



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 13th August 2020

Subject: 19/04950/FU Development of 58 No. apartments for retirement/lifestyle living exclusively for residents of age 55+, associated communal spaces, access from Grove Lane and new Landscaping, Land Adj. Grove Park Care Home, Grove Lane, Meanwood, Leeds, LS6 2BG.

APPLICANT

Roseville (The Paddock) Ltd

DATE VALID

08/08/2019

TARGET DATE

17/11/2019

Electoral Wards Affected:

Chapel Allerton

Headingley

Weetwood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Delegate to the Chief Planning Officer for approval, subject to the conditions outlined below and any others which the Chief Planning Officer considers appropriate and subject to the completion of a Unilateral undertaking to secure the provision of:

- a commuted Sum of £26,000 for the upgrade of two bus stops in the near vicinity of the development,
- Provision of affordable housing in accordance with policy requirements
- Provision of a Commuted Sum payment of £10,855.61 relating to the improvement and maintenance of existing off Site Green Space Provision
- A sum of Money of £11,777.88 relating to the improvement of an existing PROW to the south of the site

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

Conditions:

1. Standard 3 year implementation time limit
2. Compliance with approved drawings
3. Materials
4. Updated arboricultural impact assessment prior to site clearance
5. Implementation of landscaping scheme with specific details to be submitted relating to Root Protection Area (RTA) of T34 and T2/3, Retaining wall details near to T1 and that Green Roof planting methods, irrigation details safe access maintenance/management are included with landscape management plan.
6. Details of improvements to public right of way and maintenance management plan
7. Plan for bat roosting and bird nesting features
8. Cycle/motorcycle facilities
9. Details of EVCP
10. Provision of Car Club Bay
11. Vehicle Spaces to be laid out
12. Construction practice
13. Drainage details including conditions on SuDs and method statements for interim drainage methods
14. Standard Land Contamination conditions
15. Provision, maintenance and retention of ball strike fencing along eastern boundary
16. Removal of PD rights to erect gates at entrance.
17. Submission and implementation of Biodiversity Enhancement & Management Plan (BEMP)
18. Submission and implementation of Construction Environmental Management Plan (CEMP: Biodiversity)
19. Submission of External Lighting strategy
20. Submission of Invasive Species Plan
21. Sustainability requirements

INTRODUCTION

- 1 This application is brought to Plans Panel as it is considered to fall within the exception relating to delegated decisions exception (d) the determination of applications for major development which the Chair considers are sensitive, controversial or would have significant impacts on local communities.

PROPOSAL

- 2 The proposal seeks planning permission for the erection of a 58 no. apartment development for occupation by persons over the age of 55. The development includes access from Grove Lane across land that sits adjacent to the Grove Park Care Home and is used as a car park presently. The development also provides areas of Landscaping and amenity space that surrounds the building proposed.
- 3 The apartments are housed in a “H” shaped building located centrally on the site the main wings of which are orientated in a roughly north-south orientation. The entire building sits over an undercroft car parking area that constitutes the lower ground floor and due to the levels of the site also has some apartments on the outer side of the wings of the development.
- 4 The ground floor contains the main pedestrian access points and the communal elements of the proposal including; a communal terrace ‘linking’ the two wings to

the rear of the development, lounge spaces and dining room spaces, mobility scooter storage and charging spaces, kitchen and toilet facilities, bin store and a further terrace to the front of the proposed building.

- 5 Vehicular access is provided from Grove Lane over the existing car parking that is often used currently in connection with Grove Park Care Home but is not owned or controlled by that development. The access is proposed as a shared surface access way and provides vehicular access to service/ambulance parking area, the visitor parking that also make provision for a Car Club Parking Space and the vehicular access to the undercroft car parking for the intended residents.
- 6 The first and second floor relates only to the “wings” of the development and contains apartments. Each apartment has a private balcony space or private terrace space.
- 7 On the roof zones are defined for Photovoltaics to be installed as part of this development and the vast majority of the main roofs are designed to be green roofs with only the lift overruns excluded from either of these designations.
- 8 Landscaping of the remaining land surrounding the proposed building is indicated with the proposed protection of existing trees in accordance with the submitted Arboricultural Impact Assessment plus planting of 3-6 metre high trees of a mixed native and ornamental species to provide year round interest. Different surfaces are proposed to be York Stone paving, Resin bound gravel porous aggregate and brick paving. Lawned areas, woodland planting and hornbeam hedges are also indicated on the landscaping plans. Close to the building, areas of ornamental planting are proposed.
- 9 In elevation the connecting part of the structure between the two wings is two stories high whilst the min wings themselves that contain the majority of the apartments are 4 stories with the top floor being smaller in “foot print” so a s to appear to “sit in” the roof space and thus reduce the bulk and massing of the proposal. The “H” shaped formation was the result of discussions with officers who expressed concerns that a single large mass would be visually intrusive particularly from Grove Lane. Thus the reduced height separating the two wings of the development will assist in this.

SITE AND SURROUNDINGS:

- 10 The application site sits to the south of Grove Lane and south west of the Grove Park care home. To the east of the application site is a rugby ground and to the south east corner of the application site on the opposite side of a public footpath are properties off Boothroyd Drive which is in turn accessed from Meanwood Road.
- 11 To the immediate south The Goit flows in a west-east direction parallel to the footpath and is bound by dense tree and under bush planting. This gives way to fields that are bound to the south by Meanwood Beck.
- 12 The western boundary is defined by a reversed “L” shape and is bound to the west by Walkers Road and north of the reversed “L” projection are the properties 98 and 98a Grove Lane. Grove Lane itself runs roughly east-west across the north most boundary of the site. Due north on the opposite side of Grove Lane are the properties 87-97 Grove Lane. The wider area is predominantly residential in character consisting of a varied mixture of dwelling styles and ages.

- 13 The site of the proposal is essentially an open field that slopes away from Grove Lane and under the now superseded UDPR was allocated as Green Space, However since the adoption of the Site Allocations Plan (SAP), the site is “white” land in that the Green Space designation has been removed, and there are no other designations in the SAP for this particular site that would influence the consideration of development of this land when set against the development proposed.
- 14 Land surrounding the site (excluding the site immediately to the south of the application site), that is not already developed still maintains its Green Space designation.

RELEVANT PLANNING HISTORY:

- 15 13/03158/FU (Part of site only) - 3 storey block of 8 flats with basement car parking and storage – Refused 10.09.2013 – APPEAL DISMISSED – 15th May 2014.
- 16 The history of the site shows a refusal and the reason why the change in recommendation at the head of this report is therefore necessary. As members will be aware, each case is treated on its own individual merits at the time of consideration. A key factor in those considerations is the policy context at the time of consideration. In this case, and regardless of any “technical” considerations surrounding the former proposal, the site was previously allocated as Green Space on the former UDPR allocations plan. Through the processing of the SAP as part of the current Local Development Framework (LDF) it was conceded that the aspirations of achieving formal Green Space for this site were unlikely and thus it was deleted from the designation upon adoption of the current SAP.
- 17 This is a material change in circumstances and means that unless there are other overriding considerations relating to the sites ability to be developed, the protection afforded it as Green Space no longer exist. Thus the current application has to be assessed and determined on this basis.

HISTORY OF NEGOTIATIONS:

- 18 As mentioned briefly above, officers advised in very general terms that any development proposals for this site should seek to minimise its impact on views. Particular reference was made to views from Grove Lane, as views from this direction benefit significantly from the remainder of the Greenspace to the south and the Meanwood Valley that rises in the south on the opposite side of the valley itself.
- 19 This advice has realised the current design solution that seeks to break up the potential mass and bulk that a single block of apartments would otherwise result in. Advice was also given that keeping the main part of the car parking under the building helps in reducing the amount of hardstanding surrounding the building and that because of the sites location surrounded by Green Space and the longer distance back drop of the Meanwood valley that consideration needed to be given to softening the impact and improving the “green credentials” of the development. It should be noted that this advice was issued prior to the declaration of the current Climate Emergency in March 2019 and the developer has since been updated through the negotiations relating to this submission of the importance placed by Leeds City Council on Climate Change issues.

PUBLIC/LOCAL RESPONSE:

The application has been advertised by site notice and newspaper advert. As a result of this publicity 284 letters of objection have been received over a period of 3 consultations following the receipt of amended drawings and/or additional information from the applicants. Comments have been received from residents in all three wards affected/in close proximity by the development and from further afield including the Potternewton area of Leeds and even comments from former residents of Leeds who now live in Sheffield. Comments made raise the following concerns:

- Meanwood does not have the infrastructure to support more residents
- Loss of Green Space
- Pressure on existing services such as Doctors surgeries
- No justification for the development
- Adverse impact on Wildlife
- Re-submission of plans and amendments is a war of attrition
- Financial motivation behind development
- Adverse impact on green corridor
- Adverse impact on character of area
- Sidestepping CS policy G6 relating to green space protection
- Concerns of the local community not been listened to by developers
- Increase in traffic congestion
- Adverse impact on air quality
- Concern that the development might not remain for the targeted demographic (55+).
- Potential increase in on street car parking on Grove Lane
- Loss of privacy to properties in Bothroyd Drive
- Disruption during construction
- Sheer number of objections indicates the level of feeling that this construction should not happen
- Impact on views
- Benefits of it as a windfall site does not outweigh the harm caused by development
- No pressing need to develop this site in particular
- Contradiction within submission of the biodiversity reports recommendations and the submitted landscape plan
- Previous applications refused
- The area has only small pockets of green space left
- Other more suitable brownfield sites exist for development
- Development does not underpin the Councils declaration of Climate Emergency
- Rather than reducing green space Leeds should be looking to expand it
- Overlooking
- Will adversely impact on the quiet enjoyment of the public footpaths
- Loss of view for existing residents
- Impact on Meanwood Beck
- Discriminatory as restricted to 55+ demographic should be affordable units for all
- Concern that scheme is a ruse to get planning permission established and then apply for something different.
- Site should be developed as a community lead project
- A forest should be planted on this site to combat climate change

- Provision of private development rather than social housing is a disappointment

MEMBER RESPONSE

- 21 Members of the Headingley and Hyde Park ward have objected to this proposal (Members of the other wards including the ward within which the development is located (Chapel Allerton), have not formally commented on the development proposal), the comments received are:
- The application is wholly inappropriate in this very important green corridor for our constituents destroying green space and removing an unobstructed view between our ward and the Meanwood Valley.
 - The design and massing of the buildings is wholly inappropriate when compared to the nearby residential area.
 - The location has congestion issues and poor air quality during peak periods. This will exacerbate these problems.
 - The loss of green space is wholly inappropriate given the Councils declaration of Climate Emergency.
- 22 Objections have also been received from The Ramblers Society and Urban Wildlife Leeds. Relevant comments to the proposal include:
- Comments on the removal of the site from Green Space status under the SAP process
 - Lack of/inadequate consultation prior to submission
 - Site is simply dismissed as having no environmental/ecological benefit.
 - Loss of green space
 - Leeds should be protecting green space
 - We are a state of climate emergency, with species declining daily. We should be making space for wildlife not keep squeezing wildlife into smaller areas of land until it is finally gone.
 - The development proposed would do major damage to one of the city's major Urban Green Corridors both in its functions as natural countryside and as part of the Meanwood Valley Trail and the Dales Way Link close to the Woodhouse Ridge recreational area.
 - The site is not allocated for housing.
 - The development would present significant visual impacts when viewed from Woodhouse Ridge
- 23 A number of additional comments to the summary above have been made but these tend to relate to issues that are not material planning considerations and so in the interests of brevity they are not listed here. There are a number of comments that relate to the way that the site was "deselected" as Green Space under the SAP process and there appears to be some, understandably so, confusion over the exact status of the site in Planning terms. In respect of the status of the site it is clear that whilst the site is a green open space, it is no longer designated as Green Space on the SAP and other than the planning considerations under the rest of the Adopted Local Plan the site is not subject to further restrictive policies.

- 24 Members will be aware that whilst the comments relating to the removal of the Green Space designation is an important one, it does not fall under the remit of this application or the development management process to deal with this aspect of Planning and these comments have no bearing on the merits of this case.
- 25 There has been one comment submitted in support of the application subject to the development perimeter been planted with Leylandii trees as a hedge, a few blossom trees being planted to the front and rear garden “as trees are therapeutic and help out against CO2 emissions and flooding.”

CONSULTATIONS RESPONSES:

- 26 Environmental Studies Transport Strategy Team – As the scheme is to be restricted to 55+ aged residents there is no requirement for a Travel Plan
- 27 West Yorkshire Combined Authority – The size of the development is unlikely to adversely impact on the level of current bus frequency along Grove Lane and therefore considered to be acceptable, however two bus stops in close proximity to the development do not have shelters and their provision would make use of public transport a more attractive option. As such a request for a financial contribution of £26,000 is made. (2 x £13,000). This is proposed to be secured by way of a planning obligation within the Sec. 106 Agreement.
- 28 West Yorkshire Police Liaison Officer – Offers advice on the use of secured by design approved products which could lead to the development being awarded a Secured by Design award and thus make the development more attractive to future residents. This advice can be included on any decision notice issued should planning permission be granted as an informative.
- 29 Land Contamination Team – A remediation statement is necessary following the submission of a Phase 2 Ground Investigation Report and as such this can be secured by condition(s) imposed on any approval that may be forthcoming
- 30 Design – Comments that the design appears to be in accordance with the broad principles that were discussed with the developer in minimising the schemes impact on the views across the valley.
- 31 Influencing Travel Behaviour Team – Enterprise Car Club support the provision of a dedicated car parking space on the visitor’s car park in this location.
- 32 Yorkshire Water – No objections subject to the imposition of conditions
- 33 Flood Risk Management (FRM) – No objections subject to conditions.
- 34 Highways – No objections subject to the imposition of conditions relating to provision of cycle motorcycle parking, Provision of EVCP, Retention of Car Club Bay, Laying out of vehicle spaces, limitations of erection of access gates, Construction Practice. This is based on total provision on the site proposed at 44 spaces for 58 retirement flats. Adequate provision is also made within the layout for disabled drivers. 6 short stay cycle parking spaces and 11 long stay cycle parking spaces are also provided.
- 35 Landscape – No objections subject to the implementations of conditions specifically relating to a British Standard Tree Impact Assessment and Landscape

Management Plan and details pertaining to particular protected trees on the site where works are proposed in close proximity to them. Landscape Team also advise that the standard landscape condition include explicit reference to the maintenance etc. of the Green Roof.

- 36 Nature Team – The applicant has supplied a Defra Biodiversity Metric document which is being assessed at the time of writing. But assuming a net gain is proven conditions are recommended.
- 37 Planning Policy Team – Comments on the impact of various policies in the suite of Adopted Local Plan Documents with particular emphasis on:
- H4 – Housing Mix
 - H5 – Affordable Housing
 - H8 – Houses for Independent Living
 - H 9 and H10 – Minimum Space Standards and accessibility
 - EN1 and EN2 – Climate Change
 - G4 – Green Space
- 38 The submitted information in support of the application shows that the housing mix, levels of affordable housing provision, and H9 and H10 policy requirements are all achieved and the proposal is policy compliant in this regard.
- 39 Access Officer – Details submitted by the developer in relation to accessibility are considered acceptable, Access within the building, including the provision of lifts is good. Access around the site shown on the Landscaping drawings is good and the details of the seating and other accessible items that contribute positively to health and wellbeing can be conditioned should planning permission be granted.
- 40 Public Rights of Way – A contribution towards the re-surfacing of the Bridleway No. 83 which is to the south and west of the site is requested. This sum is £11,777.88
- 41 Sports England – Sports England removed a Holding Objection on 22nd April 2020, upon confirmation that the case officer were recommending that a condition be imposed requiring the erection, maintenance and retention of a Ball Strike net for the entire length of the common boundary between the application site and the Rugby Field.
- 42 Urban Wildlife Leeds – Objects to the development in the Green Corridor citing the previous refusal (see planning history), and questioning the validity on that basis of the LPA entertaining a further application. Comments also on how the site had its Green Space “protection” removed and a presumption within the objection that somehow the proposed development has been “requested” to be submitted

PLANNING POLICIES:

- 43 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Site Allocations Plan (2019), Core Strategy (as amended by the Core Strategy Selective Review 2019), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made neighbourhood plan.

44 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant local planning policies are outlined below:

Core Strategy:

45	Spatial Policy 1	Location of Development
	Spatial Policy 7	Distribution of housing land and allocations
	Policy H2	New housing on non-allocated sites
	Policy H3	Density of Residential Development
	Policy H4	Housing Mix
	Policy H5	Affordable housing
	Policy H8	Housing for Independent Living
	Policy H9	Minimum Space Standards
	Policy H10	Accessible Housing Standards
	Policy G4	Greenspace Improvements and New Greenspace provision
	Policy G6	Protection of Existing Greenspace
	Policy G9	Biodiversity Improvements
	Policy P10	Design
	Policy P12	Landscape
	Policy T2	Accessibility Requirements and New Development
	Policy EN1	Climate Change – Carbon Dioxide Reduction
	Policy EN2	Sustainable Design and Construction
	Policy EN8	Electric Vehicle Charging Infrastructure
	Policy ID2	Planning obligations

Leeds UDPR Retained Policies

46 GP5 – Planning Considerations
BD5 – New buildings should be designed with consideration to amenity
N8 – Green Corridor Developments within the urban green corridor should retain, enhance, or replace the existing corridor function and create links between existing green spaces
LD1 – Landscaping Schemes

Natural Resources and Waste Management Plan

47 General Policy 1 – Support for Sustainable developments
Water 1 – Water Efficiency
Water 2 – Seek to protect water courses from contaminated runoff during construction and for the lifetime of the development.
Water 6 - Applications for new development should consider flood risk, commensurate with the scale and impact of the development.
Water 7 – Controlling the surface water run-off to existing drainage systems from developments and incorporation of sustainable drainage systems into proposals.
Land 1 – Applications should contain sufficient information relating to potential for land contamination issues.
Land 2 – Trees should be conserved wherever possible and where trees are removed, suitable replacement should be made as part of an overall landscape scheme

Supplementary Planning Documents

48 Accessible Leeds City Council Parking Standards
Building for Tomorrow, Today
Neighbourhoods for Living (and associated addendum)
Sustainable drainage

National Planning Policy Framework (NPPF)

49 Revised in February 2019 this document sets out the Government's overarching planning policies and how they should be applied to ensure the delivery of sustainable development through the planning system and strongly promotes good design.

MAIN ISSUES

50 The main issues relating to this development proposal are:

- The principle of the development
- Affordable housing requirements
- Contribution towards 5 year housing land supply
- Health and Wellbeing
- Greenspace
- Design
- Amenity of neighbours
- Highways
- Landscape including trees
- Ecology
- Climate Change
- EVC Provision
- Housing Mix
- Access and inclusivity
- Sport England Comments
- Unilateral undertaking requirements

APPRAISAL

The principle of the development

51 As the site has no allocation in the SAP, it falls to be considered as a windfall site under the terms of H2 of the CS as development of a greenfield site within the Main Urban Area. The site is located in a highly sustainable location and is considered to meet the criteria of Accessibility Standards in Table 2 of Appendix 3 of the CS as referred to by Policy T2 of that document.

52 Policy H2 (a) does afford some protection to open land like this stating greenfield land:

Should not be developed if it has intrinsic value as amenity space or for recreation or for nature conservation, or makes a valuable contribution to the visual, historic and/or spatial character of an area,

53 In terms of the criteria of this part of the policy that the scheme should be measured by whilst it is open green space the main amenity value is in its visual contribution to the locality. However given its close proximity to the "urban fringe" it is

considered that in the overall balance of the planning considerations its loss will not materially harm the visual aspect of this part of the valley. The site is not used for any formal recreation purposes and in terms of informal recreation only contributes to the outlook of users of the nearby and adjacent public footpaths, there is no known rights of access into or over the site, it been under private ownership and control.

54 In terms of nature conservation, this is dealt with later in the report, however in summary there is a net gain in bio-diversity as a result of the proposed installations that will result from this development.

55 The contribution to visual, historic and/or spatial character of an area is also dealt with in the main body of the report, but in summary, there is not considered to be a significantly historic vista in need of protection through this policy, visually and spatially the location of the site is considered to be on the fringe of the urban area and whilst it will “visually” close the gap to views from Grove Lane, the benefits it will result in and the mitigations implemented in the proposed development, such as the breaking up of the mass of the building and the green roof’s will mitigate this impact. It is therefore considered that the scheme is compliant with Policy H2 of the CS.

56 As a windfall site the benefit that an additional 58 units of accommodation in towards the five year housing supply weighs heavy as a positive in the planning consideration against the loss of this greenfield land given its highly sustainable location.

57 In other terms the development of residential development in a location that is also predominantly residential in character is considered acceptable as a matter of principle.

Affordable housing requirements

58 The development triggers the need for affordable housing provision at 15%. The scheme shows 9 no. units to be provided at 40% affordable housing for intermediate or equivalent affordable tenures and 60% affordable housing for social rented or equivalent tenures. The delivery of this will be secured through the provisions of a Section. 106 Agreement.

Contribution towards 5 year housing land supply

59 This is mentioned in the “In Principle” section of this appraisal but it is worth expanding upon here. The proposal is an unallocated site and thus the 58 units are not currently considered as part of the identified 5 year housing land supply as adopted under the CS and SAP. The dwellings to be provided on this site through any grant of planning permission will therefore make a significant contribution towards the windfall target element of the 5 year housing land supply. It is considered that this weighs positively in consideration of this proposal overall.

Health and Wellbeing

60 The location of the site in respect of Policy H8 that seeks to ensure provision of dwellings for independent living is considered to be acceptable. Housing for Independent Living and Sheltered type schemes and 55 plus lifestyle housing should be located within easy walking distance of town or local centres or have good access to a range of local community facilities. The site is on good public

transportation links and is located within a reasonably accessible location between Headingly and Meanwood Centres and it is considered that the proposal supports the principles of Policy H8.

- 61 The internal space standards as defined in Policy H9 have been complied with. A schedule of the internal space dimension measured against the requirements of Policy H9 has been submitted and the scheme is found to be compliant with these standards.
- 62 In respect of policy H10 Accessible Housing Standards, the submission has been supported by a schedule that demonstrates that the apartment's internal space standards meet those requirements and the drawings identify the units that meet the requirements of Policy H10. It is considered therefore that the development is policy compliant in this regard.
- 63 The outdoor amenity space for future residential is considered acceptable in terms of the amount provided. great care has been given to the usability of this space, with paths and seating facilities made available in the landscape layouts submitted in order to provide an "attractive to use" area around the entirety of the building this is a qualitative feature rather than a quantitative one. That the open space around the building will be both attractive and highly accessible to the future occupiers is a positive in the balance for the scheme as it is considered to be a significant contribution to the health and wellbeing of future occupiers.
- 64 The provision of balconies also adds to this aspect of the development in that they provide a degree of private outdoor space that adds to the feeling of wellbeing for those who have access to them. On upper floors this is sometimes more important as whilst the building is fully accessible internally which will be assured through the Building Regulations, at time access for older persons through buildings of this size can be restricted for various reasons. Balconies provide a welcome respite to long periods of time potentially indoors.

Greenspace

- 65 The issue of the site been a greenfield site is referred to in the public response section of this report above, but by way of clarification, the site, under the provisions of the SAP is no longer identified as a Green Space allocation. This is because despite the allocation been made under the UDP and the UDPR the aspirations of it becoming Green Space were never realised. As it was concluded that this aspiration was unachievable it no longer became viable to maintain that allocation under the CS/SAP procedures. As such it was removed from that allocation. Therefore for the purposes of site designation the site now falls to be "white land" and is not subject to any special designations that might otherwise influence its ability to be developed.
- 66 However, given that the scheme is in excess of 10 units, it becomes liable to address Green Space provision issues that are related to the mix of dwelling proposed. Therefore the requirements of Policy G4 need to be addressed. There are small pockets of Green Space provided on site but the level of provision that the scheme demands is best made through an off-site financial contribution. This will be in the region of £55,872.82. This sum can be secured through the provisions of the Section 106 Agreement.

Design

- 67 The design is as described above. It is specifically tailored to reduce the impact of view across the valley particularly from Grove Lane and to break up any views of the development from the opposite side of Meanwood Valley. The “H” footprint allows for a reduction in the bulk and massing and, it is considered affords a more interesting elevation than a regularly shaped block of apartments would. The long elevations of the higher blocks deliberately face east and west so that the shorter end elevations face Grove Lane thus further reducing the visual impact of the development from Grove Lane itself. These “end-on” elevations are further broken up through staggering of these main block elements thus adding relief and interest to the parts of the building orientated towards Grove Lane.
- 68 The provision of balconies and patios and terraces also helps add interest to the elevations of the buildings. In terms of scale, whilst it is accepted that the predominant vernacular in the area is two story, the Grove Park care home is of a more bulky design and itself is assimilated in the street so as not to appear overly dominant. The proposed scheme is set on a gently sloping site and set a significant distance from Grove Lane itself and so from the majority of public view points will actually appear less dominant than the Grove Park care home building which is much closer to the public highway.
- 69 The reduced “footprint” of the second floor further helps to reduce the visual impact of the building and also helps to render the buildings design as acceptable in that it “finishes off” the building and forms an integral element in the overall design of the development.
- 70 The use of red brick, Copper Coloured Metal Cladding copper coloured railings on balconies, balustrades, garage doors, fire exit doors, vertical metal fins, aluminium planters and louvres, a stone band, are considered suitable for this location. The provision of the majority of the car parking provision being undercroft car parking means that the surface hardstanding areas is minimised to provision of visitors spaces, access routes and essential footpaths. The provision of green roofs also adds to the positive design ethos of the scheme overall.

Amenity of neighbours

- 71 The site, despite its sustainable location, is relatively isolated from any surrounding properties being a free standing building. There are two main aspects where amenity of occupiers of existing dwellings may be of concern. The developments relationship to 98 and 98a Grove Lane and the developments relationship to properties in Boothroyd Drive.
- 72 In respect of the properties 98/98a Grove Lane there is no direct face to face relationship between the proposed block and the elevations of those properties. The distance between the properties which is essentially the north western most corner of the proposed development and the south eastern most corner of 98/98a measures at 28 metres. The distance between the western facing elevation of the proposed development and the common boundary with 98/98a Grove Lane measures 14.8 metres. Only 98a is in residential accommodation 98 is in commercial use at present however the space around the building is the amenity space for the residential element of this building.
- 73 The supplementary planning document Neighbourhoods for Living (NFL) suggests that the minimum distances between elevations containing windows to boundaries variously suggests distances of 10.5 and 9.0 metres are appropriate depending upon the situation and the type of habitable room. The advice then goes on to

advise that these are minimum guidelines only and are based on flat level sites in suburban situations and beyond that, each case needs to be assessed on its own individual merits.

- 74 The distance between the block and the common boundary with number 98/98a Grove Lane has been increased to 14.8 metres from that originally submitted to improve the relationship in the interests of minimising the risk/perception of overlooking from apartments on upper floors. Also alterations have been implemented in the western elevation to reduce the number of windows that will be facing the common boundary with 98/98a. There are no specific guideline as to what is considered to be an appropriate additional distance to help separate windows to habitable rooms to the boundary affected, but as a rule an additional 3.0 metres per floor is considered a minimum. On that basis the minimum distance normally expected for such a relationship for this development would be 9.0 (minimum) plus (3x3) 9 so a minimum distance of 18 metres would normally be expected. Given that the scheme does not achieve this, it needs to be assessed as to the specifics of this relationship to see if the short fall can be justified
- 75 The nature of the relationship is not as per the normal suburban relationship envisaged in NFL. In particular the garden space provided to 98/98a Grove Lane in that the garden space is disproportionately large for the units compared to most modern environments. This is both in terms of its depth and breadth in relation to the location of the units themselves. In addition to this, there is significant mature and semi-mature vegetation along most of the length of the boundary and whilst it would not be appropriate to rely on this vegetation in its entirety to act as a solution to the substandard distance between the development and the boundary, it is a material consideration.
- 76 On balance, it is considered with the increase in distance that has been achieved, the alterations to the fenestration in the western elevation, the generous dimensions of the amenity space itself and the existence of the mature boundary treatment that the relationship is considered acceptable and that whilst there will be a degree of overlooking as a result of the development of the garden space of 98/98a Grove Lane, it is not sufficiently detrimental to the amenities of occupiers of those properties sufficient to justify a reason for refusal of planning permission in this instance.

Highways

- 77 The proposal has been assessed at a technical level and as part of the discussions during the processing of this application, revised drawings securing adequate parking, cycle storage facility, Car Club parking bay, pedestrian link. There is now considered to be sufficient information submitted to support the development subject to conditions relating to Full details of cycle/motorcycle parking facilities, Details of the proposed EV charging points, provision and retention of Car Club parking bay, vehicle car parking to be laid out, Any access gates to be set back from highway and open inwards only (this might necessitate its own separate application in the future depending upon the height of any proposed gates), and details of construction practice to be submitted. More details are given in the consultee section of this report.

Landscape including trees

- 78 There are considered to be some minor outstanding matters from a Landscape perspective, however it is considered that these aspects can be readily dealt with

under the recommended conditions in the head of this report. As can be seen from the layout plans, the site is a predominantly open field with existing vegetation to the boundaries.

- 79 The landscape issues relate to matters that are of a technical nature and some modification to the standard landscaping conditions usually imposed will be required. In particular, compliance with the Leeds Accessible SPD IDS No 1 relating to passing places, details relating to works around Tree 34 T 2/3 and T1 with arboriculturist supervision as part of the development and that the Green Roof maintenance and management is explicitly contained in the Landscape management plan.

Ecology

- 80 If permission is forthcoming it is recommended that conditions be imposed as advised by the Nature Conservation Officer that protects bats and nesting birds and seeks to make provision of bat and bird roosting features in the layout of the new development.
- 81 A Biometric report has been submitted that indicates an increase in Biodiversity potential of 5.39% from the site as it currently stands, it is therefore considered that the proposal meets the requirements of Policy G9.

Climate Change

- 82 Members will be aware that the Council declared a climate emergency in 2019. Existing Planning Policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact of non-renewable resources. Through discussions and negotiations with the developer the scheme is now considered to be compliant with Policy EN1. A schedule of compliance has been submitted that indicates that the target of 20% less than building control for Carbon Dioxide emissions will be achieved through the development. Originally the scheme offered targets below the 20% target however however, the minimum figures as adopted by Full Council in the Core Strategy were insisted upon.
- 83 Policy EN2 requires that development consisting of 10 dwellings or more to meet a water standard of 110 litres per person per day. The applicant has confirmed that this is achievable and will be the subject of a condition requiring details to be submitted should planning permission be granted.
- 84 The design will adopt a 'fabric first' approach, optimising passive solar gain and selecting construction materials in consideration of the thermal performance, air tightness and energy efficiency. The ventilation strategy will be modelled in consideration of air tightness targets, and integrated during the detailed design process to maximise the use of natural ventilation where possible, maximise heat recovery, reduce the potential for over-heating in summer time, maximise pre-heating in mid seasons, therefore maintaining comfortable and good indoor air quality.
- 85 The proposed development includes renewable energy generation on site from roof mounted solar PV's. The orientation of the roof will help optimise the performance of these panels.

- 86 The flat roofs on the proposal will feature green roofs. Green roofs help to reduce flood risk by retaining high levels of water reducing the rainwater run-off. Green roofs are also successful in improving air quality, by removing gaseous pollutants and dust particles from the immediate environment. The provision and maintenance and retention of these will be subject to condition as recommended above.
- 87 Reduction in on site potable water use will be addressed through a variety of initiatives; water efficient appliances will be specified as standard, with rainwater harvesting systems used where appropriate.
- 88 Furthermore in respect of Policy EN5 Managing Flood Risk – the proposal has been assessed by the FRM team and based upon the submitted Flood Risk assessment (FRA) and the imposition of conditions there are no flood risk concerns in regards to this proposed development. The requirements of EN5 are therefore satisfied in this regard.

EVC Provision

- 89 The applicant has confirmed their compliance with the provision of the current requirements for EVCP and this will be secured by condition. This requires that one EVCP is provided per space.

Housing Mix

- 90 The housing mix to be provided is:

Beds:	1 bed units	2 bed units	3 bed units
Nos.:	11	42	5

- 91 Given the size of the site the proposal for a single building is considered to be acceptable which in turn limits the housing mix that can be achieved as flats are more suitable. So whilst policy H4 generally looks for a broader mix than is proposed, a good range of flat sizes is still proposed and the provision of older person's accommodation is also a significant benefit. Accordingly the overall housing mix can be accepted on this occasion.

Accessibility and inclusivity

- 92 Local Planning Policy seeks to ensure developments proposals are accessible to all. With this in mind, the Access officers has reviewed the plans and considers the development to acceptable. In particular, level access into and within the building would be available through the provision of lifts. Access around the site is also shown on the landscaping drawings is good and includes details such as outdoor seating.

Sport England Comments

- 93 Upon submission there was a holding objection from Sports England regarding the relationship of the development to the adjacent rugby pitch. This is based on the risk of rugby balls causing disturbance to future occupiers.
- 94 The applicant has submitted various technical reports that demonstrate a netting arrangement for the common boundary with the rugby club. The proposed height of this and its length along the common boundary has resulted in Sports England lifting its holding objection. However the presence of this permanent structure

relatively close to the windows overlooking that common boundary needs to be assessed on the basis of the amenity impact that such a tall structure might have

95 The fencing needs to be 8 metres above ground level (agl) and will be located on the development side of the boundary at an 11 metre distance from the main wall closest to that fencing, (the balconies will therefore be closer). The Council have no design guidance advice for such structures because they are rare and therefore each must be treated on its merits.

96 Whilst the structure is itself fairly substantial in terms of height, the mesh nature of the fencing will, it is considered, be to all intents and purposes a transparent element and only the relatively slim line upright poles supporting the mesh fencing being of a solid construction. Therefore there will, it is considered, be minimal impact on light loss over the application site and minimal loss of outlook from the higher level units. The distance of 11.0 is considered sufficient to prevent any harm to loss of outlook or overbearing impact on future occupiers of the units due largely to the transparent nature of the proposed fencing

Unilateral undertaking requirements

97 The applicant has submitted a Unilateral Undertaking to cover the aspects of Greenspace provision, improvements to local bus stop in the form of shelters and real time information panels, and affordable Housing. In order to be acceptable these provisions need to meet the tests laid out in paragraph 56 of the NPPF and Regulation 122 of the CIL regulations which states that obligations in agreements made under Sec. 106 of the Act should meet the following tests:

- a) Necessary to make the development acceptable in planning terms
- b) Directly related to the development and
- c) Fairly and reasonably related in scale and kind to the development

98 In respect of each obligation proposed it is considered that they satisfy these requirements in the following ways;

99 Greenspace Contribution: This is in two parts, the provision of a sum of money for the upgrade and maintenance of the PROW and the commuted sum required for the provision of off-site greenspace that development of the site will bring additional pressure to bear on the existing Greenspace provision in the locality including use of the PROW adjacent to the southern boundary of the site. The financial contribution will allow for the improvement and medium term maintenance of existing greenspace in the locality that is likely to be used by future occupiers. In this regard it allows the development to comply with Policy G4 on Greenspace provision and is thus directly related to the development. The calculation of the sum required is used to ensure that the sum requested is fairly and reasonably related in scale to the development taking into account as it does the quantum of development proposed. It is therefore concluded that this obligation is compliant with the tests in the NPPF.

100 The development will increase the demand for the use of public transport in the locality increasing as it does the quantum of development on the site compared to the level of the development on the site presently. To this end the provision of the shelters and real time information panels will help the development meet the requirements of Policy T2 in making it more sustainable and attractive to residents both future and existing ones, the use of public.

101 The location of the bus stops to be upgraded are in close proximity to the application site and the request to upgrade two of them is seen as fair, and reasonable given the scale of the development. It is therefore considered that this obligation meets the requirements of the three tests.

CONCLUSION

102 The development is considered acceptable, in that it meets or exceeds the requirements of the relevant policies in the Leeds Core Strategy including those in the Selective Review, and as discussed in the main body of the report.

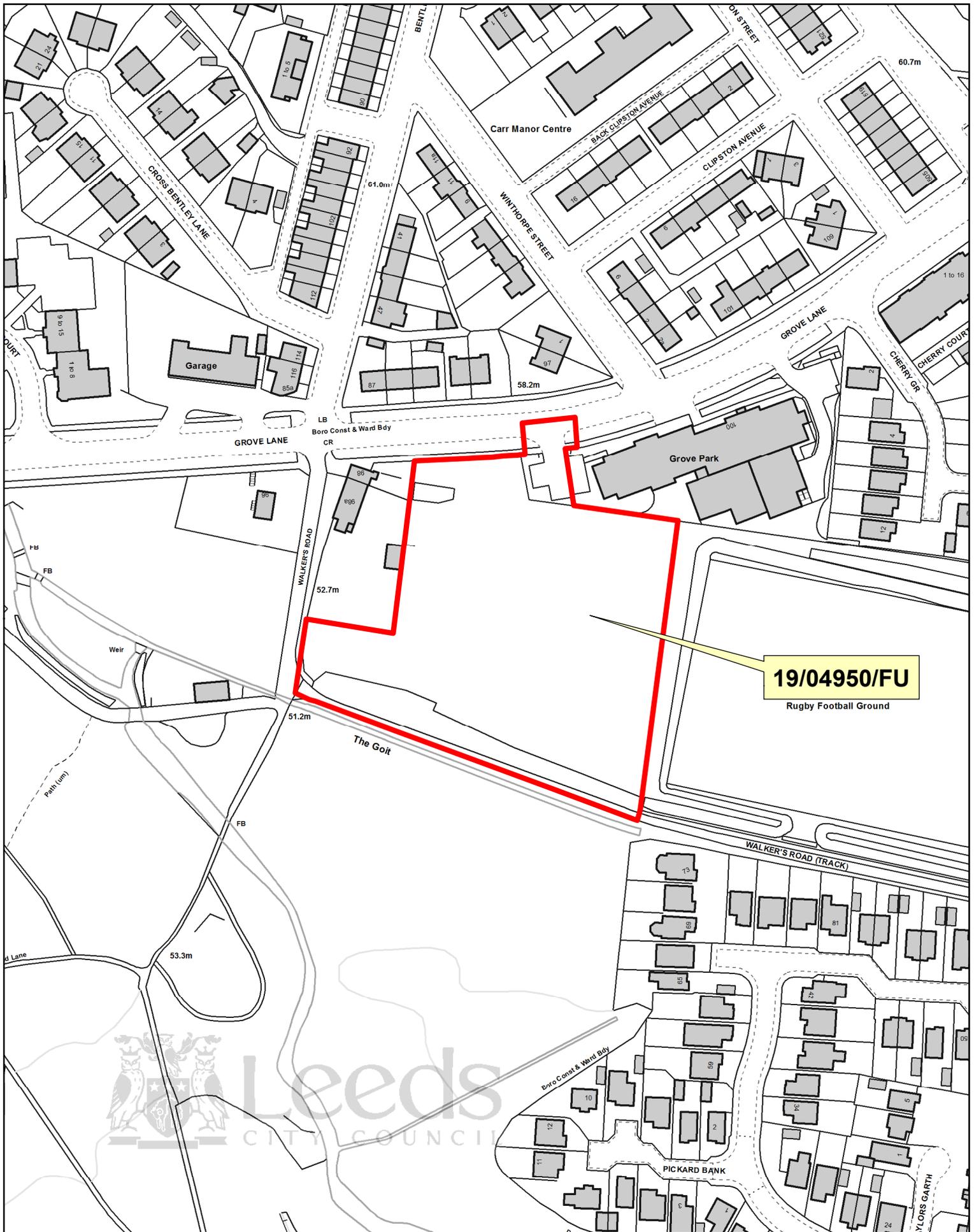
103 The site is not formally protected from development and the detailed design includes a generous landscaping setting and the retention of many on-site trees to the extent that its greenfield status and the visual role it plays within the streetscene will not be unduly compromised. The amenity impacts which flow from the development are considered to be acceptable and in the case of overlooking that has been specifically highlighted adequate mitigation is considered to exist. No concerns in respect of access are raised and sufficient off-street parking is to be provided. Good accessibility and amenity provision for the proposed occupiers is also provided and Sport England's concerns have been addressed by the introduction of ball stop netting.

104 Therefore the proposal is in accordance with the Development Plan and is considered to be acceptable and is recommended for planning approval subject to the conditions set out above and subject to the terms of the planning obligations set out at the head of this report.

Background Papers:

Application files: 19/04950/FU

Certificate of ownership: Signed on behalf of the applicant as sole owner



NORTH AND EAST PLANS PANEL

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

SCALE : 1/1500





NOTES:
 Contractor must verify all dimensions, levels and existing service alignments on site before commencing any work or shop drawings.
 Any discrepancy concerning the drawings/quantities should be referred to the Landscape Architect immediately.
 Only figured dimensions to be taken from this drawing. Do not scale off this drawing.
 All landscape drawings to be read in conjunction with the landscape specification and all relevant engineer's and architect's drawings/specifications.
 This drawing is Copyright and must not be reproduced without consent of LAAND.

- KEY:**
- Application Boundary
 - Proposed Buildings: Refer to Architects details.
 - Existing Trees: Refer to Tree Survey
Dashed Line = Root Protection Area for further details (Brooks Ecology AR-3740-01)
- HARDWORKS**
 Surfaces and Finishes
- Yorkstone Paving: Random sized sawn yorkstone laid in courses parallel to building facade.
 - Resin Bound Gravel: 6mm buff aggregate porous paving
 - Shared Surface: Porous concrete aggregate paving
 - Brick Paving: Clay brick paviors in herringbone pattern
 - Wall: Brick entrance feature wall 1.2m high with stone plaque
 - Boundary Fence: Min. 1.8m high timber close boarded fence
- SOFTWORKS**
- Proposed Tree: 3-6m high ornamental and native specimens to provide year round interest.
 - Ornamental Planting: Mix of Herbaceous perennials, grasses and shrub planting in large swathes.
 - Woodland planting: Mix of Herbaceous and evergreen ground cover plants with seasonal bulbs
 - Hedge: Hornbeam hedge defines frontage
 - Lawn: Robust ornamental lawn with areas of wildflowers and bulbs to improve biodiversity
- LEVELS**
- Existing Levels
 - Proposed Levels

03	29/11/19	Amendments to highways and footpaths	AN	AN
02	05/07/19	Issued for Planning	AN	AN
01	16/04/19	Minor amendments to highways	AN	AN
REV	DATE	DESCRIPTION	DR'WN	APP'D

DRAWING STATUS:
PLANNING



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CLIENT	Roseville
PROJECT	Grove Lane Residential Development
TITLE	Landscape Layout Plan

SCALE:	DRAWN + DATE:	APPROVED + DATE:
1:250 @ A1	AN 28/03/2019	AN 28/03/2019
DRAWING NUMBER:	REVISION:	
19-68-S3-100	03	