Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 22nd August 2019

Subject: 18/06794/FU & 18/06795/LI - Full Planning Application and Listed Building application for the development of C2 care community comprising 172 units of accommodation with associated communal facilities through demolition of existing office buildings with part conversion and extension of Scarcroft Lodge together with new build accommodation and car parking; retention of existing lodges as dwellings (C3) with alterations; erection of two dwellings (C3); conversion of Woodlands into five apartments (C3); provision of associated infrastructure, landscaping and parking; formation of additional car parking area to serve existing cricket pitch on land at Scarcroft Lodge, Wetherby Road, Scarcroft, Leeds

APPLICANT

Audley Court Ltd

DATE VALID

29th October 2018

TARGET DATE

03.01.2019

Electoral Wards Affected:

Harewood

Yes Ward Members consulted (Referred to in report)

Specific Implications For:

Equality and Diversity
Community Cohesion
Narrowing the Gap

RECOMMENDATION:
DEFER AND DELEGATE approval of planning application and application for listed building consent to the Chief Planning Officer subject to the conditions specified below and the completion of a legal agreement in respect of the planning application, within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- Works to restore the Grade II Listed Scarcroft Lodge Building (Block D) to be carried out first prior to construction of the new apartment blocks
- Implementation of the landscape buffer scheme to the north, east and south of the application site including the attenuation pond as submitted
- Submission of an appropriate future landscape management plan for the landscape buffer zone to the north, east and south of the site
- Travel Plan and Review Fee
18/06794/FU:

1 Standard 3 year time limit for commencement
2 Plans to be approved
3 Submission of materials
4 Details of openings including windows & doors
5 Contaminated land conditions
6 Foul water drainage inc. details of the foul water pumping station
7 Drainage Scheme
8 Flood Risk Mitigation
9 Bats
10 Demolition/Construction Method Statement
11 Electric Vehicle Charging
12 Landscaping conditions
13 Highways conditions
14 Footpath Widening
15 Community Access to parkland
16 Communal facilities for C2 use to remain as such – i.e. no public use
17 Acoustic and Ventilation Glazing Package
18 Details of plant including any extraction and ventilation system
19 Restriction on the sale of C2 to C3 units in the future
20 Staff Cycle parking and shower facilities
21 Occupancy condition (age restricted/residents in need of care)
22 Submission of detail of sustainability measures
23 Submission of sustainability verification statement

18/06795/LI:

1 Standard 3 year time limit for commencement
2 Plans to be approved
3 Details of openings including windows & doors
4 Details to be submitted and approved:
   • windows repair,
   • gutter repair,
   • stonework replacement,
   • re-pointing,
   • plaster work and joinery repairs,
   • fire-proofing measures,
   • sound insulation measures,
   • new stonework on new build, and
   • road/car park surfacing.
5 Survey of historic fabric of listed building to be submitted and approved.

1.0 INTRODUCTION

1.1 This application has been submitted by Gaunt Francis Architects on behalf of Audley Court Ltd for the demolition of buildings and redevelopment of the site to create a C2 community care village including conversion of Grade II Listed Building, Scarcroft Lodge. The application site is situated in the Leeds Green Belt within a Special Landscape Area and Scarcroft Conservation Area.

1.2 Pre-application proposals were presented to Members of North & East Plans Panel in October 2018 where the proposals received positive feedback from Members.
The developers went onto submit a full planning application accompanied by an application for Listed Building Consent.

1.3 The application is reported to Panel due to the significant nature of the scheme and its sensitive location.

1.4 At the time of writing this report a holding objection was being maintained by Sport England (statutory technical consultee) however discussions are still ongoing and it is expected the concerns of Sport England will be resolved prior to the Plans Panel meeting.

2.0 PROPOSAL

2.1 This application concerns the proposed change of use of land and buildings within the site curtilage of Scarcroft Lodge, Wetherby Road, Scarcroft, to a C2 community care village with 172 units of accommodation with associated communal facilities through demolition of existing office buildings with part conversion and extension of Scarcroft Lodge together with new build accommodation and car parking; retention of existing lodges as dwellings (C3) with alterations; erection of two new dwellings (C3); conversion of Woodlands to five apartments (C3); provision of associated infrastructure, landscaping and parking; formation of additional car parking area to serve existing cricket pitch. All the land is in ownership of the applicant.

2.2 Of the 172 units proposed, the accommodation comprises of 148 apartments (2 x one bed, 146 x two bed) and 24 cottages (all two bed) located across 19 blocks within the site and 9 private residential dwellings. The proposal includes 172 parking spaces for the community care village residents plus 15 spaces for staff and visitors, and 1 minibus space together with 8 private parking spaces, 2 single private garages serving the private residential dwellings and 48 spaces allocated to the cricket club (245 in total). Additionally 17 mobility scooter spaces are proposed and 21 cycle spaces. The total site area serving the community care village is 21,847m², of which 1,800m² is communal facilities including a health and well-being centre with swimming pool, hydrotherapy pool and plant room, sauna, steam room, gym, exercise rooms, hair salon and treatment rooms for physiotherapy; commercial kitchen, laundry room, sitting rooms, library, hobbies room, restaurant and bistro, relaxation terrace and meeting rooms.

2.3 The site will be laid out to include a series of attractive, shared gardens at various scales including sensory gardens which connect through the attractive parkland and landscape and formal lawns connected via accessible pathways and seating which would also be open to members of the public from dawn until dusk.

2.4 The vision for the development is to create a high quality, community care village falling within the C2 Use Class (Residential Institution) offering specialist accommodation for elderly people needing various care packages. It is understood that the average age of an occupant being cared for at the proposed community care village would be 79 years of age and level of care offered would range from flexible care right through to high level 24hr care including monitoring three times per day. The development would be built out by the applicants who would go on to be the care provider. The Scarcroft Lodge development would be added to their portfolio of similar community care villages across the country.

2.5 The application is accompanied by a number of supporting reports:

- Design and Access Statement
3.0 SITE AND SURROUNDINGS

3.1 The proposal relates to a large predominantly brownfield site located within land defined as Green Belt in the Development Plan which lies to the southern edge of Scarcroft village in North East Leeds which is also a designated Conservation Area. The majority of the application site is made up of a site allocated for housing in the Leeds Site Allocations Plan (Site Reference HG2-26).

3.2 Located centrally within the site is Scarcroft Lodge, a Grade II Listed Building at Risk and former mansion house. Scarcroft Lodge has been altered and extended in the past and was last in use as offices however has since remained vacant for a number of years. As a result the Listed Building has been subject to the theft of materials such as lead from the roof and Yorkshire stone. Scarcroft Lodge has deteriorated and is now in need of extensive repair works internally and externally.

3.3 The site is dominated by a large three/four storey modern office building of brutalist design (Abbey Hanson Rowe Block) and smaller mid-twentieth century office buildings with a significant area of hardstanding. The office building were occupied by Npower, who have recently vacated the site and relocated to new premises within Leeds. Two lodges and a building known as Woodlands are located towards western edge of the site close to Wetherby Road are not listed in their own right but these buildings are considered to be curtilage listed due to their position and role within the important setting of Scarcroft Lodge.

3.3 The north western section of the site (outside the aforementioned housing allocation) is occupied by a cricket pitch and pavilion which is a designated greenspace in the Leeds Site Allocations Plan (Site Reference G1766) protected by Leeds Core Strategy policy G6. A number of large and mature trees line the access road and site boundaries and the entire site is included in the wider Special Landscape Area as designated by Leeds Unitary Development Plan Policy N37. The site is accessed from the A58 Wetherby Road, main arterial route and with security barriers in operation offering private access only through the site. Agricultural land is located to the east.
4.0 RELEVANT PLANNING HISTORY

4.1 Planning Permission was granted in March 2015 for the conversion of the ground floor of Woodlands to A1 Retail and refurbishment of the first floor as B1 offices (Ref 15/00602/FU). This permission has now lapsed.

PREAPP/17/00631 – Advice Given
Change of use to a C2 care community with 152 units of accommodation and 9 dwellings

PREAPP/17/00631 – Developer Presentation to Members of North and East Plans Panel (October 2018)

4.2 Members resolved support for the principle of the development, support for the repair, refurbishment and extension of Scarcroft Lodge, Grade II Listed Building. Members expressed support for the preferred design approach together with landscaping and biodiversity proposals. Members supported the highway comments subject to discussion with the Cricket Club in respect of parking provision.

5.0 HISTORY OF NEGOTIATIONS

5.1 The applications have been subject to extensive discussions covering such matters as landscaping and tree retention, highways – including internal layout and parking provision, issues relating to contaminated land and the layout of the cricket field and square to minimise the risks associated with ball strike.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised by Site Notice posted 22nd November 2018 and 04th July 2019. The application was also advertised in the newspaper printed 28th November 2019.

6.2 No response received.

6.3 Notwithstanding the above, it is understood that the Applicant carried out a public consultation event on Thursday 30th August 2017 at Scarcroft Village Hall which was well attended by over 100 people including Parish Councilors and local ward Members and the majority of local residents were supportive of what they have seen so far.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:
Sport England
Maintain a holding objection to the proposals regarding the loss of wickets. Solution proposed – awaiting comments from English Cricket Board.

Historic England
No objection subject to conditions.

7.2 Non- statutory:
Highways
No objections subject to conditions
Flood Risk Management
No objections subject to conditions

Contaminated Land
No objection subject to conditions

Conservation
No objections subject to conditions

Design
Supportive of design principles subject to conditions

Environmental Studies Transport Strategy Team
No objections subject to conditions relating to acoustic glazing and ventilation systems

West Yorkshire Police
No objections subject to the applicant incorporating the guidelines of Secured by Design (SBD) in relation to consideration of security. Video intercom system as a means of access control advisable.

Nature Conservation
No objection subject to conditions

Landscape
No objection subject to conditions/S106 relating to the phasing of planting and landscape buffer.

Travel Wise
No objection subject to the Travel Plan being included in the S106 and conditions

8.0 PLANNING POLICIES:

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

8.2 The Development Plan for Leeds comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006), the Natural Resources and Waste Development Plan Document (2013), Site Allocations Plan DPD (2019) and any made neighbourhood development 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:

- General Policy: Sustainable Development and the NPPF
- Spatial Policy 1: Location of Development
- Spatial Policy 6: The Housing Requirement and the 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 H8: Housing for independent living
Policy P9: States that access to local community facilities including health is important to the health and wellbeing of a neighbourhood
Policy P10: Seeks to ensure that new development is well designed and respect its context
Policy P11: Relates to conservation of the historic environment
Policy P12: Relates to landscape and encourages the quality, character and biodiversity of townscapes is preserved or enhanced
Policy T2: Accessibility requirements and new development
Policy G8: Protection of Important Species and Habitats
Policy G9: Biodiversity Improvements
Policy EN1: Climate Change
Policy EN2: Sustainable Design and Construction
Policy EN3: Low Carbon Energy
Policy EN4: District Heating
Policy ID1: Implementation and Delivery Mechanisms
Policy ID2: Planning Obligations

Saved UDP policies:

8.4 Policy GP1: Land Use and the Proposals Map
Policy A8: Nature conservation sites
Policy BD2: Design and siting of new buildings
Policy BD3: Disabled access and new buildings
Policy BD5: Amenity and new Buildings
Policy BD6: Alterations and Extensions
Policy BD14: Floodlighting
Policy GB4: Changes of use in the Green Belt
Policy GP5: Development proposals resolve detailed planning considerations including amenity
Policy GB7: Major developed sites in the Green Belt
Policy GB9: Redevelopment of buildings in the Green Belt
Policy LD1: Seeks to ensure that development is adequately landscaped
Policy LD2: New and altered roads
Policy N6: Protected Playing Pitches
Policy N14: Presumption in favour of the preservation of listed buildings
Policy N15: Changes of use of listed buildings will be considered favourably
Policy N16: Extensions to listed buildings should relate sensitively to the original building and be subservient
Policy N18-22, BC7: Conservation Areas
Policy N23/N25: relates to space around buildings and boundaries to be designed in a positive manner
Policy N32/33: Green Belt (N32 part superseded by the Leeds SAP)
Policy N37: Special Landscape Area
Policy N38A: Development in the Countryside

The Natural Resources and Waste Local Plan (NRWLP):

8.5 The Natural Resources and Waste Local Plan (NRWLP) was adopted by Leeds City Council on 16th January 2013 and is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, e.g. minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies relating to drainage, land contamination and flooding are relevant as follows:
Policy AIR 1: The Management of Air Quality through Development
Policy WATER 1: Water Efficiency
Policy WATER 2: Protection of Water Quality
Policy WATER 3: Functional Flood Plain
Policy WATER 4: Development in Flood Risk Areas
Policy WATER 6: Flood Risk Assessments
Policy WATER 7: Surface Water Run-Off
Policy LAND 1: Contaminated Land
Policy Land 2: Development and Trees

Site Allocations Plan

8.6 The Site Allocations Plan (SAP) was adopted by the Council in July 2019. The following policies are relevant:

HG2 – Housing Allocations (Site Reference HG2-26)

Neighbourhood Plan

8.7 The Scarcroft Neighbourhood Plan was made in February 2019 and therefore forms part of the development plan.

8.8 The Plan lists a number of objectives which include the encouragement of proportionate housing development, to maintain and improve the quality and character of the built environment, to maintain and improve biodiversity of the rural environment; and to identify and conserve assets including green spaces and open views.

8.9 The following policies are relevant to the determination of the current application:

Policy CF1 Protection and enhancement of Community Facilities
Policy CF2 Provision of New Community Facilities
Policy GE1 Special Landscape Area
Policy GE2 Local Green Infrastructure
Policy GE3 Local Green Space
Policy GE4 Local Green Space Enhancement
Policy GE5 Provision of New Green Space
Policy BE2 Protection and Enhancement of Local Heritage Assets
Policy BE3 Development and Design in and Adjacent to Scarcroft Conservation Area
Policy H1 Wetherby Road – Scarcroft Lodge Development Requirements
Policy H3 Housing Density
Policy H4 Housing Mix

Emerging Planning Policy

8.10 The Council's Core Strategy Selective Review (CSSR) is at an advanced stage in the plan making process with adoption likely later in 2019. As such the policies in the CSSR (some of which represent amendments to existing Core Strategy policies) should be afforded significant weight in determining planning applications:

Spatial Policy 6 - The Housing Requirement and the Allocation of Housing Land
Spatial Policy 7 - Distribution of Housing Land and Allocations
H9 – Minimum Space Standards
H10 – Accessible Housing Standards
EN8 – Electric Vehicle Charging Infrastructure

Relevant Supplementary Planning Guidance/Documents and Other Documents includes:

8.11 SPG10 Sustainable Development Design Guide
SPG13 Neighbourhoods for Living
SPG22 Sustainable Urban Drainage
SPD Accessible Leeds
SPD Street Design Guide
SPD Designing for Community Safety
SPD Travel Plans
SPD Sustainable Design and Construction
SPD Scaracroft Conservation Appraisal and Management Plan (CAAMP)
Guideline Distances to Trees

National Planning Policy (NPPF)

8.12 The revised National Planning Policy Framework (2018) 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 and promotes sustainable (economic, social and environmental) development. NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.13 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies and contains policies on a range of issues.

Paragraph 91 of the NPPF states planning decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles especially where this would address identified health and well-being needs.

Paragraph 92 of the NPPF supports the provision of community facilities and other local services in order to enhance the sustainability of communities: To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

8.14 Paragraph 117 supports the effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions.

8.15 Paragraph 124 of the NPPF relates to the creation of high quality buildings and places is fundamental to what the planning and development process should
achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

8.16 Paragraph 127 states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport network
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and
where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

8.17 Paragraph 143-144 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

8.18 Paragraph 189-190 seek to preserve and enhance heritage assets. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

8.19 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict.

8.20 Paragraph 192 states that in determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

8.21 Paragraph 194 states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

Planning (Listed Buildings and Conservation Areas) Act 1990

8.22 Listed Buildings Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area of any functions under the planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area.

9.0 MAIN ISSUES

- Site Allocations Plan & Greenspace
- Green Belt
- Very Special Circumstances
- Climate Change
- Heritage Assets
- Design and Visual Impact
- Housing Mix
- Highway Safety
- Landscape & Biodiversity
- Amenity
- Accessibility
- Section 106 Obligations
- Other matters

10.0 APPRAISAL

Site Allocations Plan & Greenspace

10.1 The proposal consists of a number of different elements including the creation of C2 residential accommodation, the creation of C3 residential accommodation, works to the existing Cricket Club site including the creation of additional car parking, alongside wider landscaping proposals.

10.2 As noted in the Sites and Surroundings section of this report the application site includes a number of designations. The Leeds Site Allocations Plan (SAP) allocates the majority of the application site for housing under SAP policy HG2 (Site Reference HG2-26). As such the principle of the site being used to accommodate housing on this part of the application site has been established through the SAP process. The acceptance of the principle of residential development is also
recognised in the Scarcroft Neighbourhood Plan. The SAP advises in relation to a number of ‘site requirements’, largely replicated in Policy H1 of the Neighbourhood Plan, which relate to detailed matters which will be discussed further in this appraisal under the relevant headings. The SAP also allocates the existing Cricket pitch as greenspace (Site Reference G1766) which is in turn protected by Leeds Core Strategy policy G6.

10.3 Leeds Core Strategy policy H8 advises that sheltered and other housing schemes aimed at elderly or disabled people should be located within easy walking distance of town or local centres or have good access to a range of community facilities. Leeds Core Strategy policy G6 seeks to protect existing greenspace from development.

10.4 The proposed C2 accommodation proposed represents a significant proportion of the development and is of a significant size and scale in its own right. It is recognised that this form of housing is needed in the locality and wider Leeds district. The communal facilities to be provided at the site for residents will be sufficient to serve the needs of future C2 residents. Whilst it is acknowledged that redevelopment of the site would create an isolated development which is not well related to the urban area, it will nevertheless allow for comprehensive development of this brownfield site which will meet much of its own requirements within the site itself. The high quality communal facilities on offer are considered to be a significant benefit in this respect. The proposal is in-keeping with the wider aims of Core Strategy policies H8. The works proposed to Scarcroft Cricket Club will also protect the existing greenspace for its existing purpose in accordance with Core Strategy policy G6 and provide appropriate facilities including additional car parking for the continued use by the club.

10.5 The proposal will assist in making a significant contribution towards the Council’s identified five year housing land supply in accordance with the approach outlined in the Development Plan. This is a significant benefit of the proposal. In addition to this, guidance contained within the NPPF and Core Strategy promote a brownfield first approach to delivering housing and seek that opportunities to enhance the quality of life of local communities through the design and standard of new homes should be maximised. The proposal seeks to meet these aims.

10.6 The application site also takes in land surrounding the existing brownfield site including agricultural and grazing land within the countryside. These matters, will be considered in greater detail in the below appraisal but it is noted that this is predominantly in order to provide appropriate landscape buffers to the proposed development and as such is not unusual for such a proposal. This wouldn’t impact on the acceptability of the wider principle of development at the site as a result.

10.7 Considered collectively the principle of the wider development is therefore considered acceptable subject to detailed matters as discussed in the appraisal below.

Green Belt

10.8 The application site lies within the Green Belt. Saved UDPR Policy N32 (alongside those amendments identified in the Site Allocations Plan) defines the Green Belt boundary within Leeds. Saved UDPR Policy N33 sets out that unless very special circumstances exist development in the Green Belt will be resisted and in this respect is wholly consistent with the NPPF. However, the list of exceptions in N33 is inconsistent with those listed in the NPPF and therefore the exceptions listed in
policy N33 should only be afforded limited weight as required by the NPPF at Annex 1 paragraph 213.

10.9 The NPPF (2019) attaches great importance to Green Belts noting that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, noting that the essential characteristics of Green Belts are their openness and permanence.

10.10 The NPPF identifies at paragraph 134 five purposes which Green Belt serves (1) to check the unrestricted sprawl of large built-up areas; (2) to prevent neighbouring towns merging into one another; (3) to assist in safeguarding the countryside from encroachment; (4) to preserve the setting and special character of historic towns; and (5) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

10.11 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 goes on to state that very special circumstances for inappropriate development in the Green Belt will not exist unless the potential harm to the Green Belt and any other harm is 'clearly outweighed' by other considerations.

10.12 Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it means one of a number of exceptions. Paragraph 146 states that other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. It is appropriate to consider whether any of the different elements of the proposal would meet any of these exceptions listed at paragraph 145 or other forms of development listed at paragraph 146. For the purposes of these considerations the proposal can be broadly split into three parts: (1) the C2 and C3 housing proposals, (2) the cricket club proposals, and (3) the landscape buffer proposals (i.e. those which relate to existing agricultural and grazing land).

10.13 Paragraph 145 includes at part (g) the following exception which is relevant to the housing element of the proposal:

Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

10.14 Previously developed land is defined in the NPPF (2019) (Annex 2 Glossary) as Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

10.15 The applicant has submitted evidence to the Council (including a comprehensive package of supporting information) which clearly demonstrates that this part of the application site (i.e. that which is to accommodate the main elements of the new C2 and C3 housing proposed) should be considered to be previously developed land.
The council agree with this position and have allocated the aforementioned parts of the site for housing in the Development Plan. As such, it is clear that the first part of the exception at paragraph 145 part (g) should apply to the new housing elements proposed.

10.16 The second part of the exception at paragraph 145 part (g) requires a development in such a scenario not to have a greater impact on the openness of the Green Belt than the existing development. The table below sets out the comparative existing and proposed development volumes and footprints of the relevant existing and proposed buildings:

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<tr>
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<th>Existing Volume</th>
<th>Proposed Volume</th>
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<tr>
<td>Existing Volume</td>
<td>43.5m³</td>
<td>88.5m³</td>
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<tr>
<td>Proposed Volume</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Footprint</td>
<td>25.6m³</td>
<td>25.5m³</td>
</tr>
<tr>
<td>Proposed Footprint</td>
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10.17 Using these figures, it is clear the proposed development will have a higher cubic volume than the former Npower office buildings and the overall footprint of the proposed development is practically the same as the existing buildings. Therefore, whilst the footprint is no bigger, in terms of volume, the proposed development is considered to have a greater impact on the openness of the Green Belt.

10.18 It is recognised that these are not the only factors that can impact on openness. Other relevant factors could include the positioning of buildings within a site and whether a development will bring with it associated paraphernalia which may also impact on openness; for a residential development this can include garden structures, cars parked on driveways for example. In this instance the development proposed would be located across 19 blocks of accommodation (including existing Scarcroft Lodge, Woodlands and the Lodges) and would disperse buildings over parts of the site which do not currently include buildings. Whilst these ‘dispersed’ buildings would generally be situated in locations which currently accommodate development, predominantly in form of hardstanding as opposed to buildings they would nevertheless have a greater impact on openness as a result. It is not considered that additional paraphernalia will have a visible additional impact on openness given that which exists at present.

10.19 In respect of openness the height of new buildings will be, at their highest point, 2.7m lower than the height of the tallest existing building on site (the unattractive Npower office block) which goes in the developments favour. However, notwithstanding this, it is evident that openness would be more greatly impacted upon than the existing situation due to the aforementioned factors.

10.20 As a result it is considered that the part of the proposal which is to accommodate the new C2 and C3 housing would not satisfy the exception at paragraph 145 part (g) of the NPPF or any other exceptions listed in the paragraph. This part of the proposal would therefore represent inappropriate development in the Green Belt.

10.21 Paragraph 145 includes at part (b) the following exception which is relevant to the cricket club element of the proposal:

(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

10.22 The amended cricket facilities will provide for appropriate facilities for outdoor sport which will not impact on the openness of the Green Belt or the purposes of including
land within it. However, the additional car park proposed to serve the Cricket Club will encroach on to an existing undeveloped green field and as a result will unfortunately impact on openness and lead to encroachment (in conflict with the third purpose of Green Belt as listed at paragraph 134 of the NPPF to assist in safeguarding the countryside from encroachment). This part of the proposal would also therefore represent inappropriate development in the Green Belt.

10.23 Paragraph 146 includes, at part (e), material changes in the use of land. It is considered that the change of use of land from agricultural and grazing land to create the landscape buffers would fall under part (e) and therefore this part of the proposal is not inappropriate in the Green Belt.

10.24 It is appropriate at this point, having established that two elements of the proposal represent inappropriate development in terms of not meeting the criteria of any of the relevant exceptions at paragraph 145, to understand whether the proposal results in any other harm to the Green Belt (in addition to that already identified in relation to openness). Such harm can be caused, for example, by conflict with the purposes of the Green Belt.

10.25 It is already noted above in respect of the Cricket Club development that this would conflict with the third purpose of Green Belt as listed at paragraph 134 of the NPPF (to assist in safeguarding the countryside from encroachment). It is not however considered that the housing element of the proposal would conflict with this (or any other purpose identified in the NPPF). The housing proposals would fall within the existing brownfield land at the site and replace existing buildings and car parking areas. They would not as a result represent an encroachment into the countryside. This is significant in gaining support from Scarcroft Neighbourhood Plan policy H1 (which only relates to the designated housing allocation HG2-26 as identified in the SAP) given that this policy requires development within the designated housing allocation to “have no greater impact on the purposes of the Green Belt than the existing development”.

10.26 Where parts of the development have been identified to be inappropriate development it is necessary to revisit paragraph 144 of the NPPF which states that very special circumstances for inappropriate development in the Green Belt will not exist unless the potential harm to the Green Belt and any other harm is ‘clearly outweighed’ by other considerations. In this context ‘other harm’ is any other harm which may result in relation to any other relevant matter (i.e. including non-Green Belt harm) which would result from the development. The proposal does not raise any significant harm in other respects.

10.27 It is at this point, after identifying all the relevant harm, that the Council must consider whether any very special circumstances exist (Paragraph 143 of the NPPF and saved UDP policy N33).

Very Special Circumstances

10.28 The applicant has put forward a case for Very Special Circumstances to try and address the matter of inappropriate development. The applicant’s case is predominantly based on ‘need’ for this type of housing and also securing the optimum viable use and long term future for the Listed Building, Scarcroft Lodge. The Council should consider whether these benefits, alongside any others identified would represent very special circumstances in this instance.
10.29 Supporting evidence provided by the applicant suggests that there is a need for this type of specialist accommodation for older people and demonstrates how the number of units proposed would help make a generous contribution to reducing a large undersupply. The Council has openly recognised, as is noted in the section Site Allocations Plan & Greenspace above that there is a need for this type of accommodation in this location and the wider Leeds District.

10.30 The Core Strategy acknowledges the importance of planning for a wide range of housing needs and independent living and meeting such needs is a key challenge. Para 5.2.40 states that when considering proposals for Independent Living it is important that such schemes are appropriately located and form part of a wider housing mix in reflecting a range of housing needs within individual communities. The proposal is considered to be appropriate in these respects.

10.31 The proposal will also secure the long term future of Scarcroft Lodge, a Grade II listed building and curtilage listed buildings at the site through an appropriate and sympathetic use. This is a significant benefit of the proposal as identified in the Heritage section of this appraisal below.

10.32 The proposal will also bring forward a number of further benefits which should be considered as part of the cumulative very special circumstances case. The proposal will deliver the redevelopment of an existing brownfield site and assist in delivering the Council’s 5 year housing land supply in accordance with the approach outlined in the adopted development plan. The proposal will include improvements to the sporting provision for Scarcroft Cricket Club, which in turn has wider benefits for the local community in terms of sporting provision and health and wellbeing. The proposal will also provide a boost to the local economy both during the construction phase of the development and once the development is occupied and in use. Finally, the proposal will bring new landscaping proposals which will provide a biodiversity enhancements at the site including new opportunities for wildlife.

10.33 In conclusion, the proposed development delivers sustainable development and accords with national and local policy in respect of the Green Belt by demonstrating that very special circumstances exist. It is therefore considered that the proposal is acceptable in Green Belt terms.

Climate Change

10.34 Core Strategy Policies EN1 and EN2 seeks to achieve carbon dioxide reduction and sustainable design and construction in order to help tackle the wider challenge of climate change. The application is supported by an Energy Statement which states that the proposed development is a highly sustainable development (BREEAM Design compliant) with more than 20% of energy sourced being from renewable energy sources (27%) and the predicted carbon emissions are able to meet the 20% reduction target.

10.35 The development adheres to the Building Regulations – Part L 2013 with 2016 amendment and Council requirements. Energy efficient measures have been integrated within the scheme’s design, whilst being appropriate to the context of the development. Technologies include a local heat distribution network incorporating a centralised Combined Heat and Power (CHP) unit. This will contribute towards the on-site energy generation from renewable sources and reduce carbon emissions in accordance with Policy EN1. The scheme also proposed more natural environmental benefits such as tree planting and retention, landscape buffer and varied planting which will also absorb carbon dioxide and clean the air.
10.36 Through the SAP process this site has (HG2-26) has been found to be sound and sustainable by the independent Inspectors, when compared to the other alternatives. The SAP allocation is accompanied by Site Requirements relating to Heritage, Ecology and Conservation.

10.37 In conclusion, all development will have an impact on the environment however the comprehensive development proposed in this instance is policy compliant and in that sense is considered to have a positive impact on climate change.

Heritage Matters

10.38 As noted above, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that In considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the reasons explained above, the Local Planning Authority consider that section 66(1) of the Act is engaged in considering the heritage benefits of the application as constituting the “very special circumstances”.

10.39 Section 16 of the NPPF provides guidance on the conservation and enhancement of the historic environment. Paragraph 192 states:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

10.40 Core Strategy Policy P11 seeks to preserve the historic environment, consisting of archaeological remains, historic buildings townscapes and landscapes, including locally significant undesignated assets and their settings. Development proposals will be expected to demonstrate a full understanding of historic assets affected.

10.41 The policy goes onto state that innovative and sustainable construction which integrates with and enhances the historic environment will be encouraged and ow the policy seeks to conserve and enhance the historic environment, including its “legacy of country houses”.

10.42 The housing allocation in the SAP is accompanied by a Site Requirement relating to heritage which states that any development should preserve the special architectural or historic interest of Listed Buildings and their setting. The site contains a Listed Building that is considered to be a Building At Risk. Any new development here should facilitate the conservation, repair and reuse of the property. To protect the setting of the Listed Building, areas of new development are likely to be restricted - e.g. to the areas already laid to hard-standing to the east of the Listed Building.

10.43 Scarcroft Neighbourhood Plan Policy H1 Wetherby Road – Scarcroft Lodge Development Requirements stated that:
“Development should preserve the special architectural or historic interest of the Scarcroft Lodge listed building, the building known as Woodlands within its curtilage and their settings. Development should facilitate the conservation, repair and reuse of these properties. In order to protect the setting of Scarcroft Lodge areas of new development should be restricted to previously developed land to the east of the Lodge, including areas of hardstanding”

10.44 The policy goes onto state that development should preserve and where feasible enhance the character and appearance of the conservation area and comply with Neighbourhood Plan Policy BE3 in this respect. Policy BE3 states that development and design within or adjacent to Scarcroft Conservation Area, as defined on The Neighbourhood Plan Policies Map 1, should respect the historic character of the area; Scarcroft Lodge is also identified as a positive building within the Draft Scarcroft Conservation Area Appraisal and Management Plan (CAAMP) therefore any proposals would need to preserve or enhance the special character of the building and the wider conservation area.

10.45 The proposals involve the repair, refurbishment and extension of Scarcroft Lodge, Grade II Listed Building to create the community facilities listed in section 2.2 of this report which are central to the operation of the community care village. It is understood that Scarcroft Lodge itself has suffered internally through earlier conversion to offices, anti-social behaviour and poor maintenance. However, there is still a reasonably high retention of internal fabric, including piers, cornices, door surrounds, mahogany panelling and fireplaces.

10.46 The proposals also involve the part demolition and rebuild of the building to the left of Scarcroft Lodge and construction of new accommodation blocks within the setting of the Listed Building to create a largely flatted development however some of the new accommodation would be in the style of stone built cottages.

10.47 Demolition works relate only to the parts which were constructed after 1949; the main area of demolition is a brick and stone built extension, constructed to accommodate office accommodation. The second large area of demolition of the Listed Building is a porch constructed approximately 1980. This is a steel framed construction with a flat roof constructed to the North facade of the western courtyard.

10.48 The extensions which are the current upstanding structure of Scarcroft Lodge are poorly detailed, low quality extensions which are considered offer no benefit to the overall significance of the historic Scarcroft Lodge or the historic environment in which it lies. The construction and design both detract from the quality of the historic buildings, and the additional massing is considered to overwhelm the facades in which they sit.

10.49 Both Historic England and the Councils Conservation Team are in support of the principle of the sensitive redevelopment of Scarcroft Lodge and curtilage listed buildings and lend support in favour of the conservation approach and design of the proposed extension to the Listed Building and new blocks of residential accommodation. It is considered that the restoration works proposed ensure that existing features have been taken into account and retained where possible (including the attractive central clock tower) and the methodology/schedule of works would be conditioned. Areas of new development have been restricted to previously developed land to the east of the Lodge, including areas of hardstanding. The applicant has confirmed that they intend to carry out the works to the Listed Building first before progressing with the rest of the construction works which is a significant
benefit of the proposal given the status as a Build At Risk. This element would need to be secured via a S106 legal agreement or phasing condition.

10.50 Subject to appropriately conditions relating to, amongst other matters, materials and detailing, it can be concluded that the proposal offers significant benefits to the identified heritage assets at Scarcroft Lodge and buildings within its important setting whilst securing the optimum viable future use of Scarcroft Lodge, Grade II Listed Building. In terms of the impact of the proposed development on the wider Conservation Area of Scarcroft, the self-contained and sympathetic form of development proposed is considered to preserve and enhance the special character of the wider Conservation Area. As such, the proposals would meet the objectives set out within the NPPF and Core Strategy Policy P11, saved UDP policies N18, N20 and BC8 which address demolition in Conservation Areas, Neighbourhood Plan Policy H1 and BE3.

Design and Visual Impact

10.51 The NPPF sets out national planning policy in relation to design (section 12). The Leeds Core Strategy includes a number of policies relevant to design which are relevant. Policy P10 outlines a number of key principles which fall under the wider objective of ensuring new development delivers high quality inclusive design and policy P12 looks to protect the character and quality of Leeds townscapes.

10.52 A number of saved UDP policies are also relevant including policies GP5 and BD5 which encourage good design. Scarcroft Neighbourhood Plan Policy H1 states that in terms of design development should:

- “relate positively to the existing cricket ground and any new greenspace in order to create a ‘village green’ type development in keeping with the conservation area and the site’s proximity to a listed building;
- Maximise views out to the surrounding landscape, countryside and village, as well as respecting views into the site from outside and within the site;
- Incorporate new tree planting in order to reflect the site’s existing wooded character;”

10.53 In terms of design and character the proposed scheme is considered to be a positive form of development and broadly compliant with the aims and aspirations of the Neighbourhood Plan. The site layout plan submitted identifies where the residential development within the site would be situated; the proposal retains the relatively large area of existing hardstanding with layout focused around Scarcroft Lodge and its important setting. The proposed scheme comprises of a mix of largely flatted development comprising of 148 apartments and 24 cottages located across 19 rectangular blocks within the site that range from 2 to 3 storeys in height. The development will also be BREEAM compliant.

10.54 The apartments and cottages tend to follow the same footprint as the existing buildings and features on site and would be spaciously arranged around shared attractive gardens and open parkland. The development proposes a high quality design that is spaciously distinct and of vernacular appearance with a modern twist which is considered to be more in keeping with the residential appearance of Scarcroft Village and the character of the wider conservation area that of the existing modern office block on the site.

10.55 The development nearest the Listed Building is of traditional appearance constructed out high quality materials including natural stone with a slate tiled roof, whereas the
blocks of accommodation furthest away would be constructed out of a high quality mock stone which would be controlled via condition and some elements of render. The design includes sympathetic materials and traditional design features including Juliette balconies, chimneys and simple openings.

10.56 The site is isolated and separated from the main Scarcroft Village therefore in terms of visual amenity public views into the site from A58 Wetherby Road are restricted due to tree cover and the presence of other lodge buildings as you enter the site. Furthermore the significant landscape buffers strategy will help create a suitable natural screen.

10.57 The proposed development is considered to result in a high quality development with a village feel that would be sympathetic to its surroundings and compatible with the design policies set out within the Core Strategy and the Scarcroft Neighbourhood Plan. However, it is a matter for the decision taker to balance the overall merits of the proposal in coming to a recommendation. Nonetheless the proposals would meet the objectives set out within the NPPF, Core Strategy Policy P10 and P11 and Scarcroft Neighbourhood Plan Policies BE2 and BE3.

Housing Mix

10.58 The development proposes a mix of C2 and C3 housing for sale on the private market. House types including 1 and 2 bedroom apartments, duplex apartments and two bedroom dwellings across 19 accessible blocks. Policy H3 relating to housing mix states that any housing development proposal of 5 or more dwellings, within or adjacent to the built-up area of Scarcroft, must provide an appropriate mix of dwelling types and sizes including for smaller households and elderly persons households, requiring 1 to 3 bedroom properties.

10.59 Policy H3 clearly sets out that there is local preference in Scarcroft Village for all new residential developments both the smaller and larger housing developments to provide an appropriate housing mix and this is mirrored in Core Strategy Policy H4 which seeks that developments should include an appropriate mix of dwelling types and sizes to address long term housing needs. The proposal offers specialist housing for the elderly in need of care. As such, the proposals are considered to meet the objectives set out within the NPPF, Core Strategy Policy H4 and Scarcroft Neighbourhood Plan Policies H3.

Highway Safety

10.60 Core Strategy Policy T2 states that new development should be located in accessible locations and with safe and secure access for pedestrians, cyclists and people with impaired mobility. In locations where development is otherwise considered acceptable new infrastructure may be required provided it does not create or add to problems of safety or efficiency on the highway network.

10.61 The proposals are primarily for a Class C2 (Residential Institutions) development, however the scheme also includes a small number of traditional C3 dwellings (comprising 2 lodge houses, 2 new build houses and 5 large apartments within the building known as Woodlands). The site is served by an established vehicle access onto the A58 Wetherby Road. The speed limit on Wetherby Road is 30mph.

10.62 It is also noted that the development does not meet the Core Strategy Accessibility Standards. However, the Highways Officer is of the view that given the brownfield
status/former commercial usage of the site, it is considered that this issue is not so
significant as to represent a fundamental concern for the proposed development.

10.63 In relation to parking 245 car parking spaces are proposed in total together with 17
mobility scooter spaces and 25 cycle stores. The Council’s Parking SPD advises that
car parking provisions for C2 Residential Institutions should be provided on the basis
of total bed spaces including treatment rooms. This level of parking provision is well
in excess of what would normally be provided for such a use and is therefore
considered acceptable. Parking provision serving the lodges will be enhanced and
this could be controlled via condition.

10.64 Following the receipt of amended plans and further information, the Highways Officer
comments that the amended site layout plan is generally acceptable from a highway
safety point. Subject to s278 Agreement the access road details are adequate for the
purposes of providing access to the proposed development and adequate forward
visibility can be achieved in both directions. The internal road serving the
development is un-adopted therefore a condition would be applied to any planning
permission to ensure that the internal roads are maintained in perpetuity for the
lifetime of the development. It is considered necessary to restrict the sale of the C2
units as C3 dwellings in the future and for the widening of footways on Wetherby
Road.

Landscape and Biodiversity Issues

10.65 The application site forms part of the Collingham/East Keswick/Bardsey/Scarcroft/
Thorner/Shadwell Special Landscape Area which is typified by a series of gentle
ridges and shallow enclosed valleys running eastwards into Scarcroft’s becks which
in turn feed into Milner Beck/Bramham Beck, a tributary of the Wharfe. The series of
rolling ridges allow attractive middle and long-distance views along the valleys and
northeast out of the Leeds area across cultivated farmland. The village is located
mainly on the higher ground. The field structure is largely intact and small woodlands
are located on the steeper valley sides.

10.66 Saved Policy N37 of the UDPR states that development will only be acceptable
provided it would not seriously harm the character and appearance of the landscape
and that the siting, design and materials of any development is sympathetic to its
setting. Saved Policy N37A also notes that all new development within the
countryside should have regard to the character of the landscape and maintain
particular features which contribute to this, and where appropriate, contribute
positively to restoration or enhancement objectives by the incorporation of suitable
landscape works.

10.67 Policy P12 of the Core Strategy seeks to ensure that the character, quality and
biodiversity of Leeds’ landscapes is conserved and enhanced to protect their
distinctiveness. Policy LAND 2 of the Natural Resources and Waste DPD state
seeks to ensure that development conserves trees where possible and introduce
new tree planting as part of creating high quality living and working environments
and enhancing the public realm. Where tree removal of trees is agreed in order to
facilitate development, suitable tree replacement should be provided.

10.68 The site is located within the Special Landscape Area and a large number of mature
and dense trees located on the site are protected due to their location within the
Conservation Area. The application is accompanied by a tree survey and a detailed
Arboricultural Impact Assessment, Landscape and Visual Appraisal and illustrative
Landscape Masterplan. It is acknowledged that some trees will be lost to the
development and this is unfortunate. However, in compensation for any tree loss the applicant is proposing replacement planting 3:1 together with retention of as many of the existing trees as possible in order to provide an overall enhancement to the character of the area.

10.69 The original proposals have evolved and the scheme now includes a landscaping buffer around the whole site boundary to help soften the appearance of the development within the Green Belt beyond so the proposals are considered to be broadly compliant with Saved UDP Policy N24. Furthermore biodiversity is to be enhanced on this site by way of an integrated SUDS system which features an attenuation pond with substantial planting to the eastern edge of the site. The attenuation pond will provide a good habitat for nature. The attenuation pond and landscaping is considered positive and will be fit for purpose whilst adding interest and character as well as providing a suitable buffer and help green up the edge of the Green Belt as set out in Policy N24.

10.70 In terms of soft landscaping within the site, various areas of communal garden space including cottage gardens, central landscaping, courtyards, formal lawns and open parkland are proposed which are linked via a series of pathways again offering a varied habitat for wildlife. Existing trees located around the site boundaries have the potential to provide additional screening to the development. The Council’s Landscape Team raise no objections to the proposals subject to appropriately worded conditions relating to tree protection during construction, a phased planting plan and an aftercare management plan in perpetuity of the development to be agreed by the Council. The landscaping proposed would enhance the Special Landscape Area in both the shorter and longer term, and would adequately screen the development whilst offering views across the countryside. This is a considered to be a benefit of the proposal which will responds to the site’s landscape character and visual setting whilst retaining a sense of openness.

10.71 The proposal is considered to be in accordance with Policy LAND 2 of the Natural Resources and Waste Local Plan, Core Strategy Policy P12, saved UDP policy N37 and N37A and also Policy GE1 and GE2 of the Scarcroft Neighbourhood Plan.

Amenity

10.72 Based upon the layout submitted, there is no reason to doubt that a Community Care Village on this site could be achieved without having a detrimental impact on the living conditions of existing residents in terms of loss of privacy, overdominance and loss of sunlight and daylight. Due to the sites isolated location from the main areas of Scarcroft Village, adequate separation distances are achieved as required by the guidance set out within Neighbourhoods for Living.

10.73 In terms of the amenity to be afforded to future residents of the development, based upon the site layout submitted, it is considered that layout proposed is well-designed and would give new residents a very pleasant and attractive living environment. All the units will have a patio, balcony or Juliet balcony to enjoy fresh air. The site layout includes shared gardens at various scales including sensory gardens which connect through the attractive parkland and connect via accessible pathways, and formal lawns setting the main house. All dwellings comply with the National prescribed Minimum Standards.
Accessibility

10.74 The Accessible Leeds: achieving an inclusive environment Supplementary Planning Document was adopted in 2018. This guidance document is intended for use by developers, architects, design teams, and those applying for planning permission, to ensure an inclusive design approach is adopted, and that developments:

a) Can be used safely, easily and with dignity by all, regardless of disability or impairment;
b) Are convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or ‘special treatment’;
c) Are flexible and responsive taking account of the varying needs of people; adopting a pan-disability/impairment approach.

10.75 The SPD is based upon national policy and legislation in the form of the Equality Act 2010, which provides the legal framework that aims to protect disabled people from discrimination. Section 149 of the Act imposes a duty on ‘public authorities’ and other bodies when exercising public functions to have due regard to the need to:

a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.76 In this respect, due to the nature of development which seeks specialist living accommodation for elderly people in need of care. As such, the development (including access and surfacing) has been purposely designed in a way to accommodate of people with poor mobility, in wheelchairs and with disabilities so they can manoeuvre around the site and enjoy the gardens safely in harmony with each other. It is considered that the measures proposed are reasonable given the scale of the development proposed. As such, the authority have addressed the public sector duty to promote inclusion and to consider the SPD and Equality Act 2010 in the decision making process.

Section 106 Obligations

10.77 The heads of terms for the S106 agreement would be as follows:

- Works to restore the Grade II Listed Scarcroft Lodge Building (Block D) to be carried out first prior to construction of the new apartment blocks
- Implementation of the landscape buffer scheme to the north, east and south of the application site including the attenuation pond as submitted
- Submission of an appropriate future landscape management plan for the landscape buffer zone to the north, east and south of the site
- Travel Plan and Review Fee

10.78 From 6 April 2010 guidance was issued stating that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is all of the following:

(i) necessary to make the development acceptable in planning terms. Planning obligations should be used to make acceptable development which would otherwise be unacceptable in planning terms.
Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement. Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.

According to the guidance, unacceptable development should not be permitted because of benefits or inducements offered by a developer which are not necessary to make development acceptable in planning terms. The planning obligations offered by the developer are consistent with the requirements of planning policy and it is considered that the legal tests are met.

Other Matters

This development does not generate an affordable housing requirement. The number of C3 (dwellinghouses) units fall below the threshold that necessitates an affordable housing contribution. The bulk of the residential development comprises C2 units, residential care, and the particular characteristics of this use means that it falls outside of the type of residential accommodation that triggers an affordable housing contribution. For similar reasons the use does not trigger a policy requirement for the provision of greenspace. Other matters such as contaminated land and the protection of interests of nature conservation are accommodated through the imposition of appropriate planning conditions.

CONCLUSION

In conclusion, it is considered that the proposed C2 (residential institutions) and C3 (residential dwellings) development does not satisfy the exception at paragraph 145 part (g) of the NPPF because the volume of the development would have a greater impact on openness of the Green Belt than the existing development does. As such, both housing elements represent inappropriate development in the Green Belt.

The additional car park proposed to serve the Cricket Club will encroach on to an existing undeveloped green field and will inevitably impact on openness and conflict with the third purpose of Green Belt as listed at paragraph 134 of the NPPF (to assist in safeguarding the countryside from encroachment). This part of the proposal would also therefore represent inappropriate development in the Green Belt. These factors are considered negatives of the proposal.

However, the proposal offers a number of benefits which should be considered as part of a cumulative case for very special circumstances; these include:

- Development of a bespoke community care village which will help the Council meet a specialist housing need for older people in the locality
- Securing the long term future of Scarcroft Lodge, Grade II Listed Building at Risk and associated curtilage listed buildings
- Delivering the comprehensive redevelopment of an allocated brownfield housing site and assist in delivering the Council’s 5 year housing land supply
- Effective and efficient reuse of land
- Boost to the local economy both during the construction phase of the development and the creation of 65 new jobs once occupied and in use
- Improved sporting provision for Scarcroft Cricket Club
• Sustainable development with a positive impact in terms of climate change
• Improvements to the visual amenities and character of the area including through new tree planting
• Finally biodiversity enhancements including new opportunities for wildlife

11.4 It is considered that these when combined serve to clearly outweigh the harm to the Green Belt by reason of the inappropriateness of the development and the harm to the open character.

18/06795/LI - Listed Building Application

11.5 In conclusion, it is considered that the proposed repair, refurbishment and extensions of Scarcroft Lodge and existing buildings, Woodlands and the Lodges will have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

11.6 Scarcroft Lodge has suffered internally through earlier conversion to offices, anti-social behaviour and poor maintenance and is listed as Building At Risk on the Councils register. Significant weight should be attached to securing the optimum viable future use of Scarcroft Lodge, Grade II Listed Building.

11.7 There is still a reasonably high retention of internal fabric, including piers, cornices, door surrounds, mahogany panelling and fireplaces therefore it is crucial to secure listed building consent to prevent any further damage to the building in order to safeguard existing features. The conservation approach proposed to this development is a significant benefit that attracts significant weight.

11.8 For these reasons it is considered that there are considerable benefits that arise from this application for listed building consent, when considered in conjunction with the planning application, and that the application should accordingly be approved.

11.9 Wider heritage benefits offered include the enhancement of the Scarcroft Conservation Area which would make a positive contribution to local character and distinctiveness of Scarcroft Village.

Overall conclusion:

11.10 In terms of the planning balance, taking into account all factors, officers consider that subject to conditions and the completion of a legal agreement to secure the restoration of Scarcroft Lodge, Grade II Listed Building, landscape buffer scheme to the north, east and south of the application site and future management plan, it is officers view that the proposed development delivers sustainable development and accords with national and local policy in respect of the Green Belt by demonstrating that very special circumstances exist which outweigh the harm to the Green Belt. It is therefore considered that the proposal is acceptable in Green Belt terms.

11.11 Therefore, the application is recommended for defer and delegate approval to the Chief Planning Officer subject to a legal agreement to secure developer obligations listed at the beginning of this report.

Background Papers:
Application file: 18/06794/FU & 18/06795/LI