

Originator: Victoria Hinchliff

Walker Tel: 0113 2224409

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 17th May 2018

Subject: Application number 17/07450/FU – 18 affordable dwellings to vacant site.

Land at Sissons Lane, Middleton, LS10

APPLICANTLeeds Federated Housing 22nd November 2017

TARGET DATE
21st February 2018

Ltd

Electoral Wards Affected:] [2	
Middleton Park	Specific Implications For:	
	Equality and Diversity	
	Community Cohesion	
Yes Ward Members consulted (referred to in report)	Narrowing the Gap	

RECOMMENDATION: Grant approval subject to conditions set out below:

- 1. 3 year time limit.
- 2. Approved plans.
- 3. Details of all external walling and roofing materials to be submitted prior to building works.
- 4. Details of drainage scheme to be submitted prior to commencement of works.
- 5. Phase 1 desk study to be submitted prior to commencement of works (plus associated land contamination conditions).
- 6. Details of landscaping scheme (hard and soft) to be submitted prior to building works.
- 7. Details of landscape management scheme to be submitted prior to occupation.
- 8. Cycle parking to be provided as shown on plans prior to occupation.
- 9. Details of electric vehicle charging to be provided and installed prior to occupation.
- 10. Construction practice (details of construction layout, parking, storage, hours).
- 11. Maximum driveway gradient.
- 12. Provision of off-site highway works (layout for adoption of northern road, lighting column relocation/upgrading, footway widening, provision of dropped kerbs etc.).
- 13. Submission of details of footway crossing/reinstatement.

1. INTRODUCTION

2. PROPOSAL

- 2.1 The application is for 18 new dwellings to the site, to be provided and operated by Leeds Federated Housing as affordable housing. The houses are arranged around the permiter of this square site with 6 pairs of semi-detached properties and 2 blocks of three terraced properties. Each house is laide out with two off-street parking spaces, either to the front or the side, a front garden area (with the exception of the two mid-terrace properties) and rear garden areas which are all provided with sheds.
- 2.2 The properties are two storey in height although block D properties have rooms in the attic space served by rooflights. Corner properties have gable style roofs, whilst end and side properties have hipped roofs. Contrasting bricks are propsed to be used with artstone for window headers and cills.
- 2.3 All properties have low level fencing around front garden areas. No landscaping is indicated although it is noted that all front and rear gardens will be seeded and incorporate paved patios and paths, with driveways being tarmac.

3. SITE AND SURROUNDINGS:

- 3.1 The application site sits within Middleton estate to the south of the Ring Road. The site is rectangular and bounded by Sissons Lane to the east, Sissons Drive to the west, Acre Road to the south. The north is demarcated by an unnamed access road that serves the rear of a number of commercial units that front Sissons Avenue. These units consist of a hot foot take away, a newsagents and off-licence and a café. The units are all domestic in scale and appearance with a large forecourt area to the front and have the appearance of garden areas to the rear with low level fencing, hedging and shrubs.
- 3.2 The site is a cleared site, previously being housing and is current level and grassed over. There are no boundary treatments, although there are a number of street lights around the edges. To the south across Acre Road is a large area of public open space. The surrounding area is residential, although to the south western corner, on the junction of Sissons Lane and Acre Road is the site of the former Tivoli building, a former cinema.
- 3.3 Housing in the area reflects a couple of different styles. The units that bound the site to the north include two Swiss-style Chalet bungalows either end of a larger middle, gable roofed property. These are all rendered with red tiles. Properties to the east and west are semi-detached, or short run terraces, with hipped roofs, constructed in red brick with grey or red roof tiles. To the south there is a smaller area of more modern development built in buff brick featuring gable roofs and projections. The one unifying feature is the two storey nature of the houses and the tendancy towards small front gardens demarcated by hedging or low timber fencing. This is reflective of the "garden village" style development for which Middleton is known.
- 3.4 The site lies close to local facilities with Middleton Primary School being 250m walking distance away. Shops and other services are scattered throughout Middleton and include the local centre at Middleton Circus, which includes the Aldi, as well as the larger centre facilities at Middleton Ring Road which includes an Asda. Doctors surgeries are available on Middleton Park Avenue with a purpose built health centre as well as other smaller surgeries within Middleton itself. Bus stops are available on

Acre Road and Middleton Park Avenue which will be within walking distance of the site.

4. RELEVANT PLANNING HISTORY:

- 4.1 PREAPP/17/00333 Meeting held with agent and follow up advice given. Comments were based on a layout similar to that proposed in this application and were generally positive with some design suggestions.
- 4.2 22/206/04/DN Determination to demolish 5 blocks of flats. Prior Approval Not Required 07/06/04.

5. HISTORY OF NEGOTATIONS

- 5.1 Following submission the applicants have revised the scheme following officer advice. This included the following:
 - i) Gable ends on corner plots being too dominant.
 - ii) Small garden sizes for corner plots.
 - iii) Clarification on front garden boundary treatments.
 - iv) Contrast in brickwork.
 - v) Drainage queries.
 - vi) Adoption of the lane to the northern boundary of the site.
 - vii) Comments on Secured by Design.
- 5.2 In response to these comments the developers have offered the following:
 - i) Small adjustment to plot layout to increase garden size.
 - ii) Low level fences to all front garden boundaries which can be backed by hedging.
 - iii) Confirmation that garden areas meet the minimum 2/3 of total floorspace requirement.
 - iv) Contrast in brickwork will be subtle and approval of final brick types can be conditioned.
 - v) Additional drainage advice offered.
 - vi) Revised red line including the lane to the North. Site layout adjusted to provide adoption requirements.
 - vii) Happy to obtain secured by design accreditation.
- 5.3 These revisions are the basis on which this report is based.

6. PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised via site notice (08/12/17) and an advert in the Yorkshire Evening Post (13/12/17). No responses from the general public have been received.

6.2 Ward Members have been briefed on the proposal and have raised concerns regarding the homes being available for local people but are otherwise supportive.

7. CONSULTATION RESPONSES:

- 7.1 Highways Development Management: Following revisions to the layout the scheme is considered to be acceptable subject to conditions.
- 7.2 Landscape Team: Revised documents provide sufficient clarification at this stage regarding landscape/boundary treatment and the proposal is therefore supported subject to conditions.
- 7.3 Design Team: Revisions to scheme appear acceptable, materials will need to be conditioned for to ensure appropriate colour bricks. Two tones of brick are acceptable subject to them both being red bricks rather than buff colours.
- 7.4 Contaminated Land Team: No objections subject to conditions.
- 7.5 WYCA: The site is located within the recommended 400m from the nearest bus routes that operate on Acre Road. There is a 10 minute frequency service that operates from Acre Road. Improvements to bus stop 10016 on Acre Road are requested at cost of £10,000. Funding of sustainable travel incentives also requested. An appropriate contribution would be £8,910.
- 7.6 Yorkshire Water: No objections subject to conditions.
- 7.7 Flood Risk Management; Require confirmation of runoff rate and who will be responsible for adoption and maintenance of foul and surface water sewers onsite.
- 7.8 West Yorkshire Police: Comments made on detailed security issues.
- 7.9 Coal Authority: Standing advice applies.

8. PLANNING POLICIES:

8.1 Section 38 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.

Development Plan

The Development Plan for Leeds comprises the Adopted Core Strategy (November 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 Core Strategy

- 8.3 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered most relevant
 - Policy SP1 Location of development. Site is located within Main Urban Area.
 - Policy H1 Housing allocations: The site is allocated for housing in the Site Allocations Plan draft, reference HG2-160 under phase 1.

- Policy H2 Housing on unallocated sites.
- Policy H3 Housing density (40 dph).
- Policy H4 Housing mix.
- Policy H5- Affordable housing.
- Policy P10 Design
- Policy G4 Greenspace.
- Policy T2 Highway Safety

Saved Policies - Leeds UDP (2006)

- The following saved policies within the UDP are considered most relevant to the determination of this application:
 - Policy GP5 Development Proposals should resolve detailed planning considerations.
 - Policy BD5- Amenity and new buildings
 - Policy LD1 Landscaping around sites.

Natural Resources and Waste Local Plan 2013

- Water 1 Water efficiency
- Water 7 Surface water run off
- Land 1 Contamination.
- Land 2 Development and trees.

Relevant supplementary guidance:

- 8.5 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:
 - Parking SPD adopted 2016
 - Street Design Guide adopted 2009
 - SPG13 Neighbourhoods for Living adopted 2003
 - Middleton Masterplan 2009 (provides guidance on design principles for development in Middleton and Belle Isle).

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), introduced March 2014,

replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the NPPF is a presumption in favour of Sustainable Development. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The following parts of the NPPF have been considered in the consideration of this application.

- Paragraphs 6 17: Achieving sustainable development. Paragraphs 11 –
 17 deal with the presumption in favour of sustainable development.
- Paragraphs 47 55: Delivering a wide choice of high quality homes. Deals
 with not only the allocation and delivery of housing but also issues of design,
 mix, tenure and affordable housing.
- Paragraphs 56 68: Requiring good design.
- Paragraphs 69 78: Promoting healthy communities.
- Paragraphs 186 207: Decision taking. Paragraph 204 deals with planning obligations and the three tests that they should meet including being:
 - (a) Necessary to make the development acceptable in planning terms.
 - (b) Directly related to the development.
 - (c) Fairly and reasonably related in scale and kind to the development.
- 8.7 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 (paragraph 196 of NPPF). 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 that may be given.

9. MAIN ISSUES

- 9.1 Principle of development.
- 9.2 Accessibility of site.
- 9.3 Design and layout.
- 9.4 Landscaping.
- 9.5 Obligations.
- 9.6 Other issues.

10. APPRAISAL

Principle of Development

10.1 The site is not allocated within the Unitary Development Plan, but it is however indicated to be a phase 1 housing site, suitable for older persons housing/independent living in the draft Site Allocations Plan. The site has good accessibility to services,

facilities and to public open space and is located within an existing residential area. Although currently greenfield, the site has previously been occupied by flats, these being demolished in recent years in preparation for the re-development of the site.

10.2 The site is therefore considered to be in a sustainable location and under policy H2 (housing on unallocated sites) it would meet the criteria for allowing housing development. Whilst the emerging SAP policy identifies the site as suitable for older peoples housing and some weight is given to this consideration, the delivery of 100% affordable housing on this site is given more weight than this emerging policy. This is due to local need for affordable housing as well as the constraints of the site in terms of viability (discussed later).

Accessibility of Site

- 10.3 The site is considered to be in an accessible location with good access to nearby bus stops that provide a high frequency service, and also good access to nearby shops, health facilities, schools etc. The location of the site is therefore considered to be sustainable and suitable for residential development.
- 10.4 It is acknowledged that provision of school places within Middleton has raised questions in the past due to high demand levels. Given the limited scale of this development it is not considered that the new residents would place undue burden on school places, and additional funding for school provision can be gained via Community Infrastructure Levy monies in accordance with any plans for expansion that the Education Department has.
- 10.5 The layout is considered to be acceptable in terms of the road layout and access points, and each property has been provided with 2 off-street car parking spaces. The proposal also demonstrates secure cycle parking within sheds in each garden. This is adequate and would comply with the requirements of the Street Design Guide and the Parking SPD. .
- 10.6 Footway widening and crossings will be required as a result of the development, and the roadway to the north of the site will need to be laid out to adoptable standards to ensure properties accessed off this road can safely do so. There may also be a need to relocate some of the lighting columns currently existing on the site. These works can be dealt with via a s278/38 Agreement.
- 10.7 In order to provide facilities for alternative forms of transport there is a requirement for electric vehicle charging points to be provided on each driveway where this is practicable. This can be provided for via a planning condition and would ensure that the proposal complies with policy T2 of the Core Strategy, and guidance within the Parking SPD.

Design and Layout

Layout

- 10.8 The proposed dwellings have been laid out around the edge of the rectangle, all facing outwards. This is similar to many existing blocks of housing in the local area and it also ensures that rear gardens back onto each other and are secure.
- 10.9 The site is arranged with 4 pairs of corner dwellings, a row of three terraces to each long side, and a semi-detached pair to the short sides. The houses are well spaced with good distances between each block. The houses are also set back from the road edge to provide defensible space in front of the properties.

- 10.10 The density provided here is high at 50 dwellings per hectare (dph) which is over the recommended density for the area of 40 dph. To require this density would entail the loss of approximately 3 dwellings, which given the viability issues of this site (see below) would likely render the scheme unviable.
- 10.11 Notwithstanding this the scheme is considered to provide sufficient distances between the properties, and good levels of private amenity space. It is not therefore considered that the higher density results in a poor layout or poor design in this instance.
- 10.12 Parking spaces have in the main been provided to the side of properties, the exceptions to this being the two mid-terrace houses where parking is to the front. The size of the site does constrain the parking somewhat so that parking is largely to the roadside, rather than being set back, so this will lead to expanses of hard standing. This is however interspersed with front gardens which will be demarcated by low level railings, and do allow space for the provision of hedging and other planting. This arrangement is therefore considered to be acceptable given the constraints of this site.
- 10.13 The Middleton Masterplan gives an indication of the expected layout of housing, which includes a front garden, provision of gates and low boundary treatments, and parking to the side of the houses. Whilst there are some minor issues with this layout, as noted above, it is not considered that this results in a harmful design, or one that is out of keeping with the character of the local area.

Scale

10.14 All the properties are to be 2 storey in height, with two having attic rooms served by rooflights (plots 1 and 2 on the north west corner of the site). The predominant character of the area is for two storey properties so this would fit in with local character. The height of the houses varies from 7.6 to the ridge at the lowest point to 8.5m at the highest point (on blocks 1 and 2). This raises no concerns with regard to the scheme fitting in with the local area or the Middleton Masterplan.

Appearance

- 10.15 The houses have a simple styling and elevational treatment, with larger windows to the ground floor, use of string coursing and heads and cills to windows. The main difference comes with roof form, blocks A and B having hipped roof forms (although with gable projections) whilst blocks C and D have a gabled roof form. The gabled forms are therefore on the corner plots with the hipped forms on the sides so there is coherence to the overall effect.
- 10.16 The properties are proposed to be built in brick with contrasting brick colours to the bottom and top halves. It is considered that this could work well, providing that red bricks are sourced to ensure the materials are in keeping with the traditional materials used in Middleton. A condition to see samples of these and roofing materials will help to ensure a good quality finish.

Amenity

10.17 The corner plots are angled properties that have their main living areas to the front of the house. These areas achieve a distance of 7m and 8.5m maximum to the front garden boundary. The plots to the sides have varying front garden depths of between 3m and 6m, although it should be noted that these longer outlook distances are onto car parking.

- 10.18 Looking at the rear garden areas, where kitchen and dining rooms are located, the corner plots have more constrained outlook distances due to the triangular nature of their gardens. The distances here are about 8m. The side properties have longer rear garden areas achieving 10m depth. No windows are proposed in side elevations other than bathroom windows or doorways.
- 10.19 Although the outlook from main habitable room windows (living areas) is somewhat constrained on some of the plots, the arrangement of living rooms at the front is not unusual and there is an area of defensible space, and with the exception of the two mid-terrace plots, residents will be looking over their front garden areas. Outlook to the rear is slightly constrained on the corner plots, but again this is not untypical for a housing layout of this type and results from the shaping of the gardens which cannot feasibly be done any other way. With regard to outlook therefore the proposal is considered acceptable and would comply in the main with the recommendations given in Neighbourhoods for Living.
- 10.20 One area of concern is the relationship between the new houses on the northern boundary and the existing properties at Sissons Stores, which are commercial to the ground floor but have residential above. Plots 3 and 4 on the northern edge are the closest properties and these are located 10m from the boundary of the gardens of the commercial units (these gardens have approximately 5m depth). Plots 1, 2, 5 and 6 are angled so that they do not face directly towards the commercial units. A distance of 15m will therefore exist at first floor level from the residential element of Sissons Store to plots 3 and 4. This is under the recommendation in Neighbourhoods for Living of 22m. In assessing the harm this may cause it is important to note that at ground floor level views into the rear garden areas would be inhibited by the road and the hedging that exists around the rear garden areas. At first floor level it would be bedroom windows (and this appears to be the case for the Store as well) which are less likely to give rise to issues of overlooking due to the nature of use of such rooms. Consequently it is not considered that this issue would give rise to undue harm that would justify refusing the scheme. Consideration has been given to moving the houses further back into their plots, but this would start to then impact on the adjacent plots 2 and 5 making plots 3 and 4 appear much more dominant and intrusive in the rear garden areas.
- 10.21 With regards to overshadowing due to the orientation of the site there will be some overshadowing of rear garden areas of plots 10 15 on the southern boundary, this in the main caused by the house on the plot. The length of garden in plots 12 and 13 should ensure that the top end of the gardens receives sunlight (and of course the main living room windows are on the south so will receive good levels of sunlight. Plots 10, 11, 14 and 15 are angled so there will be some sunlight during the suns track.
- 10.22 To the northern boundary the concern arises from the position of these plots to the commercial units rear garden areas. The 10m distance to the boundary of these gardens should ensure that any main shadow falls across the road itself rather than the garden spaces, and the shadowing caused by the corner plots will be angled away from the two end commercial units. It is acknowledged that the situation with regard to overshadowing, especially on the southern boundary, is not ideal, however the harm caused is not considered sufficient to merit refusal.
- 10.23 Turning to matters of internal space the housing units provide the following amount of accommodation:

Size of Property	Floor Area (sq metres)	Nationally Described Space Standards (sq metres)
4 bed 6 person	132	106 – 112 (if 3 storeys)
3 bed 5 person	93	93
2 bed 4 person	79 - 89	79

- As can be seen above the units all comply with or exceed the Nationally Described Space Standards which the Council is currently looking to adopt. At the moment little weight can be attached to these space standards however they provide a useful tool to analyse the quality of internal living space for residents. The internal layouts demonstrated on the floor plans show clear and simple spaces laid out in a logical form and allowing for wheelchair circulation to take place. Staircases too would have little trouble being adapted to take stairlifts and entrance doors are shown to be level and accessible. Units are therefore considered to provide good quality living space for their intended residents.
- 10.25 Calculations demonstrate that the garden areas for all plots all comply with the two-thirds total floorspace recommendation set out in Neighbourhoods for Living. The smallest garden area is 64 sq m, which is still 2 sq m above minimum requirement. The largest area is just under 120 sq m. The garden areas, although in some areas slightly constrained by shade, will be suitable and provide good private amenity space for occupants.
- 10.26 To conclude then the design of the scheme has addressed the constraints of the site and the requirements of the Middleton Masterplan. Whilst there are some concerns over overshadowing to some of the plots, given that the scheme is providing 100% affordable housing and will bring much needed housing to this local area, it is considered that on balance the proposal is acceptable and would comply with Policy P10, GP5 and to guidance in Neighbourhoods for Living and the Middleton Masterplan.

Landscaping

- 10.27 Little indication has been given of the intended landscape strategy for the site, beyond the following details:
 - i) Low level hoop top railings to front gardens which can be backed by hedging.
 - ii) Garden areas to be grass seeded.
 - iii) Higher timber fencing will demarcate rear boundaries to provide privacy.
 - iv) Patio areas and paths will be block paved.

- v) Driveways and parking spaces will be tarmac.
- 10.28 There are no existing trees or other landscaping on site which will be impacted. It is considered that as a starting point the above details are acceptable and this should now be worked up into a full landscaping scheme and management plan. This can be dealt with via a condition and would ensure compliance with policies P10, LD1 and Land 2.

Obligations

- 10.29 As a residential development of 18 units the scheme triggers requirements for affordable housing and greenspace. The scheme is already intended to be 100% affordable housing which will be owned and operated by Leeds Federated Housing so the policy requirements here have been exceeded. With regard to greenspace the site is too small to allow for on-site greenspace in accordance with policy G4 and so a commuted off-site sum in lieu would be required.
- 10.30 The greenspace contribution would amount to £67,264.47 including an off-site fixed play facility. Due to the nature of the scheme (and the requirement to gain funding for the proposal) a Viability Assessment has been submitted by the applicants which has been reviewed in-house in line with Housing Growth protocols. The assessment carried out was based on 18 units proposed as affordable rent products (at 80% market rent).
- 10.31 The assessment demonstrated that the viability appraisal provided by Leeds Federated Housing was accurate with regards to cash flows and inputs and demonstrated that the development costs will restrict any surplus available for off-site greenspace payments. Furthermore the site has also been appraised in terms of a commercially oriented housing scheme and this concludes that the site is not viable for a commercially motivated equivalent housing scheme. The proposal by Leeds Fed is therefore likely to be the best available for the site.
- 10.32 On this basis it is not considered reasonable to request the greenspace sum, or to request other financial contributions suggested by WYCA as these would render the scheme unviable. It is considered in this instance that the need to provide this housing should outweigh the requirements of policy G4 and guidance on sustainable transport provision.

Other Issues

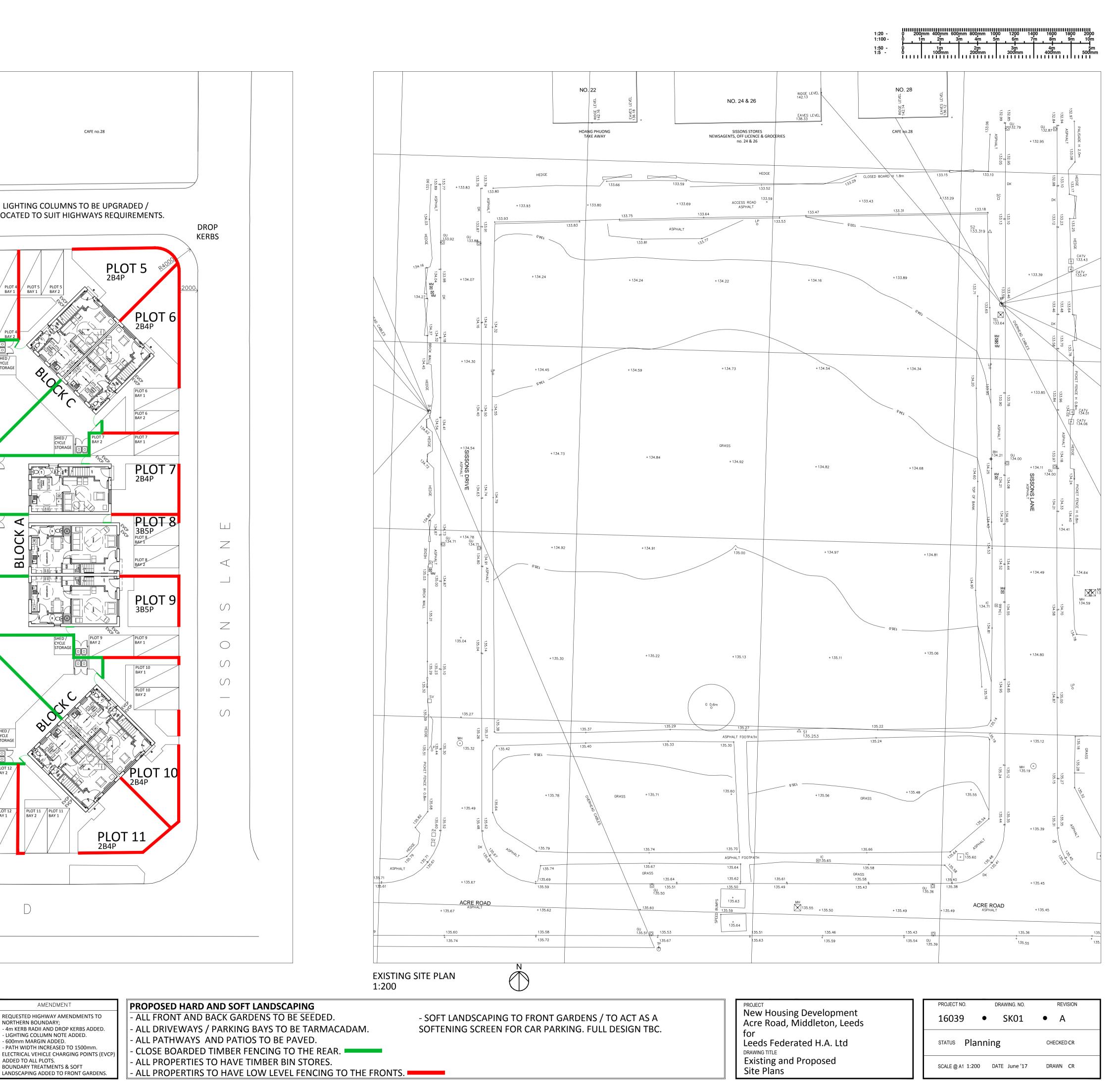
- 10.33 Matters regarding drainage and land contamination have been considered and can be adequately dealt with through suggested conditions to ensure that the site is fit for purpose and will not result in localised flooding or surface water run-off.
- 10.34 A construction management plan is suggested as a condition due to the location of the site within a residential area and close to a play area. This will cover matters such as the hours of construction, parking of vehicles, storage etc.
- 10.35 Member concerns raised are around the need for a local lettings policy for this site, which would restrict housing offers to local residents, or those with local connections. It is not considered that this can be a matter pursued via a planning application as it would conflict with Housing Legislation including the Councils own priority waiting list system. It is however a matter that the Housing team are taking forward with the applicants. Legal Comment required.

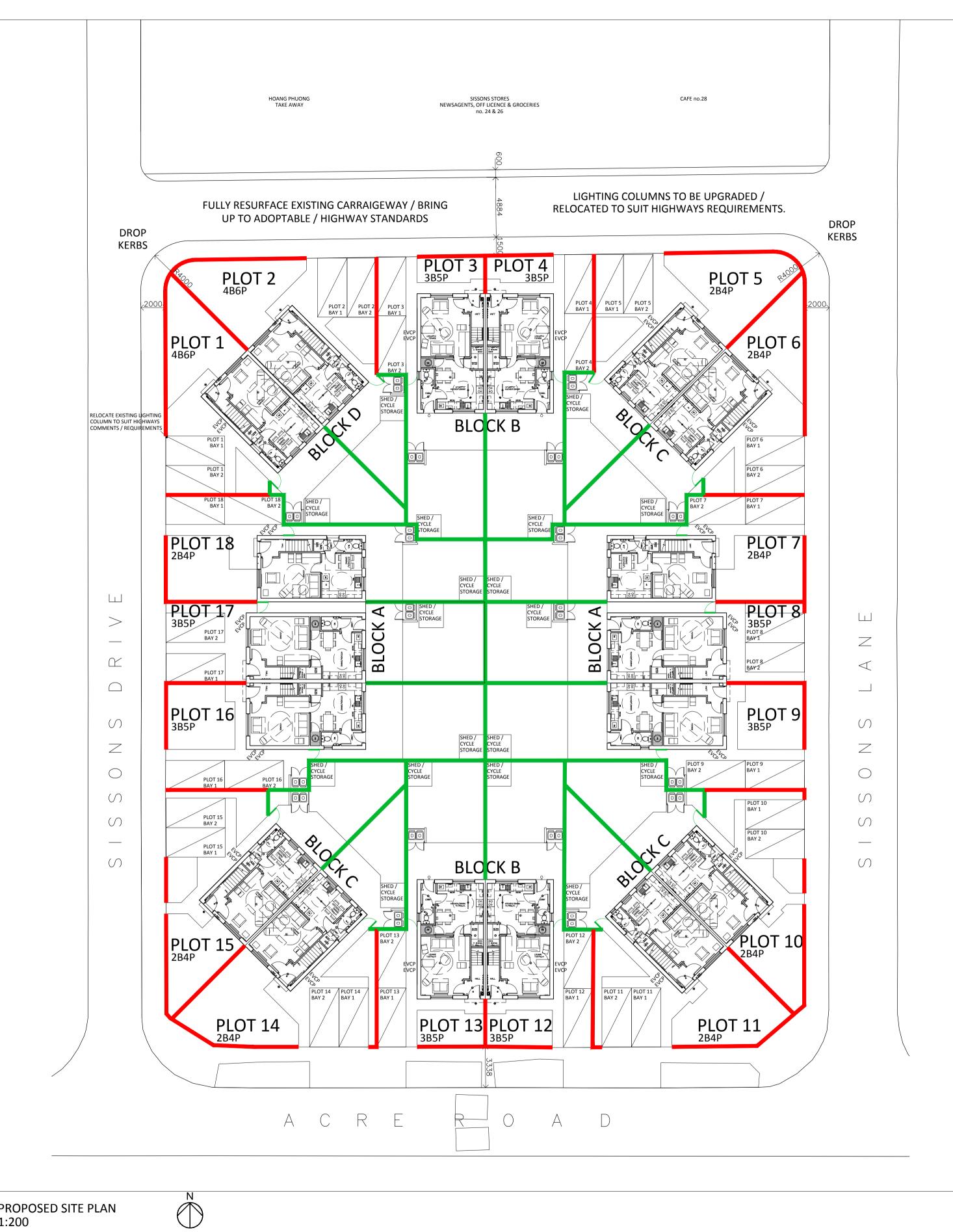
11. CONCLUSION

Background Papers:

Certificate of ownership: signed by applicant.

Planning application file.





PROPOSED SITE PLAN 1:200

E. enquiries@langtry-langton.co.uk

LANGTRY-LANGTON ARCHITECTS 8 Oak Mount T. +44 (0)1274 498226 Bradford F. +44 (0)1274 548416 West Yorkshire

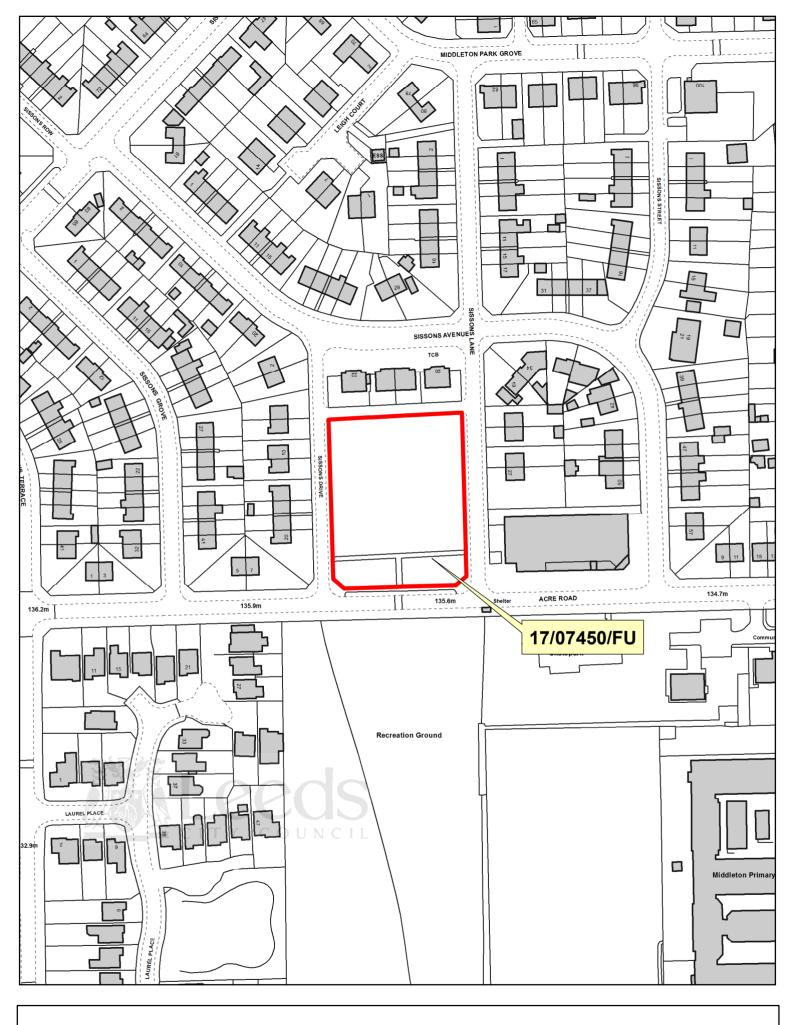
BD8 7BD

All work to be carried out in accordance with the requirements of the Building Regulations and the Water Authority Regulations currently in force. Do not scale from this drawing. Architect to be notified of any discrepancies. Verify relevant dimensions on site before commencing work or preparing shop drawings.

This drawing is copyright.

AMENDMENT 21.03.18 REQUESTED HIGHWAY AMENDMENTS TO NORTHERN BOUNDARY; - 4m KERB RADII AND DROP KERBS ADDED. - LIGHTING COLUMN NOTE ADDED. 600mm MARGIN ADDED. - PATH WIDTH INCREASED TO 1500mm. ELECTRICAL VEHICLE CHARGING POINTS (EVCP) ADDED TO ALL PLOTS.

BOUNDARY TREATMENTS & SOFT



SOUTH AND WEST PLANS PANEL

© Crown copyright and database rights 2018 Ordnance Survey 100019567

PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE: 1/1500

