



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 29th March 2012

Subject: APPLICATION NUMBER 11/03234/FU and 11/03370/CA: Demolition of 11-13 Heathfield Terrace and redevelopment of former halls of residence site comprising 4 storey residential care home of 46 apartments (C2 Use Class), 3 blocks of 54 flats, 2 blocks of 13 townhouses, conversion of stables to detached house, with landscaping and public open space, Tetley Hall, Burton Crescent, Headingley

APPLICANT

Pickard Properties

DATE VALID

21.09.2011

TARGET DATE

Planning Performance Agreement

Electoral Wards Affected:

Weetwood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Defer and delegate approval to the Chief Planning Officer subject to the conditions specified and the completion of a Section 106 Agreement within 3 months of the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- The development must begin prior to 29 April 2014 (in view of interim affordable housing policy reduction of affordable housing requirements).
- On site affordable housing (Block I, all 11 apartments to be provided as submarket tenure) to be provided prior to occupation of the 46th dwelling or if no RSL wants Block I default to off site payment totalling £800,000.
- On site greenspace provision and off site contribution (£42,380.47)
- Public Transport Infrastructure SPD (£41,407)
- Metrocards for residents (£28,611.00)
- Real Time Bus Display unit at bus stop number 10445 (£10,000)
- (£20,000) towards off site highway works on Moor Road for parking bays.
- Travel Plan Monitoring fee (£2500)

- **Off site highway works to be funded by the developer to include: footway widening with build-outs to accommodate a parking bay on Moor Road and the introduction of parking restrictions in the vicinity of the site. Redundant crossings would also need to be reinstated as pavement.**
- **A management company to be established for landscaped areas maintenance.**
- **A management fee to cover the implementation of the S106**

Defer and delegate to the Chief Planning Officer the granting of Conservation Area Consent for the demolition of Tetley Hall and 11-13 Heathfield Terrace in accordance with the conditions specified below.

1. Two year time limit on full permission
2. Development carried out in accordance with the approved plans.
3. External walls and roof, door and window frames materials to be provided with sample panel on site
4. Details and samples of all surfacing materials.
5. Only natural slate, natural stone and timber framed doors and windows shall be used on site for the lifetime of the development
6. Removal of permitted development rights
7. New vehicular accesses and off-site highway works to be approved and implemented prior to first occupation
8. Areas to be used by vehicles must be hard surfaced and drained
9. Methods to be employed to prevent mud, grit, dust and dirt being carried onto the public highway
10. No construction, demolition or engineering works (including land reclamation, stabilisation preparation, remediation or investigation) shall take place on any Sunday, Bank Holiday or Public Holiday and otherwise such works shall only take place between the hours of 08:00hr to 18:00hr weekdays and 08:00hr to 13:00hr Saturday, unless otherwise permitted in writing by the Local Planning Authority. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.
11. Boundary treatment across all site frontages of all dwellings fronting the adopted highway must be no greater in height than 1m
12. Details and provision of secure cycle parking
13. Details and provision of bin storage
14. All car parking to be unallocated on site
15. Residents of the retirement block M shall be 55 or over.
16. Block M shall be occupied as a C2 Use Class Residential Institution.
17. All flats and houses shall be constructed and occupied as C3 dwellinghouses
18. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Scott Wilson dated August 2008.
19. Full details of the drainage strategy for the whole site approved.
20. Levels details to be provided and no development or change of levels allowed in root protection areas of retained trees
21. Pre start meeting to agree tree protection measures
22. Arboricultural method statement
23. Protection of Trees/Hedges/Bushes during construction
24. Preservation of Retained Tree/Hedge/Bush
25. Replacement of Trees/Hedges/Shrubs
26. Landscape scheme and management plan to be submitted and implemented
27. The public open space area as shown on the approved layout plan shall be available for public access in accordance with a timetable agreed in writing with the LPA and shall be retained and maintained as public open space for the lifetime of the development.

28. Bat and bird surveys to be carried out prior to commencement of development (including demolition) and approved by LPA.
29. Submission and implementation of hard and soft and landscape details
30. Unexpected Contamination
31. Importing soil
32. Details of sustainable construction with reference to the Council's policy Building for Tomorrow Today to be approved and implemented.
33. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

Policies GP5;N2/N4;N8; N12;N13;N19;H1;H3;H11;H12;T2;T24;BD5;LD1

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.

Conditions for Conservation Area Consent for demolition of Tetley Hall and 11-13 Heathfield Terrace.

1. Time limit.
2. In accordance with approved plans
3. No demolition until allowed as part of agreed timetable and phasing plan and subject to the commencement of development for the replacement buildings.
4. Demolition works restricted to 08:00 hours and 18:00 Hours Mondays to Saturdays or at any time on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
5. Tree protection measures to be agreed and in place prior to commencement of development.
6. In granting Conservation Area Consent the City Council has taken into account all material matters relating to the building's contribution to the architectural or historic interest of the area and the wider effects of demolition, including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), and The Development Plan consisting of the Regional Spatial Strategy 2004 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

Policies N18A, N18B, GP5 and BD5.

On balance, the City Council considers the proposal would not give rise to any unjustified consequences for the character and appearance of the conservation area.

1.0 INTRODUCTION:

1.1 This application is brought to Panel due to the history associated with the site, scale of development and the high level of local interest in the proposal. Members may recall this scheme was presented before Panel in April 2011 as a pre-application item. Panel visited the site and saw the layout and masterplan along with elevation drawings. Broadly the scheme was well received and Panel were pleased with the revised layout and design approach.

2.0 PROPOSAL:

2.1 This proposal comprises three new apartment blocks of 54 units in total (three storeys with fourth level accommodation in the roofspace) and 13 townhouses in two terraced rows (three storeys in height) with a coach house linked onto the end of the first terrace row. The proposal also includes the conversion of an existing outbuilding into a Mews dwelling. The scheme also includes a retirement complex of 46 units in a part five part four storey building. The purpose built halls of residence are to be demolished as is the existing villa known as Heathfield Terrace(11-13).

2.2 The design and appearance of this scheme is traditional Victorian style housing and villas with natural stone and slate and timber door and window frames. In total this residential development comprises 114 units with 96 car parking spaces. Vehicular access will be split between the retirement block and 3 apartment blocks accessing from the existing Moor Road access and the terraced rows and conversion dwellings accessing from the existing access on Burton Crescent. There will be no through access from Burton Crescent to Moor Road.

3.0 SITE AND SURROUNDINGS:

3.1 The site is within a leafy suburb of predominantly family residential properties. The actual site boundary is spread over six acres, and bordered on the north-east side by Moor Road, a wide residential access road. The site is currently accessed on the south side from Burton Crescent, a tree lined residential access road which has links to the Otley Road (A660) and Meanwood village. The site contains a number of buildings. The main building is the purpose built Student Block. There is a 1960s four storey student block which currently dominates the site which will be demolished as part of the proposals. This building has no architectural merit and its removal and replacement with smaller residential buildings will be a positive improvement.

3.2 The site also contains eight existing buildings converted for student use: -

- Moorfield Lodge;
- Moor Grange;
- Moor Grange Gatehouse;
- Heathfield Cottage (11 to 13 Heathfield Terrace);
- Burton Grange (17 Burton Crescent);
- Burton Lea (19 Burton Crescent);
- Burton Lea Stable Block; and
- Moor Grange Stable Block.

3.3 The site is within the Far Headingley Conservation Area, within the Area of Housing Mix and is designated as an Urban Green Corridor in the UDP Proposals Map.

4.0 RELEVANT PLANNING HISTORY:

4.1 Following a review of the Council's records the following planning history on the site is considered relevant:-

4.2 **08/04024/FU** – 3 new student flat blocks comprising 45 cluster flats with 259 bedrooms and 17 student townhouses with 102 bedrooms, with car parking and public open space. Refused 22.02.2010 on grounds of principle of student development, design & layout issues, loss of amenity for neighbours, tree loss, none compliance with S106 policies; and

4.3 **08/04049/FU** - Redevelopment of former halls of residence site comprising conversion of 6 buildings to 29 flats and 2 houses, erection of 3 blocks totaling 70 flats, 17 townhouses, one block of 51 retirement flats, with landscaping and public open space. Refused 22.02.2010 on grounds of design and layout, loss of residential amenity, tree loss and none compliance with S106 policies.

4.4 The same applicant's were refused planning permission on the 28th April 2008 for the redevelopment of former halls of residence site comprising: conversion of six buildings to 29 flats and two houses; erection of three blocks totaling 75 flats; 17 townhouses, one detached dwelling and a part four/part five storey block of 53 retirement flats with landscaping and public open space, under reference 08/00471/FU. The reasons for refusal cover the following points: -

- Over-intensive nature, height, scale, massing, separation distances, access layout and associated parking;
- The premature loss of protected trees;
- Insufficient provision of affordable housing within the application;
- Insufficient provision of additional or improved Greenspace;
- Failure to secure provision of education facilities;
- Insufficient enhancements to strategic public transport infrastructure, basic public transport site access provision and fails to encourage and promote access by sustainable modes of travel, and
- Lack of a Flood Risk Assessment.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Prior to submission of this scheme, the applicant met with Officers to discuss the development of a suitable design approach. The current scheme results in smaller buildings, a reduction of 22 units from the scheme previously refused by Panel, and a reduction of about 40 car parking spaces. The building design has also altered significantly as a traditional design approach is being employed. Changes to the layout of the site have also taken place with the terrace row being split into two blocks. The nursing home element has been redesigned and orientated to better front the public open space. The style of the apartment blocks has also changed and the scale of these buildings has been reduced from the previous application and also have been reduced through negotiation during this pre-application process.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised via a site notice (posted on 30.09.2011) and an advert in the local newspaper (published on 05.10.2011). 39 letters of objection and 2 letters making representations have been received including comments from the Headingley Development Trust and Councillor Walshaw on behalf of the Inner North West Area Committee Planning subgroup. The Leeds Civic Trust and Ward Councillors Chapman and Bentley have objected to the application. The following issues have raised:
- The scale and massing of the development is out of keeping with the area.
 - The buildings will dominate the surrounding area
 - The development is over intensive
 - Insufficient car parking is provided on site
 - Detrimental impacts on the surrounding road network
 - Loss of greenspace
 - The loss of 11-13 Heathfield Terrace would be harmful to the conservation area
 - Concern over student lets
 - Impact on birds and squirrels in the area
 - Loss of trees and greenspace
 - Block J too close to residential properties
 - Removing the existing villas from the plans does not provide a true picture of the impact on the highway network and on street parking problem in the area
 - Contrary to Far Headingley Design Guide and the Conservation Area Appraisal and Management Plan
- 6.2 The Headingley Development Trust have made the following comments: Can the S106 affordable housing obligation be provided in the form of an off site commuted sum so that the money can be used to buy vacant HMO's in the Area of Housing Mix? These HMOs could be converted into affordable housing and thus meet two objectives in rebalancing communities and providing housing which is affordable.
- 6.3 The Leeds Civic Trust wrote in twice to comment on the application. Their second letter adds to their first in that they now object to the loss of greenspace which provides a setting of the villas. They also want to see as much green space as possible retained on the scheme. They also consider the scheme is not in accordance with the guidance in the Neighbourhood Design Statement for Far Headingley. Their first letter stated they supported the principle of design approach but had concerns about the quality of surface treatments, the value of the open space when surrounded by cars, bin and cycle provision and that natural local materials should be retained for the lifetime of the development.
- 6.4 Councillors Chapman and Bentley both object to the application for the same reasons:
- The site consists of many trees of good quality and I have concerns about their fate during construction and would like to have a condition that any trees removed are replaced with like for like where appropriate.
 - The proposed application is an overdevelopment of a beautiful parkland site set in the heart of the Far Headingley Conservation Area and is one of the lungs in this urban setting and will cause some loss of amenity for local residents

- Whilst welcoming a care home on site as part of a balanced community I have concerns that the four story block will dominate the site and affect residents in Cottage Road in particular through lack of privacy and cause shading
- In a similar way the town houses affect residents in Shaw Lane as they are very tall and dominant
- There are too many flats compared to houses and there is a real need for family housing in this area
- There are concerns about the boggy area which has not been addressed near where the town houses are proposed
- Parking is a major issue in this area and there will be extra pressure on local roads which are already fully parked up day and night
- I welcome the idea of parallel parking with outbuilds and trees on Moor Road as there's been a history of speeding on this road and this would address both issues
- There are real issues for vehicles on both Moor Road and Burton Crescent accessing and entering the site not least due to the speed on Moor Road and the parking on both roads
- Traffic congestion is also high in the area with many drivers using Moor Road as a short cut and I find the extra car movements in the transport report difficult to believe with a proposed development of this size
- This is further exacerbated by the junctions at Cottage Road (several near misses and bumps not recorded in the Council's statistics as no injuries), Moor Road with Shaw Lane and Monk Bridge Road - there have been several accidents around this junction in the last few years
- I'd like to see a commuted sum of the Section 106 Agreement on affordable housing from the development to be used to return HMO properties to family accommodation to bring a more sustainable balance of population to the area.

6.5 The Inner North West Area Committee Planning Sub Group would like to make clear that they believe that, despite the financial viability appraisal put forward by the applicant, the necessary section 106 contributions for the Tetley Hall development should be required where the respective thresholds are met in order to facilitate the development.

7.0 CONSULTATION RESPONSES:

Statutory:

7.1 Environment Agency: No objection subject to conditions.

Non-Statutory:

7.2 Highways: No objections in principle subject to a revised plan to address the visibility splays within the site and ensuring adequately sized turning heads and conditions/S106 contributions attached to any subsequent planning permission.

7.3 Metro: No objection, subject to the provision of the residential metro card scheme and a contribution towards upgrading a bus stop to real time display.

7.4 NGT: Supplementary Planning Document (SPD) "Public Transport Improvements and Developer Contributions" has a threshold of 50 units for residential dwellings. The proposed development therefore triggers a public transport contribution as listed above in the recommendation box.

7.5 Land Contamination: No objection subject to conditions.

- 7.6 Mains Drainage: No objection subject to conditions.
- 7.7 Yorkshire Water: An initial objection, which has now been resolved through additional information. Therefore, no objection.

8.0 PLANNING POLICIES:

8.1 The development plan for Leeds comprises the Regional Spatial Strategy for Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007.

8.2 Within the adopted UDP Review (Sept 2006) are strategic goals and aims which underpin the overall strategy. Of these attention is drawn to strategic goals (SG), aims (SA) and principles (SP) as follows;

- Policy SG2: To maintain and enhance the character of the District of Leeds;
- Policy SG4: To ensure that development is consistent with the principles of sustainable development;
- Policy SA1: To secure the highest possible quality of the environment throughout the District, by protecting existing good environment, conserving and enhancing where there is scope for improvement, including initiating the renewal and restoration of areas of poor environment;
- Policy SA7: To promote the physical and economic regeneration of urban land and buildings within the urban areas, taking account of the needs and aspirations of local communities; and
- Policy SP1: Greenspace is protected and enhanced as an important land use in its own right in conferring amenity, quality of life and sense of identity to established communities and proposed extensions.

8.3 The application site is in the AHM and is an Urban Green Corridor site. Therefore the specific development Leeds Unitary Development Plan policies are: -

- Policy GP5: Development control considerations;
- Policy GP7: Where development would not otherwise be acceptable and a condition would not be effective, a planning obligation will be necessary before planning permission is granted. This obligation should cover those matters which would otherwise result in permission being withheld and if possible should enhance the overall quality of the development. Its requirements should be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects;
- Policy GP9: Promotes community involvement during the pre-application stages.
- Policy H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy.
- Policy H3: Delivery of housing land release.
- Policy H4: Residential development on non-allocated sites.
- Policy H11: Refers to the provisions of affordable housing within new housing proposals which meet the requirements of PPS3;

- Policy H12: The council will negotiate the proportion and type of affordable housing required for individual sites in the context of the extent, nature and need of affordable housing in the locality and the characteristics of the site;
- Policy H15: Refers to all new housing developments intended for occupation by students to satisfy five criteria tests prior to being acceptable;
- Policy BD5: New buildings design consideration given to own amenity and surroundings;
- N1: Public open space provision.
- Policy N2: Support given to establishment of a hierarchy of greenspaces;
- Policy N4: Refers to provision of greenspace to ensure accessibility for residents of proposed development;
- Policy N8: Urban Green Corridor
- Policy N12: Refers to all development proposals should respect fundamental priorities for urban design;
- Policy N13: Refers to design of new buildings should be of high quality and have regard to character and appearance of surroundings;
- Policy N14 to N22: Listed buildings and conservation areas.
- Policy N23: Incidental open space around new built development.
- Policy N38B and N39A: set out the requirement for a Flood Risk Assessment.
- Policy LD1: Criteria for landscape design.
- Policy T1: Refers to transport investment being directed towards, improving the quality and provision for alternatives to the car by improving public transport. The policy lists 5 criteria for improving public transport and promoting alternative forms of sustainable transport;
- Policy T2: Refers to development capable of being served by highway network and not adding to or creating problems of safety;
- Policy T2D: Refers to proposals that would otherwise be unacceptable due to public transport accessibility issues being addressed through developer contributions or actions to make enhancements, the need for which arise from the proposal;
- Policy T5: Seeks to ensure the safe and secure access and provision for pedestrians and cyclists within highway and new development schemes;
- Policy T6: Refers to satisfactory access and provision for people with mobility problems within highway and paving schemes and within new development; and
- Policy T24: Refers to parking guidelines for new developments.

8.4 Supplementary Planning Guidance

- SPG3: Affordable Housing;
- SPG4: Greenspace Relating to New Housing Development;
- SPG11: Section 106 Contributions for School Provision;
- SPG13: Neighbourhoods for Living;
- Far Headingley, Weetwood and West Park Neighbourhood Design Statement;
- Far Headingley conservation area appraisal and management plan;
- SPD Public transport improvements and developer contributions;
- Street design guide SPD, and
- Travel plans SPD (Draft).

8.5 Government Guidance

- PPS1: Delivering Sustainable Development;
- PPS3 Housing;
- PPG13 Highways, and
- PPS5 Planning for the Historic Environment.

Emerging Core Strategy

8.6 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

9.0 MAIN ISSUES:

9.1 The following are the main issues for consideration:

- Principle of the development
- overcoming the previous reasons for refusal
- Impact of the proposal on the setting of the Conservation Area and the Urban Green Corridor;
- Highway matters on and off site; and
- Section 106 package

10.0 APPRAISAL:

Principle of Development:

10.1 The site is considered to be a mixture of both previously developed land (brownfield) and Greenfield (never having been previously developed). The site is located within the main urban area of the city and in a sustainable location with good access to public transport routes and local services and amenities. Panel may recall they discussed the principle of the redevelopment of the entire site at the pre-application presentation and were broadly supportive of the proposed masterplan which included development on the Greenfield parts of the site. Since the 2011 pre-application presentation the Council has elected to release for development all of its phase 2 and phase 3 housing sites in response to appeal decisions and has also removed its objection to the principle of developing on unallocated Greenfield sites which are in sustainable locations. Accordingly the principle of development is considered acceptable in relation to UDP policy H4 and in accordance with the guidance contained within PPS3 (Housing) 2010.

Overcoming the previous reasons for refusal

10.2 The changes to the layout of the site and the changes to the scale, massing, design and appearance of the this scheme are considered to be positive changes that are responding to the previous reasons for refusal relating to both layout and design matters and also in relationship to the reason for refusal relating to impacts on neighbouring properties amenity. The existing land use is for C3 student residential occupation. The removal of a purpose built student block which does not make a

positive contribution to the character and appearance of the conservation area is welcome. The creation of a range of housing, including C3 Use Class family terraced houses and retirement flats the within the C2 Use Class is considered positive. The developer has committed to building all the dwellings (flats and houses) within the C3 Use Class so as to exclude C4 Use Class HMOs. This element will be conditioned.

- 10.3 The previous application for residential redevelopment of the site was for a total of 144 dwellings. The current application has reduced the intensity of the site's development by 30 units.
- 10.4 The modern design approach of the previous application formed part of the reason for refusal. In response to this the current application would be constructed in a traditional style of Victorian architecture. Although the scale of the apartment buildings is still large at 3 storeys or 4 storeys for the retirement block with a further level of accommodation in the roofspace, it is considered the use of traditional designs of pitched roofs, dormers, large windows with heads and cills and large bay features will help break up the scale and massing of these blocks.
- 10.5 The previous reasons for refusal included the relationship of the apartment blocks to the neighbouring dwellings. The current masterplan re-sited the blocks further away from the neighbouring dwellings such that the current proposal does not generate any serious concerns with regards to over looking or loss of privacy.
- 10.6 The reasons for refusal relating to lack of affordable housing, greenspace contributions and travel planning measures have also been overcome by this application. The S106 package is explained in the relevant section of the report below.

Impact of the proposal on the setting of the Conservation Area and the Urban Green Corridor

- 10.7 The application site was first designated as 'The Cottage Road' Conservation Area in 1972. It was subsequently merged with the larger Headingley Conservation Area. Since the applications submissions, the site has been included within the 'Far Headingley' conservation area via the adoption of the Far Headingley conservation area appraisal and management plan in November 2008. Far Headingley, Weetwood and West Park have also been subject to the adoption of a Neighbourhood Design Statement in 2005. This adopted document builds on existing statutory planning policy to ensure that change contributes to the sustainability of the area, its heritage, its design quality, its landscape and its social cohesion.
- 10.8 The former hall of residence is identified in the conservation area appraisal as a building with the opportunity for enhancement while the retained villas are identified as positive buildings. The proposal involves the demolition of the student halls of residence and the semi detached villas of 11-13 Heathfield Terrace. It is considered that the student block makes a negative contribution to the character of the conservation area and can be demolished. The villa on Heathfield Terraces makes a positive contribution to the overall street scene and whilst not overly impressive in its own right does currently fit in with the existing character. As such the demolition of this building is balanced against the benefits of bring forward the overall project and delivering a housing scheme that is well designed and contributes to local objectives. The replacement building, block I has been sited and designed to respond both with regard to its prominence in the Heathfield Terrace street scene by

having articulated gable ends but also its relationship to the wider site. Although the car parking area is proposed in the grounds of the former villas it is considered that well designed boundary treatments and landscaping can help screen this car park from public views from Heathfield Terrace. Overall this element of the proposal is considered to preserve the character and appearance of this part of the conservation area.

- 10.9 The scale and massing of the retirement block will mean that it will be one of the largest buildings in the area. The scale and massing of the existing Tetley Hall building is a material consideration in considering whether a replacement building on site of the scale proposed is appropriate of this conservation area setting. Members will recall they commented upon this block during the pre-application presentation and acknowledged that its size, siting and design had responded positively to the previous reasons for refusal and although large the building was set within its own grounds and would sit comfortably in the context of the open space being created in front of the building.
- 10.10 The two rows of terraced houses which would take their access from Burton Crescent would face the retirement apartment blocks at the lower end of the site. These terraces would be three storeys, with the third level of accommodation provided within the roof. The scale and massing of the block is considered to sit well in the context of the areas. The terraces provide a frame to the proposed area of public open space. The terraces will have good rear gardens. The gardens will be between 12 and 14 metres in length. This provides future occupiers with good levels of amenity whilst ensuring that the residential properties adjoining the rear gardens are not over looked. It is not possible to provide car parking directly outside each unit because of the need to protect important trees on site, protect the Urban Green Corridor and not eat into the area of public open space and as such parking for these units is located in parking courts. This is not ideal but it is a practical and sensible solution to the sites constraints. Gable end windows will be inserted into the terrace rows to provide over looking and surveillance of these parking courts. Although not explicitly mentioned in the Far Headingley, West Park and Weetwood Neighbourhood Design Statement it is considered that overall the development complies with the design aims of the Far Headingley, West Park and Weetwood Neighbourhood Design Guide. In addition the developer's commitment to fund parking bays along Moor Road is referred to in the document on page 15.
- 10.11 The proposed development within the grounds of the former Tetley Hall would involve building on the land designated as Urban Green Corridor. The objectives of the Urban Green Corridor are to provide a series of links from the countryside through the urban area such that people and nature can benefit from greenspaces in built up urban areas. The possibility of providing improved access into these areas for recreation is one of the suggested benefits that should be provided should development in these areas be allowed. As part of the proposal this application would create an area of publicly accessible open space that could be used by both future occupiers and existing residents. The masterplan has been designed to frame this space and the configuration of buildings is such that there we will good over looking and surveillance of this space making it attractive for people to use. Members will recall they were broadly supportive of the masterplan and the creation of a central area public open space on site and Members acknowledged that as a consequence this would result in development within the Urban Green Corridor.

Highway matters on and off site

- 10.11 The overall parking provision on the site is considered acceptable as it meets with minimum parking guidance standards and is in a highly sustainable area. Bays in parking courts to blocks I, J and K must remain unallocated for the lifetime of the development in order to maximise efficient use of the parking bays within the development, this should be secured by condition of any approval. In addition, part of the development is to be marketed to over 55s and this should also be a condition. However, parking in the surrounding streets is already a concern and can be a problem, particularly in the evenings when the cinema is open. In order to maintain safety at local junctions and to ensure residents and visitors do not add to existing parking problems, the development will fund Traffic Regulation Orders in the vicinity of the site to protect safety at local highway junctions. These works would include the junctions of Cottage Road/Moor Road, Heathfield Terrace/Cottage Road, Burton Crescent/A660, Burton Crescent/Shaw Lane and junctions on Moor Road opposite the development frontage. The developer has committed to delivering all the required off site highway works.
- 10.12 The developer has committed to funding parking bays on Moor Road. This is a request of local residents and should improve off street parking whilst also helping to reduce vehicle speed along Moor Road.
- 10.13 The Site lies close to Otley Road which is one of the busiest public transport corridors in the City providing frequent services to a wide range of jobs, educational facilities, shops and services and leisure facilities. The site is fully accessible by pedestrians with a wide range of services and amenities within easy walking distance and the Site is readily accessible by cycle. A Transport Assessment and Travel Plan have been submitted with the applications which provide details relating to highways and transportation matters including the metro cards for future occupiers and the improvements to the bus stop with real time display.
- 10.14 The developer is currently providing preparing further information on the visibility splays within the site and also in relation to showing the tracking for refuse vehicles in the turning heads. It is anticipated this work will be done by the time of the Panel meeting and that a verbal update can be provided on these element at the Panel meeting.
- 10.15 Subject to the above being satisfactorily addressed the proposal is considered acceptable in relation to highway safety and car parking considerations.

Section 106 package

- 10.16 The S106 package outlined at the head of this report has been agreed with the developer and is in compliance with the planning policy requirements generated by this application except for the provision of affordable housing. All contributions in the S106 would be indexed linked.
- 10.17 As stated above the affordable housing element of the S106 package represents a departure from the normal policy approach. Ordinarily this development would be required to provide 15% of all its C3 dwellings as affordable with a split of 50-50 between submarket and social rented properties. The developer has submitted a viability case with this application to justify not providing this normal policy requirement. The viability demonstrated that to build the blocks in natural materials to the specifications befitting this conservation area would render the development none profitable and as such would not incentivise development. Officers have carefully consider this appraisal and have though negotiations with the developer suggested that Block I which is 11 apartments of a mixture of 1 and 2 bedroom units

should be provided on site as the affordable housing element of the development and that instead of a mixture of social rented and submarket tenure they could all be for sub market tenure to acknowledge the high build cost in bringing forward the development.

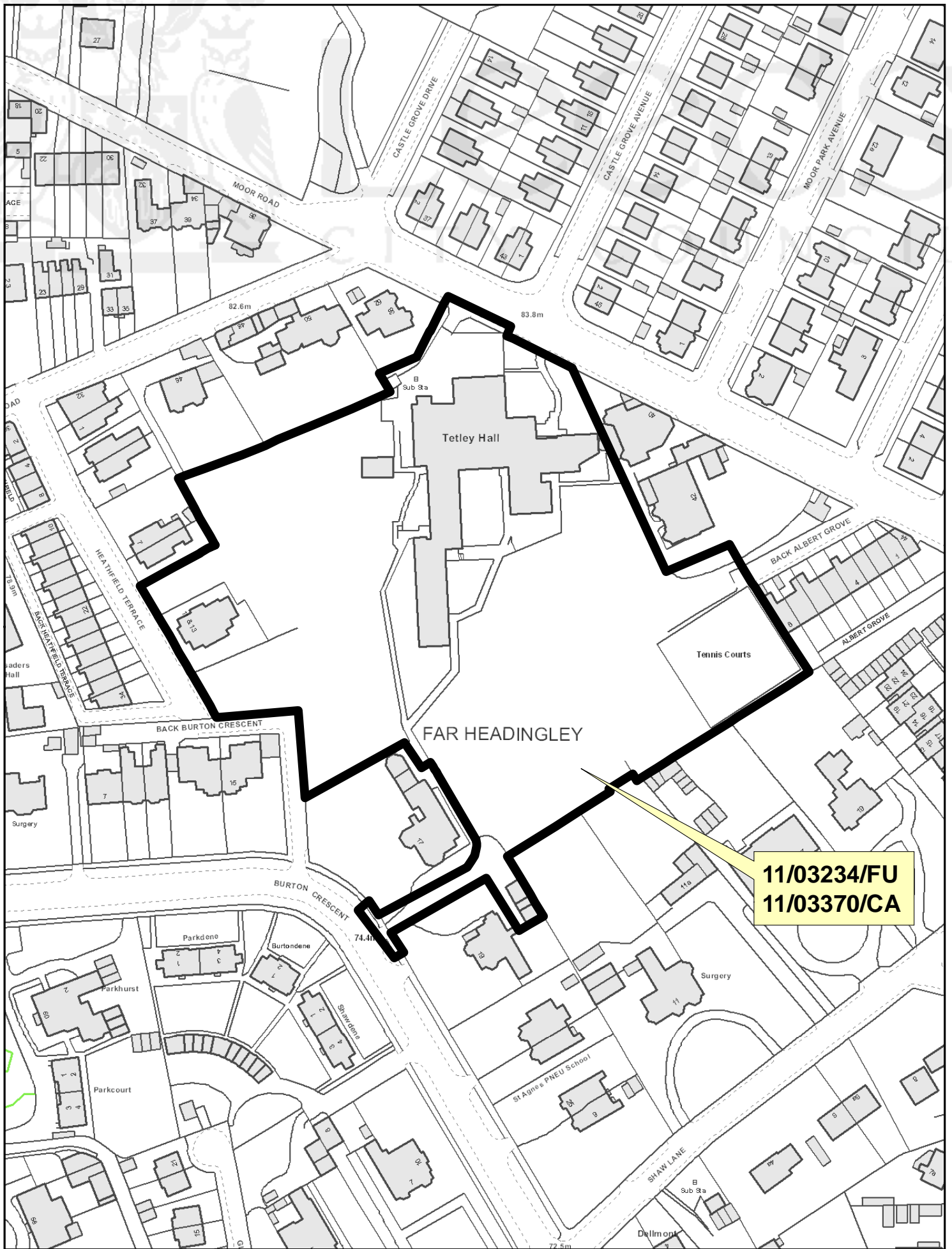
- 10.18 Whilst normally the policy seeks to provide a mix of accommodation types and in pepper potted locations across the site it is considered there are reasons in this instance to depart from this approach. This development would require 10 affordable housing units if the normal policy approach was applied, this option delivers 11 units. The developer is able to achieve financing of the development with this affordable housing approach and can bring forward housing on this site and commence building. The housing need in the area would support delivery of 1 and 2 bedroom units. The Registered Social Landowners (RSLs) have been informed of this approach and have expressed an interest in this option. As such and on balance it is considered that given the high build costs associated with this development that this option is acceptable in this instance.
- 1019 Furthermore the developer has also offered that if Panel do not wish to pursue an on site affordable housing proposal then the cash equivalent of £800,000 could be provided for an off-site contribution to meet the aspirations of the Leeds HMO lobby which are hoping to buy back vacant HMOs in the Area of Housing Mix and turn them into affordable housing. Whilst this was agreed at the Leeds Girls High School site it is an untested method and it is unknown how many units this could actually deliver and the delivery of new build units on site is being preferred for the recommendation of this application.

11.0 CONCLUSION:

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is acceptable and complies with the planning policies set out in the Leeds Unitary Development Plan Review (2006), supplementary planning guidance and national planning guidance. The proposed development is considered to preserve the character and appearance of this part of the Far Headingley Conservation Area. There are no other material planning considerations that outweigh this finding. The proposal is therefore recommended for approval.

Background Papers:

Site history files



11/03234/FU
11/03370/CA

WEST PLANS PANEL

