



Leeds
CITY COUNCIL

Originator: Patrick Bean
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Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 25th April 2019

Subject: Application 18/02152/FU – construction of 110 apartments with car parking and landscaping – Land at Former Burley Community Sports and Social Club, Burley Road, Burley, Leeds.

APPLICANT
Burley Road Limited

DATE VALID
23rd April 2018

TARGET DATE

Electoral Wards Affected:

Little London & Woodhouse

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

DEFER and DELEGATE approval to the Chief Planning Officer subject to the specified conditions and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer to include the following obligations:

- **Provision of on-site Greenspace and a financial contribution of £298,039.57 for the creation or improvement of off-site Greenspace**
- **Funding of £30,000 for provision of Traffic Regulation Orders to control parking on surrounding streets including a residents parking scheme if required.**
- **Provision of affordable housing**
- **Travel plan measures including the provision of Metrocards**

Conditions

1. **Time Limit;**

2. Plans to be approved;
3. The development not to be occupied by students in full-time education
4. Walling and surfacing materials to be approved
5. Tree protection to be provided
6. Landscaping details including buffer planting to greenspace edge
7. Landscape management plan required
8. Trees dying within 5 years to be replaced
9. Off-site highway works to be carried out
10. Cycle and motorcycle facilities to be agreed
11. EV charging points to be provided
12. Surface and seal car park
13. Parking / service management strategy
14. Construction phase management plan required
15. Separate systems of drainage
16. Details of surface water drainage required
17. Oil interceptor
18. Bat roosting / bird nesting features
19. Contaminated land conditions
20. Details of traffic noise mitigation to be approved
21. Details of any ventilation/plant equipment to be approved

1.0 INTRODUCTION:

1.1 This report is brought to South and West Plans Panel following comments received on the Position Statement considered by Members at the Panel meeting of 17th January 2019. Major changes to the scheme since then include:

- The development no longer extends into the area of allocated Greenspace to provide car parking as before
- A reduction in the number of flats from 143 to 110
- A reduction in the size of the building from 6 to 5 stories

2.0 PROPOSAL

2.1 The proposal is for the construction of 110 apartments built in two blocks. Each block would include accommodation over four floors, including lower ground floors and roof levels. The buildings would be formed as two interlocking 'L' shaped buildings, with an amenity and circulation space separating them. The buildings would be of brick finish.

3.0 SITE AND SURROUNDINGS:

3.1 The site has most recently been occupied by Burley Liberal Club, which occupied the northern part of the site. The site also includes part of a non –designated sports pitch.

3.2 The site is surrounded by Burley Road and Kirkstall Road to the north and south respectively, while a railway line defines the western extent. The site faces onto Willow Road, which is a short stretch of road which links junctions of the two main roads.

3.3 The site is now run down and in need of investment. The site is proposed for allocation for housing in the Publication Draft Site Allocations Plan as site number

HG2-211. This allocation should be accorded some weight due to the relatively advanced stage of preparation of the emerging Site Allocations Plan.

- 3.6 The site is somewhat constrained, being situated between two very busy road junctions and a railway line. Highway access is difficult due to the road layout, and there is a small belt of protected trees along the site frontage.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The site does not have any relevant planning history, although it has been the subject of a number of informal and formal pre-application submissions, the latter under reference PREAPP/17/00067.

- 4.2 A Position Statement regarding this scheme was considered by Panel Members at their meeting of 17th January 2019 and the following comments were minuted:

- Members expressed the view that there was no reason for the application to be extended onto an area of protected Greenspace. A number of Members considered that they had fought long and hard to retain that provision through Development Plans Panel and Site Allocations Plan. Other Members stated that they would want this removing from the application and consequently the scale and massing and footprint needed to be reduced as did parking areas. It was the view of Members that they would require significant justification to even consider the use of the area of Greenspace proposed.
- Members considered the Amenity Greenspace provision was inadequate. There was some support for a financial contribution in lieu of on-site provision, but surety was required that the proposed sum was calculated correctly, the applicant would accept it and precisely where it could be spent.
- Members expressed the view that the building was too tall and required reducing by one storey. The massing was over dominant and not appropriate for area in terms of scale. Members were disappointed at the design, the footprint was too large, there was not enough amenity space around the base and there was too much parking provided in a sustainable location. It was suggested that by taking out The Greenspace area out of the application the applicant would have to significantly revise the scheme and the aforementioned concerns may be overcome as a consequence.
- Members were not supportive of the proposed housing mix comprising 10% provision of 3 bedroom units, they required the site to be Policy compliant providing more 3 bed units.
- Members expressed the view that there appeared to be a significant amount of car parking proposed given that the site was located in close proximity to good bus and rail provision, and queried whether the amount of car parking was necessary.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application advice was provided in 2017 for a similar proposal for 137 one and two bedroom flats.

5.2 The scheme has been revised since its original submission, following discussions with Officers amendments have been made to the proposals in respect of drainage, highways, landscape, greenspace and housing mix.

5.3 Following feedback received from Panel Members in response to the Position Statement considered at the Plans Panel meeting of 17th January 2019, the scheme has been significantly revised. Briefly, the revisions comprise:

- A reduction in the size of the site such that it no longer includes part of the allocated Greenspace area to the south. Consequently the height and footprint of the proposed blocks has also been reduced by a storey, reducing the total number of apartments from 143 to 110, as well as a reduction in the amount of car parking proposed.
- An enlargement to the space between the proposed blocks; and changes to surface treatments;
- The proportion of the largest three bedroom flats has been increased from 10% of the total number of units (14 units in total) to 12% of the total number of units (13 units in total)

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The proposal has been publicised by means of press and site notices.

The following representations have been received:

Ward Member Cllr Gerry Harper: (comments received verbally) - Generally supportive of scheme– subject however to Greenspace contributions being made in

Cllr John Illingworth: The site was considered by Development Plans Panel and Cllr Illingworth considers that evidence presented to Panel was wrong in that

The Panel were told that many years had passed since the sports facilities were last used, and therefore there was no need to involve Sport England. Cllr Illingworth believes however that the site was been used for sport until shortly before that meeting. And that the decision of the Development Plan Panel should be revisited before any permissions are granted.

2 objections have been received from local residents:

- Concern at impact of new access on congested part of Willow Road
- Burley Park railway station already over-stretched.

7.0 CONSULTATION RESPONSES:

Highway Authority

7.1 The development has been reduced from 143 apartments down to 110, the car parking provision has been reduced from 77 spaces down to 47 spaces. As a ratio, parking provision is reduced from 54% to 43%. Applying the previously agreed ratio would require an additional 12 parking bays to be provided but as set out below the development can be supported on this occasion.

Environmental Studies

7.2 Comments provided on original scheme in relation to noise mitigation.

Contaminated Land

7.3 No objections, subject to conditions.

Landscape

7.4 No objections, subject to conditions.

7.5 Travelwise

No objections, subject to conditions and the securing of appropriate obligations via s106 agreement

West Yorkshire Combined Authority

7.6 No objections, subject to conditions and the securing of appropriate obligations via s106 agreement for a Real Time Information display and Residential Metrocard Scheme

Network Rail

7.7 No objections, subject to conditions.

Flood Risk Management

7.8 No objections subject to conditions.

Yorkshire Water

7.9 No objections subject to conditions.

7.10 West Yorkshire Police

No objections

Local Plans

7.11 No objections, subject to the securing of appropriate obligations via s106 agreement

8.0 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

8.2 The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP), Aire Valley Leeds Area Action Plan (2017) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013 and any made Neighbourhood Plans.

Relevant Policies from the Core Strategy are:

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 H1 Managed release of sites

Policy H3 Density of residential development

Policy H4 Housing mix

Policy H5 Affordable housing

Policy P10 Design

Policy P12 Landscape
Policy T1 Transport Management
Policy T2 Accessibility requirements and new development
Policy G1: Enhancing and extending green infrastructure
Policy G4 New Greenspace provision
Policy G6: Protection and redevelopment of existing Greenspace
Policy EN2 Sustainable design and construction
Policy EN5 Managing flood risk
Policy ID2 Planning obligations and developer contributions

Relevant Saved Policies from the UDP are:

GP5: General planning considerations.
N23/ N25: Landscape design and boundary treatment.

BD5: Design considerations for new build.

T7A: Cycle parking.
LD1: Landscape schemes.

Relevant DPD Policies are:

GENERAL POLICY1 – Presumption in favour of sustainable development.
MINERALS3 – Surface Coal resources
AIR1 – Major development proposals to incorporate low emission measures.
WATER1 – Water efficiency, including incorporation of sustainable drainage
WATER7 – No increase in surface water run-off, incorporate SUDs.
LAND1 – Land contamination to be dealt with.
LAND2 – Development should conserve trees and introduce new tree planting.

Draft Site Allocations Plan

- 8.3 The Examination in Public of the draft Leeds Site Allocations Development Plan Document commenced on 10 October 2017. Public hearings were held in two stages, with Stage 1 comprising matters of legal compliance, green space, infrastructure, site selection, Housing Market Characteristic Areas, Gypsies and Travellers, and Travelling Show people, and (subsequent) Stage 2 comprising housing. The housing session commenced 9 July 2018 and concluded on 3 August 2018. This completes the SAP sessions. The Inspectors will soon be issuing an Interim Note and reporting thereafter.

The site is proposed for allocation for housing in the Publication Draft Site Allocations Plan as site number HG2-211. This allocation should be accorded some weight due to the relatively advanced stage of preparation of the emerging Site Allocations Plan.

Supplementary Planning Guidance and Documents

- 8.4 The following SPGs and SPDs are relevant:

SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds
Street Design Guide SPD
Parking SPD
Travel Plans SPD
Sustainable Construction SPD

National Planning Policy

8.5 The revised National Planning Policy Framework (NPPF), published in July 2018, and the National Planning Practice Guidance (NPPG), published 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 Framework is a presumption in favour of Sustainable Development.

8.6 Relevant paragraphs are highlighted below.

Paragraph 12	Presumption in favour of sustainable development
Paragraph 34	Developer contributions
Paragraph 59	Boosting the Supply of Housing
Paragraph 64	Need for Affordable Housing
Paragraph 91	Planning decisions should aim to achieve healthy, inclusive and safe places
Paragraph 108	Sustainable modes of Transport
Paragraph 110	Priority first to pedestrian and cycle movements
Paragraph 111	Requirement for Transport Assessment
Paragraph 117	Effective use of land
Paragraph 118	Recognition undeveloped land can perform functions
Paragraph 122	Achieving appropriate densities
Paragraph 127	Need for Good design which is sympathetic to local Character and history
Paragraph 130	Planning permission should be refused for poor design
Paragraph 170	Planning decisions should contribute to and enhance the natural and local environment

Nationally Described Space Standards

8.7 This document sets a nationally-defined internal space standard for new dwellings. 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 its local plan to the nationally described space standard. With this in mind the City Council is in the process of gathering evidence in relation to the adoption of the national standard as part of a future local plan review. The housing standards are a material consideration in dealing with planning applications, however as this process is at a relatively early stage in Leeds, only limited weight can be attached to them at this stage.

9.0 MAIN ISSUES

Principle of Development
Design and Visual Impact
Residential Amenity and Greenspace provision
Housing Mix
Highway matters

Principle of the development

9.1 The site has no allocation in the adopted UDPR which for the time being remains the statutory development plan. The site constitutes brownfield land situated within the existing built up area. The boundary includes the club building and ancillary hard standing, while the southern part of the site includes

approximately two thirds of the club's former sports pitch. The latter part of the site does not include a protective designation such as N6. The site is proposed as a housing site in the draft Leeds Site Allocations Development Plan as site number HG2-211. This allocation should be accorded some weight due to the relatively advanced stage of preparation of the emerging Site Allocations Plan.

The development of the land for residential purposes is therefore considered acceptable in principle.

Design and visual impact

- 9.2 The surrounding context is typically characterised by relatively high density terraced dwellings of 3-4 storeys height. These are of traditional red brick and tile construction and predominantly located to the north of the site to higher ground. To the west and east residential development is typically lower density two storey and single storey dwellings, while to the south there is an area of greenspace, beyond which there are predominantly commercial uses.
- 9.3 The scheme proposes two blocks of apartments. The proposed design and mass of these has been the subject of discussions with the LPA at both pre-application and application stages. Following the January consideration by Plans Panel and comments regarding the scale and design of the proposed buildings the scale of the building has been further reduced as described above.
- 9.4 The proposed blocks would be brick faced with staggered elevations. The top storey of each block would be inset and would be in a more lightweight glazed treatment, in order to reduce the mass of the buildings. The overall heights of the blocks would be set down from the dwellings to the north and set against this context and the adjacent very substantial railway viaduct and embankment is considered to be an acceptable design in its context.

Residential amenity and Greenspace provision

- 9.5 The proposal includes a mix of one, two and three bedroom units. The gross internal floor area of the units meet the requirements of the Nationally Described Space Standards, and the proposed accommodation would provide an appropriate amount of daylight and outlook. The apartments would have a terrace, balcony or Juliet balcony.
- 9.6 The proposal includes a central open space situated between the proposed blocks with seating and planters. It is noted that the revised scheme currently under consideration has increased the size of this space by virtue of a reduction in the size of the footprint of the proposed blocks. However on balance it is considered that this area would be of limited amenity due to its size and location. Therefore the proposal lacks meaningful provision of on-site amenity space and Greenspace. The application proposes to make a contribution in lieu in respect of this shortfall. The applicant has stated that they are engaging with local Ward Members in order to understand what the priorities for improving Greenspace in the Ward are.
- 9.7 A standard formula is used for calculating contributions under Policy G4 of the Core Strategy. The area does not have an adequate supply of Greenspace as defined by the Core Strategy. The principle behind Policy G4 is to mitigate the effects of the extra burden extra residents place on existing Greenspace.

- 9.8 The applicant has agreed in principle to the payment of a contribution towards addressing the adopted G4 policy requirements as set out above.
- 9.9 In view of the local context the proposal is not considered to have any significant impact upon the amenity of occupation of existing neighbouring occupiers, such as through overlooking, overshadowing or dominance.

Housing Mix

- 9.10 The proposal seeks to provide 39 1 bed units, 58 two bed units and 13 three bed units. This equates to 35%, 53% and 12% respectively. The reduced scheme now presented to Members represents (relative to the scheme considered by the Panel in January) a loss of 11 one bed units and 21 two bed units, but only 1 one bed unit. Policy H4 usually requires a minimum of 20% three-bed units with a target of 30%.
- 9.11 Policy H4 seeks to ensure that an appropriate mix of housing types is delivered in Leeds to meet housing need. The Policy is worded flexibly to allow for the form and the character of the area to be taken into account.
- 9.12 It is considered that less than 20% provision of three-bed units can be supported in this particular case because:
- The minimum percentage figure for 3 bedroom units of 20% is based on an average for Leeds.
 - The current average for Leeds is 39.3 %
 - The current average for the local area (Middle Layer Super Output Area - MSOA 56) is 22.9% - this is 16.4% behind the existing (2011 census) average for Leeds.
- 9.13 In other words, on average, the current level of 3 bedroomed Housing in the area is already much less than the Leeds average. This is not to say that a higher figure would not be supported, but on balance it is felt that 12% is reasonable. In addition, the site is somewhat urban in character being surrounded on 2 sides by busy roads with the A65 Kirkstall Road also being close by. The site is such could be regarded as being better suited to the provision of smaller units than larger dwellings suitable for family occupation.

Highway Matters

- 9.14 A parking provision of 100% plus appropriate visitor parking is normally recommended in the city centre fringe. A reduction from this ratio may be reasonable with the use of unallocated parking bays and in conjunction with a review of Traffic Regulation Orders in the vicinity of the

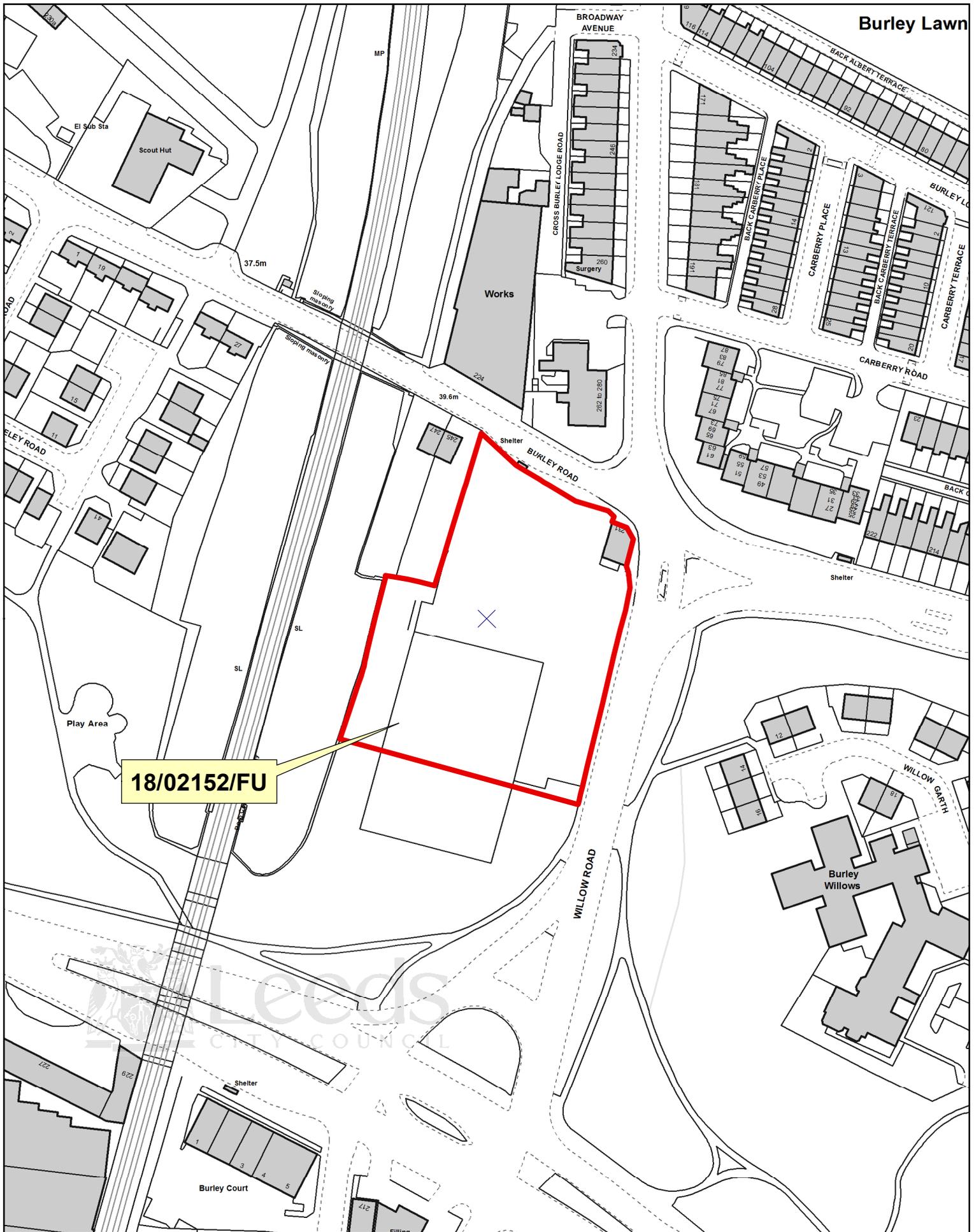
The development has been reduced from 143 apartments down to 110, the car parking provision has been reduced from 77 spaces down to 47 spaces. As a ratio, parking provision is reduced from 54% to 43%. Applying the previously agreed ratio would require an additional 12 parking bays to be provided or a further reduction of 23 apartments.

However in view of the broadly sustainable location with good access to bus and rail, as well as Members expressed view regarding the amount of car parking previously proposed, on balance this is considered acceptable. Whilst there remains a concern that the level of parking proposed could lead to some over-spill of car parking onto surrounding streets, as the shortfall over the recommended provision is relatively minor, and as the applicant is agreeable to the funding of the introduction of Traffic

Regulation Orders to control parking on surrounding streets should this be necessary, on balance approval is recommended.

10. Conclusion

The scheme following revision in line with comments made by Plans Panel at the January meeting is considered acceptable and is recommended for approval



18/02152/FU

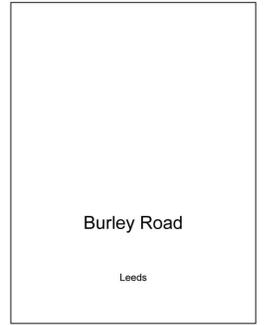
SOUTH AND WEST PLANS PANEL





REV. J	DATE: 22/02/19	DRAWN: HC	CHECKED: CA
Amendments following plans panel comments			
REV. I	DATE: 13/10/18	DRAWN: HC	CHECKED: CA
Amendments following visibility splay			
REV. H	DATE: 10/10/18	DRAWN: HC	CHECKED: CA
Red line amendments			

REVISIONS
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SITE PLAN

Drawn: HC
Date: 08/2018
Scale: 1:250 @ A1
Checked: CA

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