



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 21st November 2013

Subject: PRE-APPLICATION PRESENTATION OF PROPOSAL FOR 113 NO. RESIDENTIAL UNIT ON LAND AT FORMER YORKSHIRE CHEMICALS SITE BETWEEN RIVER AIRE AND LEEDS LIVERPOOL CANAL (PREAPP/13/00594)

Electoral Wards Affected:

City and Hunslet

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 developer's representative will present the details of the scheme to allow Members to consider and comment on the proposals at this stage.

1.0 INTRODUCTION:

- 1.1 This pre-application presentation relates to the use of part of the former Yorkshire Chemicals site between The River Aire and the Leeds Liverpool Canal. This was part of a wider redevelopment site which gained approval in 2011, however, this scheme was never commenced and the site has remained vacant. The intention is to develop this site with 113 housing units accessed via a single spine road with the buildings fronting the River and Canal.
- 1.2 The proposals will be presented by a representative of Strata Homes to allow Members to comment on the evolving scheme and raise any issues, prior to the intended submission of a planning application.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site consists of one part of the former Yorkshire Chemical site. It is an unusual long, tapering site which has frontages to both the River Aire to the north and The

Leeds Liverpool Canal to the south. This includes the Grade II listed Oddy's Lock and stone built lock-keeper's cottage which has windows facing out over the site. The site is currently reduced to its concrete slab and is generally flat. The towpath to the south is higher by approx. 2m which offers good views down over the site. On the opposite side of the canal are a range of industrial buildings in a mixture of employment related uses. These range from the Grade II listed Castleton Mill through to 8m high corrugated sheds. The towpath forms part of the Sustrans Trans-Pennine Trail which runs the entire breadth of the country, but more immediately provides a direct link to Kirkstall Valley Park in one direction and Leeds City Centre in the other.

- 2.2 To the north, some naturally seeded vegetation has grown along the waterfront and provides a dense natural screen to the top of the river bank. The river is much lower than the level of the site and to the north of this is the now cleared areas of the former Yorkshire Chemical works and the First Bus Depot. The original private chemical works vehicle bridge remains in place over the river, however, it is not part of the land being offered to the developer and so does not form part of this proposal. To the east there is a 7m high row of industrial/warehousing sheds located on the boundary and to the west the site tapers down to a narrow and steep sided, naturally vegetated, area which is part of the river bank to which there is no public access.

3.0 HISTORY OF NEGOTIATIONS AND PLANNING HISTORY

- 3.1 There have been 3 meetings with the applicant and a series of e-mails advising the developer of pre-application advice from a range of internal consultees. At the time of writing this report meetings were on going and the layout developing as a result of the advice received.
- 3.2 This site was part of a comprehensive redevelopment of the former Yorkshire Chemicals site which received outline approval in 2011 app ref 06/04610/OT. This part of the site was to be developed with 6 apartment buildings up to 12 storeys in height containing c.400 residential units, 20 houses, ground floor commercial units and open space provision. All of this was to be built above a basement parking area.

4.0 PROPOSALS

- 4.1 This is to construct a housing development comprising 113 units. The applicant has developed a residential unit type which it considers to be a hybrid between an apartment and a traditional house. This will be explained to Members during the presentation but it effectively consists of a block of 3 storey houses set in groups of 4, 6 or 8 units. Half of these are oriented in one direction and back on to the other half, which are oriented in the opposite direction. Windows would then be located on all elevations, albeit that some of these would be second windows to rooms. They are designed to appeal to city centre apartment dwellers who wish to purchase their first house but who still want the benefits and convenience of city centre living. A total of 96 no. of the units are of this hybrid type with the additional 17 units being provided in 3 storey terraces of 4/5 units.
- 4.2 Given the unusual shape of the site, the most efficient method of creating vehicular access is via a central spine road from which all car parking is accessed. The buildings are located around the site's perimeter to present a built frontage to both the river and canal. The car parking is therefore partially screened from the view of passing pedestrians on the towpath, by the buildings themselves. However, it is the case that some car parking will remain visible from the towpath.

- 4.3 Fronting the canal, there are a series of 7 no. of the hybrid buildings. Each unit has a small amount of private amenity space and pathway access to the road and parking area. Given that the towpath is approx. 2m higher than the site, when viewed from the canal, the buildings would be the equivalent of two and a half storeys. A section through the site shows that the building heights will align with the existing lock-keeper's cottage which will integrate the proposal with this, the most characterful building in the immediate vicinity of the site. These buildings have been oriented to create a gentle curve which would be slightly convex when walking along the towpath, but from within the site is correspondingly concave. Those units which front the canal would be no closer than 5m to the towpath and are 5m away from each other. This means that certain windows will be facing directly across the 5m gap towards other windows. These are generally second windows to rooms which can be either omitted or obscure glazed.
- 4.4 This run of canal-front buildings terminates at its eastern end before the lock keepers cottage to avoid impacting on its living space windows. This enables a large area of landscaped publicly accessible open space (30m x 40m) to be created between the residential buildings and the main spine road, which would be adjacent the lock. The eastern most property would be faced in a material to harmonise with the stone cottage and would also visually contain the space whilst providing natural surveillance over it. This would present an impressive entranceway to the whole site and hopefully provide the development with a positive arrival and a real sense of place.
- 4.5 At the western end of the site a wild meadow (74m x 18m) is proposed which would not be accessible to either public or residents and would create a natural buffer between the development and the river bank to the west. This area is currently covered in piles of rubble on a concrete base. The setting out of this area to wild meadow is therefore a considerable gain in respect of the biodiversity of the site and the river bank, which is a site of known otter activity.
- 4.6 Fronting the River Aire would be 8 hybrid blocks containing a mix of 4, 6 and 8 units. This terminates at the location of the existing river bridge in a 10m wide strip of public open space which would ultimately allow access to the river crossing. To the east of this, terraced houses are proposed to fill the remainder of the site. These will have rear gardens, a minimum of 10m in length, which back on to either the river, or the warehouses to the south-east. It is proposed that the boundary with the warehouses would receive a landscaped treatment to reduce their impact on the rear amenity space and views out from the residential units. All of the properties adjacent the river will be kept away from the top of the river bank in order to allow a minimum 4m width of landscape buffer to be created. This will aid in the protection of this sensitive waterfront habitat.
- 4.7 When viewed from within the scheme, the unit layout will create an elongated tapering enclosed square which focuses on the block at the western end. This includes an archway feature which provides access to the western-most residential building. The area to either side of the road will contain the car parking which is split into smaller areas in front of each of the buildings they serve and which are separated by landscaped strips containing tree planting. Some of the parking areas are between the buildings and can be seen from the canal towpath although landscaping is proposed to be used to soften the visual impact of these areas as well. Refuse storage areas are also included within the landscaping. This is part of the waste disposal strategy, thereby avoiding refuse containers being left on the highway on collection days.

- 4.8 The previous outline scheme proposed a new pedestrian and cycle bridge across the River Aire. However, this developer is being offered the 'otter island' site only, which means they have no control over the use of the land on the northern side of the river. The existing bridge is also outside the control of the developer. Therefore, in these circumstances, the best that can be achieved is that the layout offers the ability to link to an upgraded bridge in the future and that the developer allows this link to be accessible across their land in the future. Ultimately the developer of the northern site can reopen the existing bridge when this comes forward and there would then be a route to the north to Kirkstall Rd and along the river front. This would also give access to the existing and proposed areas of river-front open space on the northern side of the river.
- 4.9 Given the number of units it serves, the spine road which runs through the site must be adopted. However, the 200m long section of road which links the site with the Inner Ring Rd is not currently adopted. Additional works to the existing carriageway construction are required, as well as the creation of a new footway, lighting and drainage to bring it up to adoptable standards. The developer would undertake to make provision for these works to be carried out. It is considered that these carriageway improvements would be achievable without having to remove any of the existing trees along the canal embankment. An improved pedestrian link to the towpath, close to the site access point, would also be considered as part of these works which would eventually assist in linking the towpath to the river crossing. In addition, car parking is being proposed at one space per unit plus one per four units for visitors and cycle storage area will be provided for each house.

5.0 POLICY

- 5.1 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight they may be given.
- 5.2 Development Plan
The development plan comprises the Unitary Development Plan Review 2006 (UDPR) and the National Resources and Waste Local Plan 2013 (NRWLP)
- 5.3 The Draft Core Strategy (DCS) sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for an examination which commenced last month. Some weight can now be attached to the document and its contents recognizing that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the examination.
- 5.4 Residential development
Policy H4 of the Unitary Development Plan Review (UDPR) allows for residential development on unidentified, brownfield sites subject to the proposals being compatible with the area and all other normal development control considerations. Policy H2 of the Draft Core Strategy (DCS) carries this approach forward, subject to meeting accessibility standards. One of the core planning principles in the National Planning Policy Framework (NPPF) encourages the effective use of land by reusing 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.

5.5 Housing sizes

Policy H9 of the UDPR states that the Council will seek to ensure that a balanced provision in terms of size and type of dwelling is made in housing development. DCS 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. 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 (para 50).

5.6 Affordable housing

UDPR policies H11-H13 set out the requirement for the provision of affordable housing. The Interim Affordable Housing policy states that 5 per cent of the dwellings should be provided as affordable housing if the development is implemented in two years. DCS Policy H5 states that the Council will seek affordable housing from all developments of new developments either on-site, off-site, or by way of a financial contribution if it is not possible on site. These policies accord with paragraphs 47 and 50 of the NPPF. Annex 2 of the NPPF defines affordable rented housing as that which is let by local authorities, or private registered providers of social housing, to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent.

5.7 Design and amenity

UDPR policy GP5 states that proposals should resolve detailed planning considerations and should seek to avoid loss of amenity. Policy N12 identifies fundamental priorities for urban design, including ensuring new buildings are good neighbours. UDPR policies N2 and N4 identify where new development should assist in supporting the establishment of the hierarchy of greenspace. Policy N8 identifies this site as an Urban Green Corridor which has the potential to provide for informal recreation and contribute to visual amenity and nature conservation. This policy also requires that where there is the potential to create a link between existing green spaces this should be retained.

5.8 Similar design and amenity policies are contained within the DCS. 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 P11 states that heritage assets will be preserved. P12 states that landscapes will be conserved and enhanced.

5.9 Transport and access

UDPR policy GP5 states proposals should avoid highway congestion and maximise highway safety and resolve access issues. Policy T2 amplifies these requirements and subsequent policies T2B-D set out the need for transport assessments, travel plans, and public transport contributions. Policy T6 states that satisfactory access for disabled people and others with mobility problems is required. Car parking, cycling, and motorcycle parking requirements are contained within Appendix 9.

5.10 DCS Policies T1 and T2 identify transport management and accessibility requirements for new development. Specific accessibility standards are included in DCS Appendix 2.

5.11 Natural Resources and Waste Local Plan 2013 (NRWLP)

The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policy Land 1 states that trees should be conserved wherever possible and new planting should be introduced to create high quality environments for development.

5.12 Supplementary guidance

Relevant supplementary guidance includes the Public Transport Improvements and Developer Contributions SPD; Travel Plans SPD; Building for Tomorrow Today – Sustainable Design and Construction; SPG3 Affordable Housing; and SPG13 Neighbourhoods for Living (2003): Leeds Waterfront strategy.

6.0 ISSUES

Members are asked to consider and respond on the following matters:

- 6.1 The development is located on a brownfield site within an otherwise industrial area. It already has permission for approximately 400 flats and 20 houses as part of the previous permission. Noise and amenity issues will have to be assessed as part of any future application.

Do Members consider that the principle of the use of this site for residential use remains acceptable?

- 6.2 This residential unit format relies on houses, some of which are attached to others at the rear, in blocks of up to 8 units. Some of the units also have small areas of private amenity space rather than traditional gardens and the parking is contained in small combined areas. Some secondary windows will look across to other secondary windows at a distance of 5m in some cases.

Given that this is an unusual form of housing, in an usual location, is this format of unit type and restricted size of private amenity space, for a majority of the units, considered to be acceptable here?

Do members consider that the use of obscure glazing and off-set window patterns is necessary in situations where windows face across a 5m gap between properties?

- 6.3 Parking is accessed from the spine road and is broken up by areas of landscaping.

Do Members consider that the method of reducing the visual impact of the car parking areas, through the use of landscaping, is acceptable across all parts of the scheme?

If proposed by the developer, would Members be agreeable to a reduction in car parking provision on this site, which would improve the ratio of landscaping to car parking?

- 6.4 The only residential property adjacent the site is the listed former Oddy's lock-keeper's cottage which has windows facing out over the site. The proposal has avoided development which is directly in line with the living space windows of the cottage and provided an area of publicly accessible open space adjacent to it.

- (i) **Do members consider that the residential amenity of the occupiers of the lock-keeper's cottage has been satisfactorily protected?**
- (ii) **Do Members consider that the setting of the listed building has been enhanced by the location of the open space and the design of the closest new building, which is sympathetic to the character of the cottage?**
- (iii) **Do Members consider that the amount of publicly accessible open space proposed within the scheme provides sufficient levels of amenity for the residents and others who may use the space?**

6.5 12 terrace properties are located along the south-eastern side of the site at a distance of 13m from a blank warehouse elevation. The developer intends to provide a landscape treatment along this boundary to reduce the impact of the warehouse on these units.

Do Members consider that the relationship of the terraced houses to the adjacent warehouse wall is acceptable?

6.6 A total of 24 units front the canal towpath. This are set approximately 2m lower than the towpath and are a minimum of 5m away from it.

Do members consider that the relationship of the residential properties to the towpath is acceptable?

6.7 The applicant is proposing to upgrade the existing access road to an adoptable standard and provide a footpath along its full length to the Inner Ring Road. This would run parallel with the canal tow path which also provides pedestrian and cycle facilities to the city centre and out to Armley and beyond. As the bridge over the river is not within land over which the developer would have control, the road and towpath would be the only routes by which pedestrians would be able to access the site, until such time as the bridge was brought in to use by the neighbouring developer.

Do Members consider that the road and towpath would provide an acceptable level of pedestrian accessibility?

6.8 A Section 106 Agreement will be required to secure: works to the access road to bring it up to adoptable standards; provision of affordable housing; contribution to off-site green space; contribution to educational facilities; travel plan measures; any other off-site highways works which are considered necessary; a public transport infrastructure contribution; possible lighting of the towpath from the site access point as far as the inner ring road bridge (from which point lighting already exists to the city centre); maintenance of on-site publicly accessible open space; permitting the link to be provided and remain open across a bridge to the northern side of the River Aire; jobs and skills priority for local people during construction and any other obligations which arise as part of the application process.

Do Members have any comments to make about this range of likely Section 106 contributions?

Background Papers:

Application file: Outline Planning Permission: 06/04610/OT

