



Position Statement report of the Chief Planning Officer

PLANS PANEL WEST

Date: 14th June 2012

Subject: APPLICATION NUMBER 12/01236/FU: Outline application including layout, scale and means of access for 53 dwellings and full application for conversion and extension of the main school building and stable block to form 36 dwellings at the former Leeds Girls High School, Headingley Lane, Headingley

APPLICANT	DATE VALID	TARGET DATE
Morley House Trust	20.04.2012	20.07.2012

Electoral Wards Affected:

Headingley & Hyde Park and
Woodhouse

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Members are asked to note the content of this Position Statement and particularly the questions raised at the end of the report.

1.0 INTRODUCTION:

1.1 This application is brought to Panel due to the sensitivity of the site and the previous planning history. This position statement seeks to bring Members up to date with the contents of the latest and current planning application. The report focus's on the areas which officers consider still need to be resolved before the application can be determined. It also provides an opportunity for the new Members of the Panel to familiarise themselves with these proposals.

1.2 Members of this Panel will recall they have discussed this site at length at several previous Panel meetings. The last time this site was discussed by Panel was on the 12th January 2012 when the developer delivered a pre-application presentation to Panel and Members saw a masterplan which had been revised in light of the

dismissed appeal for Outline planning permission for residential development in 2011. Members noted that this masterplan had made some progress but there was still uncertainty over the level of detail being provided and members still thought the scheme need to evolve further before it could be acceptable.

- 1.3 This position statement highlights the main changes in the masterplan from the appeal scheme, briefly give a commentary on the areas which were supported by the Inspector at the Inquiry and then focuses on the outstanding areas of concerns that officers feel must be resolved before the application can be recommended for approval.
- 1.4 To assist Members, appended to this report is a copy of the latest masterplan with the block numbers shown.

2.0 PROPOSAL:

- 2.1 The current masterplan proposes to build 16 new blocks on site and convert 5 existing buildings into dwellings and apartments. These blocks would be split into detached dwellings, semi detached dwellings or terraces of up to four dwellings. One block would also house up to four apartments. In total 53 new build dwellings would be created. The conversion and extension of the main school building would provide 32 apartments. The conversion of the stable block would also provide 4 dwellings. The conversion of Rose Court to 12 apartments was allowed on appeal and does not therefore form part of the current application. Both the conversion of the Main school building and Rose Court are unchanged from the previous application. In total there would be **101 dwellings** built on site if the current application and the approved Rose court applications are combined. The previous refused application had **117 dwellings** in total (including the 12 apartments in Rose Court). The main reduction in the number of units relates to the removal of 15 apartments from the scheme which would have all been sited in the 4-5 storey block in the south west corner.
- 2.2 The design and appearance of the new build dwellings are to be dealt with at Reserved Matters but as the current application includes Scale and Layout the detail of the siting of the blocks and the heights of the blocks are important considerations in the determination of this application.
- 2.3 The new build blocks vary between 2 storey and three storeys in height and in addition some of these blocks also have accommodation in the roof.
- 2.4 The main changes between the current application and the previous application which was refused are:
- the removal of the 4/5 storey apartment block in the south west corner of the site adjacent to Victoria Road and its replacement with one 3 storey block.
 - The creation of block 19 (two storey block of apartments) in the north east corner of the site next to the sunken garden by Rose Court
 - The creation of two blocks- 17 and 18 (six dwellings in total of 2 storeys in height plus accommodation in the roof) either side of the new access road adjacent to Victoria Road in the centre of the site
 - The creation of a detached block of 4 terraced dwellings (No.9) sited midway between the Main School building and Rose Court. Previously this block was attached to the Main school building and would have provided 4 town houses.

- The section 106 package will include 5% affordable housing which could be in the form of an off site contribution, On site public open space and off site contribution for equipped childrens play provision, off site highway works and a contribution towards public transport Infrastructure in accordance with the adopted SPD and travel planning measures and associated monitoring fee.

3.0 SITE AND SURROUNDINGS:

- 3.1 The main school site is a 2.44 hectare site located off Headingley Lane. The site is triangular in shape with Headingley Lane to the north east, Victoria Road to the south and Headingley Business Park to the west. The site is within the Headingley Conservation Area and there are two listed buildings within the school site: Rose Court and the Lodge building (outside the planning application site)
- . 3.2 The site is located in a predominantly residential area with densely populated areas directly to the north east, south and south west. To the west of the site is Headingley Business Park and to the south east, Hyde Park.
- 3.3 The main school building is a 3 - 4 storey red brick building which has undergone a number of structural alterations and extensions to facilitate the continual growth of the school. The building is located on the north western part of the site facing Victoria Road to the south. Views of the building from Headingley Lane are obscured due to the topography and boundary treatment, whilst views from the south are interrupted by mature trees. The building is not listed but is a good quality building in the conservation area that makes a positive contribution towards the local character and appearance of this part of the Headingley Conservation Area.
- 3.4 The site is occupied by Rose Court and Rose Court Lodge, both listed buildings located to the eastern end of the site. Rose Court is set to the north eastern part of the site with landscaping to the front, whilst the Lodge is located in the south east corner of the site, adjacent to Victoria Road. Both buildings are built out of natural stone and have timber framed windows and doors and natural slate roofs.
- 3.5 The site also includes amenity areas constituting open space and tennis courts to the front of the main school building and car parking to the south of the site. The site also includes a large variety of mature trees both within the site and on the boundaries.
- 3.6 The site currently has two main access points, from Victoria Road to the south east corner of the site, adjacent to the Lodge and one to the North West directly onto Headingley Lane.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The following planning history on the site is considered relevant:-

July 2011: A public Inquiry was held following the refusal of Outline planning permission for residential development and also refusal of the change of use and extension of the Main school buildings and conversion of the stable block to apartments and dwellings. In total there was 5 application heard at appeal. 3 were allowed and 2 were dismissed. The Conversion of Rose Court and associated

Listed Building application along with the Conservation Area Consent application were all allowed. The Outline application and the change of use of the Main School Building were both dismissed. The Outline application appeal was dismissed on the grounds of harm to the conservation area and the setting of the listed building and also on the potential harm arising to the important trees on site, in particular those trees around the western access road and blocks 2, 3 and 10. The Main school Building appeal was dismissed because of the harm to the trees from creating the access road and also due to the harm to the character of the Main School Building from the proposed 4 storey extension.

- 4.2 November 2010: Applicants appealed against non determination of 5 applications following Panel's resolution of October 2010 to not support the officer recommendation to approve and resolved to refuse the Outline application and the Change of Use application for the Main School building. Members did not object to the change of use and listed building consent application to convert Rose Court to 12 apartments.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Prior to the submission of the current application the developer has consulted with the community and held a public exhibition to look at the appeal decision and to present options which they consider would overcome the reasons for refusal. The developer has also had several pre-application meeting with Officers to try and resolve the issues, this has been partially successful. The developer has also presented their revised masterplan to Panel which Members broadly thought was progressing in the right direction but still required further work.

6.0 PUBLIC/LOCAL RESPONSE AND CONSULTATIONS:

- 6.1 The application has been advertised via a site notice and an advert in the local newspaper. 10 letters of objection and 3 letters making other representations have been received. Including one from the Leeds HMO lobby, the Headingley Development Trust, Friends of Woodhouse Moor, the South Headingley Community Association and the Leeds Girls High School Action Group. A letter of objection has also been received from Leeds Civic Trust. The following issues are raised:

- S106 moneys should be used to buy vacant HMOs in the locality
- There is a demand for additional tennis courts in the locality.
- Sports facilities would benefit local primary schools
- New masterplan is an improvement over previous scheme but is still too intensive
- Over development in south west corner restricts views into the site
- Increase in traffic in the area
- Lack of parking on site
- Objection to the size and scale of the gatehouses either side of the new access road which obstruct views of the listed Rose Court Building.
- The public open spaces aren't well designed
- More should be done to improve public access
- The scheme would be improved if blocks 10,11,12,13,15 and especially blocks 16 (and 17 and 18 if these are retained) to two storeys
- The development is contrary to Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area Appraisal and Management Plan

- Use of artificial slate on the Main School building extension is not acceptable.
- Extent of demolition of the Main School Building is not acceptable at the entire 1905 building should be retained
- No sustainable design and construction is referenced
- Likely impact on important trees from construction and future development pressures
- Leeds Civic Trust notes that the scheme is an improvement on that rejected by the Inspector at appeal. However, a clearer pedestrian route through the site is needed; the 'gatehouse' buildings to either side of the new Victoria Road access need to be a pair of small lodges and not the 6 dwellings proposed. The design should also make clear what the impact of gardens and garden boundaries would be on public views across the site.

- 6.2 Natural England: This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species. The protected species survey has identified that bats, a European protected species may be affected by this application. The applicant is currently preparing a bat survey to address this consultation comment.
- 6.3 Travelwise: The text of the travel plan is acceptable, and is the same as that agreed prior to the recent public inquiry. The action plan (attached) and agreed layout plan need to be appended to the document before it is accepted. City Car Club has confirmed that are happy with the proposed car club location. The layout plan needs to show all the cycle parking locations (both long and short stay).
- 6.4 Contaminated Land Team: The Preliminary Investigation Report (DS) recommends that intrusive investigation be carried out.
- 6.5 Environmental Health: No objection subject to a condition to control construction and demolition works and an air quality report to be submitted. The applicant is currently preparing an air quality survey to address this consultation comment.
- 6.6 Environment Agency: No objection subject to a condition to deal with surface water drainage and run off and SUD's.
- 6.7 Mains Drainage: No objection subject to conditions to deal with surface water drainage.
- 6.8 Highways: No objection in principle but have requested revised layout plan to deal with minor details of car parking arrangements, visibility splays, turning heads, carriage way widths, bin and cycle storage. Welcome the planned closure of the vehicular access on to Headingley Lane and its retention as pedestrian, cyclist and emergency access only. New Generation Transport Team consultation response to follow. The applicant is currently preparing a revised masterplan to address this consultation comment.

6.9 Sport England: No objection in principle but they have made a non statutory objection and requested 2 of the tennis courts be retained and made available for community use. They have also requested that a contribution towards sport provision be provided by the applicant

6.10 Metro: Metro requests that the developer should fund a Bus Only Travel Card for each resident. The current price to the developer is £39,894.25. This includes a 10% fee for the administration of the scheme.

7.0 PLANNING POLICIES:

7.1 The Development Plan for Leeds currently 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.

7.2 Within the adopted UDP Review (Sept 2006):

- SA1 Securing the highest environmental quality.
- SP3: New development should be concentrated within or adjoining the main urban areas and should be well served by public transport.
- GP5: General planning considerations.
- GP7: Guides the use of planning obligations.
- GP9: Promotes community involvement during the pre-application stages.
- BD5: Consideration to be given to amenity in design of new buildings.
- H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy.
- H3: Delivery of housing land release.
- H4: Residential development on non-allocated sites.
- H11, H12 and H13 Affordable Housing.
- H15, Area of Housing Mix
- LD1: Criteria for landscape design.
- N2 and N4: Provision of green space in relation to new residential developments
- N3; Priority given to improving greenspace within the priority residential areas identified.
- N6 Protected Playing Pitches.
- N12: Development proposals to respect fundamental priorities for urban design.
- N13: Building design to be of high quality and have regard to the character and appearance of their surroundings.
- N14 to N22: Listed buildings and conservation areas.
- N19, Conservation Area assessment
- N23: Incidental open space around new built development.
- N38B and N39A: set out the requirement for a Flood Risk Assessment.
- T2: Seeks to ensure that developments will not create or materially add to problems of safety, environment or efficiency on the highway network.
- T15: Improving vehicle accessibility.
- T24: Requires parking provision to reflect detailed guidelines.

7.3 Supplementary Planning Guidance

- SPG3: Affordable Housing;

- SPG4: Greenspace Relating to New Housing Development;
- SPG11:Section 106 Contributions for School Provision;
- SPG13: Neighbourhoods for Living;
- SPD Public transport improvements and developer contributions;
- Street design guide SPD, and
- Travel plans SPD (Draft).
- Headingley and Hyde Park NDS
- Headingley Hill, Hyde Park and Woodhouse Conservation Area Appraisal

7.4 Government Guidance

The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF sets out up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 173 refers to viability considerations and paragraph 204 refers to the CIL tests which all Planning Obligations should be assessed against. Paragraph 56 refers to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to the desire to optimise the potential of the site to accommodate development. Paragraph 131 refers to the requirement of Local Planning Authorities to take account of:

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

Emerging Core Strategy

7.6 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.

8.0 MAIN ISSUE:

- 8.1 The main issue for consideration in this report are the:-
- 8.2 The layout, siting, scale considerations of the Masterplan;
- 8.3 The impact on the character and appearance of the conservation and the setting of the listed building Rose Court;
- 8.4 The impact on important trees; and
- 8.5 The S106 package

9.0 APPRAISAL:

- 9.1 Officers have now had an opportunity to discuss the current application with design, landscape, highways and arboricultural colleagues in some depth and also take account of the representations received thus far. Officers have written to the developer to request revisions to the masterplan in line with the comments within this report. The developer is currently considering these requests and is likely to respond in writing before the Panel. Officers will bring a verbal update to Panel to inform members of any changes that happen following publication of this report.
- 9.2 This report focuses on the areas that officers consider have not been resolved by the latest masterplan. Members are asked to comment on the revised proposals under the following headings:-

Western access road

- 9.3 The developer undertook site investigations in order to establish whether the western access road could be constructed to a suitable standard without impacting on the important trees which the Inspector considered should be retained. Members will recall they were broadly supportive of the principle of the use of the existing access road on the western boundary subject to the detailed design not impacting on the trees. The trial hole results found that there were limited tree roots under the existing access road, but this apparent relative absence of rooting volume appears to hinge on the findings of highway engineers and not arboricultural officers. As such further on site investigations are required to confirm the situation. If it is demonstrated that there are no tree roots which would be affected by the road construction, a definitive design must be finalised as part of the current application and form part of the approved drawings. At present the detailed road design has not been prepared by the developer. This will need to be completed to highways and landscape officers satisfaction and prior to granting outline permission once the extra site investigation is complete.

Do Members agree with officers comments above regarding the need for a detailed road design to be agreed should it be shown that the trees in the vicinity will not be affected by the construction?

Design coding

- 9.4 The design code is not as well developed as officers were hoping, particularly given the sensitive nature of the site and the impact heritage assets it contains. A design code should provide a set of definite instructions, rather than general guidance or advice. Unfortunately, the document is little changed from the very general discussion document that was produced at the beginning of the pre-application discussions, presenting alternative 'treatments' based on examples of other developments. This leaves, for example, the appearance of blocks 9 and 19 very uncertain and these are key elements of the proposed development. Overall, the Design and Access statement on design falls short of actually providing a design code by some margin. Photographs are presented as 'examples of what could be' but there is little that defines what is required at the next stage. Officers consider that it is necessary for the developer to create a design code which can then be used to guide the detailed design. Accordingly the applicant is being asked to draw up a Design Code to respond to this comment.

Do Members agree that a detailed design code with clear guidance is required in order to deliver design quality at the Reserved Matters stage?

Block 9 (sited between Rose Court and the Main School Building)

- 9.5 Officers consider the positioning of this block has responded successfully to the Inspector's criticism of the previous appeal scheme which was proposed as an extension to the Main School Building, but, as said above, the design code is not clear enough on its form and design. The boundary treatment of the gardens which stretch out in front into the setting of the Main Building and Rose Court is important and officers consider estate type railings would be more appropriate than the brick pier and close-boarded fences currently proposed.

Do Members agree that the design of Block 9 is critical to the setting of the listed Rose Court building and the Main school building and that this block requires very clear guidance in the Design Code to ensure that the detail is correct?

- 9.6 Bearing in mind the constrained rooting environment and dominance of the Lime tree in close proximity, Officer's suggest this block is moved a further 2m to the west in order to relieve future conflict with this tree. Officers note this will result in the loss of one of the 2 footways but consider it is better to protect the tree in this instance.

Block 10

- 9.7 Despite repeated requests to improve separation between block 10 and trees 40, T46, T47, T48 & T51 little has changed in this regard. The developer is of the opinion that the appeal decision did not explicitly refuse the appeal on the impact of this block on the trees but the Inspector did express serious concerns about the relationship of the block to the trees. If the applicants abricultural specialists' advice regarding reduced rooting volumes beneath the existing western carriageway is correct it is likely that rooting volume from the above trees will be so much greater in the open soils in the area of block 10. This issue requires further consideration once the presence of roots within the footprint of the western access has been explored more fully. Officers consider the size and siting of the block will harm the existing trees either through construction or through long term pressure from future residents to fell the trees.

Do Members think that block 10 is acceptable in its current size and siting given the likely impact this block will have on important trees or should this block be removed or reduced in size and footprint?

Blocks 17-18

- 9.8 At the pre-application stage officers had suggested the idea that a pair of 'lodge gate houses' could be created by the new access road which might be an acceptable form of development. Officers consider that the size and siting of the proposed 'lodge gate houses' which was discussed at the pre-application stage should be similar in scale to the existing lodge in the south east corner and the gatehouse in the north west corner of the site. The current proposal is to site 6 dwellings in four blocks with three floors of accommodation to either side of the Victoria Road access. The scheme as currently proposed is considered cramped, crowded up to the Victoria Rd frontage, to have unacceptable rear courtyard parking and garden arrangements and does not provide adequately for new tree planting. Officers have advised the applicant that we could support no more than a pair of two storey dwellings. This is in line with the view expressed by the Panel at the meeting of 12 January 2012, where members supported the principle of a pair of buildings to form a gatehouse feature but considered that they should be reduced in size from the scheme then presented. Officers consider that The Design Code should stipulate a pair of houses with gables

facing on to Victoria Road with the second floor accommodation being located in the roof space.

Do Members consider that blocks 17 and 18 should be scaled down in line with Officers advice for a pair of 'lodges' which have only two levels of accommodation of which the second floor is within the roof space?

Block 19

- 9.9 This is one part of the application which at the pre-application stage no consensus was reached on. Officer view was that a single house with a square footprint may be acceptable but the principle would have to be established by the detail (which has not been received as part of the application supporting information). Officers advised the developer that we saw this house existing like a garden building, which puts limitations on the size and also influences the eventual design. The proposal to put a block with 4 apartments inside adjacent to Rose Court does not meet this brief and officers cannot support this part of the proposal, even with elevational details. This block will be visible from Headingley Lane over the wall and will block an important view across the site and will also limit the potential for replacement planting. It will also generate a quantum of parking provision which will not be sympathetic to the setting of the listed building. Officers consider this block in this position could cause significant harm to the setting of Rose Court.

Do Members consider that Block 19 is too large and harmful to the setting of the listed building? If so do they consider that a single dwelling with a smaller and square footprint would be acceptable?

Curtilages fronting onto Victoria Road

- 9.10 As part of the desire to improve the site's appearance and enhance the character and appearance of the site in relation to views into the site the existing timber fence on top of Victoria Road will be removed which will open up views of the rear gardens of blocks 13, 15, 16, 17 and 18. Close-boarded fencing is considered not appropriate in this context for rear gardens as currently suggested in the Design and Access Statement. Blocks 11, 12, 13, 15 and 15 have all moved from the previous appeal masterplan closer towards this boundary with Victoria Road. This has reduced the area in which replacement tree planting can take place. As such it is therefore very important that suitable boundary treatments are shown on the masterplan to avoid situations where rear gardens are enclosed by timber fences which detract from the conservation area. It is suggested also that good quality hedgerows could be used to improve the screening of the boundary treatments in these prominent locations.

Do Members share Officer's views that the need for replacement tree planting is important along the Victoria Lane frontage and also that close board timber fencing is not appropriate where it can be viewed from the public highway?

- 9.11 The proposed Section 106 package will include (sums are not available at this stage but will be provided prior to the determination of this application):
- Affordable Housing: 5% of the total number of dwellings with a mix of property types and size. All affordable housing should be sub-market tenure. On the previous application Members supported in principle that the Affordable housing contribution could be taken as a commuted sum and spent off site to buy vacant HMOs in the locality and return them to affordable housing. Plans Panel West did however reject this approach to affordable housing in a recent decision to approve a housing development at Tetley Hall in Far Headingley.
 - A contribution towards upgrading existing bus stops in the locality.
 - Travel Plan provisions and monitoring fee

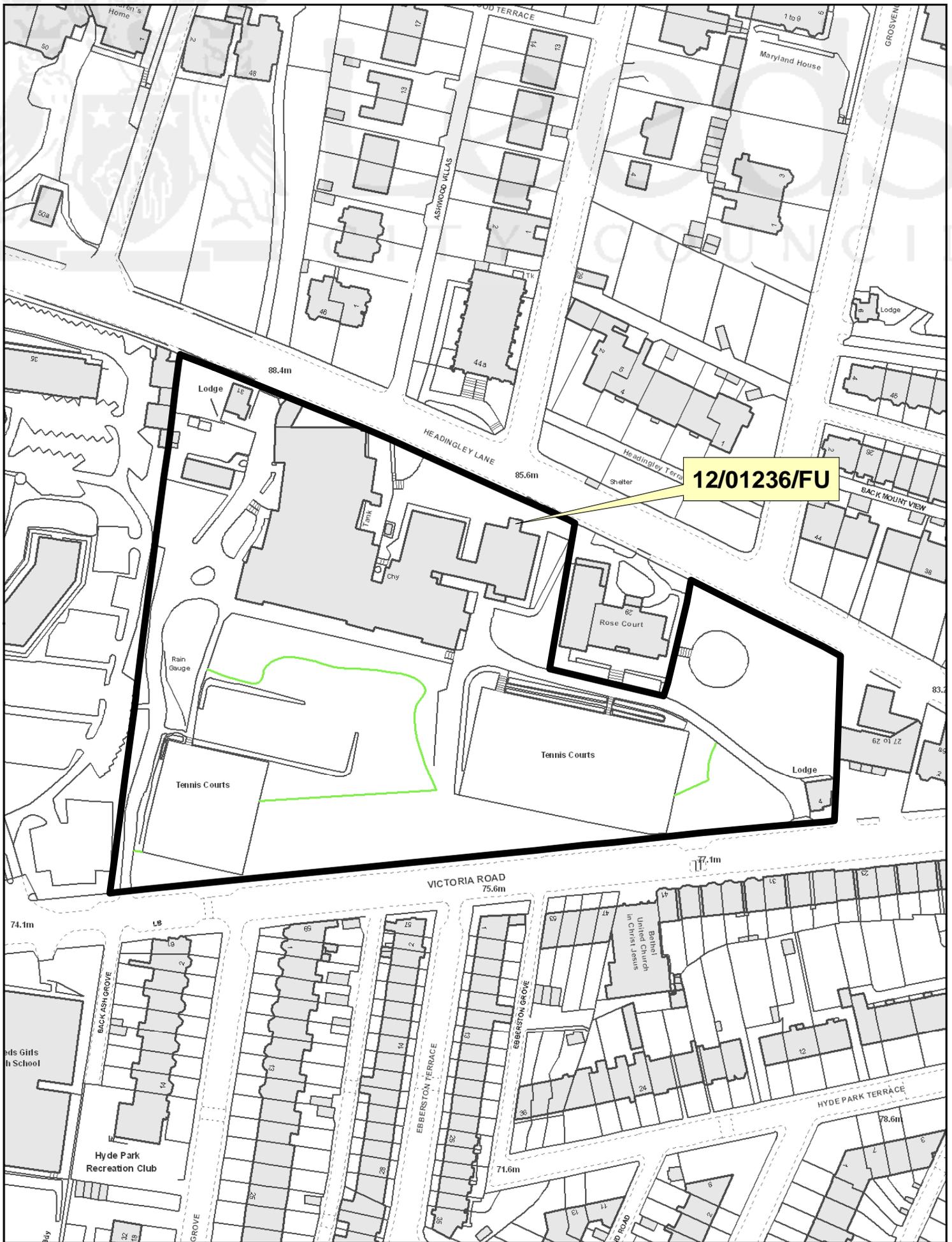
- Public Transport Infrastructure contribution.
- Education contribution
- On site public open space and maintenance and off site contribution towards equipped children's play provision

Do Members still support the approach of taking the affordable housing element of the S106 package as an off site contribution that could be spent on buying vacant HMOs in the locality and returning them to affordable housing?

9.12 Members are asked to comment upon the issues raised in this report in particular to respond to the comments which officers have set out in paragraphs 9.3 to 9.11 above

Background Papers:

Site history files



12/01236/FU

WEST PLANS PANEL



The surrounding context plan has been superimposed onto an Ordnance Survey image and is therefore subject to a detailed survey. The main school site itself is based on a site survey and is subject to confirmation of legal ownership boundaries, approvals and agreements of all statutory authorities and undertakers necessary for all supplies, way leaves and diversions, all of which are unknown at the time of preparing this drawing. This drawing is also subject to all necessary local authority approvals and agreements.



DRAWING FOR ILLUSTRATIVE PURPOSE ONLY

DRAWING FOR ILLUSTRATIVE PURPOSE ONLY. REFER TO INDICATIVE MASTERPLAN DRAWING 2011-135/102 FOR DETAIL

For Planning

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PROJECT
LGHS REDEVELOPMENT SITE
HEADINGLEY

TITLE
INDICATIVE MASTERPLAN
(RENDERED VERSION)

SCALE
NTS @ A2 DATE
09/03/12

DRAWN
KJ REVIEWED
SS

DRAWING NO
2011-135/108 REVISION

FILE PATH
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