



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 14th September 2017

Subject: 16/07871/FU – Planning Application for residential development comprising of 27 flats and 15 houses with parking and greenspace at the former public house site, Rathmell Road, Halton.

APPLICANT

Provident Land Ltd - Mr
Jerome O'Malley

DATE VALID

9th January 2017

TARGET DATE

22nd September 2017

Electoral Wards Affected:

Temple Newsam

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 following conditions and the prior completion of a section 106 to cover the following:

1. Affordable housing (5%) – 2 units on-site
2. Commuted sum in lieu of on-site greenspace – £93,524.20

In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

1. Time limit – 3 years.
2. Development to be carried out in accordance with approved plans.
3. Wall, roofing, surfacing windows and door materials.
4. Levels and Finished floor levels.
5. Landscaping scheme
6. Landscape management plan to cover maintenance of all new landscaping for the first 5 years, and the management of on-site open space and areas of landscaping not within individual plots for the lifetime of the development.

7. Lighting
8. Vehicle areas to be laid out prior to occupation.
9. Construction management statement, to include provision of contractor parking, material storage etc within the site
10. Bin storage
11. Cycle parking to be provided
12. Electric vehicle charging points to be provided
13. Infiltration drainage methods feasibility method study
14. Drainage scheme
15. Sustainability measures to be agreed
16. Drainage details
17. Submission of remediation statement
18. Amended remediation statement if unexpected contamination is encountered
19. Verification report following remediation

1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel as the proposal is a departure from the adopted development plan as housing is proposed on parts of the site that is formally designated as N1 Greenspace within the saved UDP (Review).

2.0 PROPOSAL

- 2.1 The proposal includes demolition of the existing derelict public house and its replacement with 27 flats and 15 houses (42 dwellings in total) on the wider site. Parking, greenspace and associated landscaping is also proposed. The proposal comprises of:-
- 2.2 15 houses (6 x 2 bed, 8 x 3 bed and 1 x 4 bed) and 27 flats (2 bed with a mix of 2 and 4 person units). All the houses with the exception of 1 (which would be detached) would be provided as semi-detached properties. The flats would be provided within 3 blocks.
- 2.3 The proposed layout takes account the shape of the site with the buildings located around the boundary, in a horse shoe shape. This has regard to the crescent form of the western boundary of the site. Vehicular access to the site is taken from the northern boundary off of Rathmell Road. The proposed access road runs north to south (but is restricted at the southern boundary).
- 2.4 The site is split into two parts (east and west) as a result of this new internal road. The western section of the site, which includes the crescent shaped element, consists of 5 buildings. This includes the largest flat block that forms a feature building as it is sited in line with the junction of Coronation Parade and Rathmell Road. This block is a mix of 3-storeys with pitched roof (with a flat in the roof space) in the centre stepping down to 2-storeys with pitched roof and then a single storey element to the side providing access the ground floor flats. All the houses are two storey and have parking off Rathmell Road. Located to the rear of flat block and houses are the private amenity spaces and a parking court for the flats. Pedestrian access is provided north to south on the site and access through the site to the public open space which adjoins the eastern boundary of the site.
- 2.5 To the east of the internal access road the site is rectangular in shape and has house and flats flanking each boundary with a central greenspace area proposed.

The greenspace area is 0.12 hectares. All these buildings are two storey, with frontage parking and private amenity areas to the rear.

- 2.6 The materials proposed are brick and cladding concrete roof tiles, all of which relate to the surrounding buildings. Final details are indicated to be subject to agreement.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is 0.95 hectare in size and largely comprises of open grass. In the centre of the site is a 2-storey building known as the Halton Hotel public house which is now in a dilapidated state of repair. A small area of hardstanding for parking is also available with access taken from north.
- 3.2 The surrounding area is residential comprising of two storey, semi-detached properties. There are two Public Rights of Way running down the side (north boundary) and through from south to the neighbouring public open space area which runs behind the Rathmell Road properties.
- 3.3 There are other sites in the locality that form part of the East Leeds Brownfield Land Programme which went to Plans Panel on 30th March 2017. This site is listed on the Derelict and Nuisance Property Programme by the Council.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None relevant to this site

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 There have been pre-submission discussions regarding this site (PREAPP/14/00380) for 72 units and comments provided to the applicant were it would be beneficial to retain some greenspace and that the development was too intensive/cramped.
- 5.2 Further revisions to the above have been considered which have lower the overall density and resulted in the submission of the current planning application.
- 5.3 During the process of the application, the application has been amended by reducing the height of the large flat block which reduced the total number of units by 1. Elevational changes to buildings (use of materials) and an increase in greenspace provided on site and changes to parking provision have also been secured.

6.0 PUBLIC/LOCAL RESPONSE:

Ward Members

- 6.1 Ward Members have been briefed during the planning application stage. Whilst none have formally commented, in principle they are supportive of redeveloping the site but raised some concern regarding the height of the flat block to the front of the site.

- 6.2 A public consultation event was carried out by the applicant agents on 15th March 2017, 3 – 7pm at Halton Moor Social Club (following a leaflet drop in the area). Feedback was positive feedback regarding aesthetics, greenspace provided on site, the site regeneration as it has been a site of anti-social behaviour for a number of years.
- 6.3 The application has been advertised by site notices posted 27th January 2017 and newspaper advert published 13 January 2017. No letters of representation have been received.

7.0 CONSULTATIONS RESPONSES:

- 7.1 LCC Highways: No objection to the revised layout subject to conditions as initial points raised have been addressed through negotiations.
- 7.2 LCC Flood Risk Management: No objection subject to conditions
- 7.3 LCC Contaminated Land: No objection subject to conditions
- 7.4 LCC Sustainable development Unit (design and landscape): No objections subject to conditions.
- 7.5 West Yorkshire Combined Authority: Request bus stop improvements and residential travel cards.
- 7.6 Coal Authority: No objection subject to conditions.
- 7.7 LCC Architectural Liaison Officer – the development creates a safe and secure environment that reduces the opportunities for crime without compromising community cohesion
- 7.8 Yorkshire Water; No objection subject to the conditions
- 7.9 Public Right of Way (PRoW) – running through the site which will require diverting. A diversion/new route has been agreed in principle.

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Plan.

Adopted Leeds Core Strategy (LCS)

- 8.2 The following Core Strategy policies are considered most relevant:

Spatial Policy 1 Location of Development
Spatial Policy 6 Housing requirement and allocation of housing land
Spatial Policy 7 Distribution of housing land and allocations

Policy SP4	Regeneration Priority Area (East Leeds)
Policy H1	Managed release of sites
Policy H3	Density of residential development
Policy H4	Housing mix
Policy H5	Affordable housing
Policy T2	Accessibility requirements and new development
Policy P10	Design
Policy P12	Landscape
Policy G4	New Greenspace provision
Policy G6	Protection and redevelopment of existing greenspace
Policy EN1	Climate change
Policy EN5	Managing flood risk
Policy ID2	Planning obligations and developer contributions

Saved Policies - Leeds UDP (2006)

- 8.3 The site, apart from the area of hardstanding with access road and building are designated N1 Greenspace (Saved UDP Policy) which links into an existing area of greenspace to the east of the site. The following saved policies within the UDP are considered most relevant to the determination of this application:

GP5: Development Proposals should resolve detailed planning considerations.

N1: protection of existing greenspace

N23/25: Landscape design and boundary treatment

LD1: Detailed guidance on landscape schemes.

Submission Draft Site Allocations Plan (SAP) (May 2017)

- 8.4 In the Draft SAP the majority of the application site is allocated as a Phase 1 housing allocation ref HG2-215. However, at present the SAP does not outweigh the current greenspace status. The Plan was formally submitted to the Secretary of State for Communities and Local Government on 5 May 2017. This means the Plan is now in the examination period (which is a continuous process running from the date of submission through to the receipt of the appointed Planning Inspectors Report). The Plan is at an advanced stage and has material weight in considering planning applications. The LPA must however apply balance and planning judgment against the current PAS policy against the Councils lack of a 5 year housing supply.
- 8.5 Within the Draft SAP the application site (SAP reference HG2-215) is proposed as having a capacity for circa 30 dwellings. The application site is larger than the site allocation under the Draft SAP hence the increase number of Properties proposed. The application is considered to be premature given the allocation of the site and should be determined via the plan making process. However, the application is in general conformity with the SAP proposed allocation.

Relevant supplementary guidance:

- 8.6 Street Design Guide SPD
Neighbourhoods for Living SPG13
Sustainable Design and Construction SPD
Parking Standards SPD
Public Transport Improvements and Developer Contributions SPD
Travel Plan SPD

Halton Moor and Osmondthorpe Development Framework

- 8.7 This framework was approved by Planning Board in July 2017 and is a material consideration when determining a planning application; the application site is included as a proposed housing site within the framework.

National Planning Policy Framework (NPPF)

- 8.8 The National Planning Policy Framework (2012), and the National Planning Practice Guidance (NPPG) (2014) set out the national policies for England and how these are expected to be applied. One of the key principles running through the Framework is a presumption in favour of Sustainable Development set out in three parts: Social, Economic and Environmental.
- 8.9 With regard to housing applications, the NPPF sets out at paragraph 47 that to boost the supply of housing, LPAs must identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional of 5% (moved forward from later in the plan period) to ensure choice and competition in the market of land. Deliverable sites should be available now, be in a suitable location and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. It states that where there has been a record of persistent under delivery of housing, LPAs should increase the buffer to 20%.
- 8.10 Paragraph 49 of the National Planning Policy Framework states the following:
- “Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites.”*
- 8.11 In the appeal decision dated 8 June 2016 in relation to land at Grove Road, Boston Spa in accordance with appeal APP/N4720/A/13/2208551, the Secretary of State (SoS) took the view that on the basis of the evidence available to him at that time, the Council was unable to demonstrate a deliverable 5-year supply of housing land. Paragraph 13 of the SoS finding states that: *Having regard to the Development Plan position, the SoS agrees with the Inspector that there is no 5-year housing land supply.*
- 8.12 In light of the above findings, the Council is now in the position that it does not have a 5 year housing supply and the policies within the saved UDP and LCS that are relevant to the supply of housing are considered to be out of date. In determining which policies are defined as ‘relevant policies for the supply of housing’, in terms of those policies that should be considered out of date, case law has determined that Paragraph 49 of the NPPF should be interpreted narrowly and applies to all policies which relate to the supply of housing.
- 8.13 Also relevant is the guidance contained within the NPPF that relates to policy implementation and the status to be given to emerging plans. Paragraph 216 of the NPPF advises decision-makers may also give weight to relevant policies in emerging plans according to:
- (i) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

(ii) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(iii) The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

This is pertinent to the Draft SAP in Leeds which is at an advanced stage and is currently under inspection by the SoS.

8.14 The below sections are also considered to be relevant:

Section 1 - Building a strong, competitive economy
Section 4 - Promoting Sustainable transport
Section 6 - Delivering a wide choice of quality homes
Section 7 – Requiring good design

DCLG - Technical Housing Standards 2015

8.15 This document sets internal space standards within new dwellings and is suitable for application across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the City Council is currently developing the Leeds Standard. However, as the Leeds Standard is at an early stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached to it at this stage.

9.0 MAIN ISSUES

1. Principle of development
2. Character of area / Visual Amenity
3. Housing Mix
4. Highways and access
5. Residential amenity
6. Planning Obligations and CIL Other Matters

10.0 APPRAISAL

Principle of development

10.1 The majority of the site is currently designated N1 Greenspace in the UDP (Review) apart from the area of land which contains the dilapidated former PH building, access road and parking (area of hard-surfacing) which is located in the centre of the site and is therefore Brownfield Land which is previously developed. Part of the site to the eastern boundary, a strip of land 3m in depth running the full length of the site remains designated as N1 Greenspace under the UDP (Review) and the SAP as the land to the east of the site is now and will remain designated greenspace.

- 10.2 Core Strategy policy G6 states that the development of existing open space will not be supported unless (i) there is an adequate supply of greenspace in the area, (ii) compensatory provision is made within the locality or (iii) 'where supported by evidence and in the delivery of wider planning benefits, redevelopment proposals demonstrate a clear relationship to improvements of existing green space quality in the same locality.'
- 10.3 The site itself has become run-down and is not used as a greenspace facility and overtime it has become a nuisance site with significant anti-social behaviour occurring on and around it and has become an eyesore within the streetscene and local area. The proposed development provides some replacement greenspace on site which is located near the existing greenspace at the bottom of the site (which does not form part of this application) and creates good links to this area, therefore complying with G6 (iii). This provision of on-site greenspace is proposed to be combined with a commuted sum of £93,524.20 to be used towards greenspace improvements within the locality. The proposals for the use of this sum are still being finalised, in discussion with Ward Members and colleagues in Parks and Countryside.
- 10.4 As stated, the site is designated as N1 greenspace in the UDP (Review), however the Draft SAP for the Outer West' proposes to allocate this site for housing in the plan period. At present the SAP does not outweigh the current PAS status. The Plan was formally submitted to the SoS on 5 May 2017. This means the Plan is now in the examination period (which is a continuous process running from the date of submission through to the receipt of the appointed Planning Inspectors Report.) The Plan now is now advanced and has material weight when considering planning applications. The LPA must however apply balance and planning judgment against the current PAS policy against the Councils lack of a 5 year housing supply.
- 10.5 Having regard to relevant policies within the Core Strategy, it is noted that the Core Strategy is up-to-date; it was published after the NPPF and was found to be sound. Accordingly, full weight can be attached to the distribution strategy for the appropriate location of development as set out in Core Strategy Spatial Policies SP1, SP6 and SP7.
- 10.6 Spatial Policy 1 of the Core Strategy relates to the location of development and confirms the overall objective is to concentrate the majority of new development within and adjacent to urban areas, taking advantage of existing services, high levels of accessibility, priorities for urban regeneration and an appropriate balance between brownfield and greenfield land. It confirms that the largest amount of development will be located in the main urban area and major settlements with small settlements contributing to development needs subject to the settlement's size, function and sustainability. As a consequence, the priority for identifying land for development is (i) previously developed land within the Main Urban Area/relevant settlement, (ii) other suitable infill sites within the Main Urban Area/relevant settlement and (iii) key locations identified as sustainable extensions to the Main Urban Area/relevant settlement. The site falls within the urban area and within the NPPF, the effective use of land by reusing brownfield land is encouraged but the development of Greenfield land is not precluded with the presumption in favour of sustainable development the primary determinant.
- 10.7 The determination of this application must be on the basis of a planning balance in the context of the shortfall in the 5 year housing supply. In this regard, it is also the case that the site is adjoined by existing housing development.

10.8 Spatial Policy 6 of the Core Strategy relates to the City's Housing Requirement and the allocation of housing land. It confirms that the provision of 70,000 (net) new dwellings will be accommodated between 2012 and 2028 with a target that at least 3,660 per year should be delivered from 2012/13 to the end of 2016/17. Guided by the Settlement Hierarchy, Spatial Policy 6 confirms that the Council will identify 66,000 dwellings (gross) (62,000 net) to achieve the distribution in tables H2 and H3 in Spatial Policy 7 (which identifies a need for 4700 new homes in the Outer West Housing Market Character Area within which the site is located, representing 7% of the City-wide distribution) using the following considerations:

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

In response to these considerations, the following is advised:

- 10.9 In terms of a sustainable location; the site sufficiently meets the Accessibility Standards established at Table 2, Appendix 3 of the Core Strategy such that it is considered to be a sustainable and accessible location with suitable access to local facilities and services.
- 10.10 With regard to health infrastructure, the provision of health facilities falls within the remit of NHS England and at a local level, Leeds' three Clinical Commissioning Groups (CCGs). The amount of new housing identified for Leeds up to 2028 would equate to, on average, 5-6 new GPs a year across Leeds based on a full time GP with approximately 1800 patients. The Site Allocations Plan cannot allocate land specifically for health facilities because providers plan for their own operating needs and local demand. Existing practices determine for themselves (as independent businesses) whether to recruit additional clinicians in the event of their registered list growing. Practices can also consider other means to deal with increased patient numbers, including increasing surgery hours.
- 10.11 Whilst the application site is mainly a Greenfield site (designated N1 greenspace) with the remaining part of the site Brownfield land, neither Spatial Policy 6 nor the NPPF preclude the development of Greenfield sites. The standards and design of the development will offer the opportunity to add and enhance the distinctiveness of the locality and provide a high quality design standard for new homes having regard to the character and urban grain of the wider area. The impact with regard to nature conservation and flood risk have been fully considered and are addressed in the report below but none of these issues are considered to preclude development in accordance with Spatial Policy 6.
- 10.12 With specific regard to the managed release of sites, Policy H1 of the Core Strategy confirms that the LDF Allocations Documents will phase the release of

allocations according to the following five criteria to maintain a 5-year housing supply:

- i. Location in regeneration areas,
- ii. Locations which have the best public transport accessibility,
- iii. Locations with the best accessibility to local services,
- iv. Locations with least impact on Green Belt objectives,
- v. Sites with least negative and most positive impacts on existing and proposed green infrastructure, green corridors, green space and nature conservation.

It is considered that its release can be supported complying with H1 (i) and it is also considered to be compliant with (ii), (iii) and (v).

- 10.13 The site is located within Spatial Policy 4 Regeneration Area of which this site forms part of the East Leeds regeneration priority programme area and this proposal supports this policy and regenerates a run-down site with no positive benefits to the area or local residents and will bring the site back into use providing housing and useable greenspace.
- 10.14 Within the Draft SAP the application site is being proposed for housing with a capacity of 30 dwellings. With reference to Paragraph 212 of the NPPF, the Draft SAP can, at this point in time, be afforded material weight given that it is with the SoS for examination. As set out above, the application is premature as it seeks approval for housing prior to the site being allocated as such as part of the plan making process – however it is acknowledged that it does conform with the proposals put forward in the emerging SAP.
- 10.15 Policies SP1, SP6 and SP7 of the Core Strategy, which provide a framework for directing housing development to the most sustainable locations, are considered to be broadly consistent with the NPPF, and so the principle of the approach promoted by them may be given significant weight.
- 10.16 The presumption in favour of sustainable development means that planning permission must be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. Due to a lack of 5 year housing land supply current housing supply policies are considered out of date but not irrelevant and an assessment must be made in respect of the weight to be attached to such policies in the planning balance of decision making.
- 10.17 Weight must be attached to the fact that this application will make a contribution to housing supply within the City providing 53 units at a time when the Secretary of State has determined in the recent appeal decisions that the 5-year housing land supply requirement across the City is 6379 units per annum. .
- 10.18 In terms of location of the development, whilst this is a greenfield/greenspace site it is within the main urban area and whilst it is acknowledged that development of brownfield sites should be sought over the development of greenfield, development of undeveloped sites are not precluded by either the LCS or the NPPF. It is also Officers view that this site can be regarded as an infill development within the immediate area as it is adjoined on most sides by residential development.
- 10.19 As set out in the below report it is determined that there is a presumption in favour of granting permission and that there are no demonstrably adverse impacts which outweigh that presumption, and a site specific analysis is required as set out in this

report below. It must therefore be considered in the context of the presumption in favour of sustainable development and, in accordance with guidance within the NPPF, approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 10.20 In light of the above, it is considered that the scheme would bring significant regeneration benefits. The proposal compliments the strategic approach to the regeneration of the area that includes the recently approved Brownfield Land Programme. After many years of neglect, and no investment in the site it has become an eyesore site within the streetscene. The site has been also been subject use causing significant anti-social behavioral problems. This proposal can provide a well-designed scheme eradicating the issue on a site and with clearly related investment in existing greenspace. Therefore the development of the area of open space for housing is considered acceptable in principle.

Character of area/Visual Amenity

- 10.22 The scheme submitted to Plans Panel has been revised following discussions since the application was submitted. Part of the scheme is the creation of a feature building located at the junction of Rathmell Road and Coronation Parade. The site is located at the top of Coronation Parade and in urban design terms it is entirely appropriate to provide a landmark/feature building in this location. In responding to some detailed design matters, including those expressed by Ward Members this building has been specifically amended and reduced in height to 3 storeys (plus an apartment in the roof space) so as to reduce its overall scale and massing.
- 10.23 The remaining buildings proposed throughout the development have more comparable proportions to the surrounding house types and accordingly the general scale and massing of these buildings is considered to be acceptable.
- 10.24 A key feature in the design of all the buildings is the use of materials in vertical panels of brick and render/cladding to provide a more contemporary appearance but with a simple palette of materials that responds well to those used in the surrounding area. This batter design approach is considered by officers to be acceptable and adds further interest to the appearance of the buildings.
- 10.25 In terms of layout considerations, the buildings are logically positioned within the site to provide, strong, active frontages than respond positively to both Rathmell Road and also internal to the site by facing onto the central greenspace area. Parking provision is also well integrated along the Rathmell Road frontage by the use of side driveways. With the area, a central parking court is proposed for the main flat block but is to be enclosed by boundary screening and landscaping. Whilst frontage parking is more apparent to either side of the greenspace, the detailing landscaping for these area will be designed to reduce its overall visual impact.
- 10.26 The proposed on site greenspace is well located within the site and has good pedestrian link to it from outside the site and provides a good link to the existing adjoining greenspace along the eastern boundary.
- 10.27 In the light of the above and noting the proposal adopts good design principles which respond to the area which is also consistent with the Halton Moor Design Framework that supports a modern design approach the overall appearance of the development can be accepted.

Housing Mix

- 10.28 Policy H4 aims to ensure that the new housing delivered in Leeds is of a range of types and sizes to meet the mix of households expected over the Plan Period, taking account of SHMA preferences and difference in demand in different parts of the City, and changing demand. With this aim in mind, the Policy is worded to offer flexibility. For small developments such as that proposed, achievement of an appropriate mix to meet long term needs is not overriding. The form of development and character of area should be taken into account too. In considering the issue of housing mix, both housing and flats are offered and within these some variation in sizes also. For these reasons the proposed mix is considered to be acceptable.

Highways and access

- 10.29 The highways officer has advised that the proposals would not have an adverse impact on the local highway network, and that the proposed layout is acceptable, following the submission of revised plans to address earlier feedback on the initial proposals. A pedestrian access is provided through the site along the new internal road and also through the site for access to the existing greenspace on the eastern boundary of the site. No off-site highway works are required from this development.
- 10.30 Sufficient parking is provided for the flats and houses in line with policy. In the light of the above, the proposals are considered acceptable in this respect, subject to conditions, including the provision of cycle parking and electric vehicle charging points.

Residential amenity

- 10.31 The garden areas to all properties on the whole comply with the 2/3 floor area for houses and ¼ floor areas for flats as recommended in *Neighbourhoods for Living*, and it is considered that appropriate levels of separation are on the whole proposed between properties within the development, and between the new housing and existing houses around the site. As such, it is considered that the proposed development would provide an appropriate level of amenity for future residents and would not have significant implications for the amenities of neighbouring residents in terms of overlooking, overshadowing or over-dominance.
- 10.32 Although Leeds is seeking to adopt the national standards as part of the development plan and whilst this is a material consideration, this process is still at a relatively early stage and the weight that can be attached to the standards is limited. All of the houses would have good levels of separation, outlook and external amenity space. In the light of the above, and the relatively limited weight that can be given to the National Described Space Standards (NDSS) at this stage, it is considered on balance that the proposals are acceptable in this respect.

Planning Obligations and Community Infrastructure Levy (CIL)

- 10.33 The CIL Charging Schedule was adopted on 12th November 2014 with the charges implemented from 6th April 2015 such that this application is CIL liable on commencement of development at a rate of £5 per square metre of chargeable floor-space. However, CIL is not a material consideration and in any event, consideration of where any Strategic Fund CIL money is spent rests with Executive Board and will be decided with reference to the Regulation 123 list.

- 10.34 There is also a requirement for site-specific requirements to be secured via a Section 106 agreement as assessed in the report and summarised below:
- Affordable Housing – 5% (two intermediate houses)
 - Commuted sum in lieu of on-site greenspace £93,524.20
- 10.35 The Community Infrastructure Levy Regulations 2010 set out legal tests for the imposition of planning obligations. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

The list of obligations above are considered to meet the tests set out.

11.0 CONCLUSION

- 11.1 The application site is identified as a Designated Greenspace N1 on the UDP Policies Map but is further proposed as a phase 1 housing site in the Draft SAP. Due to its stage of preparation, the Draft SAP can be afforded material weight and whilst the application may be considered premature in light of the Draft SAP it generally does accord with the proposal in the SAP apt of the SAP site is slightly smaller as stated than the application site, therefore the number of units proposed is more the SAP numbers. Further, in light of the lack of 5 year land supply there is a presumption in favour of granting permission and there are considered to be no significant demonstrable adverse impacts which outweigh that presumption
- 11.2 The scheme will bring forward 27 flats and 15 houses, 42 new units to include 5% affordable housing and there are no highways impact concerns. It brings a site back into use that has been an eyesore within the streetscene and has considered anti-social behavioural issues occurring on it and is within a regeneration priority area. The site is also considered to be sufficiently accessible to local services and facilities in accordance with the Council's Accessibility Standards such that it is considered to represent a sustainable development with a presumption in favour of such development clearly expressed within the NPPF.
- 11.3 Therefore, having taken all representations received into account and given the compliance of this application with relevant Policies within the Core Strategy, it is recommended that planning permission be granted subject to the list of recommended conditions at the head of this report including completion of the necessary S106 Legal Agreement.

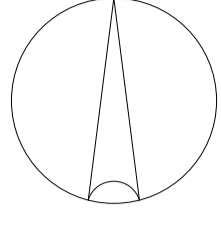
Background Papers:

Application files : 16/07871/FU
Certificate of ownership: Applicant

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Rev	Date	Amendments	By	Chkd
A	20/01/17	Site Layout Amended	ST	DJR
B	07/03/17	Layout amended following planners comments	ST	DJR
C	10/03/17	Schedule amended	ST	DJR
D	09/06/17	Layout amended following planners comments	ST	DJR
E	31/07/17	Site Layout Amended following Planners comments	ST	DJR



Accommodation	
2 Bed House	6
3 Bed House	8
4 Bed House	1
2 Bed Apartments	27
Total	42
Parking	
Apartment Spaces	24
Private Drives	26
Disabled Spaces	4
Visitor Spaces	9
Total	63

- - - Site Boundary
- - - Diverted Public Right of Way
- Proposed Tree
- Proposed Tree
- Proposed Shrub Planting
- Proposed Hedge
- 2 Bed House
- 3 Bed House
- 4 Bed House
- 2 Storey Apartments
- 3 Storey Apartments
- 4 Storey Apartments

den
architecture

8 Wharf Street, Leeds, LS2 7EQ
23 Hanover Square, London, W1S 1JB

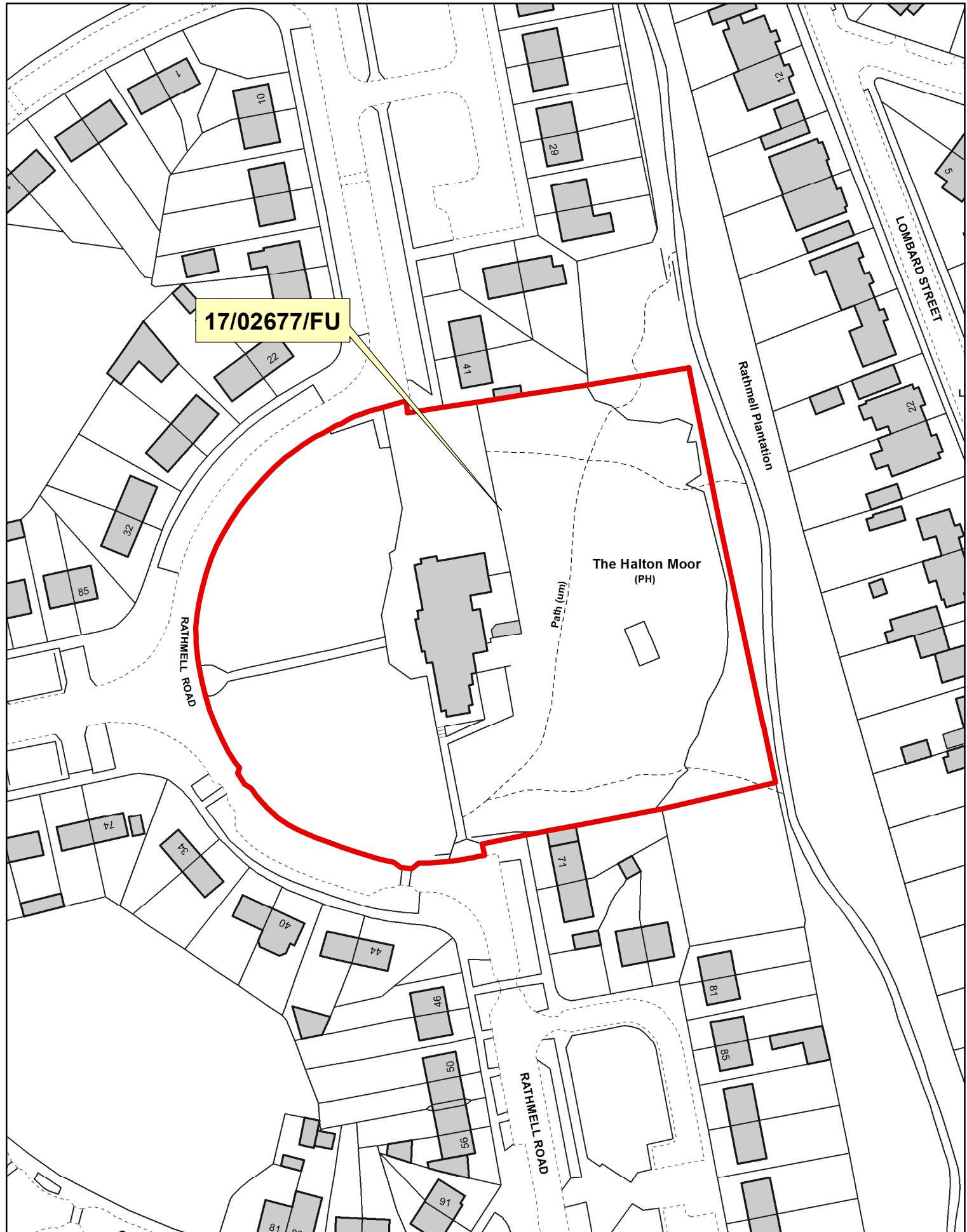
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Project:
Proposed Residential Development, Rathmell Road, Holton Moor, Leeds

Client:
Provident Land Ltd

Dwg Title:
Proposed Site Plan

Date:	Scale:	Size:	Drawn:	Checked:
Jun 17	1 : 250	A1	ST	DJR
Project No:	Dwg No:	Rev:	Status:	
2947	100	E	Planning	



NORTH AND EAST PLANS PANEL

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SCALE : 1/1000

