



SOUTH AND WEST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 14th June, 2018
at 1.30 pm

MEMBERSHIP

Councillors

K Brooks	C Campbell	B Anderson	A Hutchison
M Gibson		J Shemilt	
C Gruen (Chair)			
S Hamilton			
J Heselwood			
D Ragan			
P Wray			

**Agenda compiled by:
Andrew Booth
Governance Services
Civic Hall
Tel: 0113 37 88665**

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 - 17 MAY 2018</p> <p>To confirm as a correct record, the minutes of the meeting held on 17 May 2018.</p>	3 - 10
7	Little London and Woodhouse		<p>PREAPP-17- 00590 - LAND TO EAST OF CARLTON GATE AND NORTH OF CLAY PIT LANE, SHEEPSCAR, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer which presents a pre-application presentation for a 5-15 storey block of 160 residential units with associated parking and greenspace</p>	11 - 20
8			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 19 July 2018 at 1.30 p.m.</p>	

Third Party Recording

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.

Use of Recordings by Third Parties– code of practice

- 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.
- 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.

This page is intentionally left blank

To all Members of South and West
Plans Panel

Planning Services
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Contact: Steve Butler
Tel: 0113 224 3421
steve.butler@leeds.gov.uk

Our reference: SW Site Visits
Date: 004/06/18

Dear Councillor

SITE VISITS – SOUTH AND WEST PLANS PANEL – THURSDAY 14th June 2018

Prior to the meeting of the South and West Plans Panel on Thursday 14th June 2018 the following site visit will take place:

Time	
11.00 am	Depart Civic Hall
11.15am	PREAPP/17/00590 – 5-15 Storey Block of 167 Residential Units with Associated Parking and Greenspace – Land East of Carlton Gate and North of Clay Pit Lane, Sheepscar.
12 Noon	Return to Civic Hall

Please note because of the close proximity to the City Centre it is intended to walk to the site. This will allow us to view the site from various vantage points both within Carlton Gate and from across the Ring Road. Please notify Steve Butler (Tel: 3787950) if this should cause you any difficulties as soon as possible. Otherwise please meet in the Ante Chamber at 10.55 am.

Yours sincerely

Steve Butler
Group Manager
South and West

This page is intentionally left blank

SOUTH AND WEST PLANS PANEL

THURSDAY, 17TH MAY, 2018

PRESENT: Councillor C Gruen in the Chair

Councillors B Anderson, S Arif, J Bentley,
P Gruen, S Hamilton, T Leadley, E Nash,
D Ragan, P Wadsworth and N Walshaw

1 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interest.

Councillors S Arif, P Gruen, D Ragan and N Walshaw informed the Panel that they were known to the applicant for Agenda Item 7, Application 18/01138/FU – 238 West End Lane, Horsforth and would be treating the application with an open mind, on planning grounds only and without pre-determination.

Prior to consideration of this application, the Chair informed the meeting that she had requested that this application be referred to Plans Panel for determination. This was done before she had been made aware of the identity of the applicant. She informed the Panel that although she was able to consider the application with an open mind, given the circumstances and to avoid perception of bias she left the meeting during the discussion and voting on this item.

A nomination was sought for a Chair to consider the application.

RESOLVED – That Councillor N Walshaw assumes the Chair for the duration of Agenda Item 7, Application 18/01138/FU – 238 West End Lane, Horsforth

2 Minutes - 12 April 2018

RESOLVED – That the minutes of the meeting held on 12 April 2018 be confirmed as a correct record.

3 Application 18/01138/FU - 238 West End Lane, Horsforth Leeds, LS18 5RU

The report of the Chief Planning Officer presented an application for a detached dwelling at 238 West End Lane, Horsforth, Leeds.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

Issues highlighted in relation to the application included the following:

- The application was for a detached house to the rear of 238 West End Lane.
- Although consent had been given for similar properties in the area this application was not considered to be in the same context as previous approvals in the locality had been granted under a different policy framework.
- Objections had been received from neighbouring properties on the grounds of potential noise and disturbance and damage to amenity.
- Further objections had been received from Ward Councillors regarding the property being out of character for the area.
- The application was not considered to be policy compliant and was recommended for refusal.
- The applicant disagreed with the reasons for refusal. Issues highlighted included the following:
 - The development would not be harmful to the character or pattern of development in the area.
 - The scale and massing would not be harmful to others views.
 - The house would be situated on the lower part of the plot and be surrounded by trees.
 - The single storey element could be done under permitted development rights.
 - There would only be minimal vehicle movement.
 - The lack of road frontage to the proposed property would not make it out of character with other properties in the area.

The Applicant's representative addressed the Panel. Issues highlighted included the following:

- The applicant wanted to build the property for a relative and to meet their care needs.
- It was not disputed that it would be a back garden development but there were others in the area.
- Existing properties would still retain reasonable sized garden areas.
- There would not be significant noise and disturbance and the applicant would be happy to see conditions to have windows facing existing properties obscured.
- There would not be significant overshadowing of other properties and gardens.
- In response to questions from the Panel, it was reported that there had not been any further discussion regarding the size of the development or distance from neighbouring properties.

The Panel heard from local residents with concerns and objections to the application. These included the following:

- This was development of back garden land with no road frontage and out of context and character for the area.

- The plans were contrary to planning policy.
- The proposal would have a detrimental impact on neighbouring properties amenity and be intrusive on others privacy.
- The proposal would dominate all surrounding properties.
- Boundaries were closer than set out in Neighbourhoods for Living guidelines.

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

- There had been some discussion with regard to amending the proposals but the applicant wanted the proposals as they were to be determined.
- The plans showed a height of 9.2 metres. There were no cross section drawings to demonstrate that the height would actually be lower.
- There was a significant shortfall in the distance from windows to neighbouring properties.
- As the proposals stood, they were not policy compliant and it was suggested that the officer recommendation for refusal be supported although some Members were not adverse to the principle of development in the location.

RESOLVED – That the application be refused as per the officer recommendation.

4 Application 18/00367/FU - Land at 245 Elland Road, Beeston, Leeds

The report of the Chief Planning Officer presented an application for the change of use of land to car sales, siting of a porta cabin and storage container (to accommodate a generator) and fencing on land at Elland Road, Beeston, Leeds.

Members visited the site prior to the meeting and 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:

- There was an outstanding highways issue due to the proximity of a pedestrian crossing to the site entrance.
- The site had previously been used for coach parking and as a haulage depot.
- The site was mainly hard standing and currently used for match day car parking.
- The Highways Officer informed the Panel that the issue with regard to the pedestrian crossing could be resolved by moving the entrance to the site closer to the boundary wall next to the adjacent public house.
- It was recommended that the application be approved with a further condition regarding gating and access arrangements.

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

- The existing access must have previously been used.
- The pedestrian crossing was installed in 2007. The site had been vacant since 2002.

RESOLVED – That the application be approved as per the officer recommendation and conditions outline in the report. Further condition to ensure detailed plan of access arrangement with particular regard to the width of the access to be submitted for consideration by the Highways Authority.

5 Application 17/07502/FU - Total Riverside Garage, Kirkstall Road, Burley

The report of the Chief Planning Officer presented an application for works to the southern boundary at Total/BP, Riverside Garage, Kirkstall Road, Leeds.

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 proposals included the installation of new palisade fencing and structural gabions to the river bank to the rear of the garage to secure a landslide.
- The application had been referred to Panel following objections from a Ward Councillor regarding flood risk in the area and that the scheme should be deferred until more was known about the Flood Alleviation Scheme.
- It was reported that there were a number of conditions that would ensure works were carried out in accordance with the Flood Risk Assessment.
- The Application was recommended for approval.

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

- Ground levels would not be raised for the proposed works. It was reported that raising ground levels at this site could worsen flood risk elsewhere.
- There had been consultation with Ward Councillors and the Flood Alleviation Team. The Flood Alleviation had agreed with the proposed conditions.
- The proposals would stabilise the banking without compromising the flood alleviation scheme.

RESOLVED – That the application be approved as per the officer recommendation.

6 Application 17/07450/FU - Land at Sissons Lane, Middleton, Leeds

Draft minutes to be approved at the meeting
to be held on Thursday, 14th June, 2018

The report of the Chief Planning Officer presented an application for 18 affordable dwellings to vacant site on land at Sissons Lane, Middleton.

Members visited the site prior to the meeting and 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 site was close to facilities and services and considered to be a sustainable location.
- There had not been any objections from local residents.
- There had been some concern from Local Ward Councillors with regard to local lettings policies but they were overall supportive of the scheme.
- The application was recommended for approval subject to conditions detailed in the report.

In response to concerns regarding an unsightly flue to the rear of properties on Sissons Road, it was reported that this would be investigated.

RESOLVED – That the application be granted as per the officer recommendation and conditions outlined in the report.

7 Application 17/05126/OT - Land off Fall Lane and Meadowside Road, East Ardsley

The report of the Chief Planning Officer presented an application for a mixed use development with medical centre, retail, six flats and fifteen dwellings at land off Fall Lane and Meadow Side Road, East Ardsley.

Members visited the site prior to the meeting and 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 considered at the Panel meeting in April 2018 when it had been deferred for further information regarding the occupation of the commercial units and further negotiation with regards to the housing mix and layout.
- Since the publication of the Agenda further supporting correspondence had been sent by local residents and Ward Councillors although there were some concerns regarding car parking and whether there was a provider for the health centre.
- It was reported that there would be a further condition to remove permitted developments for change of use for the health centre and pharmacy buildings.
- Further to previous concern regarding the site layout, it was reported that due to constraints of the site including a change in levels, it was

difficult to make significant amendments. In context of the wider area it was felt that 3 storey properties were acceptable and appropriate.

- With regards to greenspace provision, it was reported a sum was paid in 2008 as part of the adjoining development which actually included this site.
- A viability assessment had shown that it would be unreasonable to pursue further greenspace contributions and there was already extensive greenspace in the locality with a network of public footpaths.
- With regard to the provision for a health centre and pharmacy, discussions had opened with the local Care Commissioning Group. There was an identified local demand.
- There was a proposed agreement for maintenance of landscaped areas within the conditions to the application.
- The application was recommended for approval.

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

- Due to viability issues there would be no provision of or contribution towards affordable housing.
- The site needed to be developed and the provision of further health care facilities was much needed in the area.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report.

8 Application 17/07967/FU - The Bungalow, Moor Knoll Lane, East Ardsley

The report of the Chief Planning Officer presented an application for a single storey rear extension, side extension and access ramp at The Bungalow, Moor Knoll Lane, East Ardsley.

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 bungalow was on an isolated site away from other properties.
- The application had been referred to Panel at the request of a Ward Councillor due to concerns of encroachment onto greenbelt land.
- The Extension would be single storey with a pitched roof to tie in with the existing building.
- The extension was to provide independent living space for a disabled relative. These were considered to be special circumstances for development on greenbelt land.
- Due to the very special circumstances, the application was recommended for approval.

In response to Members comments and questions it was reported that such an application would not normally be recommended for approval. It was also believed that the building to the north of the site that was previously used for garage/stables had now been removed.

RESOLVED – That the application be granted as per the officer recommendation and conditions outlined in the report.

This page is intentionally left blank



Originator Nigel Wren

Tel: 0113 3788080

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 14th June 2018

Subject: PREAPP/17/00590 - Pre-application presentation for 160 Apartments, Land East of Carlton Gate and North of Clay Pit Lane.

Applicant: Keepmoat Regeneration Ltd

Electoral Wards Affected:

Little London & Woodhouse

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Panel for information. The applicant will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.

1.0 Introduction:

- 1.1 This pre-application presentation relates to a council owned site for a proposed major residential development of 160 apartments consisting of a mix of 1, 2 and 3 bedroom units. Pre-application discussions have been ongoing for some time and the proposed scheme has been the subject of various amendments. The proposed scheme has also been presented twice to the council's internal Planning Board for discussion.
- 1.2 The initial scheme presented in December 2017 was for a single eleven storey block of 213 residential units with associated parking, greenspace and commercial space. The scheme involved an angular shaped development, with landscaping and car parking and commercial space at ground level. The apartments comprised of a mixture of 1, 2 and 3 bedroom apartments. The proposal involved the complete removal of a landscaped bund facing onto Clay Pit Lane. At the time, Planning Board raised significant reservations about the design approach and ambitions of the developer. On the grounds that the removal of the buffer, in its entirety, would pose a great loss to the general green infrastructure of the area.

- 1.3 Furthermore, it was also considered that the angular plan form did not respond to the surrounding urban context. In terms of the proposed aesthetics, it was considered that the submitted drawings were visually too heavy which is out of character with its surroundings.
- 1.4 It was agreed that the developer should reconsider the design approach by considering buildable areas within the site which seeks to maintain the integrity of the bund and tree cover and responds more positively to the urban context. It was also suggested that given the difference in levels across the site, there may be an opportunity to accommodate, at the lowest point, a taller, but slimmer building with a lower form and less massing stepping down.
- 1.5 In response the applicant produced two draft re-design options taking into account the issues raised above and a tree survey of the site and this was presented to Planning Board in May.
- 1.6 Both options involve a proposed development ranging from a 5 to 15 storey development providing 160 apartments. The first option cuts into part of the mound and would require a significant 6 metre high retaining wall, which given the stand-off distance required, creates a sterile shaded space. Although a number of trees are shown as retained, the likelihood is that during the construction of the retaining wall, the trees will become adversely affected resulting in further direct loss or threatening their long term survival.
- 1.7 The second option, which is contrary to Planning Boards previous suggestions, but is the applicant's preference, proposes the complete removal of the mound and landscaping with a re-profiled landform. This is designed to create a public pocket park with amenity space, seating and re-contoured landscape, providing informal recreation, natural surveillance and trees to soften the impact of the proposal.
- 1.8 Planning Board agreed that this revised option, together with the amended design, represented a better overall solution as the surrounding landscape would be more useable and removed the need for retaining walls providing a better outlook for existing and prospective residents. It was agreed that the option to remove the landscaped bund and planting with a re-profiled landform to provide a more attractive and useable landscaped area should be considered further through the pre-application process and inviting Member comments through a pre-application presentation.
- 1.9 The work-in-progress proposals are therefore presented to Panel by the applicant to allow Members to comment on the evolving scheme and raise any issues, prior to the submission of a full planning application.

2.0 Site and Surroundings:

- 2.1 The site lies adjacent to Clay Pit Lane on the edge of the city centre which forms the southern boundary. To the west lies housing and Carlton Barracks and to the east Lovell Park Road. To the north lies further housing and apartment blocks. To the south of the site is an embankment which contains mature trees and buffer planting adjacent to Clay Pit Lane. The site is an irregular shape and slopes from west to east. The site comprises of brownfield and greenfield land. This site, and the wider area, was previously developed and contained tower blocks and a number of maisonettes which were demolished and cleared in preparation for redevelopment and regeneration of the area.

- 2.2 The housing in this area has been recently constructed as part of a wider PFI regeneration programme aimed at improving the quality of housing provision and tackling issues of poor economic investment and social and environmental deprivation.
- 2.3 The initial PFI programme included proposals for the development of this site consisting of private and social housing offering a mixed tenure approach to regeneration and to support the longer term sustainability of the area. Following the down turn of the market, at that time, the original scheme was scaled down to take account of this market change. Part of this pre application site was set aside until market conditions improved and was laid out as temporary open space.

3.0 Proposal

- 3.1 The proposal is for a total of 160 flats, made up of one-bedroom flats, two-bedroom flats, and three-bed flats. Detailed internal drawings have not been submitted but the flat sizes would need to satisfy, as a minimum requirement, the Leeds Standard and the Nationally Described Space Standard of:
- 1 person 1 bed apartment – 44m²
 - 3 person 2 bed apartment – 67m²
 - 4 person 3 bed apartment – 79m²
- 3.2 The scheme comprises of one rectilinear tower block ranging from 5 to 15 storeys. The highest element of the tower is positioned on the lowest part of the site and steps down to 5 storeys utilising the changes in levels. The layout has been designed to provide a defined frontage to the building base to help create a sense of presence and articulated through repeating rhythms. The top of the tower is slimmer to help improve verticality, improve articulation and reduce the scale and massing of the block. 16 car parking spaces are proposed within an undercroft area. Amenity space is provided to create a public pocket park with amenity space, seating and re-contoured landscape, providing informal recreation, natural surveillance and trees to soften the impact of the proposal.

4.0 Relevant Planning History and History of Negotiations

- 4.1 Outline planning permission was granted in 2008 under ref 08/02857/LA. The application was varied under ref 10/02792/LA and, as described above, as part of a number of variations to the original planning permission, this site was removed from the development. The original design and access statement did however show a general layout proposal for this site with a development providing an urban townscape overlooking and framing a central crescent of public open space. The blocks were drawn in a circular form and ranged in scale gradually stepping down the slope of the site. The initial layout showed the landscape buffer facing Clay Pit Lane retained and enhanced.

5.0 Consultations

- 5.1 Highways – comments summarised below.
- 5.2 LCC Landscape - Landscape comments below relate to the original scheme tabled at the December Planning Board but the description and landscape value of the mound remains constant. These are summarised as follows:

Apart from all the visual attributes the combined earthworks and trees provide an important sound and air quality insulation from the busy A58 (and nearby inner city ring road) to the residential properties. The construction of this buffer is likely to have been a strategic part of the original town planning of the area and this has been retained as part of the recent redevelopment of the locality so it would be very regrettable to lose it now. This would pose a great loss to the general Green Infrastructure of Leeds.

6.0 Relevant Planning Policies

6.1 The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. Now that the Core Strategy has been adopted, this can now be given full weight as part of the statutory Development Plan for Leeds. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013)
4. Any Neighbourhood Plan, once Adopted

These development plan policies are supplemented by supplementary planning guidance and documents.

6.2 Leeds Core Strategy

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. The most relevant policies are set out in the paragraphs below:

- Spatial Policy 7 – Sets out the spatial distribution of the district wide housing requirement between Housing Market Characteristic Area.
- Policy H3 Density of development. A minimum density target of 65 dwellings per hectare is set for edge of centre locations.
- Policy H4 says that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location.
- Policy H5 Affordable Housing. The affordable housing requirement would be 5% of the total number of units, with 40% for households on lower quartile earnings and 60% for households on lower decile earnings
- Policy G4 Greenspace provision - Outside the City Centre the normal requirement is 80 sqm per dwelling. The delivery of a proportionate amount of open space per dwelling, both private and shared communal, and the provision of public realm, is important and is currently being discussed with the developer. Contribution to specific off-site greenspace enhancements to mitigate a shortfall on-site may be required.
- Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.
- Policy P12 states that landscapes will be conserved and enhanced.

- Policies T1 and T2 identify transport management and accessibility requirements for new development.
- Policies EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development. In this case, a 20% improvement on building regulations and at least 10% low or zero carbon energy generation on-site is required.
- Policy ID2 Planning obligations and developer contributions

6.3 **Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies**

The site lies on the edge of the City Centre. The site is not allocated as greenspace in the Saved UDPR. Saved policies that are relevant to this scheme are:

GP5 all relevant planning considerations

BD2 new buildings

LD1 landscaping

6.4 **Leeds Natural Resources and Waste DPD 2013**

The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. Policies regarding sustainable drainage, land contamination, coal risk and recovery, air quality and trees are relevant to this scheme.

6.5 **Relevant Supplementary Planning Documents/Guidance includes:**

SPG Neighbourhoods for Living

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Street Design Guide

SPD Parking

SPD Travel Plans

6.6 **National Planning Policy Framework (NPPF)**

The NPPF sets out the Governments planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so. It states that planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and achieves standards of amenity for all existing and future occupiers of land and buildings. One of the core principles is the reuse of land that has previously been developed. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (paragraph 50).

6.7 The NPPF also considers the importance of promoting sustainable patterns of travel, including public transport. The Government attaches great importance to the design of the built environment. Section 7 (paragraphs 56-66) states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality.

6.8 **Other Material Considerations**

6.9 **The Leeds Standard and the Nationally Described Space Standard**

The Leeds Standard was adopted by the Council's Executive Board on 17th September 2014 to ensure excellent quality in the delivery of new council homes. Through its actions the Council can also seek to influence quality in the private sector.

Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council's Neighbourhoods for Living guidance. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seeks to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has been adopted as formal planning policy and only limited weight can be attached to them, given their evidence base in determining the minimum space requirements, they are currently used to help inform decisions on the acceptability of development proposals.

7.0 Issues

7.1 Principle of use and design concept

7.2 Although the principle of development has already been established following the granting of an outline planning permission for residential development, it was not envisaged that this would result in the total loss of the landscape bund fronting onto Clay Pit Lane. This feature together with its mature tree cover is seen as part of the city's green infrastructure, and although not allocated as public open space, performs an important visual function.

7.3 In terms of context, there are taller buildings in the area but they are on sites on the other side of Clay Pit Lane and Lovell Park Road. Any development on this site should be seen as transition development between those taller buildings and the generally lower buildings of the immediate context. Equally, across the site there are substantial changes in levels and at the lowest point this presents an opportunity to accommodate a tall building, with a lower form and less massing stepping down.

7.4 Any application would need to be supported by noise and air quality reports to demonstrate the provision of adequate amenity for future residential occupiers, and these documents should set out measures to mitigate any identified environmental issues, such as high specification double or triple glazing systems and appropriately filtered mechanical ventilation systems.

Affordable Housing

7.5 The affordable housing policy requirement on this site is 5%. The prospective applicant is proposing a 'flexi rent model'. The applicant is proposing that the flexi-rent scheme will be tenure blind with an identical specification and service for all apartments. The scheme is of sufficient scale to enable people to naturally move in or out, thus allowing the flexibility for rents to move up or down, as required, to maintain the defined income from the scheme. The total rent for the scheme will be linked to inflation while the percentage of discounted versus full price apartments within the scheme will flex to account for changes in open market rents and affordability.

7.6 On this basis it is proposed that the development will initially provide 20% of the apartments as Affordable Homes, operated under the Flexible Rent mechanism, of which 7.5% of the apartments will be let in perpetuity as Affordable Housing which is above policy requirements. The affordable homes will be pepper-potted across the scheme and managed as one single tenure blind community alongside the market rented apartments.

7.7 All of the Affordable Housing units will be let at Affordable Rents which will be capped at 80% of the market rent of other comparable rented properties in the area but not to

the policy compliant Lower Decile / Lower Quartile earning levels. Members have previously approved this type of rental product on other Affordable Housing units secured in PRS / Build to Rent schemes.

7.8 The applicant will offer the council Nomination Rights on first and subsequent lets which will be secured via a Nomination Agreement and Local Lettings Policy (LLP). The proposed LLP intends to give preference to economically active households, keyworkers, Emergency Service and Armed Forces Personnel, city centre workers and other eligible households. The LLP will be operated and managed by Housing Leeds who have been consulted and are comfortable with this proposal.

7.9 Greenspace, public realm and pedestrian routes

7.10 The siting of the building, provision of public realm, balance of hard and soft landscaping, and location of future pedestrian routes, would need to be carefully considered to create a sense of place and ensure good pedestrian connections linking the site, and the wider area to the city centre.

7.11 Core Strategy Policy G4 requires that 80 square metres of greenspace is provided per dwelling in this location. However, due to the high density of the proposal, there will be a shortfall in on-site greenspace provision. This would lead to a commuted sum requirement of £508,968.70 based on the percentage of accommodation. This sum would normally need to be targeted towards an identified scheme for new public space or improvements to existing provision.

7.12 Highways and Transportation

7.13 Part of the work undertaken in regenerating the area under the PFI scheme aimed to address parking issues in the area including improving parking for residents in existing accommodation and provision of parking for the new development at a level agreed through extensive surveys. These surveys led to a figure of 0.7 spaces per unit based on existing car ownership averages in the area. Significant TROs and traffic calming measures were introduced to prevent commuter parking and to control parking that was occurring as a result of arena events. Given the time that has lapsed since that work was undertaken the survey work should be revisited if a reduction from the previously agreed figure (70%) is to be considered, the current proposal of 16 spaces for 160 flats (10%) falls some way short of what might be considered to be an acceptable or workable level of provision.

7.14 In order to support an application an extensive survey would be required to identify parking controls within 800m of the site and to identify existing levels of on street parking demand in that area. A survey of adjoining resident blocks and the number of car owners amongst occupants would also help to inform whether the level of provision would be workable. However, a proportion of prospective residents may have an expectation to have use of a car albeit they would not be eligible for a permit to park on any of the adjoining streets. The council's highway engineer considers that car parking provision is increased to accommodate the likely demand, otherwise there is some likelihood of cars being left on the highway in remote locations from the site.

7.15 A Transport Statement and Travel Plan would be required with any application to demonstrate the accessibility options available at the site and how car parking provision would be addressed at the development.

- 7.16 The sections through indicate that the existing bund would be reduced to around 2m in height but it is not clear what the levels would be at the narrower sections of the bund or if it would provide adequate segregation between the public park area and Clay Pit Lane. The building comes within 6m of the road and the hard standing is approx. 3m, additional cross sections and long sections should be provided to demonstrate how accessible the road would be to residents as additional fencing may be appropriate.
- 7.17 A retaining wall appears to be indicated on the landscape sketch within 3m of the structure supporting Lovell Park Road, the building appears to be just over 5m from the road. A minimal amount of space also appears to be left between the hard landscaping and the steps up to Lovell Park Road. Additional cross sections and long-sections are required adjacent to these structures, a minimum 5m easement is normally required for maintenance purposes.
- 7.18 The indicative number of bin and cycle stores may not be adequate for the proposed number of flats and this will need to be reviewed.

7.19 Planning obligations and Community Infrastructure Levy (CIL)

7.20 If acceptable, likely Section 106 agreement obligations would be:

- 7.5% affordable housing on-site with a pro-rata mix of units
- On-site publicly accessible greenspace
- Off-site greenspace contribution £508,968.70
- Sustainable Travel Fund £TBC
- Travel plan monitoring fee £TBC
- Cooperation with local jobs and skill initiatives

7.21 CIL charging is applicable and based on the floorspace provided.

7.22 Members should note that the developer has indicated that it may not be viable however to meet all of the normal planning obligation requirements. It is anticipated therefore that a viability appraisal will be submitted in support of their case to justify this position. In these circumstances the report will need to be independently assessed on behalf of the council by the District Valuer. The findings of any such assessment will be presented to Members in due course.

8.0 Conclusion

8.1 The proposal presents the opportunity to complete the development and frame the central piece of open space within the Carlton Gate neighbourhood. The scheme would also deliver 160 dwellings as well as the delivery of 7.5% affordable housing provision. Other potential planning obligations may not be met however due to viability concerns raised by the applicant.

Members are respectfully asked to provide responses to the following questions:

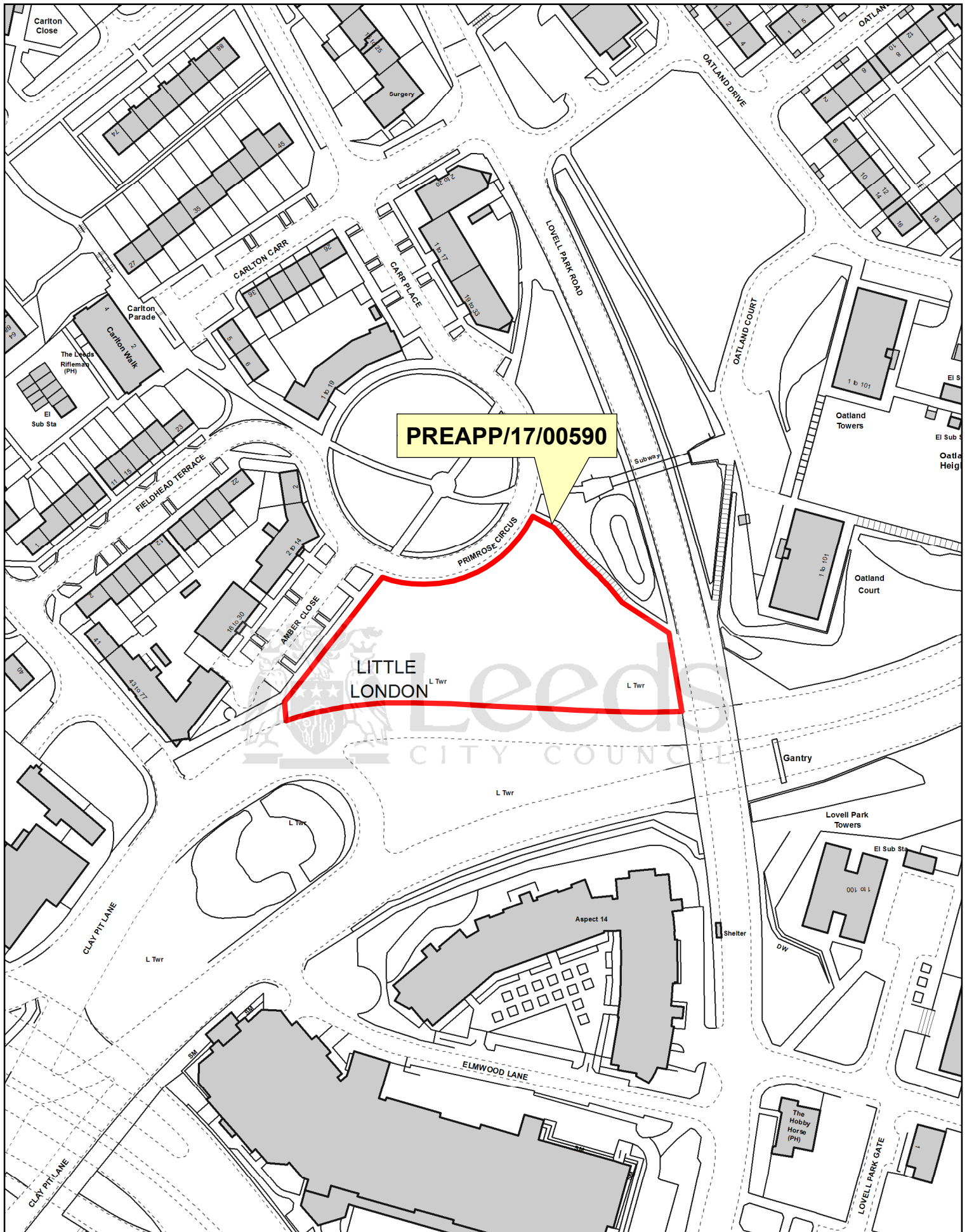
8.2 Do Members support the loss of the existing bund and green infrastructure?

8.3 Do Members support the emerging layout, scale and design?

- 8.4 Do Members support the affordable housing strategy?**
- 8.5 Do Members support the emerging amenity space, public realm and landscape design principles?**
- 8.6 What are Members views to the approach to parking, vehicular access and pedestrian connectivity?**

Background Papers:

Pre-application file: PREAPP/17/00590



SOUTH AND WEST PLANS PANEL

