



Report of the Chief Planning Officer

Plans Panel West

Date: 5th December 2013

Subject: APPLICATION NUMBER 12/04008/OT: Outline Application for residential development including means of access and demolition of existing buildings,

At: Department For Work and Pensions, Government Buildings, Otley Road, Leeds

APPLICANT

Telereal Trillium Limited

DATE VALID

04.09.2013

TARGET DATE

04.12.2013

Electoral Wards Affected:

Adel and Wharfedale

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: For Members to note the content of the report and to provide feedback on the questions raised at section 9 of this report.

INTRODUCTION:

1.1 This report is brought to South and West Plans Panel for information. Officers will present the current position reached in respect of this application to allow Members to consider the proposed S106 package which is being offered from the applicants and extent of the proposed off-site highway works.

2.0 PROPOSAL:

2.1 The proposal seeks Outline planning permission for residential development. All matters are reserved except for Access which is applied for in detail. The vehicular access proposals would utilise the two existing accesses, one onto Otley Road and the second on to Adel Lane.

2.2 In design terms, an indicative masterplan has been submitted which shows a layout of circa 121 units, mainly semi-detached and detached dwellings (101 units) with 20

apartments located in two blocks. The development is situated around four main loop roads. The dwellings would likely be mostly 2 and 2.5 storey in height. Members should note that the masterplan is indicative and would not form part of the approved set of drawings.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is currently in use as office accommodation for the Department of Works and Pensions. The site comprises a number of buildings, which are predominantly single storey in height. These buildings are flat roofed prefabricated structures which are linked together by corridor sections. The site is partly occupied at present with approximately 300 staff. The buildings are sited within the site, away from the frontage with Otley Road. The site was developed in the 1950's. The south-western part of the site contains a concrete civil bunker which was also constructed in the 1950's and was decommissioned in 1990. Parking areas lie between the buildings, with a main parking area located to the front of the site, adjacent to Otley Road.
- 3.2 There are substantial TPO'd trees located along the north, south and eastern boundaries of the site. A number of large trees which existed on the site were removed by the owners in the summer of 2013. The immediate adjacent area is predominantly two storey residential in character though there are some commercial and non residential premises within the locality. The general locality comprises of large detached properties which are located within spacious plots. The locality is also characterised by mature trees and other vegetation.
- 3.3 The adjacent site to the south, is locally known as the Bodington Hall site which until recently accommodated a student halls of residence development. This site is currently being developed by Barrett's Homes for executive styled housing. To the west of the site, across Otley Road lies Lawnswood Cemetery. To the north lie residential properties which lie on Lawns Hall Close, and The Meadows. To the east lie the rear gardens of the properties which front onto Adel Lane. The site is well screened to all sides by mature trees and other vegetation.
- 3.4 The access from Adel Lane, lies between two detached properties which face onto Adel Lane, numbers 133 and 137. The existing property at 137 Adel Lane has been acquired by the applicants and included into the red line boundary of this application site. The ownership of this property allows improvement to visibility, and for part of the rear garden to be developed.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There are records of a number of minor applications to the existing DWP site for alterations such as signage and fencing, which have no relevance to this proposal. This is the first application which is concerned with the redevelopment of the site.
- 4.2 Outline planning consent was granted in 07.09.12 for outline residential planning consent with access only on the adjacent Bodington Hall site. Reserved Matters approved for all outstanding details for 106 properties was granted on 06.03.13. A separate Reserved Matters application for a further 20 properties is currently pending the consideration of this department. It is anticipated this will be approved under delegated powers in the very near future.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The Local Planning Authority first was approached by the landowners and their agents of the site, and had an initial meeting on 17th August 2012 to discuss redevelopment options for the site. At this time, we were led to believe that the site was owned by the Department For Work and Pensions, and as such the site benefited from Crown Immunity and as such provisional TPO could not be issued.
- 5.2 The provisional Tree Preservation Order was placed after complaints were received that large mature trees were being felled at the site, in the summer of 2013. At this time the Local Planning Authority learned that the site was now owned by a private third party who was leased back the site to the DWP.
- 5.4 As the site did not benefit from Crown Immunity (as it was not owned by the DWP) a provision TPO was then placed to ensure other mature valuable trees with high levels of amenity value at the site were not lost, before a full appraisal of the health and status of the trees on site could be made. The owners then applied to the Forestry Commission for a felling license which would effectively squash the provisional TPO. To date no formal decision has been made by the Forestry Commission for this application.

6 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was publicised by 11 site notices which were posted around the site on 13th September 2013. An advert was also placed in the local press on 19th September 2013. To date nine letters of representation have been received to the publicity of this planning application to date. The following issues have been raised:

- Objections over use of Adel Lane access into the site
- Concerns over using Adel Lane access
- Over-dominance of some plots
- Over-looking/ loss of privacy on existing adjacent properties
- Impact on schools, not enough school places, scheme should include a new school
- Not enough capacity on local amenities should as doctors
- Is there enough capacity in public transport to cope?
- Impact on surrounding trees
- Development should be restricted to 2 storey in height
- No further trees should be lost to accommodate this development
- Increase in cars in the surrounding roads
- Loss of views from existing adjacent properties
- Sustainability considerations and Highway safety
- Scheme should include a play area and small shop

CONSULTATION RESPONSES:

6.2 Statutory Consultees

Drainage	No objections in principle subject to conditions
Highways	No objection in principle but requires changes to the indicative masterplan which can be dealt with at Reserved

Matters stage. Highways also require off site highway works in order to mitigate the impacts on the surrounding highway network. See Section 10.2 of this report.

Yorkshire Water No objections subject to conditions, further details are required on the route of surface water disposal.

Environment Agency No objections subject to conditions.

6.3 Non Statutory Consultee

Landscape Team Object to the indicative Masterplan due to loss of tree and proximity of some plot and the new access to these trees.

Nature Conservation The Ecology Report is satisfactory and has highlighted a number of conditions which need to be addressed through conditions such as the inspection of bat roosts, and opportunities for these to be provided for elsewhere

Transport Policy Require Travel Plan Monitoring fee of £2650

NGT / Public Transport Require commuted sum of £1089 per unit which is in-line with the policy requirements of 'Public Transport Improvements and Developer Contributions'.

Local Plans Require on site greenspace which equated to 0.004 ha per unit and off-site contribution of £1511.20 per unit to satisfy the policy requirements of N2.2 and N2.3.

Environmental Health No objections

Affordable Housing Require 15% on site provision, 50/50 split of sub-market and social rented, which is in-line with the interim policy.

Education Leeds Require a commuted sum of £2972.32 per unit towards Primary School provision

Metro The developers should fund £462 per unit to purchase Bus only Travel Cards, for one year only and bus shelter at a cost of £10,000 to an existing bus stop, and a further £6,000 for DDA compliant kerbs.

Contaminated land Conditions recommended.

7 **PLANNING POLICIES:**

7.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

7.2 The Development Plan for the area consists of the adopted Unitary Development Plan Review (2006), the Natural Resources and Waste DPD (2012) along with relevant supplementary planning guidance and documents. The Local Plan (Core Strategy

and Site Allocations Plan) will eventually replace the UDP – the Core Strategy has been submitted to the Secretary of State and is currently undergoing Examination and the Site Allocations Plan is at Issues and options stage having been through a period of public consultation in the summer of 2013.

Development Plan:

7.3 The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

SG4	Sustainable development principles
GP7	Planning obligations
GP5	seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
N2	Green space
N4	Greenspace
N12	Urban design priorities
N13	Design quality for new housing
H4	Windfall housing sites
H11	Affordable housing
H12	Affordable housing
H13	Affordable housing
T2	Highways issues
T24	Parking provision for new development

Relevant supplementary guidance:

7.4 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.

Street Design Guide SPD
Neighbourhoods for Living SPG
Adel Neighbourhood Design Statement
Public Transport Infrastructure SPD
Travel Plan SPD (Draft)
Education SPG
Affordable Housing SPG (Interim Policy)

National planning policy

7.5 National Planning Policy Framework: Paragraph 56 refers to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to the desire to optimise the potential of the site to accommodate development. The NPPF favours the principle in presumption of sustainable development.

8 MAIN ISSUES:

- Principle of the development

- Amenity Issues
- Layout/ Trees
- Highways Issues
- Section 106 package
- Other Issues

9 APPRAISAL:

Principle of the development

- 9.1 The principle of residential development is considered acceptable. The site is an existing office development located in the main urban area. The principle of re-using the site for housing is acceptable and accordance with policy H4 of the UDP and sustainable development considerations of the National Planning Policy Framework. It is accepted that due to the pre-fabricated nature of the accommodation on the site that it would require major investment and improvement to meet modern day office standards and needs and therefore unlikely to be attractive to prospective office occupiers. The wider area is residential in character, and it is considered that the principle of the development is consistent with the adjacent Bodington Hall site which is currently being developed for housing. **Members may wish to comment on the principle of Residential Development upon this site?**

Amenity Issues

- 9.2 The proposed development is not considered likely to have a significant impact on the amenity of existing neighbouring residents. The site is fairly discreet and self contained given the extent of substantial TPO trees which are located along the site boundaries. Given the residential nature of the proposed development it is not envisaged that the development would have significant effects on the occupiers of neighbouring dwellings through noise and disturbance, comings and goings or through any over looking or loss of privacy.

- 9.3 Further design and highway layout works will be required but this will be dealt with at Reserved Matters stage when a house builder comes forward. The proposed access arrangements are not envisaged to impact on the existing neighbouring dwellings to any significant extent. The comings and goings from the use of the existing Adel Lane access should not result in serious impacts on the neighbouring residents, particularly when compared to the potential fall-back position of the site, should it be fully occupied. The issue regarding limiting the number of vehicles using the Adel Lane access is covered in Section 9.7 of this report.

Layout/ Trees

- 9.4 This outline application was submitted with an indicative Masterplan which showed the layout of a scheme of 121 units. This Masterplan indicated the removal of approximately 60 further trees, in addition to the trees already removed. The Tree Officer has objected to loss of some of these trees, as they are healthy, mature and of generally are of a high amenity value which contribute positively to the character of this locality. There is also concern regarding the proximity of some of the plots proposed, and access route through the site, in relation to the trees which are shown to be retained around the site boundaries.

- 9.5 The applicants have stated they do not wish for layout to be approved as part of this outline application as the site will be sold to a separate third party developer who is likely to want to design their own scheme, and therefore wish to retain maximum flexibility through this outline application. In view of this, it is not considered the application can be refused due to the loss and / or impact on protected trees as this

matter would be fully considered at the Reserved Matters stage. However it has been made clear to the applicant their indicative Masterplan would not gain the support of the Local Planning Authority, and this will not form part of the approved Outline consent. The need and duty to fully consider the retention of trees through the detailed design of the site has been made clear to the applicants.

Highways Issues

- 9.6 The highway access proposals are the main issues in the determination of this application, and is the sole matter for which approval is sought through this outline application. The use of Otley Road access is acceptable given it is existing and currently provides the main form of vehicular access into and out of the site. The site has a second access from Adel Lane. This access is also existing and the indicative Masterplan shows a through route, linking these two accesses. The majority of the objections received are based on the fact that access is also to be taken from Adel Lane, with regard the resulting increase of traffic along this road and increased safety risk to users of this highway.
- 9.7 Highway Officers have no objection to the use of the Adel Lane access, but are concerned that the site could be used as a short cut by drivers on Otley Road. Highways have suggested that this access only serves a limited number of units, with the remainder being served from Otley Road, or that the internal layout is designed in way which makes its harder and longer for drivers to navigate through the site between both access's, so physically it is not a shortcut. This approach was taken on the access through the adjacent Bodington Hall site, deter people driving through the site. However due to the outline nature of the application, the layout of the scheme is not under consideration at this stage. The applicants have been made aware that the Local Planning Authority would not support a short, clear unobstructed route from the site, linking the access from Otley Road and Adel Lane. **Are Members comfortable with this approach to ensure additional traffic from this site onto Adel Lane, is not significant?**
- 9.8 The applicant has provided a highway mitigation assessment demonstrating that some works on the strategic network could be completed to provide approximately nil detriment to the development's highway impact, on the future year capacity of the ring road junction, if the NGT junction scheme does not come forward. The future year capacity without the development is already over capacity and the highway mitigation assessment reduces the length of queues on approaches, so the development traffic would not exacerbate the congestion issues at these junctions. However, this mitigation is only as a result of the way queues are calculated, and in reality this slight capacity mitigation would not provide a real benefit in terms of capacity so that the development impact would provide nil detriment on the highway network if the works were delivered.
- 9.9 Recently however, the Breary Lane major housing scheme in Bramhope has just been submitted as a planning application, and the north of Adel PAS site is close to being submitted as an application (currently in pre-app discussions). Combined with these sites, the cumulative effect of additional traffic on the ring road junction is likely to cause even greater severe queues at peak times on this junction. Now that these sites have come forward, the cumulative effect of these 3 developments on the junction needs to be assessed in terms of future year capacity (without NGT scheme) so that a co-ordinated junction mitigation package can be proposed. At this stage it would be premature to decide on the highway package of this site when additional developments are planned and additional modelling, with future year flows plus DWP + Breary Lane + Adel PAS site will need to be assessed. We have

requested these further modelling works from the applicants, and are awaiting this further information.

Section 106 Agreement

9.10 As this application is submitted in outline with all matters except access reserved, the Section 106 cannot specify specific amounts as numbers and types of units are not confirmed at this stage. The Section 106 will cover all the required policy areas were this development will need to make contributions towards including education, affordable housing, off site greenspace, and the laying out and maintenance of the on site public open space, off site highway works, public transport infrastructure and travel planning measures and the travel plan monitoring fee.

9.11 The applicant is proposing to make the full sought after contributions in respect of affordable housing, on and off site green space, and education provision. The S106 contributions agreed with the applicants are highlighted below.

- Affordable Housing on site provision (15% of total number of dwellings with a 50/50 split in tenure type)
- On site Green space contribution (scheme to be devised at the Reserve Matters stage which equates to 0.004ha per unit)
- Off site Green Space towards district parks and children play area, £1, 511 per unit, which is fully in-line with policies N2.2 and N2.3
- £2972.31 per unit towards Primary School provision which is in-line with the Supplementary Planning Guidance 11.
- Metro Cards for each unit for a one year period at a cost of £462 per unit
- Local Employment Training Initiative clause
- Travel Plan and Travel Plan Monitoring Fee (£2,650)

Can Members confirm they are satisfied with these agreed S106 contributions?

9.12 To date no resolution has been made on the proposed package of off-site highway works. The Local Planning Authority are seeking the following contributions

- Public Transport contribution of £1089 per unit, which allows for a 10% reduction given the previous use on the site. This is in-line with the adopted SPD 'Public Transport Improvements and Developer Contribution'.
- Contribution of £110,000 to part fund a crossing on Ring Road, only payable if the NGT scheme fails to materialise as this project includes new pedestrians crossings.
- Speed calming measures to Adel Lane between Church Lane and Farrer Lane (approx cost £250 000)

9.13 The applicant has only agreed a part contribution towards Public Transport at £566 per unit, or to make the £110,000 crossing contribution, not both. The applicants have offered the £566 Public Transport contribution as they assume only 13% of

trips from the proposed development would be made by public transport. This is considered to be low, and is not the standard for new residential development in outer locations such as this, which normally assume 25% of journeys are too made by public transport. **Do Members support Officers view in securing a full Public Transport Contribution of £1089 per unit, which is in-line with the adopted Public Transport SPD?**

- 9.14 The sought after traffic calming scheme will aid those pedestrians crossing Adel Lane including those pedestrian trips to the schools in Adel. This will extend a traffic calming scheme which has been funded by the adjacent Bodington Hall scheme. There is a history of complaints regarding speeding on Adel Lane and it is considered as the traffic frequenting Adel Lane will increase as a result of this proposal, that further calming measures located north of the site are required.
- 9.15 Another impact of these traffic calming measures will also slow traffic speeds down and thus enable better visibility from the existing Adel Lane junction. It is envisaged these speed calming measures would be speed cushions and raised table top designs. The applicant has stated it is unreasonable to the Local Planning Authority to request funding for further calming measures in Adel Lane as the majority of the traffic from the site will be heading south, and this section of Adel Lane will benefit from speed calming measures funded by the adjacent Bodington Hall scheme. **Do Members support Officers view that the scheme needs to fund further Traffic Calming Measures along Adel Lane between Church Lane and Farrer Lane?**
- 9.16 The site faces onto A660 which is busy road, subject to a 40mph speed limit. During the assessment of the adjacent Bodington Hall scheme it was considered there was a need to improve connectivity to Far Headingley, West Park, and to allow safe access to the local facilities and in particular Lawnswood School. A contribution was secured through this development towards a pedestrian crossing around the Ring Road West Park A6120 of £97,500, with an estimated cost of funding this crossing being £200,000 - £250,000. A sum of £110,000 is being sought from this scheme to pool with the sum secured from the Bodington Hall scheme. This sum will only be required if the NGT scheme does not materialise as this project will deliver new pedestrian crossings. To date the applicant has declined to make a contribution to deliver this pedestrian crossing, but has only offered this contribution if the Local Planning Authority 'waive' the separate Public Transport Contribution. **Do Members support Officers view that the scheme needs to contribute towards a new pedestrian crossing across the Ring Road, to be spent cumulatively along with the funds already secured through the adjacent Bodington Hall scheme?**
- 9.17 A contribution to provide a new bus stop shelter for bus stop 11743 (at a cost £16,000 which includes raised kerbing and footway construction) is being sought from the applicants. This bus stop at present, which offers journeys northwards has no shelter which does make it unattractive to potential users. To date we have not received a commitment from the applicants to make this contribution. **Do Members consider the development should fund a bus shelter at this stop?**

Other Issues

- 9.18 A number of points raised by the objectors relate to detailed issues which are not known at this stage, due to the outline nature of the application, such as height of the development, and subsequent impact on over-shadowing, loss of views, loss of privacy etc. Given the size of the site, it is considered a scheme can be devised which would not have a detrimental impact on adjacent occupiers in these respects. In any event majority of the site is enclosed by mature trees which will absorb and shield much of the impact of development site.

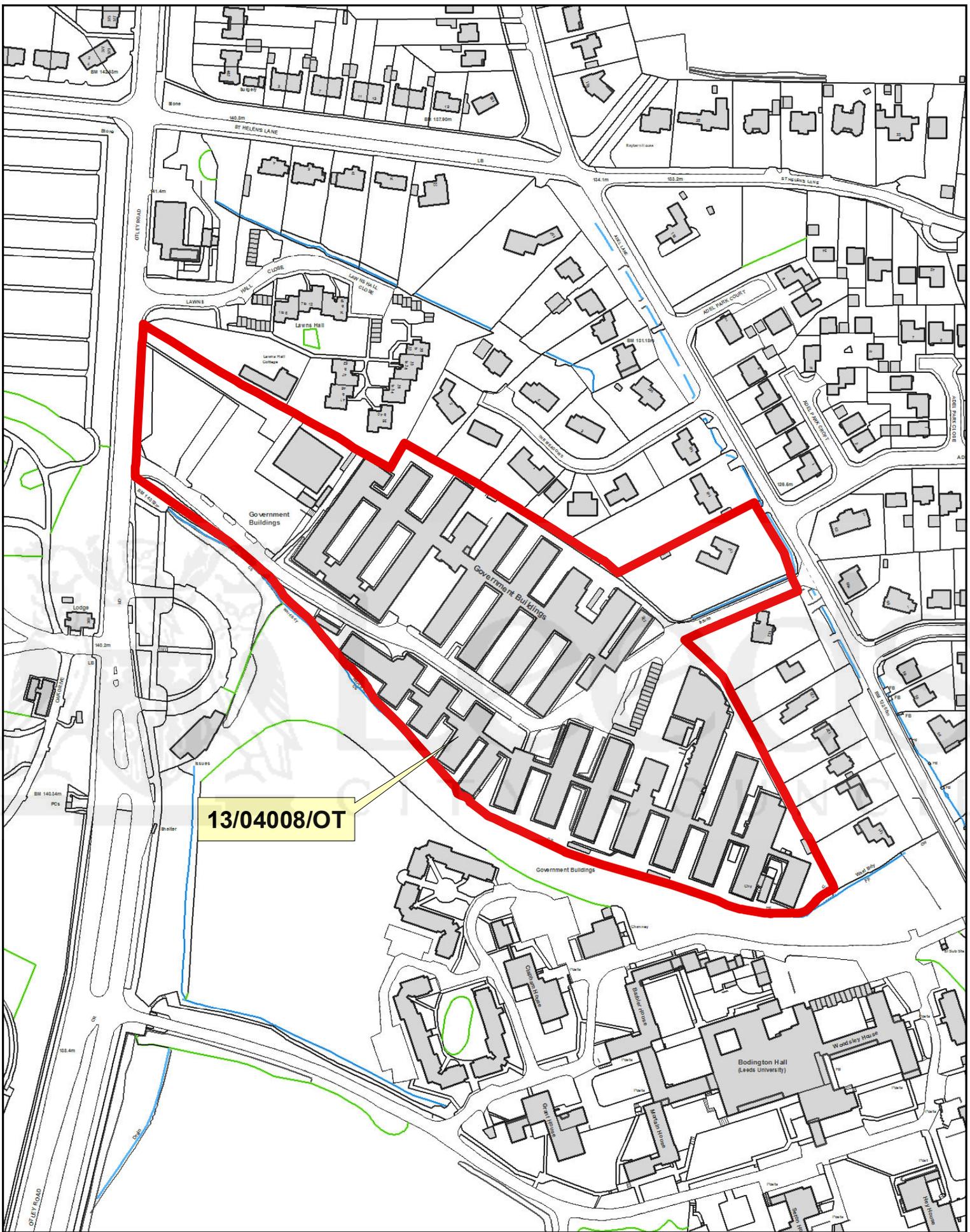
- 9.19 A number of objectors have been received concerning the capacity of local services, in particular the provision of school places. Education Services have stated there is a need for additional Primary School places and a contribution towards this provision has been secured through this application.

CONCLUSION:

- 10.1 The benefits of the scheme of developing a brownfield site are recognised and acknowledged. However it is considered the scheme needs to provide an adequate level of off-site highway works to mitigate the development, and to ensure it does not have a significant detriment impact on the existing local highway network, or on the living conditions of existing residents, and promotes sustainable modes of transport. As such we require the applicants to fund the sought after off-site highway works, which are detailed in this report.

Background Papers:

Application and history files.



13/04008/OT

SOUTH AND WEST PLANS PANEL

