



Report of the Chief Planning Officer

Plans Panel North and East

Date: 7th June 2018

Subject: 17/07114/RM Reserved matters application for the construction of 18 flats and associated car parking at the Former Stanks Fire Station, Sherburn Road, Swarcliffe, Leeds LS14.

APPLICANT

Hirst SSAS

DATE VALID

14th November 2017

TARGET DATE

Extension to be agreed

Electoral Wards Affected:

Cross Gates and Whinmoor

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMENDATION: DEFER AND DELEGATE approval to the Chief Planning Officer subject to the completion of a Section 106 to secure the following:

Offsite Greenspace enhancements (£57,258.98)

Affordable housing provision (3no. units)

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. In accordance with approved plans
2. Unallocated parking
3. Sustainability requirements

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel North and East as this represents a revision to an application proposal which was previously considered by Panel Members at this site.

2.0 PROPOSAL:

- 2.1 This reserved matters application involves the laying out of 18 flats (comprising 13 two-bed, 4 three-bed and 1 one-bed flats) arranged in two separate blocks. The application addresses matters associated with the layout, scale, appearance and landscaping of the site. The flat development is to be accessed by a single access, off Stanks Drive and leads to a parking court that aligns the north-eastern boundary. The parking court contains 28 parking bays (incl. 2 disabled) with bin and cycle storage facilities adjacent.
- 2.2 The flat blocks are two storey in height, constructed in brick and have tiled dual pitched roofs. The flats have communal garden areas to the central and southern corner of the site. A pedestrian footway connection is shown to the north-western side of the site. Some tree retention is shown on the site frontage to the south-western corner, adjacent to the Stanks Drive/ Sherburn Road junction with new tree planting/ landscaping arranged across the site.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site formerly contained a fire station building with an associated drill tower to the side. The buildings on site have been demolished leaving a cleared site enclosed by high metal fencing. The site is either hardsurfaced (and used as vehicle circulation and parking) or grass. The site also contains a mature tree grouping to the site's south-west corner and two other trees to the western and northern parts of the site. All on-site trees are protected by a TPO confirmed in 2015 when the fire station site was initially earmarked for closure.
- 3.2 The application site occupies a corner plot at the junction of Stanks Drive, Sherburn Road and Sledmere Place. The site occupies elevated ground level relative to Stanks Drive, plateauing centrally where the former buildings stood and then rising to the north. There is a ginnel that runs along the north-eastern side of the site. The locality is residential in character containing compact rows of two storey terrace dwellings.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 16/07555/FU - Construction of 13 houses - Refused (15/05/17) on the grounds relating to the overdevelopment of the site; adverse impact of design, car parking arrangements (incl. parking court/ parking to front), protected trees; fail to make provision for greenspace enhancements. Appeal dismissed by the Inspector on the basis that the proposal was likely to increase opportunities for crime and antisocial behaviour and would have an unacceptable effect on the character and appearance of the area where the landscape is concerned. During the appeal proceedings the appellant submitted a Unilateral Undertaking in respect of a contribution towards the provision of greenspace and consequently, the Inspector did not consider the issue of the provision of greenspace further.

16/06879/RM - Reserved Matters Application for 14 houses- Withdrawn (01/12/16).

16/01766/OT - Outline application for residential development with associated access - Approved (12/05/16) – (Access only applied for).

15/04403/DEM - Demolition of Fire Station- Approved (27/08/15).

2015/12 - Tree Preservation Order – Covers all on-site trees

5.0 HISTORY OF NEGOTIATIONS:

5.1 Prior to the submission of this reserved matters application the applicant met with Planning officers to review the appeal decision and to develop a revised form of development that responded to the concerns that had been raised. The main response was to move towards flats rather than houses as before. During the course of the application a number of amendments have also been carried out to the layout resulting in a re-configuration of the parking.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised by 5 site notice displays posted adjacent to the site dated 1st December 2017 and 33 neighbour notification letters. Letters of representation have been received from 10 households in response to the public notification process albeit not all are from the immediate area.

6.2 9 letters express support to the proposals on the following summarised grounds:

- Well thought out development; plenty of parking/ open areas to use; secure cycle parking; benefit of electric vehicle charge points; need for apartments in area; improvement to previous application; visually pleasing;
- Nice to see development use the site to provide nice attractive housing; nice size back gardens; proposal attractive and parking plentiful.
- Whilst construction will be a disruption site is in need of development.
- Bring much needed housing to the area and with a shortage of homes;
- Provide employment opportunities.

6.3 1 letter of objection received expressing the following summarised grounds:

- Insufficient parking on site (doesn't cater for visitors/ long wheel based vehicles).
- Site borders a busy junction (a main access to estate) served by multiple high frequency bus services- inadequate parking provided so park on adjacent streets causing traffic chaos, strain on existing parking arrangements- increased pollution, congestion and conflict between new and existing residents.
- Suggest reduction in flat numbers to make parking proportionate.
- Cycle storage facility to be located centrally within site.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways: No objection. Conditions recommended.

7.2 Flood Risk Management: No objection. Conditions recommended.

- 7.3 Contaminated Land: No objection. Conditions recommended.
- 7.4 West Yorkshire Combined Authority: Request Residential Metrocards be provided for occupiers; no objection to relocation of shelter subject to being retained within catchment area (costs to be incurred by applicant- £7,000).

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013), the Aire Valley Area Action Plan (2017) and any made Neighbourhood Plans.

Local Planning Policy

- 8.2 The Core Strategy sets out the strategic planning policy framework for the district until 2028. The following core strategy policies are relevant:

SP1:	Location of development in main urban areas on previously developed land
T2:	Seeks to ensure that new development does not harm highway safety
H2:	New housing on non-allocated sites
H3:	Housing density
H4:	Housing Mix
H5:	Affordable housing
P10:	Seeks to ensure that new development is well designed and respect its context
P12:	Landscape
G4:	On-site greenspace for major residential developments
EN1:	Sustainability
EN2:	Sustainable construction methods/materials
EN4:	District Heating
EN5:	Seeks to manage and mitigate flood risk
ID2:	Planning obligations and developer contributions

- 8.3 The site is not specifically allocated but it lies within an area identified by regeneration policy objectives to address area, neighbourhood and community issues. The relevant saved UDP Review (2006) policies are listed below for reference:

GP5:	Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
N23:	Retention and provision of incidental openspace within developments
N25:	Seeks boundaries of sites to be designed in a positive manner using walls, hedged or railings where appropriate to the character of the area.
R2:	Area based regeneration initiatives.
BD5:	Seeks to ensure new development protects amenity.
LD1:	Seeks for landscape schemes to complement and where possible enhance the quality of the existing environment.

8.4 The following Natural Resources and Waste policies are also considered to be relevant:

MINERALS3: Surface Coal resources.

AIR1: Major development proposals to incorporate low emission measures.

WATER1: Water efficiency, including incorporation of sustainable drainage.

WATER4: Effect of proposed development on flood risk.

WATER 7: All developments are required to ensure no increase in the rate of surface water run-off to the existing formal drainage system and development expected to incorporate sustainable drainage techniques.

LAND1: Supports principle of development on previously developed land and requires submission of information regarding the status of the site in term of contamination.

Supplementary Planning Guidance

- 8.5 Neighbourhoods for Living (SPG13, adopted).
Sustainable Urban Drainage (SPG22, adopted).
Street Design Guide (SPD, adopted).
Designing for Community Safety (SPD, adopted).
Sustainable Design and Construction (SPD, adopted).
Leeds Parking Policy (SPD, adopted).

National Planning Policy

- 8.6 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 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. 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. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.
- 8.8 The NPPF gives a presumption in favour of sustainable development and has a strong emphasis on achieving high quality design. Of particular relevance, the national planning guidance attaches great importance to the design of the built environment and is indivisible from good planning (para.56, NPPF) and seeks development proposals to add to the overall quality of the area, create attractive and comfortable places to live and respond to local character and create safe and accessible environments (para.58, NPPF).

DCLG - Technical Housing Standards 2015

- 8.9 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 progressing to adopt the national standard, building on work already done in developing the

Leeds Standard which is applied to all Council schemes and which seeks to influence private sector development to achieve better quality housing. This work is being progressed as part of the Core Strategy Selective Review which the Executive Board recently endorsed at its meeting on 8th February 2018. Accordingly some weight can now be attached to these requirements.

- 8.10 The proposal comprises an arrangement of one, two and three bedroom flats. The housing standards require such property types to provide 50sqm, 61sqm and 74sqm of gross internal floorspace. Each of the flats satisfies the respective guidelines with the one bed flat offering 61sqm, the two bed flats also offering 61sqm and the three bed flat offering 74.6sqm. The implications of this are further discussed within the residential amenity section (para. 10.9) of the appraisal.

9.0 MAIN ISSUES

1. Principle of development
2. Impact on design, visual amenity and character
3. Impact on residential amenity
4. Highway implications
5. Greenspace
6. Affordable Housing
7. Sustainability
8. Flood risk and drainage
9. Land contamination
10. Community Infrastructure Levy (CIL)

10.0 APPRAISAL

Principle of development

- 10.1 The application site benefits from an extant outline planning permission (Ref: 16/01766/OT) which established the acceptability of redeveloping the site for residential purposes. This reserved matters application addresses matters associated with the layout, scale, appearance and landscaping of the site.
- 10.2 As was noted within previous planning submissions, the site is not allocated for any specific purpose within the development plan and given the former fire station use is considered previously developed in nature. The site lies within an established residential estate, is served by existing highways and has good access to public transport and local services and is considered to be in a sustainable location. Nevertheless, the overall acceptability of this proposal is subject to other material considerations being satisfactorily resolved and these are discussed further below.

Impact on design, visual amenity and character

- 10.3 The application site lies within an area predominantly defined by conventional brick built two storey terraced housing stock although more recent developments, within the wider estate, have provided a contemporary variation. High rise tower blocks are also visible within the estate. The proposed flat blocks adopt an appropriate domestic height and scale with simple architectural detailing and material finish (brick, tiled roof) that would be considered compatible with the buildings in this estate.

- 10.4 The development proposal comprises an arrangement of two separate two storey height blocks which are oriented to face out towards existing highways which would provide good natural surveillance and activity to these public facing elevations with the bedroom windows located to the rear, overlooking the communal amenity space/car park internal to the site. The majority of the parking is positioned along the north-eastern boundary allowing a more sizable and meaningful communal garden area to be created centrally within the site and at the rear of the blocks which will be of benefit to future occupiers. Overall, it is considered that the appearance of the flat blocks and the configuration of the internal rooms is acceptable and that the proposal achieved good separation distances from the site edge and the properties beyond.
- 10.5 Having regard to the topography of the site regard is given to the rising ground levels towards the northern portion of the site. The slightly lower ground level and proposed boundary fencing would assist in screening the cars from view from the nearest dwellings to the north-east as well as helping to buffer any impacts on these existing dwellings from car noise/ shining headlights etc.
- 10.6 From a landscape perspective, the site contains protected trees (comprising 3 moderate quality trees, 3 low quality trees with only 1 unsuitable for retention). As was the case under the previous planning application it is accepted that some tree removal may be necessary to achieve an efficient build out of the site. Nevertheless, this revised proposal responds positively to the presence of prominent trees along the site's southern Sherburn Road frontage, setting the block well away from these features to ensure they are not compromised which will assist the development's assimilation within the street view.

Impact on residential amenity

- 10.7 The proposed residential development is clearly, in use terms, compatible with nearby residential properties. The application site is bounded by highways to three sides with a wide ginnel aligning its remaining boundary. Accordingly, it is considered that sufficient separation distance exists between the proposal and existing residential properties to ensure that no undue overlooking, overshadowing or dominance impacts will arise for those occupiers. However, it is to be recognised that a development has the potential to not only impact on its surroundings and the occupants of houses adjacent to the site but through poor design fail to provide the future occupants of the development with a satisfactory standard of accommodation in terms of outlook and usable private outdoor amenity space.
- 10.8 The proposed flats will share communal garden areas across the site and taking account of the usability and quantity of space provided it is considered that adequate outdoor amenity space is to be provided for future occupiers.
- 10.9 In addition to the provision of reasonable level of outdoor space and outlook there is also the need to ensure the internal accommodation being offered is adequate. On this issue, the government introduced optional national technical housing standards which state the minimum quantum of accommodation for dwellings as well as room heights and sizes. The guidance which accompanies this document makes it clear local authorities are only permitted to refer to the national standards through the introduction of an appropriate local plan policy. As specified in para. 8.9 and 8.10, the national space standards do not currently form part of the adopted development plan but the Council is moving towards this position. With this in mind, the affected flats all appear to be of reasonable proportions and each is accessed off a communal hallway. Each flat has an aspect to the front and rear and the habitable

rooms are served by windows that will allow for reasonable outlook and daylight penetration.

- 10.10 Overall, this resubmitted proposal is not considered to unreasonably impact on the residential amenity of nearby residences and would provide an adequate level of accommodation for future occupiers in terms of outlook, receipt of daylight and amenity space.

Highways implications

- 10.11 The application site is located within an established residential area and future occupiers would have good access to the shopping and community facilities and general amenities situated nearby as well as access to existing bus services.
- 10.12 The proposed development is served by an existing point of access off Stanks Drive which leads to a parking court (28 spaces). The position of the access is acceptable and has been established through the outline permission. Works are however necessary to re-form the existing junction to a standard suitable for serving a residential development. Off-site highway works would be required to reinstate a redundant junction to the former fire station off Sherburn Road and to provide the access to the proposed car parking area off Stanks Drive.
- 10.13 In terms of parking provision, a total of 28 off-street spaces are provided within the site and this accords with the Council's parking standards. Furthermore, to ensure parking opportunities are maximised a condition is included as part of the officer recommendation for all the spaces to remain unallocated.
- 10.14 West Yorkshire Combined Authority has requested a contribution is made towards the provision of Residential Metrocards for future occupiers although the scheme only involves 18 flats which would fall some way short of the thresholds for the provision of Travel Plan and a formal requirement to introduce additional sustainable transport measures (50 dwellings). Accordingly, given the modest scale of development and that the site is well connected to existing amenities and public transport links (where residents are likely to utilise public transport in any event) it is not considered that such a request could reasonably be justified and the requested provisions have not been sought in this instance.

Greenspace

- 10.15 By virtue of the scale of development (in excess of 10 units) the proposal is required to make provision for greenspace enhancements. Such a requirement is normally identified at the outline application stage but where it has not happened it is still a legitimate policy requirement that can be considered as part of the reserved matters submission. The Core Strategy recognises that not every development site is capable of accommodating the required greenspace within the site boundary and advises that in certain circumstances, and taking into account the characteristics of the site, it may be possible to provide new greenspace or improvements to existing greenspace off-site in lieu of on-site provision (generating a sum of £57,258.98). Improvements are to be secured through Section 106 agreement and this work is being progressed, including the identification of a local project where the monies can be directed.

Affordable Housing

- 10.16 As with greenspace contributions, the development proposal is required to provide affordable housing on-site at a level to comply with Core Strategy policy H5 (i.e. 15% target equals 3 units). Works to secure this provision will also be included within the Section 106 agreement.

Sustainability

- 10.17 The applicant advises that the design and construction method adopted will have high sustainability credentials and details of such an approach can be adequately covered by a planning condition seeking full details on how the development achieves the Core Strategy's carbon dioxide reductions and energy needs.

Flood risk and drainage

- 10.18 In regard to the flood risk and drainage, the application site lies outside any identified flood risk zone and it is considered planning conditions imposed under the outline permission will secure details of the surface water drainage scheme (which will consider infiltration drainage and sustainable drainage methods). On this basis, the Flood Risk Management officer raise no objection.

Land contamination

- 10.19 In respect of land contamination matters, officers have reviewed the submitted Phase 1 desk study report accompanying the application which recommends that a Phase 2 site investigation is carried out and contamination officers are content that such additional work is covered by the conditions attached to the outline permission.

Community Infrastructure Levy (CIL)

- 10.20 CIL was adopted by Full Council on the 12th November 2014 and was implemented on the 6th April 2015. The application site is located within Zone 2a, where the liability for residential development is set at the rate of £23 per square metre (plus the yearly BCIS index). Based upon the floorspace involved a contribution of £31,678 is generated. This information is not material to the planning decision and is provided for Panel Member's information only.

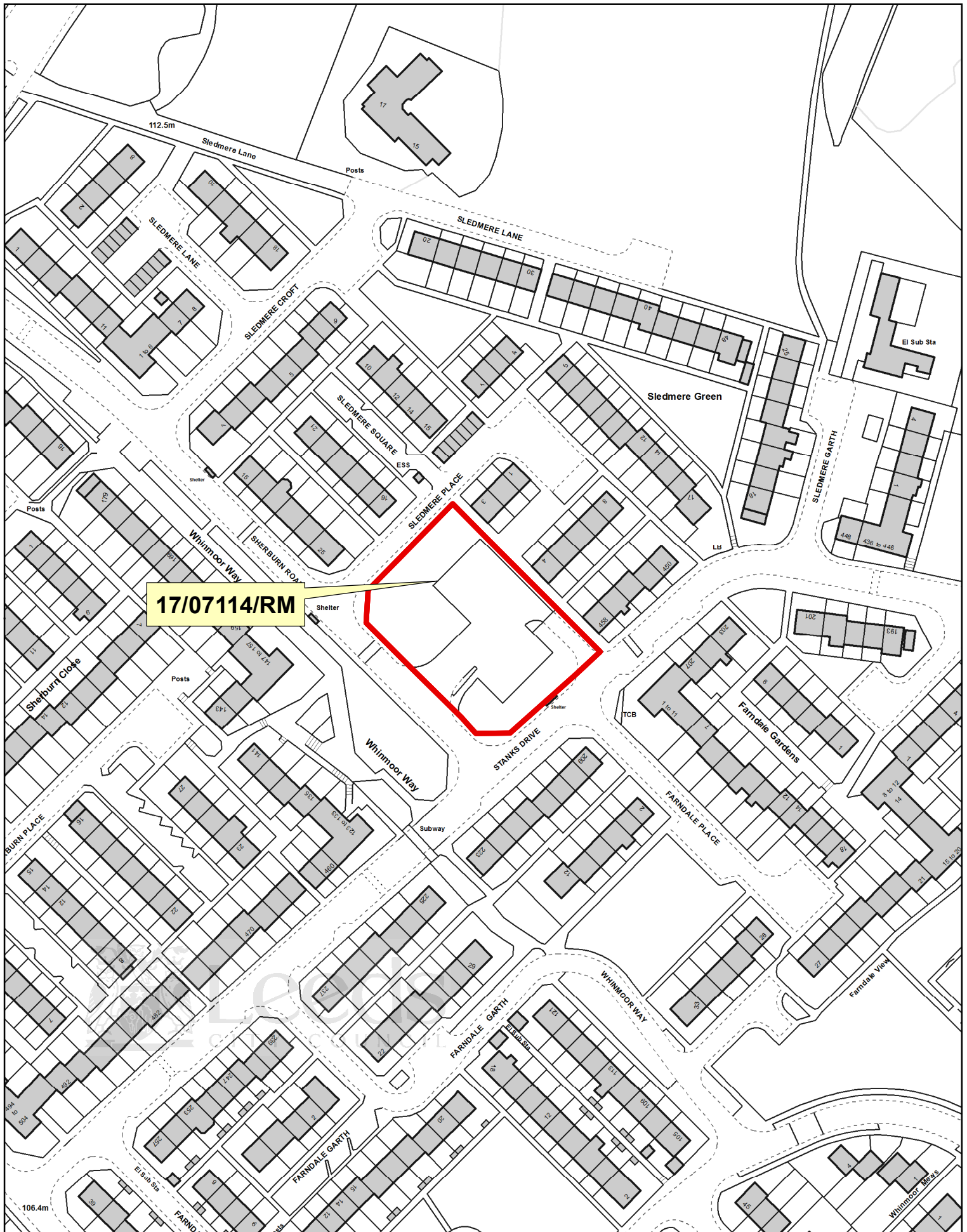
11.0 CONCLUSION

- 11.1 The principle of re-developing this site for residential purposes is considered acceptable in this location and established through outline permission. Amendments undertaken to the layout, siting, design and appearance of the proposed development are considered to have adequately resolved previous planning concerns. Accordingly, this proposal is recommended for approval although a defer and delegate recommendation is advanced on the basis a Section 106 is also required.

Background Papers:

Application and history files.

Certificate of Ownership signed by the appointed planning agent on behalf of the applicant dated 29th October 2017.



17/07114/RM

NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500

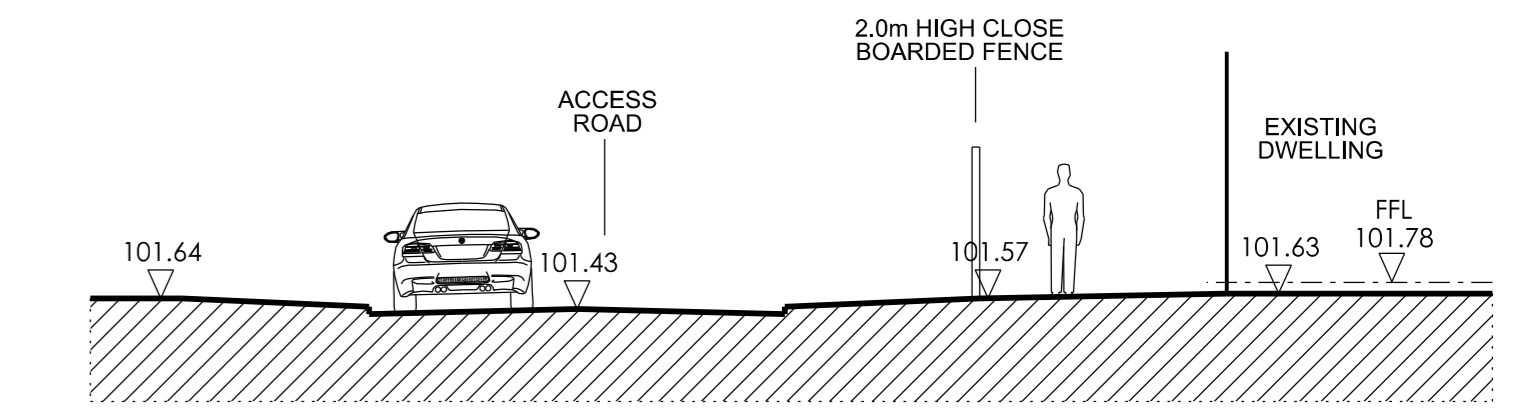


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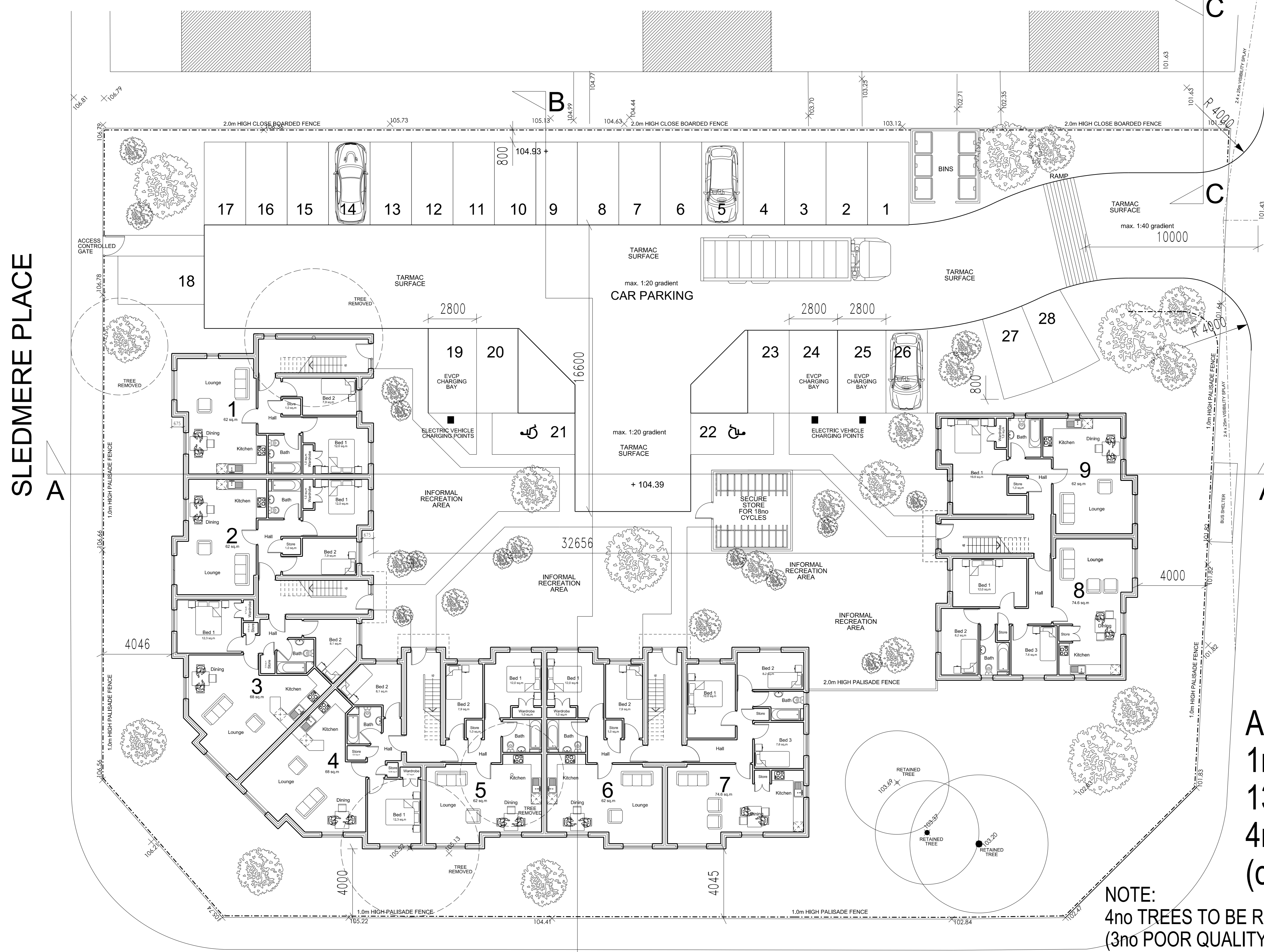
NOTE:
ALL DIMENSIONS/LEVELS
TO BE VERIFIED ON SITE
PRIOR TO COMMENCEMENT



ELEVATION TO SHERBURN ROAD



SITE SECTION C-C



SLEDMERE PLACE

STANKS DRIVE

SHERBURN ROAD

ACCOMMODATION
 1no. 1 bed 2 person Flat at 61 sq.m
 13no. 2 bed 3 person Flats at 61 sq.m
 4no. 3 bed 4 person Flats at 74.6 sq.m
 (over 2 storeys).

NOTE:
4no TREES TO BE REMOVED
(3no POOR QUALITY, 1no MODERATE QUALITY).

REVISION P

PROPOSED APARTMENTS SITE LAYOUT

SCALE - 1:100 @ A0 - 1:200 @ A2