



**Report of the Chief Planning Officer**

**PLANS PANEL EAST**

**Date: 10<sup>th</sup> June 2010**

**Subject: APPLICATION 08/03378/OT– Outline application for residential development comprising 86 flats and car parking at Knowsthorpe Crescent/ Cross Green Lane, LS9.**

**APPLICANT**  
NCO (One) Ltd

**DATE VALID**  
6<sup>th</sup> June 2008

**TARGET DATE**  
5<sup>th</sup> September 2008

**Electoral Wards Affected:**  
Burmantofts & Richmond Hill

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**DEFER AND DELEGATE** to the Chief Planning Officer for approval, subject to the specified conditions and following completing of a Section 106 Agreement to cover the following matters:

- Greenspace commuted sum- £147,361
- Public Transport infrastructure enhancement contribution- £28,306
- Traffic Regulation Order (Knowsthorpe Crescent/Cross Green Lane)
- Travel Plan (incl. monitoring fee- £2,500)

**In the circumstances where the Sec.106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.**

1. Time limit on outline permission
2. Submission of reserved matters
3. Reference to plans being approved
4. Details of external walling/roofing materials to be submitted
5. Details of boundary treatments to be submitted
6. Areas used by vehicles to be drained and surfaced
7. Full details of the storage and disposal of litter/ waste materials to be submitted

8. Full details of the facilities for the parking of cycles to be submitted for LPA approval
9. *Notwithstanding the submitted details contained within Drwg No.2003-192/069 RevS, no development shall take place until full details of the works required to install perpendicular parking spaces to the north-west side of Knowsthorpe Crescent (adjacent to the application site) and a pedestrian refuge (to east of site) on Knowsthorpe Crescent/ Cross Green Lane junction have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed prior to the development being brought into use unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of improving pedestrian access and safety.*
10. Details of the proposed methods of closing off and making good the existing access to be submitted for LPA approval.
11. Parking spaces not to be allocated
12. Protection of existing trees and other vegetation.
13. Preservation of existing trees and other vegetation.
14. Submission of landscape scheme.
15. Implementation of landscape scheme Separate systems of drainage to be used
16. Details of surface water discharges to be submitted
17. Details of on-site storage for additional run-off
18. Surface water to be passed through an interceptor
19. Contaminated land information
20. Amended remediation statement
21. Verification statement
22. Notification of LCC where unexpected contamination encountered
23. Any imported soil to be tested for contamination

**Reasons for approval:** The application is considered to comply with policies GP5, N4, N12, N13, N25, T2, T24, BD5 of the UDP Review, as well as guidance contained within Public Transport Improvements and Developer Contributions 2008 and having regard to all other material considerations, on balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

## **1.0 Introduction:**

- 1.1 This application was presented to Plans Panel (East) on 13<sup>th</sup> May 2010. The application was deferred by Panel Members requesting officers:
  - to seek provision of some affordable units within the development proposal.
  - to look at the security of on-street parking bays on Knowsthorpe Crescent.

## **2.0 Affordable Housing provision:**

- 2.1 It is considered informative to Members that a more detailed background to the discussions held between officers and the applicants concerning affordable housing provision and other financial contributions is outlined. This fuller explanation should assist Panel Members' understanding of the negotiations, awareness of the economic circumstances of the proposal and the implications of changes to the levels of contributions offered as part of the development proposal.
- 2.2 The application site has an extant permission by virtue of work commenced in relation to permission 21/188/04/FU (57 flats). This development provided no

affordable housing as at the time that that application was assessed the relevant supplementary planning guidance advised that affordable housing was not required. However, since that application was determined the affordable housing policy position had been refined. As a result, the application subject to consideration at this Panel was required to provide affordable housing at a rate of 15%, equating to a total of 12 affordable units.

- 2.3 Despite the non-requirement to provide affordable housing in 2004, the applicant initially offered to provide 4 affordable units, based on the zonal requirement of 15%, for this present scheme. The numbers proposed were to reflect the uplift in flat numbers from the extant permission (of 57 flats) to this proposed scheme (86 flats).
- 2.4 Alongside the affordable housing requirements the proposal was also required to provide greenspace enhancements. The extant permission at the site secured a contribution of £34,037 towards greenspace enhancements. This present scheme, however, required a greenspace contribution of £173,074. The applicants offered £50,000, based on a pro-rata figure of the 2004 permission, which again reflected the uplift in flat numbers of 29 units. This offer was substantially short of the City Council's requested sum and on this matter did not warrant officer support.
- 2.5 In summary, the applicants offered 4 affordable housing units, a greenspace contribution of £50,000 and a public transport enhancement contribution of £28,000. The applicants maintained that the extant permission (21/188/04/FU) could be implemented, that it was of material significance to the assessment of the current scheme and that the affordable housing and greenspace requirements requested could not be met on grounds of economic viability.
- 2.6 There exists within affordable housing policy a mechanism to waiver provision on the balance of viability although this mechanism does not apply for the provision of greenspace contributions. Therefore, in light of the apparent financial limitations of the proposed scheme, discussions took place between officers and the applicant to seek to re-direct the financial value of the originally offered 4 affordable housing units to the greenspace contribution figure in order to bring this figure closer to that requested. These scenarios were requested to be outlined within a viability appraisal, to test the robustness of the applicant's financial information and to demonstrate that the development value of the scheme would be insufficient to cover the full affordable housing provision.
- 2.7 The submitted financial appraisal detailed alternative scenarios which included variations to the full and partial contribution to affordable housing provision as well as factoring in the public transport enhancements and the greenspace contributions requested. These scenarios are briefly summarised below:
- The financial calculations for the first appraisal were based on securing the 12 affordable units requested, a greenspace contribution of £173,074 and a public transport enhancement contribution of £28,000. The bottom line profit on cost figure works out at 5.96%.
  - The financial calculations for the second appraisal scenario were based on no affordable housing provision, a greenspace contribution of £147,361 and a public transport enhancement contribution of £28,000. The bottom line profit on cost figure works out at 10.76%.
- 2.8 The submitted financial viability appraisal was considered to be an accurate reflection of the economic circumstances and that the waiving of affordable housing

provision within the development proposal was considered justified. Furthermore, it was considered that in view of the tight economic margins of the development proposal the financial contributions secured (e.g. greenspace/ public transport) would be the best that could be expected.

- 2.9 For background, a study carried out during the preparation of EASEL (dated 2006) indicates that the application site lies within one of the most affordable postcode sectors (based on estimated entry level property value) within the EASEL area. The results of the study showed that the entry level property value in this postcode was £69,287, compared to £130,217 across Leeds as a whole. Unfortunately, it is not possible however to produce data based on affordable housing need within this specific geographic area as the information is collated district-wide and divided into 5 housing market zones.
- 2.10 In regard to the delivery of greenspace enhancements, a process of identifying areas of deficiency within the community area is undertaken and the financial contributions secured would be directed towards appropriate sites, subject to community consultation, which may for example be invested in existing greenspaces at East End Park or nearby allotments (off Pontefract Lane) or other new greenspace projects.
- 2.11 At Plans Panel (East) in May, Members requested that some affordable housing units be provided within the development. As outlined above, the economic margins of the development are tight and the securing of affordable housing units, as a cost to the applicant, will have an implication on their ability to meet the other financial contributions offered, namely the contribution for greenspace enhancements.
- 2.12 In light of Members request for some affordable housing, the applicants are prepared to return to their original offer of providing 4 affordable housing units within the development proposal. They advise however that this will have a consequence on their ability to contribute to greenspace enhancements and accordingly their greenspace contribution is to reduce from £147,361 to £50,000.

### **3.0 Security of on-street parking:**

- 3.1 At May Plans Panel, Members expressed concerns about the vulnerability of the on-street car parking bays located on the north side of Knowsthorpe Crescent with consideration placed on whether the southern boundary treatment could be opened up to ensure the parking spaces are more integral to the development site.
- 3.2 Having discussed this concern with the West Yorkshire Police Architectural Liaison Officer it is accepted that the on-street parking bays proposed are more vulnerable. However, the removal of the boundary treatments to the site's frontage with Knowsthorpe Crescent would open up the development site, allowing individuals to walk across the site freely with access to the amenity space and flat block entrances. On balance, it is considered that the security of flat development site and their occupants is of greater importance. The on-street parking spaces can be accessed from the site through two pedestrian gates and the design of the southern boundary can be determined in order to taken account of providing natural surveillance from the site and the windows of the proposed flats which face out over these spaces. As such, the retention of the boundary treatment is considered necessary. The details of the boundary treatment and the types of landscaping planted in proximity to this boundary are to be secured by appropriate planning

condition as well as detailed within any subsequent reserved matters application (landscaping).

#### **4.0 Conclusion:**

- 4.1 The above appraisal outlines the negotiations taken place during the application between officers and the applicant in relation to affordable housing and greenspace provision. Since May Plans Panel, the applicant has offered to some affordable housing units however due to economic circumstances this has impacted on their ability to afford the previously requested greenspace enhancements. Members are invited to consider the applicant's offer.
- 4.2 In respect of opening up the boundary treatment to Knowsthorpe Crescent, it is considered that the retention of boundary treatment, to which details are subject to later local planning authority approval, is necessary to maintain site security.

#### **Background Papers:**

Application 08/03378/OT

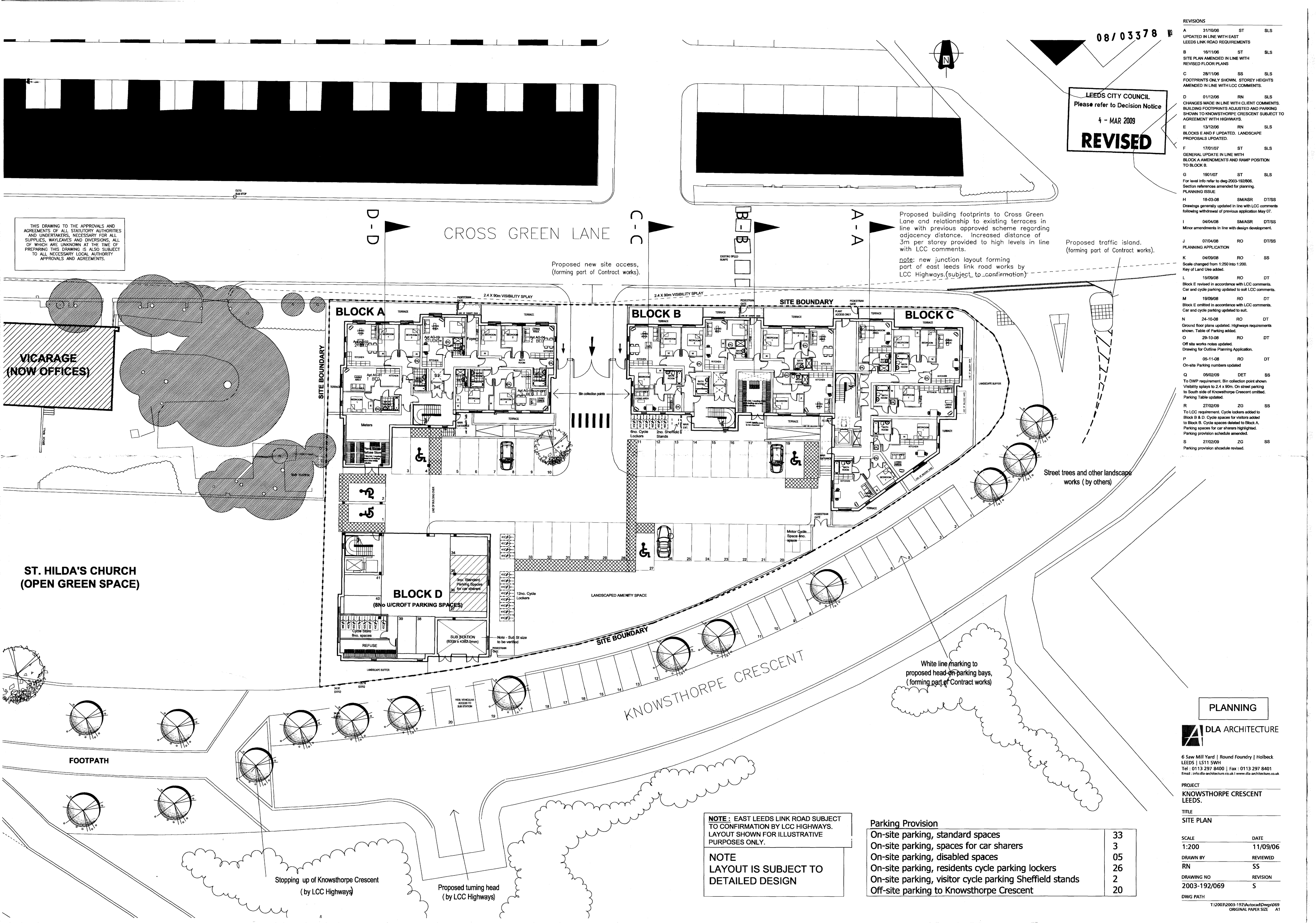
REVISIONS		
A	31/10/06	ST SLS
UPDATED IN LINE WITH EAST LEEDS LINK ROAD REQUIREMENTS		
B	16/11/06	ST SLS
SITE PLAN AMENDED IN LINE WITH REVISED FLOOR PLANS		
C	28/11/06	SS SLS
FOOTPRINTS ONLY SHOWN. STOREY HEIGHTS AMENDED IN LINE WITH LCC COMMENTS.		
D	01/12/06	RN SLS
CHANGES MADE IN LINE WITH CLIENT COMMENTS. BUILDING FOOTPRINTS ADJUSTED AND PARKING SHOWN TO KNOWSTHORPE CRESCENT SUBJECT TO AGREEMENT WITH HIGHWAYS.		
E	13/12/06	RN SLS
BLOCKS E AND F UPDATED. LANDSCAPE PROPOSALS UPDATED.		
F	17/01/07	ST SLS
GENERAL UPDATE IN LINE WITH BLOCK A AMENDMENTS AND RAMP POSITION TO BLOCK B.		
G	19/01/07	ST SLS
For level info refer to dwg-2003-192/006. Section references amended for planning. PLANNING ISSUE		
H	18-03-08	SM/ASR DT/SS
Drawings generally updated in line with LCC comments following withdrawal of previous application May 07.		
I	04/04/08	SM/ASR DT/SS
Minor amendments in line with design development.		
J	07/04/08	RO DT/SS
PLANNING APPLICATION		
K	04/09/08	RO SS
Scale changed from 1:250 into 1:200. Key of Land Use added.		
L	15/09/08	RO DT
Block E revised in accordance with LCC comments. Car and cycle parking updated to suit LCC comments.		
M	19/09/08	RO DT
Block E omitted in accordance with LCC comments. Car and cycle parking updated to suit.		
N	24-10-08	RO DT
Ground floor plans updated. Highways requirements shown. Table of Parking added.		
O	29-10-08	RO DT
Off site works notes updated. Drawing for Outline Planning Application.		
P	05-11-08	RO DT
On-site Parking numbers updated		
Q	05/02/09	DET SS
To DWP requirement. Bin collection point shown. Visibility splays to 2.4 x 90m. On street parking to South side of Knowsthorpe Crescent omitted. Parking Table updated.		
R	27/02/09	ZG SS
To LCC requirement. Cycle lockers added to Block B & D. Cycle spaces deleted to Block A. Parking spaces for car sharers highlighted. Parking provision schedule amended.		
S	27/02/09	ZG SS
Parking provision schedule revised.		

LEEDS CITY COUNCIL  
Please refer to Decision Notice  
4 - MAR 2009  
**REVISED**

THIS DRAWING TO THE APPROVALS AND AGREEMENTS OF ALL STATUTORY AUTHORITIES AND UNDERTAKERS, NECESSARY FOR ALL SUPPLIES, WAYLEAVES AND DIVERSIONS, ALL OF WHICH ARE UNKNOWN AT THE TIME OF PREPARING THIS DRAWING IS ALSO SUBJECT TO ALL NECESSARY LOCAL AUTHORITY APPROVALS AND AGREEMENTS.

Proposed building footprints to Cross Green Lane and relationship to existing terraces in line with previous approved scheme regarding adjacency distance. Increased distance of 3m per storey provided to high levels in line with LCC comments.  
*note:* new junction layout forming part of east leeds link road works by LCC Highways.(subject to confirmation)

Proposed traffic island.  
(forming part of Contract works).



**NOTE:** EAST LEEDS LINK ROAD SUBJECT TO CONFIRMATION BY LCC HIGHWAYS. LAYOUT SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

**NOTE**  
LAYOUT IS SUBJECT TO DETAILED DESIGN

Parking Provision	
On-site parking, standard spaces	33
On-site parking, spaces for car sharers	3
On-site parking, disabled spaces	05
On-site parking, residents cycle parking lockers	26
On-site parking, visitor cycle parking Sheffield stands	2
Off-site parking to Knowsthorpe Crescent	20

PLANNING

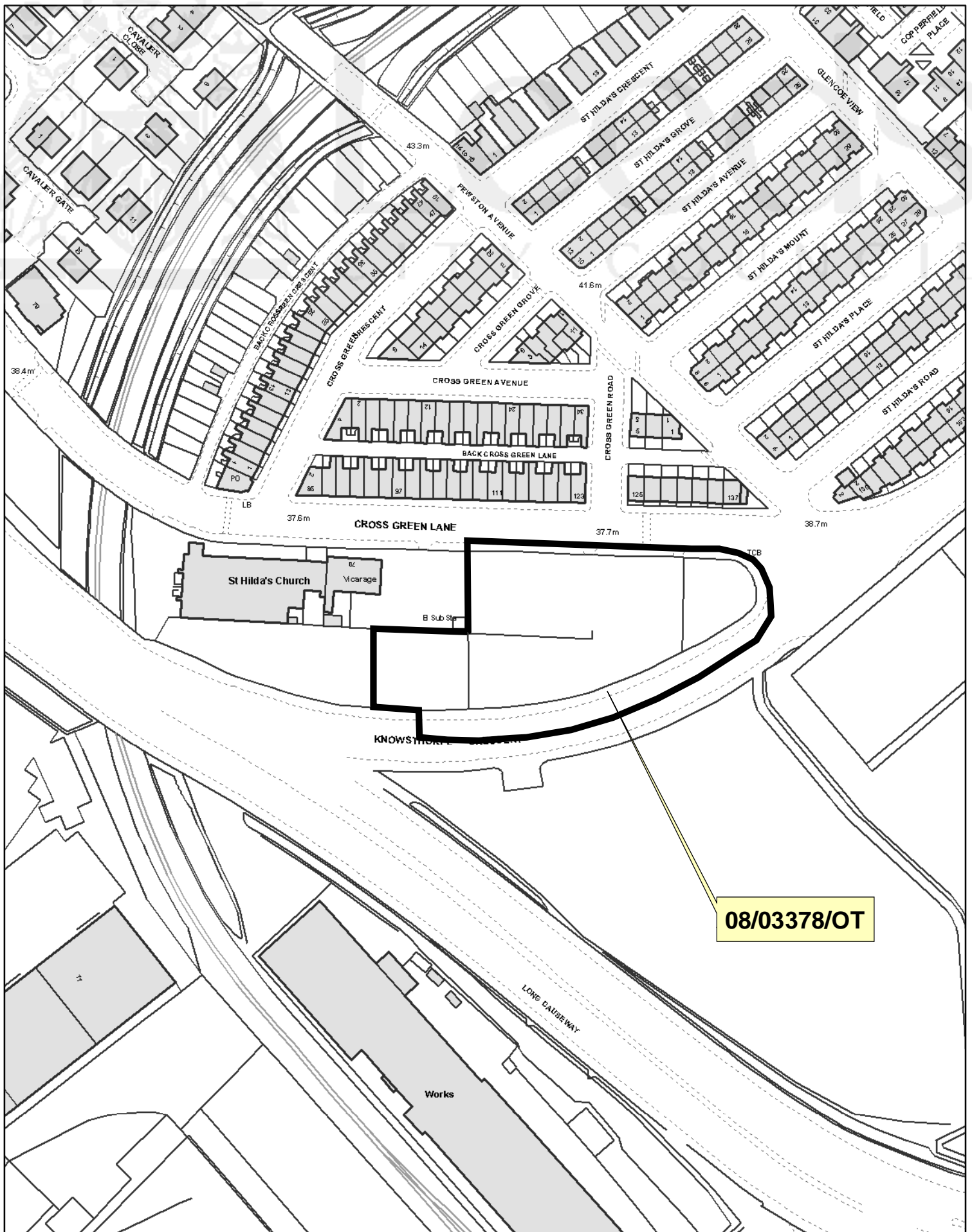


6 Saw Mill Yard | Round Foundry | Holbeck  
LEEDS | LS11 5WH  
Tel : 0113 297 8400 | Fax : 0113 297 8401  
Email : info@dl-architecture.co.uk | www.dla-architecture.co.uk

PROJECT  
KNOWSTHORPE CRESCENT  
LEEDS.

TITLE  
SITE PLAN

SCALE	DATE
1:200	11/09/06
DRAWN BY	REVIEWED
RN	SS
DRAWING NO	REVISION
2003-192/069	5
DWG PATH	



08/03378/OT

# EAST PLANS PANEL I

Scale 1/1500

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