSTALL</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a pre-application presentation for a proposed retail supermarket.</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. There is no opportunity for public speaking about the proposals outlined in the presentation</i></p>	35 - 40
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as 11 October at 1.30 p.m.</p>	

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To:

Members of Plans Panel (West)
Plus appropriate Ward Members and
Parish/Town Councils

Chief Executive's Department
Democratic Services
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Andy Booth
Tel: 0113 247 4325
Fax: 0113 395 1599
andy.booth@leeds.gov.uk
Your reference:
Our reference: ppw/sitevisit/
2011

Dear Councillor

PLANS PANEL (WEST) – SITE VISITS – THURSDAY, 13 SEPTEMBER 2012

Prior to the next meeting of Plans Panel West there will be site visits in respect of the following;

- 1 10.15 a.m. Pre-app presentation – Housing Site at Rumplecroft, Otley (if travelling independently meet at western entrance off Rumplecroft as shown on Plans Panel Agenda)
 - 2 10.55 a.m. Pre-app presentation – Proposed replacement secure unit, land off Tile Lane, Adel
- Return to Civic Hall at 11.45 a.m. approximately

A minibus will leave the Civic Hall at 9.50prompt. Please contact Steve Butler Area Planning Manager (West) Tel: (0113) 2243421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 9.45am

Yours sincerely

Andy Booth
Governance Officer

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PLANS PANEL (WEST)

THURSDAY, 16TH AUGUST, 2012

PRESENT: Councillor J Harper in the Chair

Councillors J Akhtar, M Coulson, J Hardy,
T Leadley, C Gruen, C Towler, J Walker,
J Bentley and R Wood

35 Declaration of Disclosable Pecuniary and Other Interests

Councillor J Akhtar declared an interest in Agenda Item No. 8 Application No. 12/01236/FU – Leeds Girls High School, Headingley Lane, Headingley having previously attended a meeting with the applicant

36 Apologies for Absence

Apologies for absence were submitted on behalf on Councillor P Wadsworth

37 Minutes

The minutes of the previous meetings held on 13th July and 26th July 2012 were submitted for comment and approval.

Referring to the meeting of 13th July 2012; Leeds Bradford International Airport Application, (The resolution to Minute No.24) and the paragraph beginning“ The works must be implemented within 3 months of the date of this resolution”. The Head of Planning Services commented that the proposed 3 month timescale for the delivery of the new access would be difficult to achieve given the procedures which need to be followed and a 6 month timescale was more realistic and requested Members agreement to this variation.

RESOLVED – That with the inclusion of the suggested amendment from 3 to 6 months the Minutes of the meetings held on 13th July and 26th July 2012 be accepted as a true and correct record

38 Application 12/02620/FU - Zetland Villas, 85 Long Row, Horsforth

The Chief Planning Officer submitted a report which set out details of an application for a single storey side extension to garage at Zetland Villas, 85 Long Row, Horsforth, Leeds, LS18 5AT.

It was reported that the application was brought before Members under the terms of the City Council's Officer/ Member delegation agreement, the applicant being a member of Planning Services staff

Officers reported that the application complied with Policies GP5, BD6 or N19 of the Leeds Unitary Development Plan (Review 2006). The development would not cause harm to the character or appearance of the original house, street scene, wider conservations area nor to residential amenity and, having regard to all other material considerations, it was considered that the proposal was acceptable.

Plans and photographs were displayed at the meeting

Members raised no objections to the proposal.

RESOLVED – That the application be approved subject to the conditions specified in the submitted report

39 Application 12/01236/FU - Leeds Girls High School, Headingley Lane, Headingley

The Chief Planning Officer submitted a report which set out details of an outline application for the laying out, scale and means of access for 46 dwellings and full application for conversion and extension of the former main school building and stable block to form 36 dwellings at the former Leeds Girls High School Site, Headingley Lane, Headingley, Leeds 6

Plans and photographs were displayed at the meeting.

Members were reminded that a position statement was brought to Panel in June 2012 which brought Members up to date with the contents of the latest and current application. The position statement outlined a series of matters which officers considered needed to be resolved for the development to be acceptable.

Officers highlighted the following issues in relation to the application:

- The decision of the Planning Inspector at appeal on the previous application that there were no planning reasons to refuse the application on UDP Policy N6 (protection of playing pitches) or PPG17 (protection of open space on health grounds)
- That the tennis courts had never been available for public use but that the development would deliver an area of public open space and a pedestrian route through the site
- New development to include 5% affordable housing in accordance with the current interim policy
- Scheme does not adversely impact on Supertram land which may be required for NGT route
- Section 106 package to include contributions to: children's play equipment, education, public transport infrastructure, travel plan measures and a bus stop contribution

Officers reported that the revisions to the layout and scheme had addressed the matters arising out of the June 2012 position statement and had built upon

the progress made since the previously refused application. The proposal was considered overall at worst to have a neutral effect upon the character and appearance of the conservation area and the setting of the listed building.

It was suggested that overall the proposal did comply with the relevant policies of the Development Plan, the proposed Section 106 package would meet a range of Council objectives and would comply with the CIL tests laid out. There were no other material considerations which outweighed this and therefore planning permission was recommended.

It was further reported that 16 letters of objection together with 4 letters making other representations had been received.

Councillor J Illingworth requested that a paper on health impacts be circulated at the meeting. Following consideration by the Panel it was resolved not to circulate the document but make it available to Members at the conclusion of the meeting.

Councillor J Illingworth addressed the meeting highlighting his concerns about the application which included:

- Issues around Public Health in view of the loss of the existing tennis courts
- Councillor Illingworth suggested that Public Health was now a material planning consideration following the introduction of the Health and Social Care Act 2012
- The application should be deferred to await information from the Director of Public Health
- Members should not make a decision on this application, which may “hamstring” the Panel’s decision on a future related application

The applicant’s representative; Mr Natkus, addressed the meeting responding to the issues raised by Councillor Illingworth:

- On the issue of the loss of the tennis courts, Mr Natkus suggested that there was currently 20 public available tennis courts within a two mile radius of the application site.
- The tennis courts at the former Leeds Girls High School site had never been available for public use
- The Health and Social Care Act 2012 would not achieve Councillor Illingworth’s objectives
- By approving the application this would achieve improved recreation facilities for the people of Leeds

In response to Members comments and questions, the following issues were raised:

- The former tennis courts had never been open to the public

- Section 106 monies should be used to buy vacant HMOs in the locality and bring them back into use for families
- Affordable housing should be on site
- Significant more detail of the application had been received and previous concerns had been addressed
- There had been significant progress to produce an acceptable scheme within the Conservation Area

A discussion ensued on the merits of affordable housing both on and off site provision recognising that if the off site option was pursued an acceptable mechanism would need to be put in place which guaranteed delivery and ongoing affordability

It was proposed by Councillor Bentley that further investigations of off site affordable housing be explored

RESOLVED –

- (i) That the proposal made by Councillor Bentley to explore further the provision of off site affordable housing be pursued

(Councillors Coulson, Wood and Leadley required it to be recorded that they voted against this decision)

- (ii) That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report and following the completion of a Section 106 Agreement within 3 months of the date of this Panel to cover: Affordable Housing (5% if built in accordance with timeframe of interim policy), On site greenspace, laying out and 10 year maintenance and off site contribution for equipped children's play provision (£35,551.42), Education contribution (£238,191.00), Public Transport Infrastructure contribution (£62,163.00), Travel planning measures and monitoring fee (£39,894.25 for metrocards and £100 per dwelling for green travel measures) and a bus stop contribution (£6,000.00)

40 Date and Time of Next Meeting

To note that the next meeting would take place on Thursday, 13th September 2012 at 1.30pm in the Civic Hall, Leeds



Originator: Terry Moran

Tel: 0113 3952110

1.

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 13th September 2012

Subject: APPLICATION 12/03264/FU – CHANGE OF USE OF FORMER CRISIS CENTRE TO 12 BED HMO AT 3 SPRING ROAD, LEEDS, LS6 1AD

APPLICANT

Lingard Bell – Mr S Rowley

DATE VALID

27 July 2012

TARGET DATE

21 September 2012

Electoral Wards Affected:

Headingley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

APPROVE SUBJECT TO THE FOLLOWING CONDITIONS.

1. Development to be commenced within 3 years
2. Development to be carried out in accordance with the approved plans.
3. Development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall be retained for the lifetime of the development.
4. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the National Planning Policy Framework, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, N19

Neighbourhoods for Living

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel at the request of Ward Councillor Martin Hamilton who has objected to the application on the grounds that it would have an unacceptable impact on local amenity and fail to comply with the Article 4 Direction which covers this area.

2.0 PROPOSAL:

- 2.1 The application is to change the use of a former Crisis Centre to a 12 bed House in Multiple Occupation (Class C4).
- 2.2 The application has been reduced in number since receipt, having originally proposed a total of 14 bedspaces.

3.0 SITE AND SURROUNDINGS:

- 4.1 The site comprises a three storey building of stone construction erected in the late Victorian era which is set back from the highway with compact gardens areas to three sides.
- 4.2 The site is within the Headingley Conservation Area and is of a scale and form typical to other stone built dwellings in the locality, retaining most of its original detailing including original stone heads and cills.
- 4.3 The site has no off-street parking.
- 4.4 The site is in a wholly residential area surrounded by mature properties which are typically set back from the highway with private gardens on all sides.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There have been no recent planning applications at this site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant discussed a proposal to convert the property to a 12 bed HMO verbally with Officers of the department in early 2012 and was advised that the scheme appeared broadly acceptable in principle subject to detailed plans being submitted.
- 5.2 The applicant was advised at pre-application stage that an Article 4 Direction preventing the conversion of single dwellings (C3) to HMOs (C4) was in place for this area but that Officers did not consider that such a change of use would constitute the loss of a property suitable for family accommodation.
- 5.3 The application was submitted to provide a total of 14 bedspaces. Discussions with the architect have since resulted in this figure being reduced to a maximum 12 bedspaces.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was publicised by Site Notice on 10th August 2012 and by letter to 20 adjacent properties.

- 6.2** Three letters of representation comprising a letter from Ward Councillor Martin Hamilton, a letter from Greg Mulholland MP and a letter from the Leeds HMO Lobby have been received. These are all objections to the proposal, on the grounds of highway safety, lack of off-street parking, impact on balanced communities noise, loss of privacy, unacceptable commercial development, potential increase in anti-social behaviour, impact on planting, noise and fumes.

7.0 CONSULTATIONS RESPONSES:

STATUTORY

- 7.1** None, due to the minor nature of the application.

NON-STATUTORY

- 7.2** Highway Authority – No objections subject to provision of cycle storage.

- 7.3** Neighbourhoods and Housing – No objection

8.0 PLANNING POLICIES:

DEVELOPMENT PLAN

- 8.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 8.2** The Development Plan for Leeds currently comprises the Regional Spatial Strategy For Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007. The most relevant policies in the adopted Leeds Unitary Development Plan are listed below:

UDPR POLICIES:

- 8.3** Policy GP5 – seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- 8.4** Policy T2 – this aims to avoid any undue impact on highway safety.
- 8.5** Policy N19 – this seeks to ensure that new development should preserve and enhance areas designated as Conservation Areas
- 8.6** Policy H4 – sets out the criteria for new housing on previously unallocated sites

REGIONAL PLANNING POLICIES:

- 8.7** It is not considered that the RSS has any policies of direct relevance to this application.

RELEVANT SUPPLEMENTARY GUIDANCE:

- 8.8** Supplementary Planning Guidance provides a more detailed explanation of how

strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:

- Neighbourhoods for Living

NATIONAL PLANNING POLICY:

- 8.9** The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF provides up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Planning System should have a role in " supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being" (NPPF paragraph 7).

EMERGING CORE STRATEGY:

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

9.0 MAIN ISSUES:

- It is the considered view that the main issues are:
 - Principle of use
 - Impact on neighbouring residential amenity
 - Amenity and living conditions for future residents
 - Parking provision
 - Area of Housing Mix

10.0 APPRAISAL:

PRINCIPLE OF USE

- 10.1** The application site is within walking distance of both of the Universities and is considered to offer a sustainable use of a neglected building which is in need of regeneration. The site lies within an existing residential settlement which is already served by existing infrastructure capable of serving a development of the scale proposed, with good public transport links and an established cross-city cycle route close by. The site lies within a sustainable location and the proposal is considered to comply with Policy H4 and the general principles of the NPPF in respect of

raising density and locating new housing within existing settlements. The proposal is therefore considered acceptable in principle subject to an assessment against all other normal development control considerations, and other Unitary Development Plan policies

IMPACT ON RESIDENTIAL AMENITY

- 10.2** The site has previously been used as a Crisis Centre (Class D1) by Leeds City Council. Such a use is likely to have generated significant comings and goings to the property with the potential for 24-hour callouts by staff on a frequent basis. The proposed conversion to a 12 bed HMO is considered to result in similar levels of activity to and from the site during the day but less so at anti-social hours as the use of the property will be residential rather than offering counselling or support. As such, it is considered that overall levels of activity will be on a par with, if not in fact less than previously and thus offer no undue increase impact on residential amenity.

AMENITY AND LIVING CONDITIONS FOR FUTURE RESIDENTS

- 10.3** The proposed conversion provides accommodation for up to 12 residents. Each room is provided with sufficient natural daylight and benefits from acceptable levels of privacy. As such, the accommodation is likely to be on a par with other accommodation available in the locality and is therefore considered acceptable on balance.

PARKING PROVISION

- 10.4** The site does not have any available off-street parking.
- 10.5** Councillor Martin Hamilton has expressed concerns that the proposed use is likely to generate an additional demand for parking which cannot be accommodated within the site, and recommends that measures should be agreed to mitigate this, such as a Residents' Only Parking Zone.
- 10.6** The Highways Officer has commented, however, that the site is in a highly sustainable location with easy access to frequent bus services and that there are no current waiting restrictions for on-street parking. As such, the imposition of conditions requiring the funding of measures such as a Residents' Only Parking Scheme would be unlikely to pass the tests of reasonableness or enforceability.

AREA OF HOUSING MIX

- 10.7** This policy states that within the area of housing mix planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:
- The stock of housing accommodation, including that available for family occupation, should not be unacceptably reduced in terms of quantity and variety;
 - There would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing housing similar accommodation;
 - The scale and character of the proposal should be compatible with the surrounding area;
 - Satisfactory provision should be made for car parking
 - The proposal should improve the quality or variety of the stock of student housing;

In response to the above points:

- The site was previously used as Crisis Centre (D1). As such, there will be no loss of existing housing accommodation;
- The previous use as a Crisis Centre involved 17 members of staff. It is considered that the levels of activity produced by 12 residents will therefore be on a par with or less than that generated by the previous use where it is acknowledged that there would have been frequent emergency call-outs and impromptu visits to and from the site by staff and callers. As such, the proposed impact on neighbouring residential amenity is considered acceptable on balance
- There are no external additions or extensions to the property. As such, the proposal has no impact on the existing scale or character.
- Although the site has no dedicated off-street parking, the site is considered to be in a highly sustainable location with no current waiting or parking restrictions in place. As such, the proposal is considered acceptable on balance with regard to parking provision.
- The proposed bedrooms within the HMO and the associated living space would have adequate levels of light and are of a reasonable size. The scheme is thus considered to comply with this element of the policy.

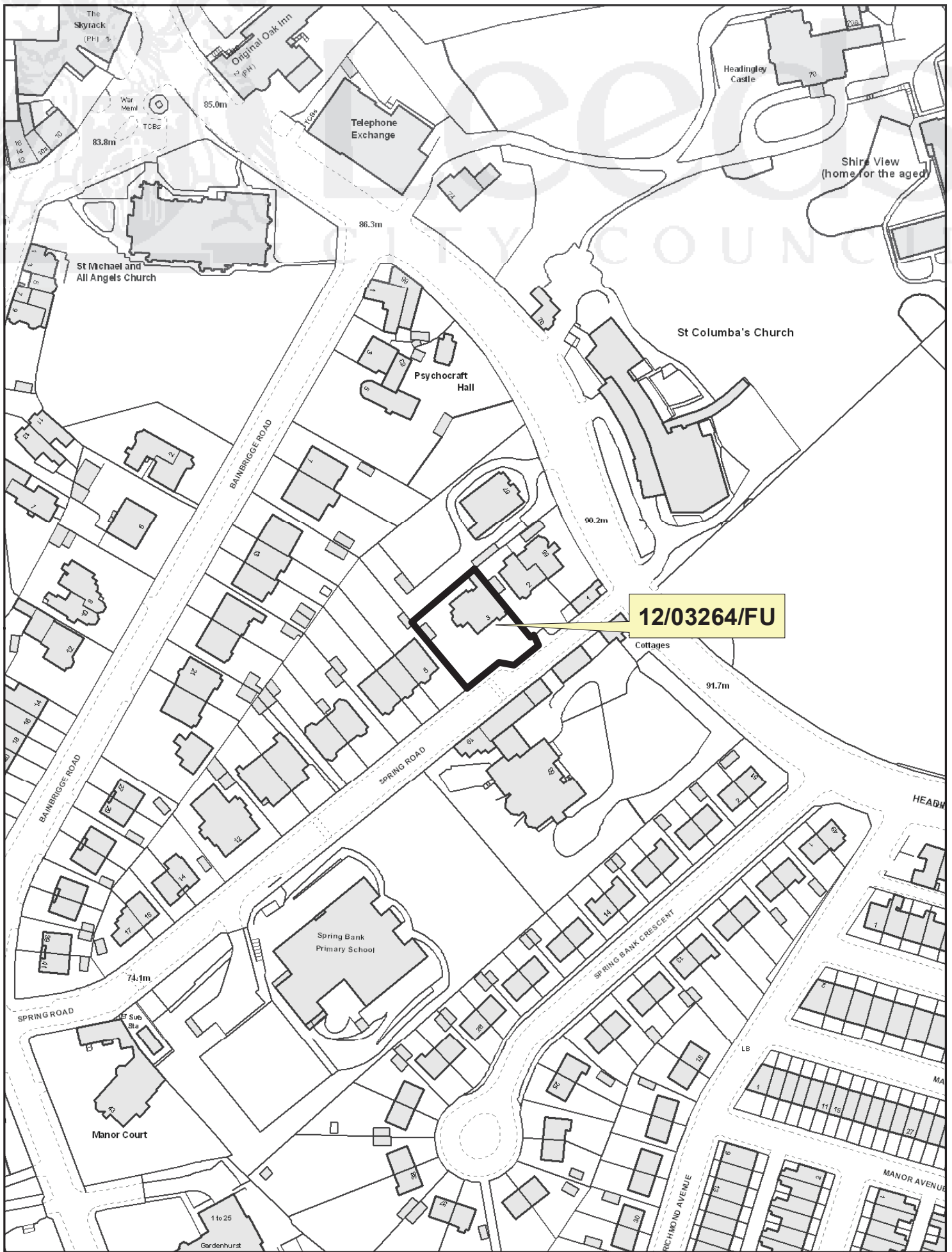
11.0 CONCLUSION:

- 11.1** On balance, the proposed change of use of this property to a 12 bed HMO is considered acceptable. It is therefore considered that the proposal will prove beneficial through the bringing back into use of a vacant property, and that the scale of shared housing within the scheme is such as to not result in any undue harm. Members are therefore recommended to approve the scheme subject to the conditions set out at the head of this report.

Background Papers:

Application and history files.

Certificate of Ownership.



12/03264/FU

WEST PLANS PANEL

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Originator: Terry Moran

Tel: 0113 3952110

1.

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 13th September 2012

Subject: APPLICATION 12/03473/FU – CHANGE OF USE OF FORMER CHILDREN'S HOME TO 7 BED HMO AT 35 CLAREMONT DRIVE, LEEDS, LS6 4ED

APPLICANT

Mr Jonathan Hall

DATE VALID

10 August 2012

TARGET DATE

05 October 2012

Electoral Wards Affected:

Weetwood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE approval to the Chief Planning Officer subject to the conditions specified and subject to no further representations raising new material planning considerations being received prior to the expiry of the publicity period (14th September 2012)

1. Development to be commenced within 3 years
2. Development to be carried out in accordance with the approved plans.
3. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the National Planning Policy Framework, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, H15, N19
Neighbourhoods for Living

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel at the request of Ward Councillor Sue Bentley who has objected to the application on the grounds that it would have an unacceptable impact on local amenity and result in an unacceptable loss of a property suitable for family occupation.

2.0 PROPOSAL:

- 2.1 The application is to change the use of a former Children's Home to a 7 bed House in Multiple Occupation. No external alterations are proposed.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site comprises a three storey building of red brick construction which is set in a substantial plot with lush vegetation on three sides. The site has two entrances, with a rear car park accessed from Claremont Road. The site is within the Headingley Conservation Area and is of a similar scale to other properties in the locality but differs significantly in terms of materials where the dominant form is of stone and slate. The site has a car park with room for approximately four vehicles off-street.
- 3.2 Properties within the immediate locality are typically larger residential houses, and appear to be predominantly single family houses with relatively spacious gardens.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There have been no recent planning applications at this site.
- 4.2 A 2009 refusal at 88 Victoria Road in Headingley for change of use of a former Care Home to 12 bedroom HMO was allowed at Appeal, with the Inspector stating that the size and existing nature of the property was such as to not reasonably lend itself to occupancy as a single family dwelling. The inspector also noted the length of time the property had been on the market without selling. Application 09/02308/FU refers.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 There have been no pre-application discussions with regard to this site.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was publicised by Site Notice on 24th August 2012.
- 6.2 Six letters of representation including a letter from Ward Councillor Sue Bentley and the Leeds HMO Lobby have been received. These are all objections to the proposal, on the grounds of the loss of a property suitable for family housing, highway safety, lack of off-street parking, impact on balanced communities and potential increase in anti-social behaviour.

7.0 CONSULTATIONS RESPONSES:

STATUTORY

- 7.1 None, due to the minor nature of the application.

NON-STATUTORY

7.2 Highway Authority – Comments will be provided to the Plans Panel at the meeting.

7.3 Neighbourhoods and Housing – No objection

8.0 PLANNING POLICIES:

DEVELOPMENT PLAN

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 The Development Plan for Leeds currently comprises the Regional Spatial Strategy For Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007. The most relevant policies in the adopted Leeds Unitary Development Plan are listed below:

UDPR POLICIES:

8.3 Policy GP5 – seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

8.4 Policy T2 – this aims to avoid any undue impact on highway safety.

8.5 Policy N19 – this seeks to ensure that new development should preserve and enhance areas designated as Conservation Areas

8.6 Policy H15 – this refers to the Area of Housing Mix and sets out a range of criteria aimed at promoting mixed communities

REGIONAL PLANNING POLICIES:

8.7 It is not considered that the RSS has any policies of direct relevance to this application.

RELEVANT SUPPLEMENTARY GUIDANCE:

8.8 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:

- Neighbourhoods for Living

NATIONAL PLANNING POLICY:

8.9 The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF provides up to date national

policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Planning System should have a role in " supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being" (NPPF paragraph 7).

EMERGING CORE STRATEGY:

- 8.10** The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.
- 8.11** Paragraph 5.2.22b of this document states that the factors to consider when appraising the suitability of a building for HMO use are that account should be had to the size of the dwelling, the amount of garden and private amenity space available, the location of the property and any prolonged period of vacancy.
- 8.12** Draft Core Strategy Policy H6 refers to development proposals for the creation of new HMO's it refers to 5 criteria that should be considered when assessing planning applications;
- i) To ensure that a sufficient supply of HMOs is maintained in Leeds ,
 - ii) To ensure that HMOs are distributed in areas well connected to employment and educational destinations associated with HMO occupants,
 - iii) To avoid detrimental impacts through high concentrations of HMOs, which would undermine the balance and health of communities.
 - iv) To ensure that proposals for new HMOs address relevant amenity and parking concerns.
 - v) To avoid the loss of existing housing suitable for family occupation in areas of existing high concentrations of HMOs.

9.0 MAIN ISSUES:

- It is the considered view that the main issues are:
- Principle of use
- Impact on neighbouring residential amenity
- Amenity and living conditions for future residents
- Parking provision
- Area of Housing Mix

10.0 APPRAISAL:

PRINCIPLE OF USE

- 10.1** The application site is within walking distance of both of the Universities and is considered to offer a sustainable use of a vacant building which is in need of re-use. The site lies within an existing residential settlement which is already served by existing infrastructure capable of serving a development of the scale proposed. The proposal is not considered to result in the loss of a building suitable for occupation by a family due mainly to its large size.

IMPACT ON RESIDENTIAL AMENITY

- 10.2** The site has previously been used as a Children's Care Home which falls within the C2 Use Class. Such a use is likely to have generated significant comings and goings to the property with the potential for 24-hour callouts by staff on a frequent basis. The proposed conversion to a 7 bed HMO is considered to result in similar levels of activity to and from the site during the day but less so at anti-social hours as the use of the property will be purely residential rather than offering counselling or support. As such, it is considered that overall levels of activity will be on a par with, if not in fact less than previously and thus offer no undue increase impact on residential amenity.

AMENITY AND LIVING CONDITIONS FOR FUTURE RESIDENTS

- 10.3** The proposed conversion provides accommodation for up to 7 residents. Each room is relatively well-lit, affording acceptable levels of privacy. As such, the accommodation is likely to be on a par with that available in the locality and therefore acceptable on balance. No new windows or external alterations are proposed as such it is not envisaged the proposal will result in any changes to the outlook, privacy and amenity of neighbouring residents.

PARKING PROVISION

- 10.4** The site has space for four vehicles to be parked off-street. The Highways Officer has not yet commented on the proposal however, but Officers consider that the site is in a highly sustainable location with easy access to frequent bus services and that there are no current waiting restrictions for on-street parking. As such, the proposal is considered acceptable with regard to parking provision.

AREA OF HOUSING MIX

- 10.5** This policy states that within the area of housing mix planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:
- The stock of housing accommodation, including that available for family occupation, should not be unacceptably reduced in terms of quantity and variety;
 - There would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing housing similar accommodation;
 - The scale and character of the proposal should be compatible with the surrounding area;
 - Satisfactory provision should be made for car parking
 - The proposal should improve the quality or variety of the stock of student housing;

In response to the above points:

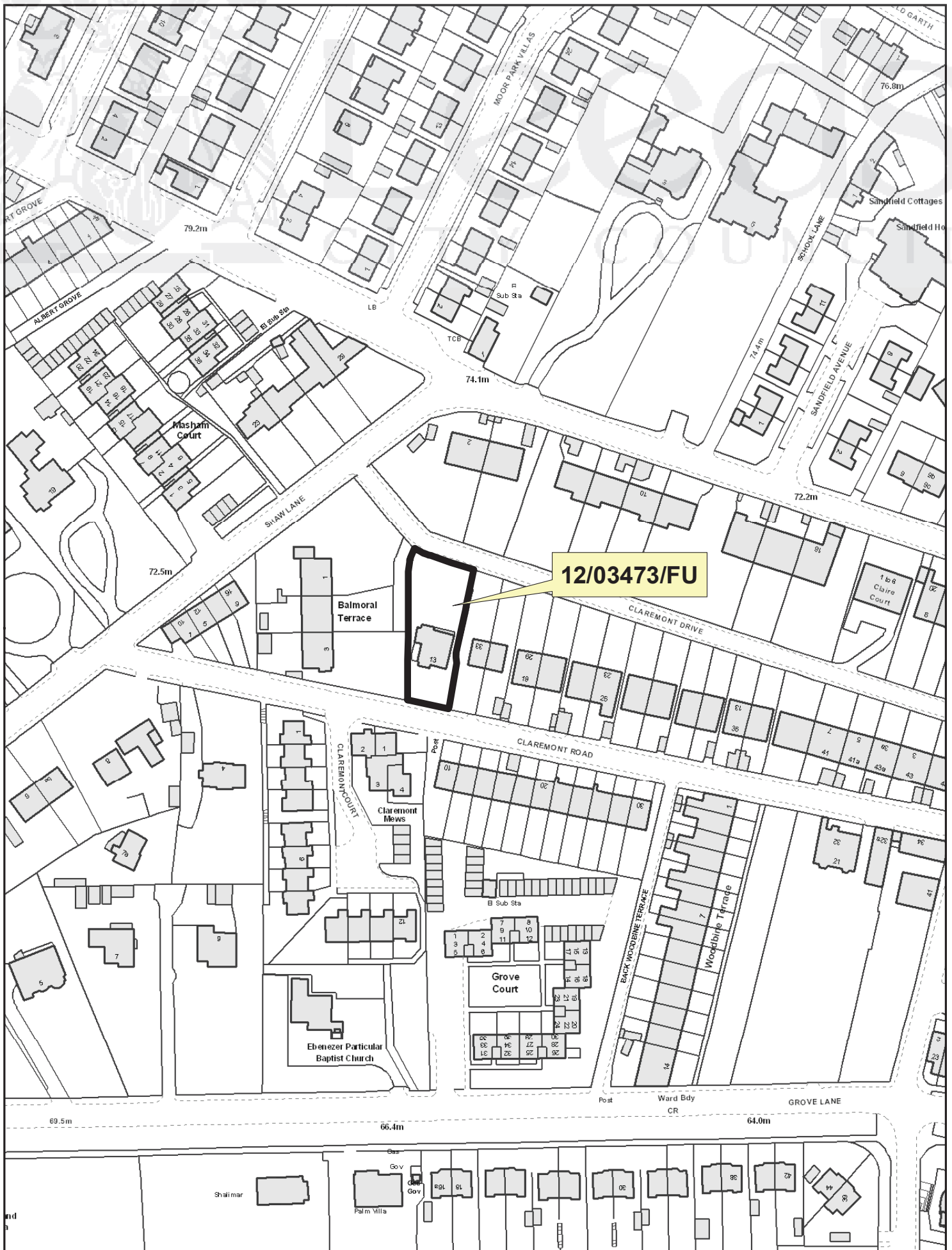
- The site was previously used as a Children’s Home (C Use Class). Although such a use may appear on face value to be a residential use, the definition of C2 is very different from a C3 use, being defined as a use for the provision of residential accommodation and care to people in need. As such, there will be no loss of existing family housing accommodation;
- It is considered that the levels of activity produced by 7 residents will be on a par with that previously generated by the use of the building as a Children’s Home where it is acknowledged that there would have been occasional call-outs and impromptu visits to and from the site by staff and callers.
- There are no external additions or extensions to the property. As such, the proposal has no impact on the existing scale or character.
- The site has 4 dedicated off-street parking spaces, with the site considered to be in a highly sustainable location with no current waiting or parking restrictions in place. As such, the proposal is considered acceptable on balance with regard to parking provision.
- The proposed bedrooms within the HMO and the associated living space would have adequate levels of light and are of a reasonable size. The scheme is thus considered to comply with this element of the policy.

11.0 CONCLUSION:

- 11.1** On balance, the proposed change of use of this property to a 7 bed HMO is considered acceptable. The site is located in an area with a low number of HMO’s and as such will contribute to a mix of accommodation which can help create balanced communities. It is therefore considered that the proposal will prove beneficial through the bringing back into use of a vacant property in the Conservation Area, and that the scale of shared housing within the scheme is such as to not result in any undue harm. Members are therefore recommended to approve the scheme subject to the conditions set out at the head of this report.

Background Papers:

Application and history files.
Certificate of Ownership.



WEST PLANS PANEL



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Originator: Tony Clegg

Tel: 0113 2478020

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 13th September 2012

Subject: PRE-APPLICATION PRESENTATION – HOUSING SITE AT RUMPLECROFT, OTLEY (PREAPP/12/00192)

APPLICANT	DATE VALID	TARGET DATE
Taylor Wimpey		

Electoral Wards Affected:

Otley and Rawdon

No Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

MEMBERS ARE ASKED TO CONSIDER THE ISSUES RAISED IN THIS REPORT AND THE DEVELOPER'S PRESENTATION AND COMMENT ON THE VARIOUS ISSUES AND OPTIONS IN CONNECTION WITH BRINGING THIS SITE FORWARD FOR HOUSING DEVELOPMENT

1.0 INTRODUCTION:

- 1.1 Pre-application discussions are underway as a precursor to a planning application being lodged for housing development on this site, which is a Phase 3 allocated housing site in the Leeds Unitary Development Plan Review 2006. Initial appraisals have established that the site, which is a steeply sloping Greenfield site, presents a number of challenges to successful development. This matter is therefore brought to the Plans Panel to establish Member's views on how the site might be developed.

2.0 PROPOSAL:

- 2.1 The applicant will present a number of alternative layouts showing housing development of this site.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site comprises a 4.9 HA area of land on the northern edge of the built up area of Otley. The site is currently Greenfield and used for grazing. It is also steeply sloping up from south to north. The site is bounded to the east by the rear gardens of houses on St David's Road, to the south by the rear gardens of Meagill Rise, and to the west and north by open farmland. There are a number of trees along the southern boundary.

4.0 PLANNING HISTORY:

- 4.1 29/92/98/OT – Outline application for residential development. Refused on grounds that

The Local Planning Authority considers that the proposal to develop this greenfield site for residential purposes is unacceptable in that it would prejudice the ongoing re-use of previously developed land in Leeds and the consequent benefits for regeneration. Previously developed land is available which would make development of this greenfield land unnecessary and the potential to provide affordable housing is not so significant as to outweigh the presumption against greenfield development. As such the proposal would be contrary to the advice given in PPG3 - Housing.

5.0 PLANNING POLICIES:

DEVELOPMENT PLAN

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The Development Plan for Leeds currently comprises the Regional Spatial Strategy For Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007.

Unitary Development Plan Review

- 5.3 The most relevant policies in the adopted Leeds UDPR are listed below:

- *Under Policy H3-3A.21, 4.9 ha of land is allocated for housing at Rumplecroft, Otley, subject to:
NO ACCESS FROM ST DAVID'S ROAD;
SATISFACTORY TRAFFIC MANAGEMENT ON SURROUNDING
NARROW ROADS, INCLUDING PROVISION OF OFF-STREET
PARKING.*

The site abuts the Green Belt and the requirements of Policy N24 will apply. Development should address the traffic issues in the adjacent residential streets and is dependent upon the provision of satisfactory access.

- SA1 Securing the highest environmental quality.
- SP3: New development should be concentrated within or adjoining the main urban areas and should be well served by public transport.

- GP5: General planning considerations.
- GP7: Guides the use of planning obligations.
- GP9: Promotes community involvement during the pre-application stages.
- BD5: Consideration to be given to amenity in design of new buildings.
- H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy.
- H3: Delivery of housing land release.
- H11, H12 and H13 Affordable Housing.
- LD1: Criteria for landscape design.
- N2 and N4: Provision of green space in relation to new residential developments.
- N12: Development proposals to respect fundamental priorities for urban design.
- N13: Building design to be of high quality and have regard to the character and appearance of their surroundings.
- N23: Incidental open space around new built development.
- N24: where development proposals about the green belt, green corridors or other open land, their assimilation into the landscape must be achieved as part of the scheme. Transition planting may be outside but adjoining the site provided that the applicant has control over the land and the LPA is satisfied that the planting will be retained in the longer term.
- T2: Seeks to ensure that developments will not create or materially add to problems of safety, environment or efficiency on the highway network.
- T15: Improving vehicle accessibility.
- T24: Requires parking provision to reflect detailed guidelines.

Regional Spatial Strategy

- 5.4 It is not considered that this site raises any issues of regional significance or that the RSS has any policies of direct relevance to this application.

Emerging Core Strategy:

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

SUPPLEMENTARY PLANNING GUIDANCE

- 5.6 The following guidance is considered relevant:
- SPG3: Affordable Housing;
 - SPG4: Greenspace Relating to New Housing Development;
 - SPG11:Section 106 Contributions for School Provision;
 - SPG13: Neighbourhoods for Living;
 - SPD Public transport improvements and developer contributions;
 - Street Design Guide SPD, and
 - Travel Plans SPD (Draft).

GOVERNMENT GUIDANCE

- 5.7 The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF sets out up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

6.0 MAIN ISSUES

- Principle of housing development
- Means of access
- Design and layout

7.0 APPRAISAL

PRINCIPLE OF HOUSING DEVELOPMENT

- 7.1 The site is an allocated Greenfield housing site (Phase 3) of 4.9HA with an expectation within the UDPR that it would be developed between 2012-16 and deliver circa 135 dwellings. Members will be aware that the Council attempted unsuccessfully to defend at appeal a number of refusals of applications for housing on Phase 2 and Phase 3 Greenfield UDPR sites (although this was not one of those appeal sites). On each occasion, the Inspector considered that the 5-year supply of available housing land in the Leeds area fell demonstrably short and that the release of the site would not have any marked effect on regeneration prospects. Substantial costs were awarded against the Council in respect of these appeals and the Council's Executive Board subsequently resolved that it would not seek to resist development of Phase 2 and 3 Greenfield sites as a matter of principle. Officers are therefore of the view that the development of this site for housing is acceptable in principle although there are significant matters of detail to resolve. The Panel is asked to note that this site is required to deliver 35% affordable housing under the Interim Affordable Housing Policy.

The Panel is asked to confirm that the principle of developing this site for housing is acceptable.

MEANS OF ACCESS

- 7.2 Following consideration of a number of layouts and access road configurations it appears that it is not possible to achieve a loop arrangement from a single point of access from Meagill Rise due to gradient constraints. In view of this it would not be appropriate to develop the site from a single point of access as the length of cul-de-sac created would exceed the recommended maximum of 200m by a significant distance. Exploratory layout drawings have placed the plot furthest from Meagill Rise at well over 500m from the junction. Existing houses and third party ownership prevent any opportunity for a second point of access from any other frontage aside from St David's Road.

- 7.3 The UDP Inspector's comments say that "at least two accesses will be required to the site probably from Meagill Rise and Weston Ridge as St David's Rise [sic]

would be too narrow....In both cases third party land may be required to provide connections and visibility splays." The reference to Weston Ridge by the Inspector is puzzling as there doesn't appear to be anywhere to create an access, even using third party land. The Inspector also refers to "a turning head at the end of Rumpolecroft" being needed. The latter is a steeply sloping track, and would not seem suitable as a means of access to the site.

- 7.4 Despite the Inspector's comments about St David's Road being 'too narrow' it is considered necessary to consider it as a secondary access to the site as it may present the only feasible way of developing the site. In addition to potentially solving the access problem to the housing site a link though would provide an alternative access for existing users of St David's Road, which itself is an excessively long cul-de-sac under current standards.
- 7.5 If a second access via St David's Road is to be pursued despite the wording of the UDPR policy the highway safety implications will need to be fully revisited. The St David's Road estate currently serves just under 300 houses from a single point of access on a loop arrangement, the Street Design Guide recommends that two points of access are preferred for estates serving between 200 and 300 properties and that two points of access must be provided for estates serving more than 300 properties. If a route through the site linking Meagill Rise with St David's Road is pursued consideration will need to be given to the amount of traffic likely to access the site through St David's Road, the suitability of the junction leading from the short cul-de-sac and the route traffic would take to navigate through the estate.
- 7.6 **Notwithstanding the UDP policy stating no access from St David's Road, the Panel is requested to consider whether this approach should nonetheless be seriously considered as seemingly the only viable way to access the site under current highway safety requirements.**

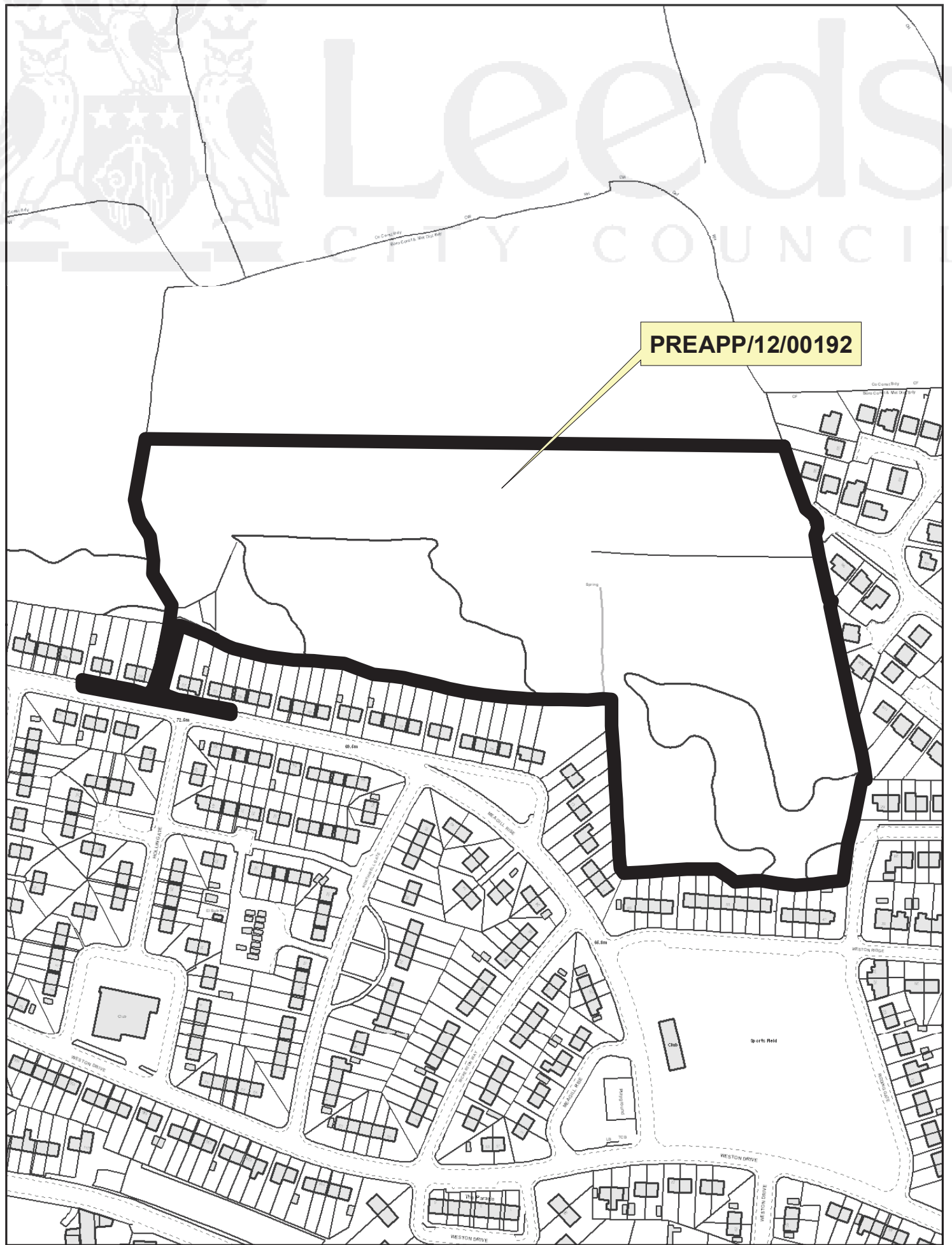
DESIGN AND LAYOUT

- 7.7 The steepness of the site presents other design difficulties in addition to access. The proposals presented by the developer to date indicate in part the creation of more level areas through the use of retaining walls and terracing. The developer is seeking to develop conventional two storey houses only - the proposals do not indicate any use, for example, of split-level designs which exploit the level changes. The developer has thus far indicated an unwillingness to consider the use of more innovative design approaches on grounds of cost and incompatibility with its range of standard house types.
- 7.8 Officers consider that seeking to impose standard house types on a site of this nature is unlikely to be the best design approach and would wish to see a more creative design approach.

Members views on the design of the development are sought

8.0 CONCLUSION

- 8.1 Members are asked to consider the issues in this report and the developer's presentation and to comment generally on the future development of this site and specifically on the matters set out in bold in this report.



PREAPP/12/00192

WEST PLANS PANEL





Originator: Nigel Wren

Tel: 0113 3951817

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 13th September 2012

Subject: PRE-APPLICATION PRESENTATION FOR A PROPOSED REPLACEMENT SECURE UNIT, LAND OFF TILE LANE, ADEL. (PREAPP/12/00835)

APPLICANT	DATE VALID	TARGET DATE
Public Private Partnership Unit - LCC		

<p>Electoral Wards Affected:</p> <p>Adel</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION:
For Members to note the content of the report and presentation and to provide any comments on the proposals.

1.0 INTRODUCTION:

- 1.1 Secure Children's Homes form part of the secure estate developed and managed by the Youth Justice Board (YJB) to accommodate 10-17 year olds committed to custody by the courts. The YJB aims to ensure that all boys aged under 15 and girls under 17 are cared for either in secure training centres or secure children's homes. The long term strategy for the YJB involves developing a secure estate which meets the aspirations of the Every Child Matters agenda, is child/young person centred and enables young people in secure accommodation to achieve their full potential through high quality care, educational opportunities and training leading to a reduction in re-offending.

- 1.2 Leeds City Council contracts with the YJB to provide secure accommodation for children through the existing Secure Children's Home at East Moor. It is a registered children's home, licensed by the DfE, regulated by OfSTED and managed by Leeds

City Council through the Children's Services. The YJB monitors performance through commissioning arrangements.

- 1.3 A proposal has been submitted to the Department for Education (DfE) to allow the City Council to replace the current East Moor Secure Children's Home. The key driver to replace East Moor is that the existing buildings do not meet the current standards set by OfSTED and the Youth Justice Board (YJB).
- 1.4 Leeds City Council have an opportunity to invest the capital grant from the DfE of £12.55m to rebuild a 24 bed Secure Children's Home within the defined timescales and funding profile.

2.0 PROPOSAL:

- 2.1 This proposal is for the replacement of the existing 36 bed Eastmoor Secure Children's Home on land to the immediate south of the existing centre with a 24 bed single storey unit. The existing unit will then be demolished as part of the final phase of development with the land potentially used for housing purposes and linked to the adjacent housing allocation with access off Eastmoor Lane.

3.0 SITE AND SURROUNDINGS:

- 3.1 The proposed site is located in the settlement of Adel some 6km north of Leeds City Centre. The site forms part of an area which has previously been used as a school site and more recently as student accommodation by Leeds Met University. The site has been vacant for some time and is in need of redevelopment.
- 3.2 The site (including the whole former campus area) comprises of a number of buildings of differing uses and styles including houses, dormitories, school buildings and a church. The main school dormitory and the church have recently been listed as Grade II structures. The site is distinctive in nature, abutting attractive open countryside and containing mature woodland (some of which have tree protection orders), open areas and attractive landscape features.
- 3.3 To the north of the site lies the existing operational secure unit, to the east is woodland with residential properties fronting Spring Hill in the south east corner. To the south lies Tile Lane which is generally open and rural in nature although there is ribbon development along a small part of the road frontage. Beyond, and further south, lies East Moor School Farm with open countryside beyond. To the west also lies woodland cover which provides not only recreational space with paths and tracks but also acts as a buffer area between the site and residential development beyond.
- 3.4 The topography of the site is sloped from the south west to the north east with a gradual variation in land levels of at least some 7m.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 07/03001/FU - Laying out of access road, erection of 67 dwellings and landscaping. Approved 23.12.2008.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant has been engaged in pre-application discussions with the applicant since mid 2010.

6.0 PLANNING POLICIES:

- 6.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. The adopted Leeds UDPR (2006) Proposals Map identifies the site as a designated residential allocation H3 -1A.35. There are a number of relevant policies in the adopted Leeds UDP Review (2006) as follows:

BD5: New buildings should be designed with consideration of their own amenity and surroundings.

H3: Phase 1 (2003-2008) includes unallocated previously developed windfalls in the main urban areas.

LD1: Landscape schemes to provide visual interest.

GP5: Development proposals should resolve detailed planning considerations.

N8: Urban Green Corridor.

N12: Urban design: Spaces between buildings of importance, new buildings should be good neighbours and respect character and scale of surroundings.

N13: Building design should be high quality and have regard to character and appearance of surroundings.

N32: Green Belt.

N50: Sites of ecological and geological interest.

N51: Buffer areas.

T2: Development should not create problems of highway safety.

T24: Parking standards should be met.

6.2 Supplementary Planning Guidance / Documents:

SPG Neighbourhoods for Living.

Eastmoor Tile Lane Planning Brief.

Adel Neighbourhood Design Statement.

6.3 National Planning Guidance:

National Planning Policy Framework

6.4 General comments

- 6.5 The site is adjacent to Grade II Listed Buildings. The design of the development will need to carefully assess the impact it will have upon the setting of these Listed Buildings to help secure a well designed and integrated development to achieve a safe, secure and sustainable development. Good urban design principles will be a key planning consideration along with preserving and enhancing views to and from the green belt, the retention of TPO's and other important trees and landscape features and to ensure an appropriate level of greenspace and landscaping provision. It is considered that these planning objectives should be key material planning considerations.

- 6.6 To the east of the site lies the Meanwood Valley Local Nature Reserve and is also a Site of Ecological and/ or Geological Interest. Matters concerning the protection of this area and biodiversity management are key planning considerations.

- 6.7 Previous site surveys have confirmed the presence of bat roosts in a number of buildings on site. Demolition of these buildings would result in the obvious loss of

such roosts and replacements are therefore required. Circular 6/2005 provides advice on statutory obligations in the planning system on biodiversity.

General Highway comments

- 6.8 A transport assessment will be required to support the development together with relevant surveys, details of any proposed highway and public transport infrastructure improvements. A travel plan will also be required.
- 6.9 Highway colleagues have however raised specific issues and additional information details have been sought. This relates to:-
- How will Tile Lane be improved (width, surfacing, passing places, lighting, parking etc)?
 - How will safe pedestrian and vehicular access for residents, visitors and recreational users of the lane (need to talk to Public Rights of Way), a segregated pedestrian be maintained?
 - How/where will existing residents and their visitors who have to park on Tile Lane will be accommodated?
 - How will construction traffic be managed (particularly in terms of impact on the school)? Highways Officers have recently been made aware that the school also has a nursery and that there are movements to and from the school site (parents and children) beyond the main (am) and (pm) arrival and departure times.
 - Where will construction traffic be held outside of the site whilst waiting for school traffic to disperse?
 - Where will construction staff, plant, machinery and all other vehicles be parked ?Any overspill on to the adopted highway would not be tolerated.
 - A construction management plan will be necessary.
 - It may also help to set up regular communication with residents (liaison group) to keep them informed of progress and to allow them to voice any concerns during the length of the project.
- 6.10 In terms of car parking numbers, it is accepted that the operations of the secure unit constitute a special case, and is not located in a sustainable location and as a result the majority of those travelling to the site will drive. Surveys are therefore required to provide a realistic level of parking. Highway colleagues do not want to see overspill on the access road or surrounding residential streets.

7.0 MAIN ISSUES

1. Principle of development

2. Policy Issues
3. Urban Design issues
4. Landscape / tree issues
5. Highway issues
6. Drainage issues
7. Other matters

8.0 CONCLUSION

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

- **What are Members thoughts on the principle of development?**
- **Based on the presentation, what are Members thoughts on the proposed design of the building and impact upon the adjacent listed buildings?**
- **What are Members views on the proposed highway and construction access arrangements?**
- **Based on the presentation, what are Members views on the site landscape proposals and impact upon protected trees?**

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2 Secondary Line updated as indicated
 1 Change to existing layout shown as indicated at revision 02/17/12

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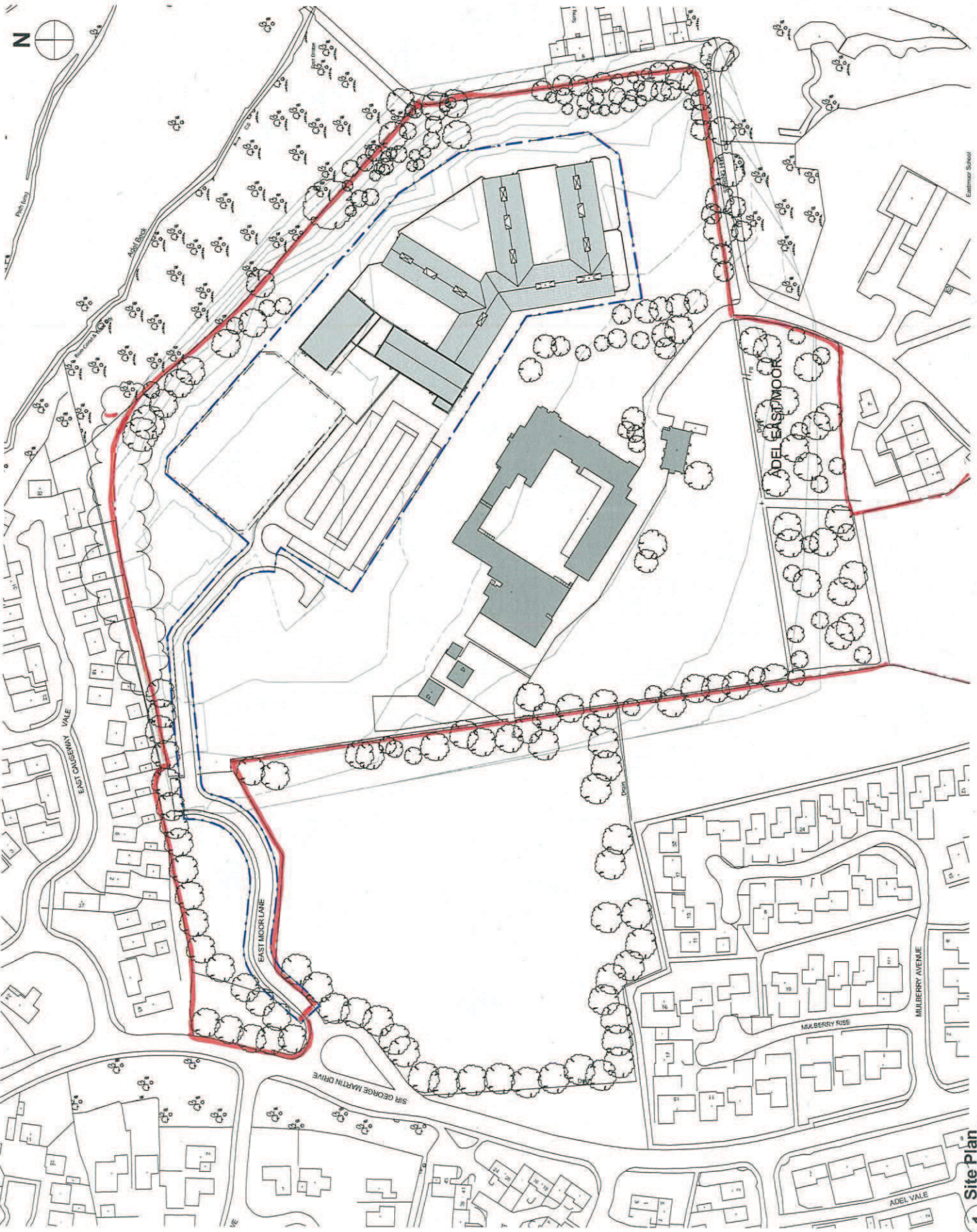
Leeds City Council

Project: East Moor Secure Children's Home

Drawn: Site Plan

Scale: 1:1000
 Project No: 212018
 Drawing No: KP-EM-G000XXX-001
 Rev: 02

Information
 Created: CD Checked: RW
 Date: 03/07/12 Mark: RW





Originator: Carol Cunningham
Tel: 0113 247 8017

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 13th September 2012

**Subject: PRE-APPLICATION PRESENTATION
PROPOSED RETAIL SUPERMARKET AT KIRKSTALL DISTRICT CENTRE
COMMERCIAL ROAD, KIRKSTALL**

APPLICANT	DATE VALID	TARGET DATE
Tesco	n/a	n/a

Electoral Wards Affected:
Kirkstall

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

That members note this update report and associated pre-application presentation by DPP on behalf of Tesco and comment.

1.0 INTRODUCTION:

1.1 The primary purpose of this report and associated presentation by DPP on behalf of Tesco is to update Panel regarding progress on the redevelopment of Kirkstall District Centre.

2.0 PROPOSAL:

2.1 ORIGINAL PROPOSAL

2.2 A planning application was submitted in October 2011 for redevelopment of the Kirkstall District Centre. This scheme was presented to West Plans Panel as a

position statement on 8th December 2012. This application is still under consideration.

2.3 This scheme involved the redevelopment of a parcel of land which is surrounded by four roads these being Commercial Road, Kirkstall Lane, Kirkstall Hill and Beecroft Street in Kirkstall. It proposed all the buildings that are currently on the site was be demolished. The site slopes very significantly from the bottom of the site on Commercial Road to the top of the site on Kirkstall Lane and also from Kirkstall Lane up to the junction of Kirkstall Hill and Beecroft Street. This would result in the highest part of the site being the junction of Kirkstall Hill and Beecroft Street and the lowest, the junction of Kirkstall Lane and Commercial Street. The development was proposed to be five stories high at the Commercial Road end of the site and three storey at the top end onto Kirkstall Hill. The proposal comprised the following:

- The supermarket was provided to have a gross floorspace of 9,230 square metres and a net sales area of 5,667 square metres. This will comprise 3,066 square metres of convenience goods and 2,601 square metres of comparison goods.
- This supermarket will be on the top floor of a proposed 5 storey building and will be two storeys high. The sales area will all be on one floor with a mezzanine floor occupying the western end of the building for staff facilities.
- Underneath this supermarket will be a three storey car park to house 639 car parking spaces. There will be two floors of car parking that are completely covered with the third level having some open car parking at the western side of the building with the rest under the store.
- There will be 7 smaller retail units at single storey height with their frontage onto Kirkstall Lane with a combined floorspace of 1,008 square metres.
- A new community centre located next to the 7 smaller retail units.
- A replacement Post Office Workers Club.

2.4 Officers considered that the main issues in relation to this previous scheme were.

Principle of development – The lower half of the site is within the town centre so in principle for this part is acceptable in policy terms. A retail impact assessment had been submitted and was still being negotiated.

Highway and Transport matters – The proposal involves some significant changes to the surrounding network and these changes along with the proposed traffic generation where being negotiated and assessed.

Impact on Kirkstall and wider area – The development was introducing a high building on a large footprint which was uncharacteristic of the area which tended to have high buildings on a small footprint and low buildings on a large footprint. Due to the topography of the site to develop the site will be difficult and challenging.

Impact on the setting of a listed building – The impact on Kirkstall Abbey and a listed building on Beecroft Street needed to be assessed.

Design, scale and place making – The impact on area due to a high building in a prominent position. Also impact of the scheme in terms of unactive frontages.

Residential amenity – The impact of the proposed 24 hour operation and deliveries of the houses around the site.

Job Creation – The creation of jobs for local people in the local area

Pedestrian Access and safety – Impact of non active frontages, pedestrian access through the car park and conflict between the vehicles and pedestrians.

2.5 Members at this Plans Panel were asked for their initial views on the proposals which where:

- Highways concerns – roads in the area were already at saturation Level with congestion at junctions and the proposals would bring more Traffic into the area. Highways would be able to provide more analysis and assessment of impact in due course.
- Concern that the proposal was not fitting for the area and was more suited to an out of town development. Comparisons were made to a similar development in Batley where the additional retail units had remained empty. Whilst Members were keen to see something happen On this site and were aware of the physical challenges in bringing a Scheme forward on the site, there was a general consensus that the Scheme presented due to its size, scale and impact would be out of Character and detrimental.
- Concern about pedestrian access arrangements.
- Concern regarding the siting and detail of the Children’s play area.
- Concern of some Members about the demolition of the existing terrace of commercial premises on the Commercial Road frontage.

Officers and the agents have been negotiating a revised scheme. Before the revised scheme is submitted as a new planning application and the previously seen scheme is withdrawn the agents would like to present the proposal to Members for any comments.

2.6 REVISED SCHEME

2.7 The revised scheme to be presented to Members at this Panel involves a reduction in the amount of floorspace for the supermarket although the precise figures have yet to be submitted. The revised scheme has been moved down to the front of the site and the previous landscaping area to the front of the development has been removed. This time the building will be four stories on the elevation facing Commercial Road and level with the ground at the top of this site on Kirkstall Hill. Each level will have the following:

- On the ground floor will be the row of new retail units which will be at street level on Commercial Road.
- On the next level there will be the post office workers club and the staff areas for the employees of the supermarket. This level will also include a service road for the club and the small retail units which will one way off Kirkstall Road to Beecroft Street.
- The next level will be the food store and with will have its main entrance on Kirkstall Road. This will cover the front part of the site. This level will also have the store café and community facility which will be accessed at the top of Kirkstall Road at ground level.
- The final level will be the car park. Half of this car park will be on top of the proposed store and the other half will be surfaced car park. There will be 513 car parking spaces.

2.8 The main entrance will be in the same position off Commercial Road. There will also be a second entrance to the surface car parking off Beecroft Street. The service yard for the store will be located under the store with its entrance off Commercial Road.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is surrounded by the roads of Commercial Road, Kirkstall Lane, Kirkstall Hill and Beecroft Street. There is a parade of two storey shops on the Commercial Road frontage which will be demolished for the highway works required. The rest of the frontage onto Commercial Road is landscaped.
- 3.2 To the opposite side of Commercial Road are some two storey stone buildings used for retail and behind this the retail development which includes Morrison's supermarket. The traffic light junction for access into the Morrison's retail park is on Commercial Road. The major junction of Commercial Road, Kirkstall Lane is on the corner of the site. Kirkstall Leisure Centre is also on this junction on the opposite side of Kirkstall Lane. The other buildings on Kirkstall Lane are two storey and are mainly residential and corner shops.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 24/54/96/OT – retail development approved August 1997
24/198/00/RE – renewed in November 2000
24/572/05/OT – Outline application for mixed use including residential, retail, community facilities, public open space, parking and access (Espalier scheme).
Refused Jan 2008 for two reasons:
1. No affordable housing provision
2. Traffic generation
An appeal was withdrawn.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Positive discussions have been held with Planning, Design, Landscape and Highways officers regarding this developing redevelopment.
- 5.2 Ward Members and the appropriate steering groups have been briefed regarding this revised scheme.

6.0 PUBLIC/LOCAL RESPONSE:

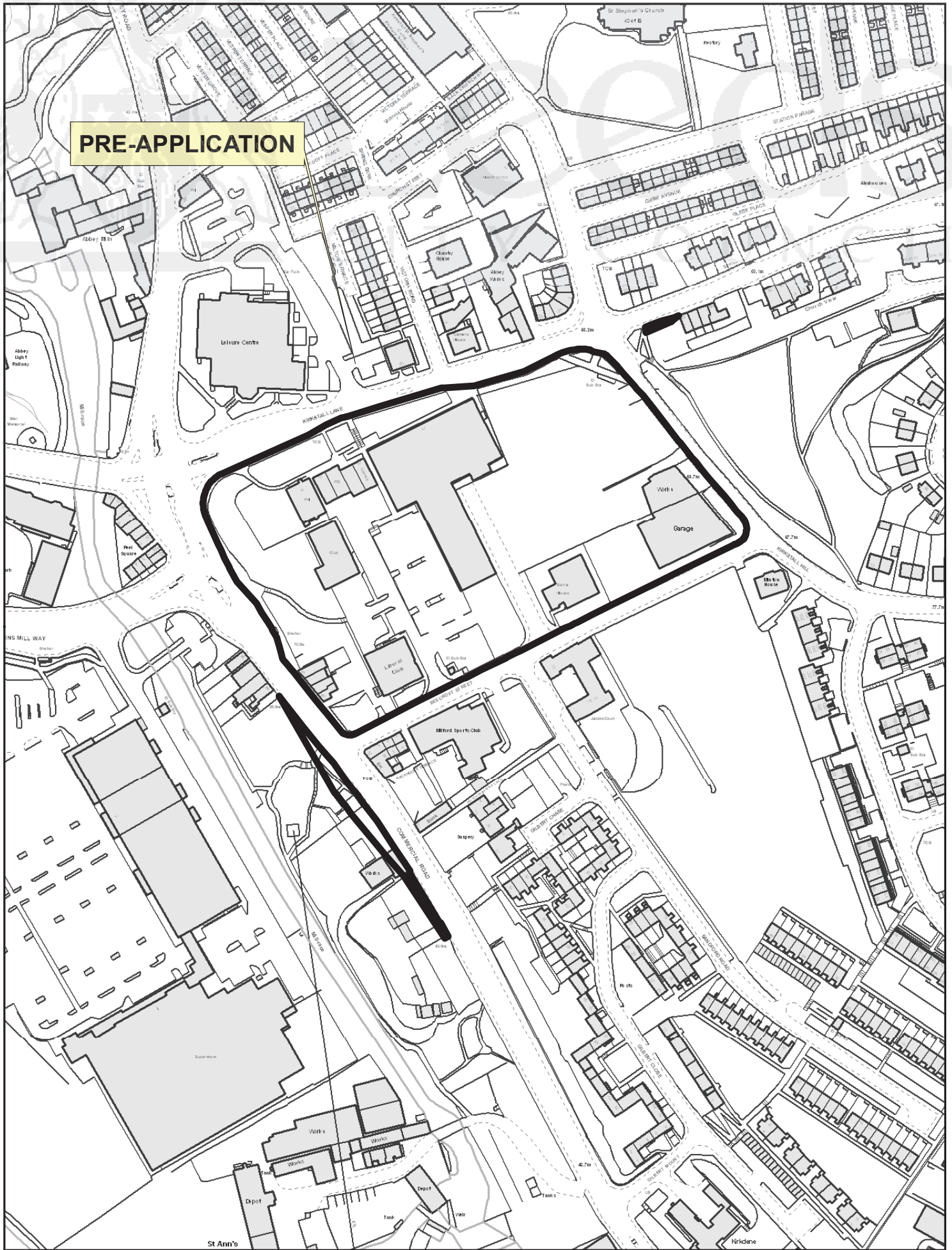
- 6.1 Ward Members will continue to be informed of ongoing discussions and community engagement will continue.

7.0 CONCLUSION

- 7.1 The planning application for the redevelopment of Kirkstall District Centre has been significantly changed since Panel previously saw the scheme in December last year. Members are asked to pass comments on the pre application scheme that will be presented with particular regard to:

- Store size
- Access both vehicular and pedestrian
- Scale/massing
- Design
- Location of retail units/community centre
- Impact on centre of Kirkstall
- Impact on Kirkstall Abbey
- Residential amenity

PRE-APPLICATION



WEST PLANS PANEL



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