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**Report of the Chief Planning Officer**

**NORTH & EAST PLANS PANEL**

**Date: 10<sup>th</sup> March 2022**

**Subject: 19/07024/FU, Demolition of existing industrial buildings, repair and retention of existing boundary wall, and redevelopment of site with five multi-storey apartment blocks providing 371 dwellings (comprising 132 x 1 - beds, 198 x 2 beds and 41 x 3 beds) with associated ancillary community facilities; children's play area, public and private open spaces; basement under - croft and surface level car parking: landscaping; upgrading of vehicular and pedestrian accesses off Buslingthorpe lane; internal roads and footpaths; and other infrastructure, Hilltop Works, Buslingthorpe Lane, Leeds, LS7 2DB.**

**APPLICANT:**  
Option Two Development  
Limited And  
Domus UK Limited

**DATE VALID:**  
13/11/19

**TARGET DATE:**  
TBC

**Electoral Wards Affected:**

Chapel Allerton

Yes Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**POSITION STATEMENT: Members are requested to note the contents of this report on the proposal and to provide views in relation to the questions posed to aid the progression of the application.**

**INTRODUCTION:**

1. This application is presented to North and East Plans Panel as it represents

a significant proposal which involves the complete redevelopment of a site within the Buslingthorpe Conservation Area with significant impacts on some Historic features of that Conservation Area and also represents a significant development for the Chapel Allerton Ward.

2. The application also has potential wider implications which warrant consideration by Members. This report is a Position Statement meaning the application is not reported for determination at this point in time.
3. The purpose of this Position Statement is to inform Members of the proposal, to report on the progress of the applications and to seek Members comments on key planning issues associated with this particular development. The site is one which has been largely vacant for a significant number of years and has fallen into disrepair due to lack of maintenance of those buildings that survive on site. A small section of the site (at the eastern end) is still in economic use as a car repair garage. However, this is a very small proportion of the overall site area and there is considered to be considerable benefit to the wider area and Conservation Area in particular to see this site developed. This benefit, however, must be balanced against the material planning considerations that are the subject of this position statement.
4. The application was validated on 13 November 2019 and was originally proposing 449 units which through the period of processing the application has been reduced to 371 proposed units, comprising:
  - 132 x 1 - beds,
  - 198 x 2 beds and
  - 41 x 3 beds
5. In this report, there is no reference to the submission of a wind assessment required because of the heights of the proposed buildings, or a fire assessment report – as at this time these have not been submitted. The reason for this is that undertaking of a wind assessment (and production of the associated report) are a costly undertaking. Until the developer has a degree of certainty that the scheme is considered acceptable at the scale proposed, it would be unreasonable to require this to be incurred. Such reports require the creation of scale models and the use of wind tunnels for their production and then a peer review once submitted. Correspondingly, the fire risk report is essentially unavailable due to timing. The requirement was introduced relatively recently compared to the submission date of the application itself. Depending upon the outcome of this Position Statement, these reports will be formally requested at the appropriate time.

#### **PROPOSAL:**

6. The application proposes to redevelop an existing industrial site. In addition to the 371 units, the scheme also proposes ancillary community facilities; children's play area, public and private open spaces; basement under - croft

and surface level car parking; landscaping; upgrading of vehicular and pedestrian accesses off Buslingthorpe lane; internal roads and footpaths; and other infrastructure.

- 7 The development is proposed in a series of 5 blocks of units positioned on the slope of the site such that there are 2 No. blocks that will run parallel and close to the Road, Buslingthorpe Lane, which is the highest part of the site relative to the surrounding land. These are annotated Block A and Block B and are 10 storey's (reduced from an initial 12 story's), and 10 storey's stepping down to 6 storey's towards the 'eastern' boundary (reduced from 11 storey's), in height respectively.
- 8 Block C and Block D are to the 'south' and thus, down-hill, of the two blocks near to Buslingthorpe Lane. Block C is 8 storeys in height and Block D has an 8 storey maximum height stepping down to 7 storey's to the 'east'. Finally Block E sits to the 'west' of these four at 6 storey's in height and is nearly perpendicular to Buslingthorpe Road whereas the other 4 blocks sit parallel to it.
- 9 Two access points to the site are proposed to the 'east' is a vehicular access point that will create an off-set junction with Scott Hall Drive opposite and to the 'west' is a vehicular access close to the position of an historic access to the site that will be re-modeled and reopened for the proposed development. There is no regular through route at surface level and surface car parking provision has been minimized by providing basement car parking facilities that will span the underneath of all of the blocks. Bike storage and bin storage will also be provided for in the basement area.
- 10 With regards to the Heritage Assets, (identified elsewhere in this report), the current proposal seeks to retain/repair/rebuild the high stone wall on the Buslingthorpe Lane frontage to the extent that it exists at present, rebuild the chimney to its original full height, not just repair and retain it at its existing height. In turn, the proposal seeks to demolish all buildings on site including the original Hilltop Mill Building and the cottages to the western end of the site and replace with multi-storey buildings designed to a sympathetic design reflecting the historic nature of the site as an industrial location.
- 11 All blocks are shown to house PV cells on their highest roofs and the reduced height blocks now indicate the provision of useable roof space for amenity purposes. In particular, Block B has amenity space on the roof at the 7 and 6 storey level and Block D shows amenity space on the roof level at 6 storey's. This will help contribute towards the level of open space provision for residents' use on the site overall.

#### **SITE AND SURROUNDINGS:**

- 12 The site is located at the western end of Buslingthorpe Lane that connects Scott Hall Road with Meanwood Road. The site slopes steeply upwards generally from the south-west to the north-east so that the Buslingthorpe

Lane part of the site represents the highest point of the site. To the south-east and west are other commercial buildings in various degrees of use and/or decay. Due north of the site on the opposite side of Buslingthorpe Lane the land continues to rise steeply with residential development off Scott Hall Drive. Within the site the present buildings run parallel along the northern boundary and rise above the height of the stone boundary wall. there is also a gap in the wall stone of the wall with a more modern breeze block wall behind it before an older Victorian cottage type building. This constitutes the proposed location of the second access point to the development at the junction of Stonegate (private road?) and Buslingthorpe Lane. As stated in the introduction, it is proposed to demolish all these buildings.

### **RELEVANT PLANNING HISTORY:**

- 13 15/06002/FU - Demolition of existing mill buildings and construction of 228 apartments in 5 buildings. Planning permission refused November 2017 for the following reasons:

“In the absence of a signed Section 106 agreement the proposed development fails to provide the necessary obligations and contributions for:

- The provision of affordable housing;
- On site management for transport;
- An undertaking relating to the public transport provision for future occupiers;
- An undertaking that internal roads will not be offered for adoption following occupation of the development;
- Provision of Local Employment and Training opportunities; and
- The necessary Travel Plan monitoring fee.

This is contrary to the requirements of Policies H5, T2 and ID2 of the Leeds Core Strategy and saved Policy GP5 of the UDP (Review 2006) and the Supplementary Planning Documents entitled the Street Design Guide and Car Parking SPD. It is also considered that the proposal is contrary to advice in the National Planning Policy Framework. The Council anticipates that a signed Section 106 agreement covering these matters could be provided in the event of an appeal but at present reserves the right to contest these matters should the Section 106 Agreement not be completed or cover all the requirements satisfactorily.”

- 14 The application was eventually refused 11 months following the resolution of Plans Panel to approve the scheme, subject to a Section 106 Agreement, because the applicant had failed to sign the necessary Section 106 Agreement within a reasonable time frame. That application had also been

reported to Plans Panel as a Position Statement prior to been recommended to Plans Panel for approval at its meeting on 1<sup>st</sup> December 2016.

- 15 The application reference 15/06002/FU and validated on 26<sup>th</sup> October 2015 had taken 13 months to negotiate to a level where officers were confident to report the case positively to Plans Panel. This timetable is outlined to Plans Panel to help put into context the length of negotiations that are reported below.

### **HISTORY OF NEGOTIATIONS:**

- 16 The application was validated on 13<sup>th</sup> November 2019 and it was at that time that the processing of the application (which at that time was for 449 units in five blocks) commenced. At this point, Officers were concerned at the quantum of development proposed when there was the history (as noted above) to a relatively recent proposal (the current submission being submitted circa 2 years following the original refusal).
- 17 As a result of initial Officer assessment and the preliminary responses from various consultees, there were clear concerns regarding the scale of development and the initial design. In addition, and very materially, there were concerns regarding the impact that the development would have upon the Character of the Conservation Area.
- 18 Various other issues surrounding highway matters were also raised with the developer and were negotiated on over this period of dealing with the submission.
- 19 The issues which have formed the basis of initial discussion and negotiations between the applicant and officers therefore relate to:
- Impact on identified historic assets
  - The quantum of development
  - Design
  - Bulk and Massing including impact on townscape
  - Provision of open space
  - Amenity
- 20 Following the initial rounds of consultation, it was agreed that a Visual Impact Assessment should be undertaken to assess the impact of the scale of the development on the cityscape. It was considered by officers that when viewed from the south, (the City Centre and the environs immediately to the north of the City Centre), there may be an adverse impact – as the scale of the proposed buildings would dominate the green backdrop against which the existing mill buildings sit. It had always been a preference for the development of this site to sit within this backdrop, similar to how the existing structures do when viewed from the south at present.
- 21 There were also concerns of the adverse impact on other views and, in

particular, the dominant nature of the building close to the back edge of Buslingthorpe Lane itself – with particular reference to this dominance detracting from the tall stone wall that currently dominates Buslingthorpe Lane as a heritage asset.

- 22 The Visual Impact Assessment resulted in the reduction in the height of Block A from 12 storey to 10 storeys in height and Block B reduced from a uniform 11 storeys in height to a block that steps down from 10 storey's at its western end to 9 and 7 storey's in its central part and to 6 storey's at the eastern end of the block, where it has a more direct relationship to views from Scott Hall Drive.
- 23 Block D was also reduced from 8 storey's down to an east – west split of 8 stepping down to 7 storeys across approximately 50% of its width. It was at this point that the number of units was reduced from that originally applied for (449 to 371).
- 24 Notwithstanding this improvement in terms of the quantum of development, there were still concerns expressed by Officers to the applicants that the overall development still represented an over-development of the site. The tall buildings would still break the "hill line" when viewed from the south (the city) and the most recent application that had been considered acceptable had previously been negotiated down from 369 units to 228 before it was considered acceptable.
- 25 Whilst this is not a determinative factor in and of itself, it is still part of the site's planning history and therefore material. However, the current applicants expressed the view that, with the combination of issues that exist with this site, the site is not viably developable at those sorts of levels, especially if any of the historic assets are to be retained.
- 26 At this juncture in the negotiations, the Covid-19 Pandemic ensued – which created a certain slowing in the usual progress of negotiations. On 10<sup>th</sup> March 2021, the applicants submitted a Viability Assessment (VA) which included the proposed 371 unit scheme (the scheme that is subject of the current application) and three other scenarios – where various levels of development were envisaged and various levels of retention/replacement of heritage assets were retained.
- 27 The purpose of the submission at this time was for two reasons: , a) to show if the current level of development was viable and necessary to allow the site to be developable and b) how does the "viability" of the site impact on the retention of historic assets and the weight to be given them.
- 28 There are 4 structures that have been identified as key to the Character of the Conservation Area these are:

Retention of high stone wall on Buslingthorpe Lane  
Retention of the chimney feature which is visible from various points to the south

Retention of the cottage type buildings that sit to the western end of the site (thought to be the location where the Tanning industry had its origins so are of historic importance)

Retention of the original Hilltop Works Mill Building whose south facing façade is an attractive example of a Tanning Mill Building

29 As stated below, Conservation colleagues were not convinced that sufficient justification had been made as to the loss of many of these features and were seeking a justification that would satisfy the requirements of Paragraph 196 of the National Planning Policy Framework (NPPF) and officers were still uncomfortable about the quantum of development.

30 The VA was forwarded to the District Valuer (DV) in order for them to assess the viability of each scenario postulated by the applicants. The results of their deliberations were received on 12 January 2022, whereupon their conclusions were that none of the schemes were viable when measured against conventional measurements of viability. Further, the current scheme was only “viable” on the basis that the developer appears to be willing to accept a massive reduction in their Developers Profit from circa 17% on average to circa 7%. For information, the schemes that were assessed were:

371 Units (29 affordable)	The scheme currently under consideration
449 Units (32 affordable)	The originally proposal as originally submitted
350 Units (24 affordable)	Hypothetical scheme
213 Units (15 affordable)	Hypothetical Scheme

31 These conclusions will have a material impact on the considerations of the questions put to Plans Panel members in the main section of this report.

### CONSULTATION RESPONSES:

32 **Conservation Team** – Initially raised concerns that insufficient justification had been provided in relation to Paragraph 196 of the NPPF was given. Paragraph 196 states: “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.” This was eventually addressed by the submission of the VA but officers still have concerns with regards to the use of VA’s to address the issue. Principally the conclusion by the DV that none of the options are conventionally viable raises concerns that the developer has not yet proposed the optimum viable use. It is a matter of balance if the considerations of the DV outweighs the harm identified by the Conservation Officer and Historic England.

33 **Landscape** – Considers inter-alia, that a shadow study is required to assess the impact of the development internally to the site, opinion that the buildings are too stark and large in the current context and only some existing tree

cover reduces this.

- 34 Amenity space on site is limited and much of this will be in shadow, much of the amenity space that is provided is not “functional” in that they are areas of “left over strips of land”. Proposed roof terraces must demonstrate that they are “fit for purpose” and need to support small trees and vegetation.
- 35 The tree planting shown (it is not clear from the submission if this is existing), is not actually within the red line area and is therefore misleading and what structural landscaping is shown is limited as no space has been made for this provision resulting in a stark and wind-blown development proposal. There is concern that the drainage system for the development will not have been factored into the Landscaping proposals and that easements, underground tanks might dispense with the limited landscape proposals as they tend to sterilise the areas where they exist.
- 36 **Highways** – Confirm that Highways Contribution /works will be required as follows:
1. £13,000 for a bus shelter at stop 239994 as requested by WYCA
  2. Buslingthorpe Lane Traffic Management Scheme and Alwoodley Cycle Route in accordance with drawings A111581-35-18-010 Rev C
  3. £20,00 towards Traffic Regulation Order to control parking in the vicinity of the site
  4. £898,000 for junction improvements with particular reference to the Scott Hall Road/Buslingthorpe Lane traffic Light Controlled Junction
  5. £74,200 Travel Plan Contribution at £200.00 per unit (371x200). This may vary depending on the final number of units proposed.
  6. A final Plan to be agreed relating to Vale Bridge agreeing the identified length of the footpath to be improved to the standards set out by the PROW team, such improvements to include the replacement of the footbridge.
- 37 Additional comments, the resolution of which, are still outstanding at the time of writing this report;
- a) Vehicular tracking required demonstrating that an 11m x 2.5 m 4 axle refuse vehicle and negotiate through the spine road in both directions.
  - b) The Squares that interrupt vehicular and pedestrian routes through the site require additional clarification in terms of construction treatment
  - c) Many of the indicated parking bays are not 2.6metres wide and there is no indication that they will be provided with EVCP (even in a phased form)
  - d) Clarity is required on how bins at Block B could be collected.
- 38 **Contaminated Land Team** – The submitted Phase 1 Report does not identify the known existence of a closed Landfill site 110 Metre to the north of the site which may impact upon its conclusions, and a more in-depth

Ground Gas Risk Assessment will be required to assess the potential risk of ground gases to the proposed development, particularly on the on-site Made Ground and should ideally form part of the proposed ground investigation.

39 **Local Plans** – The site forms part of a larger identified housing site (HG2-99) on the Site Allocation Plan (SAP) and this overall site is considered capable of delivering 189 units. The site requirements attached to the SAP need to be addressed which have been identified by the applicant and that the applicant has a clear understanding of these.

40 The density of the proposed development is 328 units per hectare which exceeds the minimum density in Policy H3 of the LCS which for this site would be 35 units per hectare (Fringe Urban area).

41 Acknowledges that for this site it is appropriate to provide a 100% flatted scheme however the tolerances of the proposed mix of units is as follows:

1 bed	132	35.5%	Within tolerances
2 bed	198	53.4%	Within tolerances
3 bed	41	11%	Not within tolerances

(Provision of 3 bed dwellings should be: Maximum 70% Minimum 20% Target Provision 30%)

42 This policy requirement has not been satisfied and there is an under-provision of three bedroomed properties This should be justified by the submission of appropriate evidence and a Housing Needs Assessment.

43 In terms of the requirements of Policy H9, the scheme is compliant.

44 Floor plans showing compliance with Policy H10 are requested. However, it appears that 2.43% of the units will be M4(3) complaint which is above the policy requirement of 2%.

45 Based on the submitted housing mix, it is concluded that 2,616 of useable, publicly accessible and of significant quality of Green Space should be provided. This represents 20% of the Green Space provision that the site generates a need for and the remaining 80% can be offset with a financial contribution. Clarity is sought from the developer as to how this provision is to be made within the scheme.

46 Policy EN1 and EN2 Carbon Dioxide Reduction and Sustainable Design and Construction, the requirements of these policies have been demonstrated in the submitted sustainability Appraisal/Energy Statements.

47 Policy EN4 District Heating – the site is within the LDO for district heating but is not subject to any of the 3 Phases of the existing Council owned District Heating Network. Evidence however should be provided of future proofing so that infrastructure exists to connect to District Heating when the opportunity arises.

- 48 EN8 is considered complied with in as much as the requirement of 1 charging space per unit and 1 charging space per 10 visitor spaces is the requirement according to Policy EN8. There is still however a concern about the physical provision indicated on the submitted drawings from the Highways consultee response. This will need additional clarification.
- 49 **Historic England** – Objects to the proposal on the grounds that it does not meet the requirements of the NPPF, in particular paragraph numbers 192, 193, 194 and 200.
- 50 **Public Rights of Way** – Seeking a commitment to fund a Public Path Creation Order with improvements to the footpath.
- 51 **Nature Conservation** – Require the submission of an Ecological Impact Assessment with full metric calculations in order to full assess the Ecological implications of the proposal.
- 52 **WYCA** – Confirm contribution towards Bus Stop 239994 is a requirement as a result of the impact of this development on Public Transport.
- 53 **Access Officer** – There are no 3 Bed properties shown to be constructed to M4(3) standard which is not appropriate as it suggests that disabled people are not part of a family and either live alone or with partner/carer only.

#### **PUBLIC/LOCAL RESPONSE:**

- 54 Over the period of the application to date, there have been 23 objections submitted. Responses have been received from interested people in Headingly, Chapeltown, Potternewton and Roundhay. Comments include:
- Clearly inappropriate development that makes a mockery of the conservation area status
  - Hundreds of years of history will be lost if allowed
  - Hilltop Works is one of the last buildings of its kind
  - Additional traffic generation
  - Major adverse impact on residents of Scott Hall Drive
  - Already high levels of pollution
  - Insufficient amenities in local area already
  - 5 storeys is too high
  - Consideration to Climate Emergency declaration needs to be given
  - Not in keeping with the local area
  - Insufficient affordable Housing proposed
  - New building should be carbon neutral, built in sympathy with local nature and surrounding wildlife
  - Consideration should be given to opening up views from Buslingthorpe Lane
  - The Primrose pub is a local amenity and increase in traffic will

- degrade the experience of sitting outside with a drink
- Expectation that a sensitive site like this should be re-developed more sensitively by retaining buildings and walls chimneys etc
- The village of Buslingthorpe has been virtually erased and what remains should not disappear
- Will dominate the green corridor and is out of character with surroundings
- Dominates existing vegetation
- Encouraging the use of cars seems less than appropriate
- The stimulus to the Local high street is considered to be remote from the development
- Safety for cycle users particularly of Buslingthorpe Lane
- “Community consultation” inadequate
- Cast Buslingthorpe Lane into permanent shadow as well as surrounding residential properties
- Scheme clearly seeks to maximise profit without taking responsibility for social, environmental and cultural factors
- Important to take Historic England’s advice to protect Heritage Assets in the Conservation Area
- Conservation Areas are created to be respected not to be worn away
- The development is a City Centre development not one suited to the entrance to an important Green Corridor
- Shading of the woodland beyond the development has not been taken into account in the ecological report
- Scheme is unimaginative
- Water usage and disposal not adequately considered
- Air quality concerns for future occupiers
- Scheme will leave nothing of the history of the site to be explored by future generations

55 In addition to this Leeds Civic Trust have submitted the following comments:

Firstly, the Committee considered that, with the site falling within a Conservation Area, the demolition of all buildings on the site, including the chimney, was not preserving or enhancing the character of the Area. The retention of the boundary wall was supported, however.

Secondly, the committee expressed concerns that the east/west orientation of the new apartment blocks resulted in nearly half being north facing units. A north/south orientation would provide a better sunlit aspect from all the units.

Thirdly, the design of the blocks does not reference 'traditional' mill buildings given the applied balconies and the extra 'penthouse' floors added to each building. The proposed 'chimney feature' does not deliver the prominent marker of the historic site provided by the present chimney as it will not be seen from a distance.

Fourthly, the proportion of 3 bed units for families was considered too low for a more mixed use which would be appropriate for this edge of city centre site.

Fifthly, while welcoming the under-croft parking, it was considered that there was still too much surface parking, particularly in the centre of the site - the access to the cycle parking is also very poor. There needs to be more soft landscaping with a variety of activity spaces to serve such a large number of units - the proportion of the site for accessible public realm is significantly lower than required by planning policy.

Finally, it was considered that there should be more community facilities on site which should be linked to the green spaces, particularly in the centre of the site.

In conclusion, while supporting the principle of appropriate residential development, the Leeds Civic Trust objects to the massing, form, layout and detailed design of the present proposals

56 CanPlan Chapel Allerton Neighbourhood Planning Group, a local group concerned with developments in the Chapel Allerton Ward, comment:

1. Buslingthorpe Conservation Area comprises a discrete area of industrial heritage. Apart from retention of the boundary wall to Buslingthorpe Lane, the proposed development does not respect the character of the area. There is no attempt to preserve the chimney or any of the existing buildings and incorporate them into the new development.

2. The development itself, disregards the industrial context in the aesthetic of its design; there is no attempt to reference traditional mill buildings, such as those that have been successfully converted into housing in the mill complex further west on Buslingthorpe Lane.

3. In terms of sustainability and carbon footprint, the existing site is at least 70% unsurfaced /unbuilt on and naturally colonised by scrub, shrubs and trees. The proposed scheme has little more than 15% of the area as greenspace. This allows for very little absorption of rainfall and the building line penetrates far too close to the steeply-sloping perimeter along the SW of the site. These factors could well create a run-off /flooding problem and should be avoided, especially given the current thinking around climate change.

4. In summary the proposed development is over-dense in its current layout and the design of the dwellings and landscape is simply not robust enough to be successful on this site either aesthetically or physically

57 These responses are a summary of all responses received over the period from submission of the scheme in 2019 through to January 2022

58 Ward Members were notified of the submission and have not made any comments supporting or objecting to the proposed development as submitted.

### **PLANNING POLICY:**

59 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. For the purposes of decision making, the Development Plan for Leeds currently comprises the adopted Core Strategy (amended 2019), the Site Allocation Plan (adopted 2019) (SAP), saved policies within the Unitary Development Plan (Review 2006) (UDP), the Natural Resources and Waste Local Plan (2017), the Aire Valley Leeds Area Action Plan (AVLAAP) adopted in 2017 and any made Neighbourhood Plans. These Development Plan documents are complemented by supplementary planning guidance and documents.

60 No Neighbourhood Plans are applicable in this instance.

61 The policies below are most relevant in this instance:

62 Core Strategy (amended 2019):

SP1	Location of development
SP6	The housing requirement and allocation of housing land
SP7	Distribution of Housing Land and Allocations
H3	Housing Density
H4	Housing Mix
H5	Affordable Housing
H9	Minimum Space Standards
H10	Accessible Housing Standards
P9	Local Community Facilities
P10	Design and Context
P11	Conservation
P12	Landscape Quality, Character and Biodiversity
T1	Transport Management
T2	Accessibility Requirements
G1	Enhancing and Extending Green Infrastructure
G4	New Greenspace Provision
G6	Protection of Existing Greenspace
EN1	Climate Change and Carbon Dioxide Reduction
EN2	Sustainable Design and Construction
EN5	Managing Flood Risk
EN8	Electric Vehicle Charging Infrastructure
ID2	Planning Obligations and Developer Contributions

#### Site Allocations Plan (SAP)

Identified as a suitable site for residential development HG2-99.

63 Saved UDP (2006):

- GP5 General planning considerations
- N23 Open space around new development
- N24 Seeks to ensure that development assimilates into the landscape.
- N25 Site Boundaries
- BD3 Disabled access and new buildings
- BD5 New buildings and amenity
- LD1 Landscaping
- LD2 New and altered roads

64 The Natural Resources and Waste Local Plan (NRWLP):

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, like trees, 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. The following NRWLP policies are most relevant for the purposes of this proposal:

- WATER 1 Water efficiency, including incorporation of sustainable drainage
- WATER 2 Protection of water quality
- WATER 4 Effect of proposed development on flood risk
- WATER 6 Provision of Flood Risk Assessment
- WATER 7 No increase in surface water run-off, incorporate SUDs.
- LAND 1 Land contamination to be dealt with.
- LAND 2 Development should conserve trees and introduce new tree planting.
- AIR 1 Management of air quality through development

65 Supplementary Documents/Guidance:

- Neighbourhoods for Living: A guide for residential design in Leeds (Dec 2003)
- English Heritage: Enabling development and the conservation of significant places
- SPG Sustainable Urban Drainage
- SPD Street Design Guide (2009)
- SPG Sustainable Design and Construction - Building for Tomorrow Today
- SPD Leeds Parking Policy (2016)
- SPD Accessible Leeds (2016)
- SPD Tall Buildings Design Guide
- SPG S106 Agreements and Developer Contributions

National Planning Policy Guidance:

66 National Planning Practice Guidance (NPPG) recommends that Local Plans should identify specific opportunities for the conservation and enhancement of heritage assets and notes that this might for example include the delivery of development within their settings that would make a positive contribution to or better reveal their significance.

67 The NPPG also makes clear the need to consider the relationship and impact of other policies on the delivery of the positive strategy for conservation.

National Planning Policy Framework:

68 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and provides a framework for Local Planning Authorities to follow when preparing their local plans. The NPPF must be taken into consideration in the preparation of local plans and is a material planning consideration in determining planning applications.

69 The aforementioned local planning policies have been considered to be sound when viewed in the context of the NPPF.

70 The NPPF promotes sustainable development and in order to achieve this, breaks down the role of the planning system into three overarching objectives. The NPPF seeks to ensure that development is sustainable and promotes the economic, social and environmental objectives it has outlined.

71 At the heart of the NPPF there is a presumption in favour of sustainable development. This means, for determining planning applications, development should be approved where it accords with an up-to-date development plan or is refused consent where adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

72 The following sections are most relevant:

- 2. Achieving sustainable development
- 4. Decision-making
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

73 Relevant paragraphs of the NPPF to Conserving the Historic environments when making decisions on planning applications, which are principles that need to be considered by Members whilst making their comments on this development as their Position Statement are:

74 Paragraph 197:

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.

- 75 Paragraph 199: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 76 Paragraph 202: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 77 Paragraph 203: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

#### **MAIN ISSUES:**

- 78 Given that a Position Statement is under consideration and the application is not at Plans Panel for determination at this time, only the key planning issues will be covered in order to focus discussion. The key planning considerations for the current proposal are considered to be:
- Principle of Development
  - Affordable Housing
  - Internal Space Standards
  - Accessible Housing Standards
  - Green Space Provision
  - Sustainable Design and Construction
  - District Heating
  - Electric Vehicle Charging Infrastructure
  - Conservation Area, Quantum of development, Design and Bulk and Massing
  - Highways
  - Amenity

- Section 106 obligations

## **APPRAISAL:**

### **Principle of Development:**

- 79 The development is allocated in the SAP as in identified housing site (HG2-99). Together with the adjoining site the provision towards the 5 Year Housing Land Supply envisaged by the SAP allocation is in the region of 189 units.
- 80 The proposed 371 units for only part of the site identified on the SAP clearly exceeds the expectations of the overall site's development potential. In the consideration of the proposal, this can be regarded positively, in that it leaves the remainder of the site still available for development that will provide a large "windfall" contribution towards the 5 Year Housing Land Supply over and above the 189 units expected for the whole site.
- 81 Given the site is allocated for residential development in the SAP, the principle of residential development on the site has been considered and accepted as part of the SAP process.
- 82 However this is subject to more detailed planning considerations and in particular the form of residential development offered. In most cases a development of this scale outside of the City Centre would expect to deliver not only a mix of size defined by bedrooms, which is discussed below, but also mixed forms of dwellinghouse. Thus, some conventional detached, semi-detached and terraced housing might be expected alongside the flatted type development that is the subject of this application.
- 83 This aspect of the site has been considered in two main areas, its location and the form of the site. Taking the site's location first, whilst it is not a City Centre site, it sits at the fringe of the City Centre – forming as it were part of the commercial hinterland before the City Centre gives way to the suburban areas to the north. In this aspect it is considered therefore that a wholly flatted scheme of development is appropriate.
- 84 The second aspect is that of the form of the site. As can be seen from the introductory description, the site sits on a steeply rising hillside roughly south to north. As such, the topography of the site is not easily conducive to more conventional forms of development that offer a mix of dwelling types. The shape of the site also being a largely rectangular shape on a steep hill encourages a liner form of development that runs parallel to Buslingthorpe Lane. Paragraph 5.2.11 of the CS concedes that "a scheme of 100% flats may be appropriate in a particular urban context" and it is regarded that this site presents such a context, making the wholly flatted scheme acceptable in principle.
- 85 **Question 1: Do Members agree that the form of the proposed**

**development being wholly apartments is an acceptable form of development?**

- 86 A second aspect of the proposal that helps in defining the “in-principle” acceptability of the development is the proposed density of the development. Policy H3 of the CS says developments in other urban areas of the Leeds City Area should have a density of 40 dwellings per hectare with special considerations been given to the prevailing character and appearance in Conservation Areas. The density of the proposal as currently submitted is 328 dwellings per Hectare and thus exceeds the minimum density of this policy by a factor in excess of 8 times.
- 87 Another aspect that helps define the “in-principle” acceptability of the development is that of the proposed housing mix. The submission does not, according to Policy H4 of the CS, meet the necessary Housing Mix and falls short of the provision of the necessary percentage of 3 bed dwellings. (The provision as currently submitted is 11 % of the development as 3 bed units the policy target is 30%)
- 88 This Policy deviation should be justified with appropriate up-to-date evidence and in this case given the scheme is for in excess of 250 units a Housing Needs Assessment. It is considered by officers that these two aspects have not been fulfilled by the applications so far.
- 89 **Question 2: Do Members agree that the housing mix should be justified by the applicant prior to final determination by the submission of up-to-date evidence for the proposed housing mix and a housing needs assessment?**

**Accessible Housing Standards:**

- 90 Policy H10 of the CS requires that 30% of newbuild units meets M4(2) standards of the current Building Regulations and that 2% of units are built to M4(3) standard of the Building Regulations. The scheme has been assessed and all the units are to an accessible standard with 2.43% of the units built to M4(3) standard. However as highlighted by the access officer the proposal is not fully compliant with Policy H10 as the scale of development generates more than one accessible dwelling, the mix of sizes, types and tenures of M4(2) and M4(3) dwellings should reflect the mix of sizes, types and tenures of the development as a whole as closely as possible.
- 91 **Question 3: Do Members have any comments with regards to the over provision of M4(3) standard units but there being a lack of 3 Bed units provided to the necessary accessibility standards?**

**Green Space and Amenity Space Provision:**

- 92 Compliance with the aims of Policy G4 on Green Space provision is difficult

at this stage because the policy requirements for the provision of Green Space for any given proposed development is dependent upon the housing mix provided and as discussed above the housing mix proposed at present is not compliant with Policy H4. Therefore, it is unlikely, at this stage, that an accurate calculation of what the Green Space provision for the scheme should be if it were to be policy compliant.

- 93 However, and notwithstanding this, an assessment of the necessary Green Space provision has been undertaken on the basis of the currently proposed Housing Mix. The supporting text to Policy G4 allows for more flexible arrangements for Green Space provision for high density sites but concludes that 20% of the calculated Green Space requirements should be made on-site with the residual being provided off-site or in the form of a commuted sum (paragraph 5.5.18 - Core Strategy). The supporting text also acknowledges that there may be particular site circumstances to justify a higher or lower quantity than the 20% on site figure for Green Space provision.
- 94 It is considered that only 123 square metres of Green Space is provided on site and based on the 20% calculation requirement of 2276 Square Metres of on-site Green Space should be made available leaving a residual 2616 square Metres of that 20% provision on-site lacking in the current proposal. (This is in addition to a required off-site provision or commuted sum payment for the 80% balance of necessary Green Space provision for the quantum of development proposed).
- 95 The supporting text of the policy also requires that the Green Space provision is useable, publicly accessible, and of significant quality.
- 96 Concerns raised in the consultation response above: Taking public accessibility first, the site will to all intents and purposes give the appearance of a somewhat enclosed community. This is in large part due to the retention of the high stone wall at the north eastern to central part of the site's boundary on Buslingthorpe Lane. Members of the public are not considered likely to enter the site unless they have a legitimate reason to.
- 97 The useability of the land provided for Green Space provision has always been a concern on this site mainly due to the topography. The broader definition of useable helps somewhat in this regard, as useable is not simply seen as a relatively flat area of grass where a ball can be kicked around on, but also includes areas of land that can be seen as useable for the purposes of walking or enjoying areas of tree planting for shade in hot weather etc.
- 98 To help put the concept of useability into some context, the submitted site layout drawings show ground levels ranging from 45000.00 along the south-east boundary to 53550.00 at the pedestrian entrance on Buslingthorpe Lane a difference of some 8.5 metre elevation. In addition, because of the need to gain vehicular access into the site between blocks A and B to the north and blocks C and D, the movement of vehicles will also have an impact on the land between the road surfaces and the face of the buildings within

this part of the site.

- 99 The SPG Neighbourhoods for Living suggests that ¼ of the total gross floor area of the development should be provided for the provision of private amenity space for use of by future residents. The privacy of this space is very subjective and is increasingly difficult to make provisions for in flatted development that consists of tall buildings as the concept of any private amenity space is almost impossible to envisage due to over looking.
- 100 In addition, the degree of overshadowing that might occur as a result of the height of tall buildings in close proximity to each other has an impact on the quality and useability of the amenity space provided. A study of light penetration into the site has been submitted which uses the BRE standard for the compilation and assessment of sunlight penetration. The conclusions of this report are that 89% of the site's amenity space will achieve BRE recommended levels of sunlight penetration of 2 hours per day (BREs recommended levels are 2 hours for 50% of the amenity space).
- 101 Some amenity space is indicated on the roofs of some of the buildings notably the roof of floor 7 and 6 on Block B and the roof level of floor 7 on block D.
- 102 **Question 4: What are Members views on the form, level and nature of Green Space and Private Amenity space?**

#### **District Heating:**

- 103 Policy EN4 relates to the District Heating proposals of the Council and whilst the development lies within the area covered in the LDO for District Heating, the area is not subject to any of the 3 phases of the existing Council Owned District Heating Network. However, it is considered that evidence should be provided that a development of this scale is future proofed so that infrastructure in the development exists to connect to the district heating should the opportunity arise.
- 104 **Question 5: Do Members support the request by officers that the development is “future proofed” sufficiently in relation to the District Heating Network and Combined Heat and Power (CHP) provision?**

#### **Electric Vehicle Charging Infrastructure:**

- 105 Policy EN8 refers to the provision of electric vehicle charging infrastructure and new developments. In terms of the provision of this, it is considered that the Policy requirements of EN8 have been addressed through the Sustainability Appraisal / Energy Statement. However, there are still concerns at a more technical level that the provision does not meet the standards set out in the SPD produced by highways in support of this policy.

106 **Question 6: Do Members support the pursuing of the concerns of Highways colleagues in respect of the provision of EVCP in accordance with the SPD?**

**Conservation Area, Quantum of Development, Design and Bulk and Massing:**

107 The site lies at the northern edge of the Buslingthorpe Conservation Area. Due to its elevated position, it is a key site within the conservation area and the site at present contains four key elements that are considered to contribute positively to the character of the Conservation Area. These are:

- Hilltop Works main Mill Building
- The stone wall adjacent to Buslingthorpe Lane
- The chimney that is visible from the south
- The cottages at the western end of the site that are thought to be the location where the tanning industry started as a cottage industry

108 Of these, the developer has conceded to the partial retention and re-building of the stone wall along Buslingthorpe Lane for the extent of that wall as it exists at present and the re-building of the chimney structure to its original height. Currently it is proposed that the cottages at the western end of the site and the Hill Top works building itself will be demolished and removed from site.

109 There is still an extant objection from Historic England (HE) based on the lack of supporting information relating to the demolition of the existing properties.

110 Historic England acknowledges the retention and reinstatement of the upper section of the chimney and that the re-positioning of the footprint of Block C and Block D (south part of the site) allows for the retention of views of the landmark structure. However, their objection based on the total loss of historic buildings within the site still stands.

111 The developer has submitted a Viability Assessment (VA) that offers 4 scenarios with varying levels of development – partly as a response to the concerns over the loss of the historic buildings, in an attempt to justify their demise and also to help justify the quantum of development necessary in order to render the site feasibly developable.

112 This document has been assessed independently by the District Valuer (DV) who has concluded that none of the 4 scenarios are viable when measured against normal standards of viability. The key aspects of this conclusion for the purposes of this report, are the originally submitted 449 unit proposal; and the scheme that is now under consideration for 371 units of accommodation. The other two scenarios are given less weight as they are hypothetical scenarios. The DV will be in attendance at the Panel meeting to address any questions relating to the VA submitted and the DV's own

conclusions.

- 113 The issues from the planning perspective, which are interrelated and so sought to be dealt with in this section are:
- Is there sufficient justification for the demise of the two historic assets, Hilltop Works mill building and the cottages to the western end of the site?
  - Is there sufficient justification for the quantum of development now proposed with the associated compromises in other policy areas and with regards to concerns discussed below on the bulk and massing of the development and associated design?
- 114 Officers have always expressed concerns that the scale of the development is too large. At present the Hilltop Works complex sits within the slope of the hill and nestles in a green backdrop with the verdant nature of the hillside being the dominate element in the character of this part of the city when viewed predominately from the south. The scheme as originally submitted proposed blocks at the highest point of the application site (northern part of site) that due to their height would, almost from every view of them, break the skyline of the hill which sits behind the development when viewed from the south.
- 115 Whilst Hilltop works is not an insubstantial building, it occupies a context that helps soften its impact within the townscape and the Conservation Area. Officers are of the opinion that this could not be said of the development as originally proposed and so through discussions with the developers a Visual Impact Study was commissioned. It was the conclusions of this study that led to the reduction of units from 449 to 371 and the reduction in height of Blocks A and B and the reductions on C and D with their re-positioning within the site.
- 116 It was also discussed with the developer that the design should be reassessed from that originally submitted so has to reflect the historicity of the site in support of the loss of the Hill Top Works mill building. The external appearance of the buildings as now submitted is considered acceptable but the scale and bulk and massing of the scheme still raises concerns.
- 117 Taking into account the conclusions of the DVs response that none of the proposed schemes are conventionally viable it is considered that the decision as to whether to support the level of development now proposed is an acceptable compromise, given that the developer appears content to accept an approval based on viability that is not considered sustainable. It is not known why this is the case, one option is they are more likely to accept a higher risk in their return been lower than would be conventionally acceptable to a developer. However, this return according to the DV's response is substantially lower as a percentage compared to normal market models.

- 118 Members need to consider if the harm identified and minimised, as best it can be (reduction from 449 to 371 units and reduction in height of the buildings) is outweighed by the desire to see this otherwise, largely derelict site brought into a use which is acceptable in this location.
- 119 The mass of building proposed is still considered to offer a detrimental impact on the city scape however the design (external appearance) of the proposed buildings is now considered acceptable in the context of its location in a Conservation Area. The re-building to the original height of the chimney as a feature reflecting the historic past of the industrialisation of the site is a welcomed addition over and above the earlier schemes considered. The raising of its height to its original height will give this element of the development a higher degree of visibility. The repositioning of the southernmost blocks assists in this as well and opens up the site to views from the south. But those views will be of the chimney with the 10-storey building behind it.
- 120 The quantum of development also means that Green Space provision will not be made on site. There will be areas of open space but it is not considered that they will be used as public areas of Green Space, partly due to the walled nature of the development, but a contribution to off-site Green Space provision/improvements has been offered by the developer.

In addition, whilst the actual figures are small, the developer is at present offering full compliance with affordable housing requirements at 7%.

- 121 The visual impact , the levels of onsite amenity and the impact that the development will have on the historic fabric of the existing site and thus on the character of the Conservation Area need to weighed in the planning balance against such matters as the findings by the DV on the VA and the windfall provision of dwellings over and above the identified sites ability (with the adjoining site) to provide 189 units towards the 5 year housing land supply.

- 122 **Question 7 – Having regard to the impact on the character and appearance of the Buslingthorpe Conservation Area Members opinions requested with specific, but not exclusive, regard to:**

- **Is there sufficient justification for the demise of the two historic assets, Hill Top Works Mill building and the cottages to the western end of the site?**
- **Is there sufficient justification for the quantum of development now proposed with the associated compromises in other policy areas?**

**Highways:**

- 123 Consultation responses show that the Highways Team are expecting a number of contributions towards the scheme through a Section106 Agreement should planning permission be forthcoming. These are to help

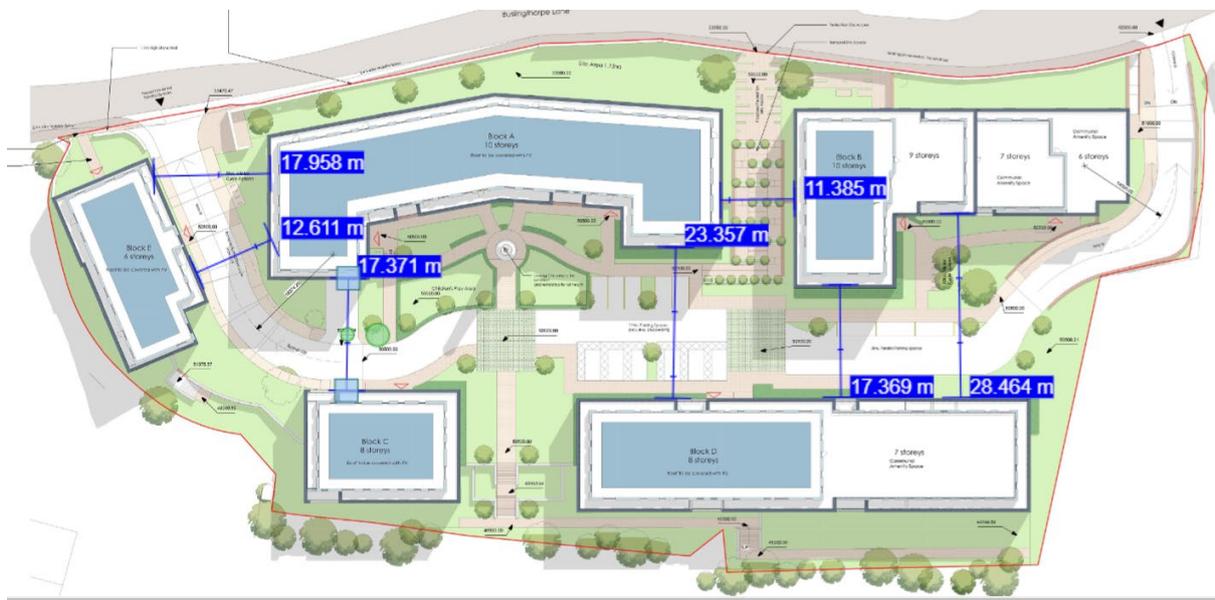
mitigate the impact that the development will have on highways safety / infrastructure and to give improvements to certain aspects off site. Notably the Buslingthorpe Vale bridge and associated footpath are to be re-opened for public use. This will offer an alternative route for pedestrians and cyclists to walk/cycle into and from the city both for the benefit of this development but also the wider area.

- 124 There will also be a contribution towards the Scott Hall Road and Buslingthorpe Lane traffic light controlled junction improvements that forms part of the wider A61 corridor improvement scheme.
- 125 Buslingthorpe Lane itself will undergo some improvements in terms of re-alignments, however these have been carefully considered so as not to adversely impact on the character of that road whilst at the same time improving safety along the frontage of the application site.
- 126 At the time of writing some vehicular tracking details internal to the site were awaited to show that the largest vehicle that would regularly attend the site can manoeuvre in and out of the site safely. In addition, amendments to parking bays are awaited that help the scheme to fully comply with the provision of EVCP and clarification on bin collection for Block B is awaited.
- 127 These outstanding matters are all “technical” in detail and so are not considered to impact to such an extent for the purposes of presenting the scheme to Plans Panel at this stage.
- 128 **Question 8 – Do Members wish to comment on the package of contributions mentioned at Paragraph 36 in full (with summarised highlights above)?**

**Amenity:**

- 129 In this regard the issue of amenity is mostly related to that of future occupiers of the proposed scheme and other aspects of amenity have been discussed in previous sections of this report.
- 130 The submitted daylight/sunlight penetration report does however also include a desktop study assessing the possible impact of the scale of the development on the amenities of occupiers of nearby neighbours. They are on the opposite side of Buslingthorpe Lane and consist mainly of properties near to the junction of Buslingthorpe Lane and Scott Hall Drive. In summary the study finds that due to the distance of these properties, their orientation and that they are elevated due to their location, that they will not be overshadowed as a result of the scale of the development. This will also be aided by the reduction to block B that the Visual Impact Assessment study identified as necessary to reduce the impact of that block to the public realm of Scott Hall Drive. The ‘History of Negotiation’ section describes how the original scheme was for a uniformly high building in this location and which has since been revised to step down several floors towards the east.

- 131 Other aspects of amenity that need consideration is that of the private amenity space provision which has been discussed above and to which Question 4 refers and also the amenity in terms of windows facing each other given the proximity of the blocks of apartments to each other.
- 132 The Council do not have any adopted standards when dealing with such tall buildings and so each case must be determined on its own merits. The SPG 'Neighbourhoods for Living' seeks to give a baseline that offers amenity space distances for conventional dwellings but beyond that only advises that those baseline distances, (10.5 metres for a conventional dwelling from rear elevation to rear boundary, thus resulting in a total of 21 metres window to window for two properties backing onto each other), should be increased where living space accommodation is located on higher floor levels.
- 133 The key relationships, because of their proximity to each other are indicated on the extract below:



- 134 The distance that is of most concern is the relationship between the side elevation of Block B and the side elevation of Block A that measures circa 11.3 metres on the above extract. On the drawings for floors 2-5, the top left corner of Block B (as seen on the above extract) contains Living/Dining/Kitchen rooms with two windows directly facing the side elevation of Block A. There is a window serving that room also that look out over Buslingthorpe Lane. The next apartments along that side elevation also has a living/dining/kitchen room directly facing the side elevation of Block A that is served by a single window. All other windows in that side elevation facing Block A are to bedroom windows.
- 135 Block A likewise in its side elevation facing Block B at that 11.3 metre distance, as shown on floor drawing 2<sup>nd</sup> to 9<sup>th</sup> floors has a living room window facing Block B in its top right hand corner unit (as looking at the site layout above) and two windows overlooking Buslingthorpe Lane. There is

then a series of 3 bedroom windows “centrally” to that elevation and then two windows serving a Kitchen/dining/living room in the bottom right corner unit (when looking at the above layout) facing Block B but that unit also has a recessed balcony facing in towards the site.

- 136 Given this is the poorest relationship in the development it is highlighted. If Members consider that this is an acceptable relationship due to the nature of the development, that the apartments in question do have other windows serving them and that the heights of the scheme above the ground levels mean that the prospect of direct “overlooking” is reduced then the other dimensions identified on the above extract will be acceptable also.
- 137 It should be noted that the second floors up have been chosen as the “sample” floors to undertake this comparison because it might be argued that they are the floors most directly impacted by these distances because they are as it were in the zone where views of the opposing block are most prominent. Higher floors will eventually have some relief from looking at the opposite face of the opposing block due to the angle of view to be able to see the sky beyond that facing wall.
- 138 **Question 9 – Are Members satisfied that the “worst case scenario” for the relationship of windows between Block A and Block B as discussed above is acceptable?**

**Section 106 Agreement:**

- 139 The development is such that it will have an impact on local services and facilitates including highway matters that will require addressing under the provisions of a legal agreement made under Section 106 of the Town & Country Planning Act 1990 (as amended).
- 140 The provisions to be made are:
- Contribution to Bus Stop improvements
  - Funding/implementation of Buslingthorpe Lane Traffic Management Scheme and Alwoodley Cycle Route
  - Contribution toward Traffic Regulation Order to control parking in the vicinity of the site
  - Contributions required toward capacity mitigation on the A61 corridor to fund improvements at the adjacent junction Buslingthorpe Lane/Scott Hall Road required as a direct result of the proposed development
  - Travel Plan contribution
  - Contribution/implementation of Buslingthorpe Vale bridge and public footpath reinstatement
  - Green Space contribution
  - Provision of affordable housing
  - Local Employment clause

- Provision of future proofing for connection to District Heating System

141 **Question 10: Do Members have any comments on the above-mentioned summary of the necessary contributions as a result of the development?**

**CONCLUSION:**

142 Members will see that there has been a significant alteration to the scheme since it was initially submitted in 2019. Officers have negotiated with the developers in order to reduce the scale of the development, to minimise its impact on the city scape, to limit the adverse impact on the historic assets identified within the Conservation Area, and to maximise the provision of improvements to the surrounding environment – including improvements to the design and external appearance, provision of private amenity space in the form of rooftop space and recessed balconies. However, there are still concerns regarding the scale, bulk and massing of the development and therefore members views are critical to the scheme going forward.

143 Members are respectfully requested to provide answers to the questions posed in the main body of this report (and offer any additional comments they consider appropriate).

**Questions:**

**1: Do Members agree that the form of the proposed development being wholly apartments is an acceptable form of development?**

**2: Do Members agree that the housing mix should be justified by the applicant prior to final determination by the submission of up-to-date evidence for the proposed housing mix and a housing needs assessment?**

**3: Do Members have any comments with regards to the over provision of M4(3) standard units but there being a lack of 3 Bed units provided to the necessary accessibility standards?**

**4: What are Members views on the form, level and nature of Green Space and Private Amenity space?**

**5: Do Members support the request by officers that the development is “future proofed” sufficiently in relation to the District Heating Network and Combined Heat and Power (CHP) provision?**

**6: Do Members support the pursuing of the concerns of Highways colleagues in respect of the provision of EVCP in accordance with the SPD?**

**7: Having regard to the impact on the character and appearance of the Buslingthorpe Conservation Area Members opinions requested with specific, but not exclusive, regard to:**

- **Is there sufficient justification for the demise of the two historic assets, Hill Top Works Mill building and the cottages to the western end of the site?**
- **Is there sufficient justification for the quantum of development now proposed with the associated compromises in other policy areas?**

**8: Do Members wish to comment on the package of contributions mentioned at Paragraph 36 in full (with summarised highlights above)?**

**9: Are Members satisfied that the “worst case scenario” for the relationship of windows between Block A and Block B as discussed above is acceptable?**

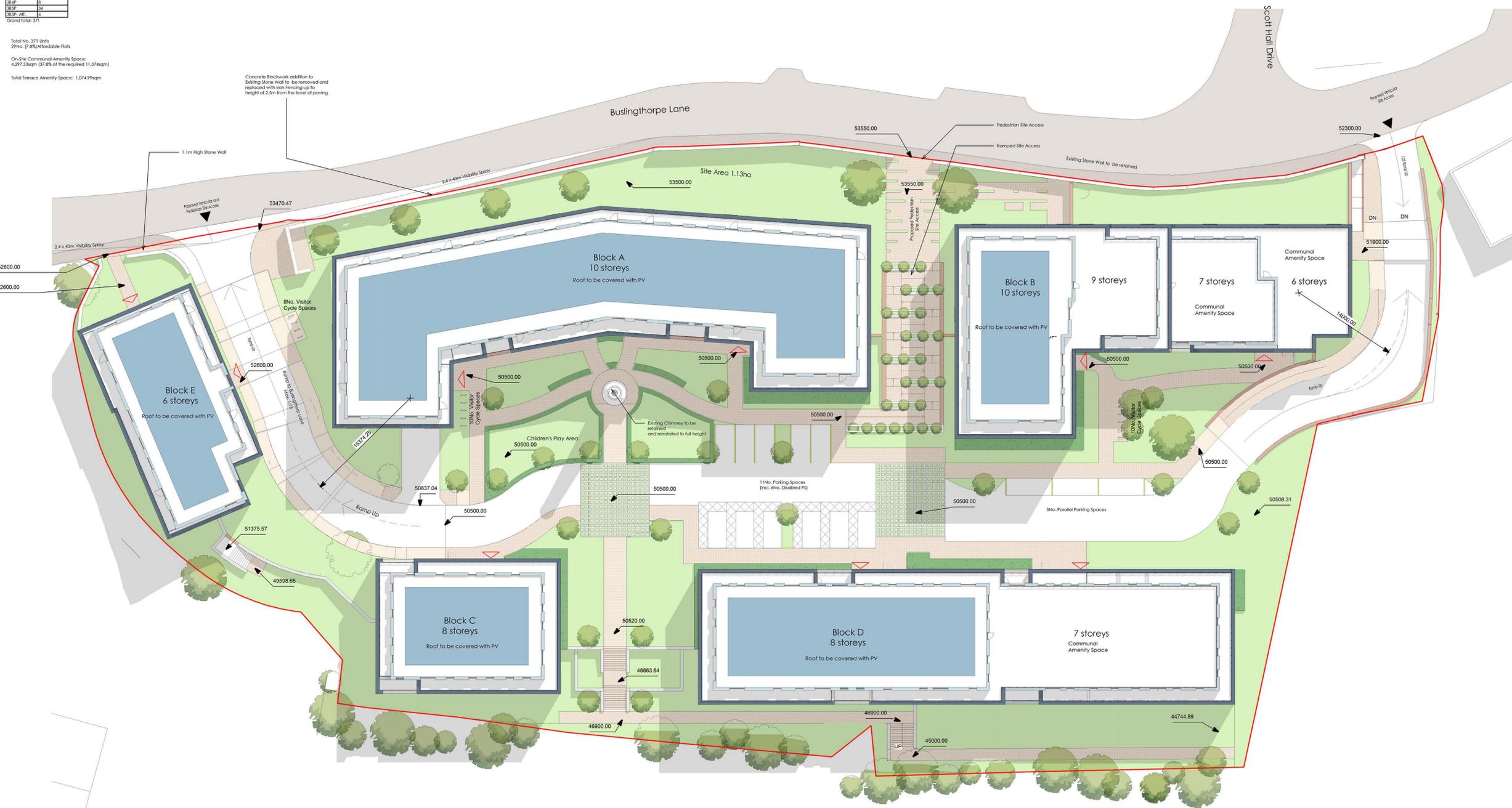
**10: Do Members have any comments on the above-mentioned summary of the necessary contributions as a result of the development?**

**Background Papers:**

Application file: 19/07024/FU

Unit Mix		Occupancy Mix			Parking Schedule	
Occupancy	Count	Bed	Count	%	Standard	Spaces
1BIP	1	1	32	30%	Standard	242
1BIP	124	2	198	20%	Standard	242
1BIP Dis. Att.	5	3	41	11%	Disabled	25
1BIP	68				Motorcycle	23
2BIP Dis.	5					
2BIP Dis. Att.	3					
2BIP Att.	3					
2BIP	122					
2BIP Att.	13					
2BIP	5					
2BIP	38					
2BIP Att.	4					
Grand total: 371						

Total No. 371 Units  
 29No. (7.8%) Affordable Flats  
 On-Site Communal Amenity Space:  
 4,297.33sqm (37.8% of the required 11,374sqm)  
 Total Terrace Amenity Space: 1,074.99sqm



**CDM NOTES:**  
 CDM REGULATION 2007: DESIGNERS NOTES ON SIGNIFICANT RESIDUAL RISKS  
 In preparing this design Hester Architects have attempted to avoid using materials and techniques which could cause future hazards whilst constructing, using, maintaining or decommissioning the building.  
 The following risks could not be designed out and should be carefully monitored on site during the construction period and during any future maintenance of the structure.  
 These notes relate solely to information shown on this drawing. Only significant risks which are considered to be unusual, or unlikely to be obvious to a competent contractor or other designer will be highlighted. This information is subject to revision as the design develops.  
 Particularly hazardous areas are highlighted with on the drawing and noted below.

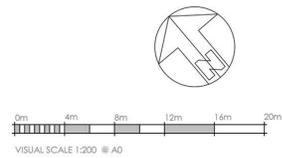
**PLANNING**

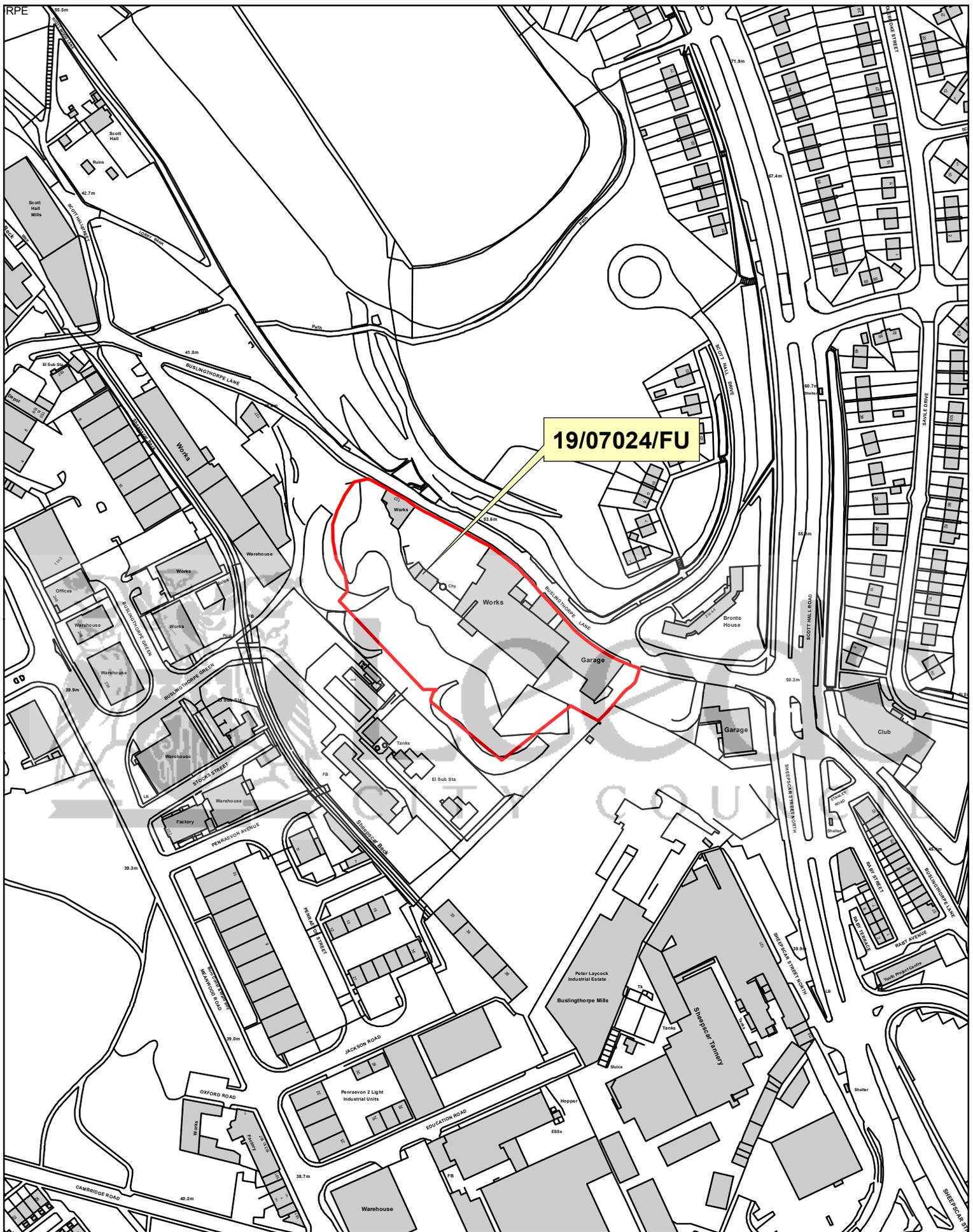
Revision	Date	Notes
F	14-12-20	General Amendments
E	06-12-20	General Amendments
D	19-08-20	General Amendments
C	22-11-19	General Amendments, Notes added
B	07-11-19	Site Access amended
A	06-11-19	Parking Schedule amended

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Project	Busingthorpe Lane, Leeds		
For	DOMUS UK		
Drawing Title	Proposed Site Plan		
Scale	1 : 200 @ A0		
Drawn by	Date	Checked	
MP	14/09/18	RI	
Job No.	Drawing No.	Rev.	
18073	2-110	F	





# NORTH AND EAST PLANS PANEL

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

SCALE : 1/2500 <sup>30</sup>

