

NORTH AND EAST PLANS PANEL

Meeting to be held Remotely on
Thursday, 13th August, 2020
at 1.30 pm

MEMBERSHIP

Councillors

D Collins
R Grahame
D Jenkins
E Nash
K Ritchie (Chair)
N Sharpe
M Midgley
T Smith
B Anderson
P Wray

Note to observers of the meeting:

To remotely observe this meeting, please click on the link below. This will take you to the Leeds City Council's YouTube channel, and the meeting can be viewed live from there.

<https://www.youtube.com/playlist?list=PLggQFjpTLgplgAcWdE9UNwAaDYRCjTMWS>

Agenda compiled by:
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Governance Services
Civic Hall
Tel: 0113 3788656

A G E N D A

Item No	Ward	Item Not Open		Page No
1			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded) (*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	
2			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC 1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report. 2 To consider whether or not to accept the officers recommendation in respect of the above information. 3 If so, to formally pass the following resolution:- RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-	

Item No	Ward	Item Not Open		Page No
3	Chapel Allerton		LATE ITEMS To identify items which have been admitted to the agenda by the Chair for consideration (The special circumstances shall be specified in the minutes)	5 - 12
4			DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.	
5			APOLOGIES FOR ABSENCE	
6			MINUTES - 9TH JULY 2020 To consider and approve the minutes of the North and East Plans Panel meeting held on 9 th July 2020.	
7			19/04950/FU - DEVELOPMENT OF 58 NO APARTMENTS FOR RETIREMENT/LIFESTYLE LIVING EXCLUSIVELY FOR RESIDENTS OF AGE 55+, ASSOCIATED COMMUNAL SPACES, ACCESS GROVE LANE AND NEW LANDSCAPING LAND ADJ TO GROVE PARK CARE HOME GROVE LANE, MEANWOOD, LEEDS To consider the report of the Chief Planning Officer for a development of 58 No. apartments for retirement /lifestyle living exclusively for residents of age 55+, associated communal spaces, access Grove Lane and new landscaping on land adjacent to Grove Park Care Home, Grove Lane, Meanwood, Leeds. (Report attached)	13 - 32

Item No	Ward	Item Not Open		Page No
8	Gipton and Harehills		18/04343/RM - OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS TO PROVIDE A NEW PATHOLOGY FACILITY INCLUDING PARTIAL BASEMENT, NEW EXTERNAL WASTE COMPOUND, ASSOCIATED HARD LANDSCAPING AND ACCESS ARRANGEMENTS LEEDS TEACHING HOSPITALS NHS TRUST ST JAMES HOSPITAL, BECKETT STREET, BURMANTOFTS LEEDS To consider the report of the Chief Planning Officer for an outline application for the demolition of existing buildings to provide a new pathology facility including partial basement, new external waste compound, associated hard landscaping and access arrangements at Leeds Teaching Hospitals NHS Trust. St James Hospital, Beckett Street, Burmantofts, Leeds. (Report attached)	33 - 48
9			DATE AND TIME OF NEXT MEETING The next meeting of North and East Plans Panel will be on Thursday 10th September 2020, at 1:30pm.	
2				
a)				
b)				

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties— code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

NORTH AND EAST PLANS PANEL

THURSDAY, 9TH JULY, 2020

PRESENT: Councillor K Ritchie in the Chair

Councillors D Collins, R Grahame,
D Jenkins, E Nash, N Sharpe, M Midgley,
T Smith and B Anderson

CHAIRS OPENING REMARKS

The Chair welcomed everyone to this the first “remote meeting” of North and East Plans Panel and apologised for the delay in the start of the meeting which had been due to technical issues.

The Chair explained that internet connectivity may be an issue for some participants and suggested it may be appropriate to appoint a Deputy Chair who could assume the Chair should the Chair lose connectivity.

The Chair proposed that Councillor Elizabeth Nash be nominated as the Deputy Chair, the proposal was seconded, upon been put to the vote the motion was passed.

1 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

2 Exempt Information - Possible Exclusion of the Press and Public

There were no items which required the exclusion of the press and public.

3 Late Items

There were no formal late items. However, information provided by the objector had been circulated to Members as supplementary information, but on advice had been withdrawn from public view in light of concerns raised over its content by the applicant’s representative.

4 Declarations of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made.

5 Apologies for Absence

There were no apologies for this meeting.

6 Minutes - 27th February 2020

RESOLVED – That the minutes of the meeting held on 27th February 2020, be approved as a correct record.

7 19/07228/FU CONSTRUCTION OF A PAIR OF TWO STOREY SEMI-DETACHED DWELLINGS SHERI DENE , ELMWOOD LANE, BARWICK IN ELMET, LEEDS

The report of the Chief Planning Officer set out an application for the erection of a pair of two storey semi-detached dwellings at Sheri Dene, Elmwood Lane, Barwick-in-Elmet, LS15 4JX.

This application had been subject to a site visit which had taken place on the 27th February 2020. At the meeting the application was subsequently deferred. Minute 81 refers.

Members were advised that officers had been on site since the last meeting and the presentation before them included updated photographs of the site as it was currently.

Since the publication of the report there had been additional representation and information which the Planning Officer provided for Members:

- Updated position on the Judicial review which was set out at paragraphs 2 and 3 of the report. All Parties have now signed a consent order and the condition on the original planning permission has now be quashed;
- Additional representation had been received from the residents at Throstle House who are of the view that the front building line should be maintained;
- Mr Hardy of Elmwood House had also sent in further representations which he had sent to Panel Members which included:
 - Additional drawings submitted by the agent are incorrect;
 - Raised concerns in relation to the conservation officers comments in relation to the listed building and the conservation area including the ‘crofts’ and ‘tofts’, the walls; and also relates to pre-determination of this application and that the Planning Officers report is biased;
 - Lack of engagement with the local community;
 - Also queries the content of the report and the description of the site and the area was of the view that negotiations etc. were flawed;
 - Concerns also raised on the greenfield site and the impact on the conservation area, impact on the listed building and impact on residential amenity of future occupants.

The presentation included photographs, drawings and maps.

Members were advised of the following points:

Draft minutes to be approved at the meeting
to be held on Thursday, 13th August, 2020

- Barwick-in-Elmet is a village with a few shops and public houses;
- The character of the area is a mix of historic and more modern buildings;
- Elmwood House is a grade II listed building along with curtilage front boundary wall;
- The proposal is for a pair of 2 storey semi-detached dwellings which would sit on the footprint of the previous bungalow. However, the proposed development is slightly larger than the previous footprint;
- The would be a single storey to the rear of the properties;
- The gardens of the two dwellings would be separated by a hedge along the boundary;
- Additional access off Elmwood Lane would be provided by 'puncturing' through the front boundary wall;
- The proposed dwellings would have gable roofs and chimneys. The construction materials are to be of natural stone and slate;
- Both dwellings would comprise of four bedrooms two including en-suites;
- The grass verge between the road and the boundary wall would remain, but the conifer growing close to the wall would be removed;
- The character of the area is varied with a mix of properties and materials;
- Members were advised of heritage issues and of legislation in relation to conservation areas;
- The amenity distances were in compliance of national planning guidance and regard had been given to the oblique nature of Elmwood House and that no over dominance or over shadowing would be an issue;
- The site was deemed to be greenfield and brownfield as the application is slightly larger than the footprint of the previous dwelling;
- The dwellings exceeded space standards;
- Access to and from the site was suitable with good visibility;
- Each dwelling would benefit from an Electric Vehicle Charging Point;
- This application has been scrutinised by a number of officers within the Council;
- S106 for planting and maintenance would be covered by a condition;
- It was the opinion that any overlooking was mutual overlooking and in compliance with policy.

The Legal Officer confirmed that legal tests in relation to Sections 66 and 72 Planning (Listed Building and Conservation Area) Act 1990 had been met and were detailed within the submitted report. She advised Members when considering the application they must bear in mind the legislative impact of section 66 and 72 and consider the historic importance and the weight of preserving the building. She explained that the setting when considering a listed building was of importance.

The Conservation Officer advised the Panel of the following points:

- Elmwood House is early 19 century Georgian house, it is well proportioned and has good architectural merits;

- Its historical value is that of a domestic house in a village. Its position in Main Street sits with smaller more cottage type houses. This is part of its historic value of how houses developed in a rural setting;
- The continuous frontage of the properties sets out the underlying medieval pattern of 'tofts' and 'crofts' as mentioned by Mr Hardy in his representation. These are a narrow long strip of land which would have had a farm at the front and farm buildings behind leading on to Elmwood Lane. This is a planned settlement. It was noted that this pattern has been infilled and overlaid by developments at rear through the late 19, 20 and 21 century. However, the line of the 'tofts' and 'crofts' can still be seen in the high walls running alongside the plot. It was the view of the Conservation Officer that the proposed development would preserve the special frame set by the high walls;
- The impact on the listed building by the proposed development Elmwood House has off set views is partially hidden by a large garage on the boundary, it was not the view that the proposed development would impose on the listed building, but that the impact would be neutral.

Mr Hardy speaker against the proposal addressed the Panel informing them that he was a Planning Lawyer of twenty years. He said that he was not against the development of the site or neighbours, but was of the opinion that this was a poor planning application and was an overdevelopment of the site. He said there had been no communication or consultation with himself, the Parish Council or the community.

He raised his concerns as follows;

- The drop in land to the rear of the property meant that from both the bedrooms there would views into neighbouring properties;
- The heritage report was legally flawed even the revised report failed to comply Section 66 and 72 in relation to listed buildings;
- 50% of the front boundary wall would be lost to provide access to the new properties;
- The character of the area would be damaged as well as damage to Elmwood House a Grade II listed building.

In responding to questions from Members, Mr Hardy informed the Panel of the following points:

- The brick on top of the front boundary wall was not part of the original wall and served no historical provenance and that the removal of the bricks would be an improvement;
- The demolition of the bungalow was a criminal offence, the contractors had failed to deal with the asbestos contamination in the correct way and had damaged the boundary wall;
- The definition of Greenfield as set out in the NPPF was of land occupied by a permanent structure now demolished and now blended into the landscape. The land on the site now had self-seeded and currently looked more like a paddock;

- He was of the view that a single storey or 1.5 storey dwelling would be a more acceptable use of the site;
- There had been no consultation, no engagement with the community or the Parish Council;
- The Neighbourhood Plan indicates sensitive development within the conservation area. There is no specific view on the character of the property, but HO2 of the Neighbourhood Plan does specify in relation to overdevelopment and therefore is in breach of this. There is nothing in the Plan about the need for bungalows only that developments should be of a sensitive design;
- The concern was with the bulk of the proposed dwellings as it would be doubling the height of the bungalow previously on the site. There had been no issues with Sheri Dene (the bungalow) in relation to overlooking as there would be with the two properties proposed;
- This was not about a right to a view but was a concern about the overdevelopment, overbearing and planning consideration about amenity;
- There is a drop of 3.5 metres in land levels from the development site and Elmwood House. The distance from the proposed dwellings is just over the minimum distances from the boundary. It was the gain in height that was the concern;
- Mr Hardy was of the view that the drawing provided by the developers were wrong.

The Group Manager, Area Planning provided a full context of policy for Members.

Mr Taylor attended the Panel as the applicant's representative, he addressed the Panel providing the following information:

- With regards to the accuracy of the additional views of the residents he explained that measures and survey information were provided by software;
- He agreed that the wall to the front of Birch Lodge was inaccurate on the drawings as it was shown to be too high. The boundary wall between the two properties was important;
- The software used was more accurate and provided better information for the site than that of Google Street View;
- The front boundary wall was 20 metres long and they were only looking to remove 3.6 metres for the new access point;
- Amenity – levels across the site of 3.5 was correct. However, the building further down the site measured at 2.3 metres was not full storey height. The rear of the property to Elmwood House is oblique so effects the distance;
- The design is sympathetic to the conservation area.

Mr Taylor in responding to questions from Members provided the Panel with the following information:

- There had been no consultation carried out with the community, neighbours, local ward members or the Parish Council;

- The application for two houses on the site was appropriate in the view of DEN (the applicant's agent) and the Council's Planning Section;
- He was not aware of any planning need for bungalows in the village;
- He had not been involved with the demolition of the bungalow, so unable to comment;
- The boundary wall was 2.1 metres in height on the adjacent property and 2.6 metres in height on the side of the site;
- Without the view of his client he was unable to say that non-reflective windows could be installed, but noted that the house adjacent had non-reflective windows and could be a consideration;
- The outbuildings would remain they would be made good they were interlinked with the existing wall.

Responding to questions from Members officers advised the Panel of the following points:

- Policy definition was provided as to minimum standards in relation to distances between properties. It was noted that the distances between the proposed dwellings and the neighbouring properties complied and in some cases exceeded the minimum requirements;
- The differing levels in land along the rear boundary differed from 90cm to 1.2 metres;
- Neighbourhood Planning Policies had been taken account of and these were specified at paragraph 44 of the submitted report. No other policies needed consideration.
- In relation to climate change the development would benefit from permeable paving, hedging was to be used for landscaping and boundaries and water butts to be installed. All legal test had been met and the development was sustainable in line with current policies;
- There would be two parking spaces for each dwelling although it was noted that one property may have space for one more car if required;
- Conditions for landscaping could be imposed to ensure the planting of trees and hedges.

Member's discussions included:

- Design of the dwellings;
- Distances between the proposed dwellings and neighbouring properties;
- Conditions in relation to Permitted Development;
- Lack of consultation with local ward members, community and Parish Council;
- The need for local ward members input into new planning applications;
- Differing land levels and overlooking issues.

It was noted that Cllr Ryan Stephenson had requested that this application be considered by the Plans Panel. It was also reported by Cllr. Anderson that Cllr Matthew Robinson was unhappy about the application and that no consultation had been taken with local ward members, the community or the Parish Council. However, officers confirmed that no comment had been received from Cllr Robinson on this matter.

RESOLVED – The planning permission be granted subject to conditions set out on pages 13 and 14 of the submitted report and to include the following additional conditions in respect of:

- Details of existing and proposed ground and finished floor levels;
- Details of windows, including glazing, to the rear elevation;
- Details of sustainability measures to be incorporated into the design, including insulation, to be submitted for approval.

8 Date and Time of Next Meeting

The next meeting of the North and East Plans Panel will be Thursday 13th August 2020, at 1:30pm.

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Originator: Glen Allen

Tel: 0113 3787976

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 13th August 2020

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

APPLICANT

Roseville (The Paddock) Ltd

DATE VALID

08/08/2019

TARGET DATE

17/11/2019

Electoral Wards Affected:
Chapel Allerton
Headingley
Weetwood

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

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

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

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

Conditions:

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

INTRODUCTION

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

PROPOSAL

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

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

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

SITE AND SURROUNDINGS:

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

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

RELEVANT PLANNING HISTORY:

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

HISTORY OF NEGOTIATIONS:

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

PUBLIC/LOCAL RESPONSE:

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

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

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

MEMBER RESPONSE

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

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

CONSULTATIONS RESPONSES:

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

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

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

PLANNING POLICIES:

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

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

Core Strategy:

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

Leeds UDPR Retained Policies

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

Natural Resources and Waste Management Plan

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

Supplementary Planning Documents

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

National Planning Policy Framework (NPPF)

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

MAIN ISSUES

- 50 The main issues relating to this development proposal are:

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

APPRAISAL

The principle of the development

- 51 As the site has no allocation in the SAP, it falls to be considered as a windfall site under the terms of H2 of the CS as development of a greenfield site within the Main Urban Area. The site is located in a highly sustainable location and is considered to meet the criteria of Accessibility Standards in Table 2 of Appendix 3 of the CS as referred to by Policy T2 of that document.
- 52 Policy H2 (a) does afford some protection to open land like this stating greenfield land:
- Should not be developed if it has intrinsic value as amenity space or for recreation or for nature conservation, or makes a valuable contribution to the visual, historic and/or spatial character of an area,
- 53 In terms of the criteria of this part of the policy that the scheme should be measured by whilst it is open green space the main amenity value is in its visual contribution to the locality. However given its close proximity to the “urban fringe” it is

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

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

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

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

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

Affordable housing requirements

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

Contribution towards 5 year housing land supply

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

Health and Wellbeing

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

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

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

Greenspace

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

Design

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

Amenity of neighbours

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

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

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

Highways

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

Landscape including trees

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

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

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

Ecology

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

Climate Change

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

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

EVC Provision

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

Housing Mix

- 90 The housing mix to be provided is:

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

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

Accessibility and inclusivity

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

Sport England Comments

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

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

- 95 The fencing needs to be 8 metres above ground level (agl) and will be located on the development side of the boundary at an 11 metre distance from the main wall closest to that fencing, (the balconies will therefore be closer). The Council have no design guidance advice for such structures because they are rare and therefore each must be treated on its merits.
- 96 Whilst the structure is itself fairly substantial in terms of height, the mesh nature of the fencing will, it is considered, be to all intents and purposes a transparent element and only the relatively slim line upright poles supporting the mesh fencing being of a solid construction. Therefore there will, it is considered, be minimal impact on light loss over the application site and minimal loss of outlook from the higher level units. The distance of 11.0 is considered sufficient to prevent any harm to loss of outlook or overbearing impact on future occupiers of the units due largely to the transparent nature of the proposed fencing

Unilateral undertaking requirements

- 97 The applicant has submitted a Unilateral Undertaking to cover the aspects of Greenspace provision, improvements to local bus stop in the form of shelters and real time information panels, and affordable Housing. In order to be acceptable these provisions need to meet the tests laid out in paragraph 56 of the NPPF and Regulation 122 of the CIL regulations which states that obligations in agreements made under Sec. 106 of the Act should meet the following tests:
- a) Necessary to make the development acceptable in planning terms
 - b) Directly related to the development and
 - c) Fairly and reasonably related in scale and kind to the development
- 98 In respect of each obligation proposed it is considered that they satisfy these requirements in the following ways;
- 99 Greenspace Contribution: This is in two parts, the provision of a sum of money for the upgrade and maintenance of the PROW and the commuted sum required for the provision of off-site greenspace that development of the site will bring additional pressure to bear on the existing Greenspace provision in the locality including use of the PROW adjacent to the southern boundary of the site. The financial contribution will allow for the improvement and medium term maintenance of existing greenspace in the locality that is likely to be used by future occupiers. In this regard it allows the development to comply with Policy G4 on Greenspace provision and is thus directly related to the development. The calculation of the sum required is used to ensure that the sum requested is fairly and reasonably related in scale to the development taking into account as it does the quantum of development proposed. It is therefore concluded that this obligation is compliant with the tests in the NPPF.
- 100 The development will increase the demand for the use of public transport in the locality increasing as it does the quantum of development on the site compared to the level of the development on the site presently. To this end the provision of the shelters and real time information panels will help the development meet the requirements of Policy T2 in making it more sustainable and attractive to residents both future and existing ones, the use of public.

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

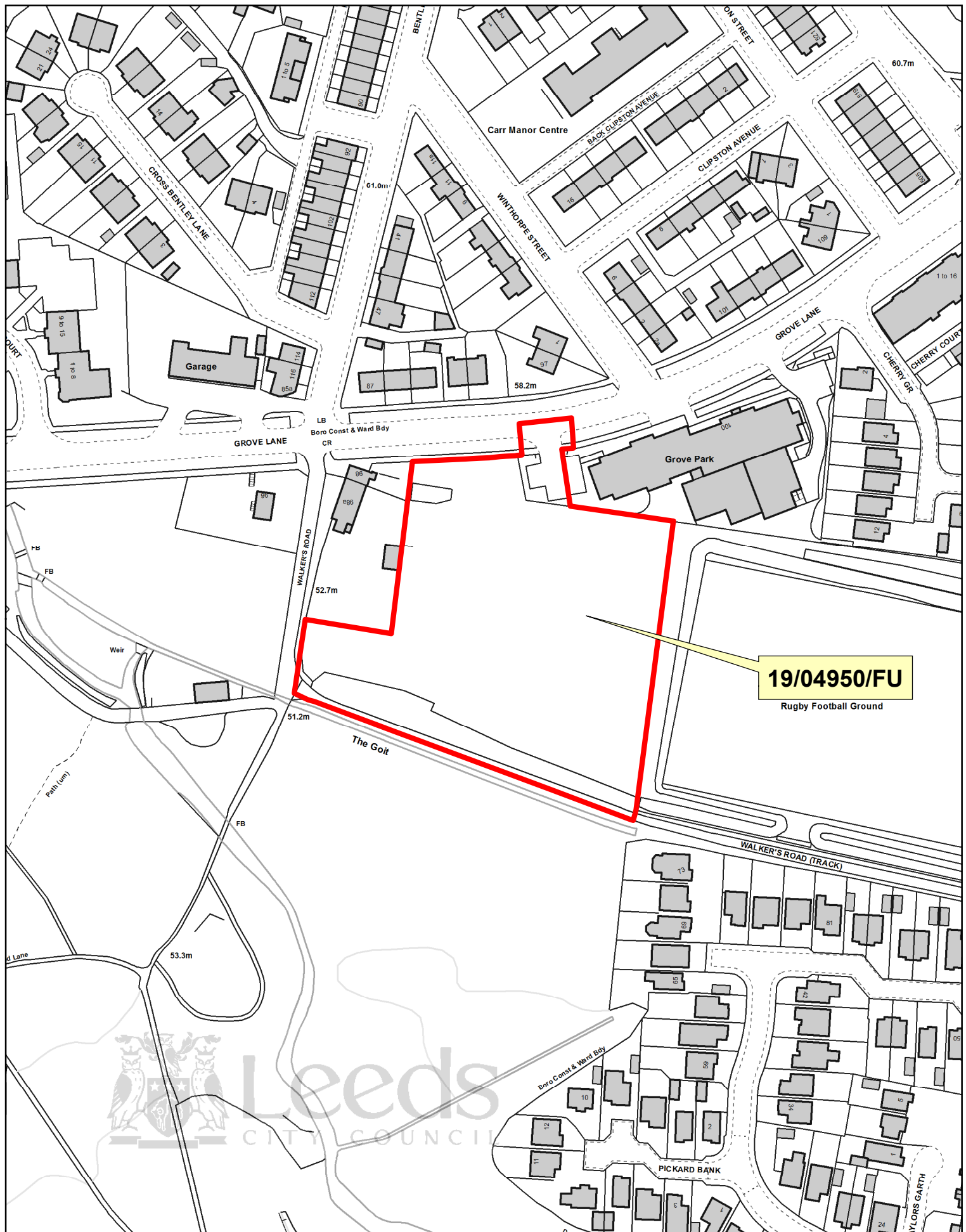
CONCLUSION

- 102 The development is considered acceptable, in that it meets or exceeds the requirements of the relevant policies in the Leeds Core Strategy including those in the Selective Review, and as discussed in the main body of the report.
- 103 The site is not formally protected from development and the detailed design includes a generous landscaping setting and the retention of many on-site trees to the extent that its greenfield status and the visual role it plays within the streetscene will not be unduly compromised. The amenity impacts which flow from the development are considered to be acceptable and in the case of overlooking that has been specifically highlighted adequate mitigation is considered to exist. No concerns in respect of access are raised and sufficient off-street parking is to be provided. Good accessibility and amenity provision for the proposed occupiers is also provided and Sport England's concerns have been addressed by the introduction of ball stop netting.
- 104 Therefore the proposal is in accordance with the Development Plan and is considered to be acceptable and is recommended for planning approval subject to the conditions set out above and subject to the terms of the planning obligations set out at the head of this report.

Background Papers:

Application files: 19/04950/FU

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



NORTH AND EAST PLANS PANEL

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Page 31

SCALE : 1/1500





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

- KEY:
- Application Boundary
 - Proposed Buildings:
Refer to Architects details.
 - Existing Trees:
Refer to Tree Survey
Dashed Line = Root Protection Area for further details (Brooks Ecology AR-3740-01)
 - HARDWORKS
Surfaces and Finishes
 - Yorkstone Paving:
Random sized sawn yorkstone laid in courses parallel to building facade.
 - Resin Bound Gravel:
6mm buff aggregate porous paving
 - Shared Surface
Porous concrete aggregate paving
 - Brick Paving:
Clay brick paviors in herringbone pattern
 - Wall:
Brick entrance feature wall 1.2m high with stone plaque
 - Boundary Fence:
Min. 1.8m high timber close boarded fence
 - SOFTWORKS
 - Proposed Tree:
3-6m high ornamental and native specimens to provide year round interest.
 - Ornamental Planting:
Mix of Herbaceous perennials, grasses and shrub planting in large swathes.
 - Woodland planting:
Mix of Herbaceous and evergreen ground cover plants with seasonal bulbs
 - Hedge:
Hornbeam hedge defines frontage
 - Lawn:
Robust ornamental lawn with areas of wildflowers and bulbs to improve biodiversity
 - LEVELS
 - Existing Levels
+31.50
 - Proposed Levels
+31.41

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

DRAWING STATUS:
PLANNING



0113 3227952 | laand.co.uk | hello@laand.co.uk

CLIENT Roseville		
PROJECT Grove Lane Residential Development		
TITLE Landscape Layout Plan		
SCALE: 1:250 @ A1	DRAWN + DATE: AN 28/03/2019	APPROVED + DATE: AN 28/03/2019
DRAWING NUMBER: 19-68-53-100	REVISION: 03	



Originator: Sarah McMahon

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 13th August 2020

Subject: 20/01844/OT - Outline Planning Application for the demolition of existing buildings to provide a new Pathology Facility including partial basement, new external waste compound, associated hard landscaping and access arrangements, at St James University Hospital, Beckett Street, Burmantofts, Leeds.

APPLICANT

Leeds Teaching Hospitals NHS Trust

DATE VALID

14 April 2020

TARGET DATE

TBA

Electoral Wards Affected:

**Burmantofts & Richmond Hill
Gipton & Harehills**

Yes

**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 conditions at the Appendix and any others which the Chief Planning Officer considers appropriate and subject to the completion of a Section 106 agreement to secure the following:

1. Employment and training of local people
2. The provision of a travel plan fee of £3,857.00
3. A management fee of £750.00

In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the applications shall be delegated to the Chief Planning Officer.

Conditions

1. Reserved matters required for : Layout, Scale, Appearance and Landscaping
2. 5 year time limit
3. Approved plans
4. Statement of demolition and construction practice to be agreed
5. Construction working hours (08.00 to 18.00 Mon to Fri, 08.00 to 13.00 Sat)
6. Impact of coal mining legacy to be addressed

7. Tree removal restriction out site of bird nesting session unless ecologist present
8. Ecological (bird/bat boxes) measures to be agreed
9. Levels condition
10. Landscaping condition
11. Replacement tree planting
12. Landscape protection
13. Landscape maintenance
14. External lighting to be agreed
15. Surface water drainage to be agreed
16. Foul water drainage to be agreed
17. Temporary drainage to be agreed during construction
18. Cycle and motorcycle parking to be agreed
19. Eclectic vehicle charging points to be provided
20. Parking areas (including disabled spaces) to be provided
21. Sound insulation scheme to be agreed
22. Extraction equipment to be agreed
23. Phase II site investigation report to be provided
24. Ground works in accordance with agreed strategy
25. Report any unexpected contamination
26. Imported soil to be clean
27. Verification report
28. Asbestos removal if present
29. Bin storage details to be agreed
30. Sustainability measures to be agreed

INTRODUCTION:

- 1 This application is presented to the North and East Plans Panel following an earlier pre-application presentation to Members at the meeting held in November last year. In making a number of comments regarding the proposals at that time, Members also confirmed that consideration of the formal planning application was to be via the North and East Plans Panel.
- 2 The development involves the demolition of a small grouping of existing 20th century buildings within the site and the construction of a new Pathology facility building in their place, as part of the wider, comprehensive redevelopment and regeneration of the NHS Trust's Leeds estate. The St James University Hospital (SJUH) forms part of the NHS Trust's Building the Leeds Way Investment Programme which seeks to enhance health services in Leeds and thereby assist the Trust in continuing to provide the best in terms of integrated and specialist health care in the city.
- 3 In addition to the above request from Members, the proposal is also brought to North and East Plans Panel as the development involves strategic development and represents major investment at the SJUH site, which is an important provider of health care within Leeds.

PROPOSAL:

- 4 The scheme is submitted in outline and seeks the demolition of existing vacant buildings to provide a new Pathology Facility. Whilst only the means of access has formally been applied for at this stage, indicative plans have nonetheless been provided which suggest the likely accommodation needs will include a partial basement with two floors above providing circa 5661sqm of floorspace. Other

requirements are a new external waste compound, associated hard landscaping and access arrangements. The following elements are Reserved Matters which will require further application/s and control by appropriate Planning Conditions;

- Appearance
- Landscaping
- Layout
- Scale

The application is seeking a 5 Year period for the submission of all Reserved Matters.

- 5 The new building would house all the Trust's Leeds Pathology requirements, allowing for a consolidation of Pathology services from both SJUH and Leeds General Infirmary (LGI), bringing together Biochemistry, Haematology, Immunology, Microbiology and Cytology.

SITE AND SURROUNDINGS:

- 6 The SJUH site is located approximately 2 kilometres to the north east of Leeds City Centre. To the north of the site there is a mainly residential area, where the housing is arranged in compact terraces. There is some high-rise residential accommodation and the Co-operative Academy of Leeds to the south of the site and the Beckett Street Cemetery to the east of the hospital campus.
- 7 The SJUH estate is made up from a broad mixture of buildings of different form and architectural era. The Grade II Listed Hospital Northside Building, Hospital Chapel, Block Hospital North West of the Chapel and Hospital Southside Building, are set within the demise of the hospital's estate but away from the proposals site. The location of the proposal is close to the non-designated heritage assets of the Casual Wards building, the former stables and coach house and the hospital boundary walls.
- 8 The area that is the subject of this application proposal covers some 0.75 hectares and currently has a small number of 20th century buildings, of heights up to 4 storeys, set in soft landscaping. There are a number of mature trees at the site.

RELEVANT PLANNING HISTORY:

- 9 None

HISTORY OF NEGOTIATIONS:

- 10 The proposals have been the subject of significant pre-application discussions between the NHS Trust, their Architects, and officers since September 2018. These discussions have focused on the position, scale and massing of the new building, the demolitions, heritage matters, the concepts for design, connectivity and routes, parking and transport links, and the landscape scheme including the removal of existing trees and their replacement.
- 11 In addition, Members of the North and East Plans Panel also received a pre-application presentation at its meeting on 28 November 2019. Members made the following main comments:
- Existing car parking issues in surrounding streets associated with the hospital;

- The construction of additional decks above existing surface level parking areas to increase parking capacity;
- Clarification on the number of additional staff on site at any time;
- Travel plans for staff working at the facility. Members proposed a number of options which included; staff permits, park and ride and shuttle buses including options for local people to use the service
- Request for the area for staff to have natural daylight;
- Future maintenance of trees.
- Feasibility of using District Heating system which it was noted does serve properties in the area
- A green wall located on the wall to be retained close to neighbouring houses
- Any use of cladding should be of an acceptable standard
- Members expressed the view that this would be good for Leeds and the local area with the procurement of work and jobs.

PUBLIC/LOCAL RESPONSE:

- 12 Ward Members (both Burmantofts & Richmond Hill and Gipton & Harehills) were consulted by Officers on 1st and 4th May 2020. Councillor Grahame responded stating that local residents needed to be notified of the proposals and air quality issues need to be considered.
- 13 Statutory site notices were displayed in the area on 27th May 2020. No formal representations have been received.
- 14 In addition to the statutory publicity, the applicant team is understood to have held a community engagement event and completed two leaflet door-drops prior to the formal submission to provide further details about the proposed development. Further engagement is also being offered as part of the proposal throughout the development to ensure that the local community are informed about key milestones and activities.

CONSULTATIONS RESPONSES

- 15 **Coal Authority** state that the site falls within the defined Development High Risk Area and therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered. As such Conditions are required to address site investigation and mitigation measures to deal with any resulting coal mining legacies found.
Response: Such Planning Conditions will be applied.
- 16 **Highway's** state that 51 parking spaces are currently allocated to LGI staff who park in SJUH and travel to LGI. The permits for these staff are going to be swapped with those working at the Pathology facility which raises no concern. This would leave the main carpark at capacity whilst not accommodating all the Pathology staff. The remaining 26 members of staff would have to park in SJUH carparks. From the information provided SJUH carparks are 97% full which equates to 54 unoccupied parking spaces including those from the Cytology block. This shows there is capacity to cater for the development although little spare capacity. Therefore, it is important that measures to manage demand continue to be implemented through the site specific and Trust wide travel plans. As such conditions are required to cover the submission of a Travel Plan, cycle parking, the provision for contractors during demolition and construction, the layout out of vehicle areas, electric vehicle charging points and disabled parking provision.

Response: The Applicant has already submitted a Travel Plan that has been accepted by the Influencing Travel Behaviour Team. As such it is not proposed to require a further travel plan but all other matters listed above will be subject to planning conditions.

- 17 **Transport Strategy** state that they have no objection to this proposal from an environmental impact perspective.
- 18 **Influencing Travel Behaviour Team** state that a Travel Plan monitoring fee of £3,857.00 is required and that Conditions should cover cycle parking, motorcycle parking and electric vehicle charging points
Response: This obligation will be secured via the Section 106 legal agreement and such Planning Conditions will be applied.
- 19 **Access Officer** states that the development appears to be accessible and inclusive, in line with Core Strategy Policy P10 and Accessible Leeds SPD and as such it is supported.
- 20 **Landscape** states that they have concerns regarding the loss of existing trees on site and in particular a large oak tree to the western side of the site and requests that this be retained.
Response: The Applicant has stated that none of the existing trees can be retained and this is discussed in more detail in the appraisal below.
- 21 **Nature Conservation** no comments have been received.
Response: Officers have assessed the potential ecological impacts nonetheless and condition No. 8 is recommended as mitigation.
- 22 **West Yorkshire Police** have provided guidance on Secure by Design principles to inform the detailed design stages of the development
Response: This guidance has been passed to the Applicant for consideration at the detailed design stages.
- 23 **Flood Risk Management** state that they have no objections subject to Planning Conditions to cover the details of permeability and sustainable drainage systems (SuDS), foul drainage, the detailed drainage scheme layout and construction phase drainage.
Response: Such planning conditions will be applied.
- 24 **Environmental Health** state that the nearest residential properties are on Edgware Grove, Edgware, Place and Edgware Terrace and there is the potential for disturbance from noise and dust during the demolition and construction phase and the lighting scheme for the development also needs to take account of this proximity. Conditions are required to cover construction hours, noise, mud and dust control during demolition and construction, a noise insulation scheme for the development, a lighting scheme and the treatment of any odours.
Response: Such planning conditions will be applied.
- 25 **Contaminated Land Team** state that Conditions should be applied to cover a Post-Demolition Phase II Site Investigation Report, a Remediation Report, a Verification Report, the importing of soils and the treatment of any found asbestos.
Response: Such planning conditions will be applied.

RELEVANT PLANNING POLICIES:

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

Core Strategy

- 27 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district.
- 28 Spatial Policy1: Location of Development
Policy EN1: Climate Change – Carbon Dioxide Reduction
Policy EN2: Sustainable Design and Construction
Policy EN4: District Heating
Policy EN5: Managing Flood Risk
Policy EN8: Electric Vehicle Charging Infrastructure
Policy P9: Community Facilities (including health)
Policy P10: Design
Policy P11: Conservation
Policy P12: Landscape
Policy G9: Biodiversity improvements
Policy T1: Transport Management
Policy T2: Accessibility Requirements
Policy ID2: Planning obligations

Leeds Unitary Development Plan Review Retained Policies

- 29 Policy BD2: Design and siting of new buildings
Policy BD3: Accessibility in new buildings
Policy BD4: Plant and service areas
Policy BD5: All new buildings and amenity
Policy GP5: General planning considerations
Policy LD1: Landscaping schemes

Leeds Natural Resources and Waste DPD 2013

- 30 LAND1: Land contamination issues
LAND2: Tree retention/replacement
WATER1: Water efficiency
WATER7: Control of surface water
AIR1: Air quality initiatives and management via new development

The Site Allocations Plan

- 31 The site has no specific designation under the Site Allocation Plan.

Supplementary Planning Documents

- 32 Travel Plans
Street Design Guide
Accessible Leeds
Parking Standards

National Planning Policy Framework (NPPF)

- 33 The National Planning Policy Framework (NPPF) as revised in February 2019 sets out the Government's planning policies for England and how these should be applied.
- 34 Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process
- 35 Paragraph 127 states that decisions should ensure that developments:
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 36 Paragraphs 189 to 202 of the NPPF state that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

MAIN ISSUES

- 37
1. Principle of the development proposal
 2. The impact on the character and visual amenity of the host site and surrounding area
 3. Vehicle parking, sustainable transport and travel planning
 5. Landscape proposals
 6. Sustainability measures and climate change (including air quality)
 7. Accessibility and inclusivity
 8. Section 106 legal agreement

APPRAISAL

1. Principle of the development proposal

- 38 The proposals are brought forward as an Outline Planning application, upon which only access is detailed. Appearance, landscaping, layout and scale are therefore all Reserved Matters.
- 39 The proposal is to create new specialised accommodation to house and centralise Pathology services for the NHS Trust in Leeds. The Trust states that the consolidation of Pathology services at the SJUH site would bring the following benefits;
- Reduce the duplication and variation of sample reception processes that occurs due to the geography of the current multiple labs by having one common reception for all services.
 - Provide users and patients with a more consistent and predictable service.
 - Improve the turnaround times for patient samples and reduce risk of lost and delayed samples.
 - Support more efficient workflows to be implemented across disciplines through the increased utilisation of automation and common platforms, and also by introducing new technologies.
 - Support workforce sustainability and make best use of specialist skills, as well as improving the sharing of knowledge across the service and therefore assisting in attracting, retaining and training high quality Pathology staff.
 - Improve workforce flexibility and opportunity by enabling the development of new multiskilled roles able to work across disciplines.
 - Realise opportunities to improve diagnostic turnarounds and deliver increasing capacity through increased automation supported by a 24/7 working model.
 - Ensure there is flexibility and capacity to support the future West Yorkshire and Harrogate (WYH) Pathology strategy.
- 40 The proposed building and the use therein, would be sited fully within the SJUH grounds and would complement, support and enhance existing health care services. It is also the case that the site is unallocated in the Development Plan. As such the proposal to create a new Pathology building on the proposal site is considered to be fully compliant with Policy P9 which encourages the provision of community facilities and this includes health uses.

2. The impact on the character and visual amenity of the host site and surrounding area

- 41 The SJUH has a long history in which the built form has evolved to suit clinical and teaching needs over time. As a result there is a broad mix of buildings across the campus of differing architectural eras and styles. Amongst these are 4 no. Grade II listed buildings (Hospital Northside Building, Hospital Chapel, Block Hospital North West of the Chapel and Hospital Southside Building) and a number of non-designated heritage assets. The proposal site is not geographically close to the listed buildings but is within the setting of the nearby Casual Wards building, the former stables and coach house and the hospital boundary walls, which are classed as a non-designated heritage assets.

- 42 The proposals involve the creation of a new 'state of the art' Pathology services building. This requires the demolition of the existing 20th century buildings at the

site, which the Trust confirms are redundant. The buildings are unremarkable in appearance and layout and have limited architectural and historic merit. These buildings are also not listed. Their layout and scale would prevent them from being adapted for use for Pathology services, which has very specific floor space and layout requirements. These existing buildings make a neutral visual backdrop to the setting of the nearby Casual Wards, boundary wall and the former stables and coach house. The proposed building would be a contemporary, visually respectful addition that has been designed to be of a higher quality than the existing utilitarian buildings that it is to replace. As such it has the potential to provide a more positive setting for the nearby retained non-designated heritage assets and the final detailed assessment on this will be undertaken as part of a future Reserved Matters application.

- 43 Notwithstanding the above, relatively advanced plans accompany the application so whilst still ultimately indicative in terms of what has been formally applied for (which is access only), these have been worked up by the Trust so as to demonstrate that its accommodation needs can be delivered on the site. With this in mind, a large format building will ultimately come forward but its footprint has been maximised to not only provide the most efficient layout, but to also reduce the total height of the building and respond better to the immediate context which includes the adjacent terraced residential properties.
- 44 In respect of the building design, the proposed aim is to create a building with a striking and robust materials palette that will be both visually sympathetic to its locale but at the same time ensuring it will remain current for years to come. As such the design concept indicates the building would be dressed in brick and render, with feature cladding. Clear glazed curtain walling is also shown to sweep down the building as a diagonal feature from the upper storey to the ground.
- 45 In considering the above, officers are confident that a high quality building can be delivered on the site that would be appropriate in terms of its overall scale, massing and external appearance. Member feedback as provided as part of the pre-application presentation will also be explored further at the Reserved Matters stage, including the amount of natural light received and also the possibility of a green wall.

3. Vehicle parking, sustainable transport and travel planning

- 46 Whilst the campus has existing retained multi storey and surface car parking, as well as a free staff shuttle bus service (between SJUH and the LGI) and being close to a number of high frequency bus services, it is acknowledged that there is a long standing issue with on street car parking in the residential streets surrounding the hospital campus and this is an issue that Members specifically raised as part of the pre-application feedback. In responding to this issue, the Council has (over a number of years) introduced and subsequently refined and amended various Traffic Regulation Orders in these surrounding areas to ensure that there remains sufficient parking for local residents. The ability for non-residents to park on-street and in relative close proximity to the hospital complex is therefore very limited.
- 47 The centralising of the Pathology services into the proposed building brings with it specific transportation requirements. As such 6 no. parking bays will be needed for dedicated sample and delivery drop-offs only. Indicatively these are shown to be provided to the west of the building. The site is also positioned in a central location within the hospital campus and, where possible, will rely on existing arrangements for servicing and waste collection. To co-ordinate with the existing arrangements a waste storage area is likely to be sited to the south of the building.

- 48 Currently disabled parking in the immediate area around the application is not available and so some new provision will be needed. Currently it is anticipated that 2 no. disabled parking spaces will be provided as part of the detailed proposals. Electric vehicle charging points will also be provided as part of the detailed proposals and are to be secured by a specific condition (no. 19). Cycle parking (some 34 spaces based on the suggested floorspace) will also be provided and again final details will be secured by condition (no. 18).
- 49 In terms of parking provision more generally, as currently drawn the indicative layout would remove 10 no. parking bays, to be replaced by the 2 no. disabled parking spaces (with electric vehicle charging points), and the 6 no. drop off parking spaces for the dedicated deliveries and collections. Accordingly general provision would change very little. Notwithstanding this and in recognition that additional staff would be using the building, an assessment of the numbers generates a potential parking demand of circa 77 staff. In seeking to meet this demand, the Trust has advised that 51 parking spaces at SJUH are currently allocated to LGI staff who park up and then travel by shuttle bus to LGI. The proposal is to swap the permits for these staff with those who would be working at the Pathology facility. This would result in the main car park being at capacity whilst not accommodating all the Pathology staff. As such, the remaining 26 members of staff would need to park in SJUH car parks. The information provided by the Trust indicates that the SJUH car parks are on average 97% full. This equates to 54 unoccupied parking spaces including those from the Cytology block. Therefore, there is still some spare capacity to cater for the likely parking needs of the development. Noting it would only be utilised by staff.
- 50 In addition to the on-site parking provision, the Trust operates a site wide Travel Plan at the SJUH campus and the proposals will be required to accord with the aims and objectives of this strategy. As such the following travel planning measures will be relevant to this development:
- To minimise development-associated car trips, particularly single occupancy journeys.
 - To increase staff and visitor awareness of the environmental and health implications of different travel choices.
 - To encourage a reduction in car dependency.
 - To increase the percentage mode share of walking, cycling and public Transport.
 - To maximise sustainable transport choice.
 - To explore innovative measures.
 - To work towards reducing the impacts of the development on the environment.
 - To encourage sustainable travel choices among users of the site.
- 51 Having considered the likely parking demand generated by Pathology staff, the on-site parking provision (including the ability to reallocate existing parking permits) and the travel plan that is already in operation and which it is proposed to formally link this application to via a S106 travel planning contribution for monitoring are important actors. Highway officers are satisfied that the highway impacts of the development have been resolved and a number of conditions are also recommended to secure this. No serious highway impacts are therefore anticipated and the development is considered to satisfy the requirements set out in Policies T2 and GP5.

4. Landscape proposals

- 52 Landscaping is a Reserved Matter in respect of this Outline application. The proposed development of the site will however inevitably have some implications for the existing trees on-site. The Trust's current intention and based on the indicative plans is to remove all existing trees but to create a new cohesive soft and hard landscape scheme that creates an attractive, greened setting for the building, as well amenity space for the staff working within it. To this end it is proposed to introduce appropriate new species and to improve on the ecological value of the existing site.
- 53 The Landscape Officer has expressed concerns regarding the submitted plans and the loss of a number of mature trees at the site including a large oak which lies to the western edge of the site. The Landscape Officer notes the proposed building (as currently shown) would not be on part of the site where the oak is and so this mature tree should be retained. The Trust has stated that all existing trees and some hedges on the site would need to be removed to facilitate the development and that the application is submitted in Outline only for which the detailed landscaping design is a Reserved Matter. It also advises that the detailed design of the new Pathology building is also a Reserved Matter and that this could mean that its design and technological requirements could alter at the detailed design stage. This means the Trust is seeking a cleared site so as to allow flexible to any changes to the scheme that may come forward.
- 54 The Trust has requested that all trees are removed from the site and that the detailed integrated landscape scheme comes forward with sufficient replacement trees to address the requirements of the 3 for 1 tree replacement ratio set out in Policy LAND 2, as part of a Reserved Matters application. The Trust has also stated that in respect of the two most mature of these trees to be removed (including the oak tree) it will commit to replacing these with semi-mature trees as part of the improved cohesive landscape scheme that they will be providing at the site.
- 55 Whilst officers understand the Trust's desire to provide maximum flexibility, the Outline nature of the planning application is such that final decisions regarding potential tree loss are not under formal consideration now. Accordingly officers would look to balance the Trust's requirements against the likely tree impact at the Reserved Matters application stage as this is when fully worked up proposals will be available.

5. Sustainability measures and climate change

- 56 Members will be aware the Council declared a Climate Emergency in 2019. Existing planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact of non-renewable resources.
- 57 Leeds Teaching Hospitals Trust has established a Sustainable Development Management Plan (SDMP) 2017/18. This sets out the Trust's aspiration to become one of the greenest NHS Trusts in the UK, one of which is a long-term target to reduce carbon emissions by 80% by 2050. The proposals aim to accord with the Trust's aims as well as meeting the requirements of Core Strategy (CS) Policy EN1 to reduce total predicted carbon dioxide emissions so as to achieve 20% less than the Building Regulations Part L Target Emission Rate and to provide a minimum of 10% of the predicted energy needs of the development from low carbon energy. The development is also targeting an Excellent BREEAM rating, in accordance with CS Policy EN2. To achieve these objectives measure including the following are proposed:

- Consideration of the use of photovoltaics.
- Consideration of the use of solar thermal water heating.
- Solar control glazing to avoid high solar gain loads and minimise the requirement for energy intensive and mechanical cooling.
- Mechanical ventilation systems with heat recovery.
- Efficient ventilation plant with low specific fan powers.
- Cooling systems to areas of high internal heat gain and/or occupancy only.
- Steam will be provided from the site wide network for heating and hot water provision.
- Local chiller plant will be provided for cooling purposes.
- The use of Energy Star and A+, A++ and A+++ appliances throughout the building where possible.
- Energy efficient lighting will be included through use of LED lighting, and sensor detection systems to activate lights.
- A 40% improvement in water consumption from a baseline performance is being targeted for the building under BREEAM credit Wat01. It is anticipated that water efficient fittings will be specified such as low flow taps with sensor or push button, dual flush toilets, low flow showers.
- All timber and timber-based products will be legally and sustainably sourced under FSC or a similar recognised scheme.

- 58 The above information demonstrates a number of options are available to the Trust at the detailed design stage to satisfy the requirements of CS Policies EN1 and EN2. Nonetheless, full details will be secured under condition no. 30.
- 59 In respect of the district heating requirements of CS Policy EN4 the hospital already operates a side wide steam ring main serving existing buildings and this network will be extended to provide heating for the new Pathology building, with alternative renewable energy sources explored to supplement this.
- 60 It is also the case that 2 no. new electric vehicle charging points will be provided on the adjacent surface car park to address the requirements of CS Policy EN8.
- 61 With respect to Councillor Grahame's comments about air quality, the Trust commissioned an air quality assessment which has considered the air quality risk associated with the construction phase and identified suitable construction phase mitigation measures to minimise the air quality impact associated with planned demolition and construction work. In addition, consultation was undertaken with the Environmental Studies Office for the Council to agree the scope of the assessment. As a result of this report, mitigation measures have been identified that will reduce the risk from construction, demolition dust and earthworks to the surrounding neighbourhoods to negligible levels. These mitigation measures will be implemented into the demolition and construction of the Pathology development via condition no. 4.

6. Accessibility and inclusivity

- 62 Local Planning Policy seeks developments to adopt a 'pan-disability'/ 'pan-impairment' approach, taking into account and creating an inclusive environment for people with a wide range of impairments. Good building and spaces design should ensure accessibility for all. In this instance the proposal is for a staff only building that needs to accommodate the potential needs of all of its staff. The scheme, as currently drawn seeks to embed accessibility into its interior layout and design, with level floor plates and entry point and accessible lifts and through its external spaces. Disabled parking bays are also shown to be created directly opposite the main

entrance to the building. It is therefore clear the Trust is already 'alive' to the accessibility requirements for the building and its staff and final details on this issue will be provided at the Reserved Matters application stage.

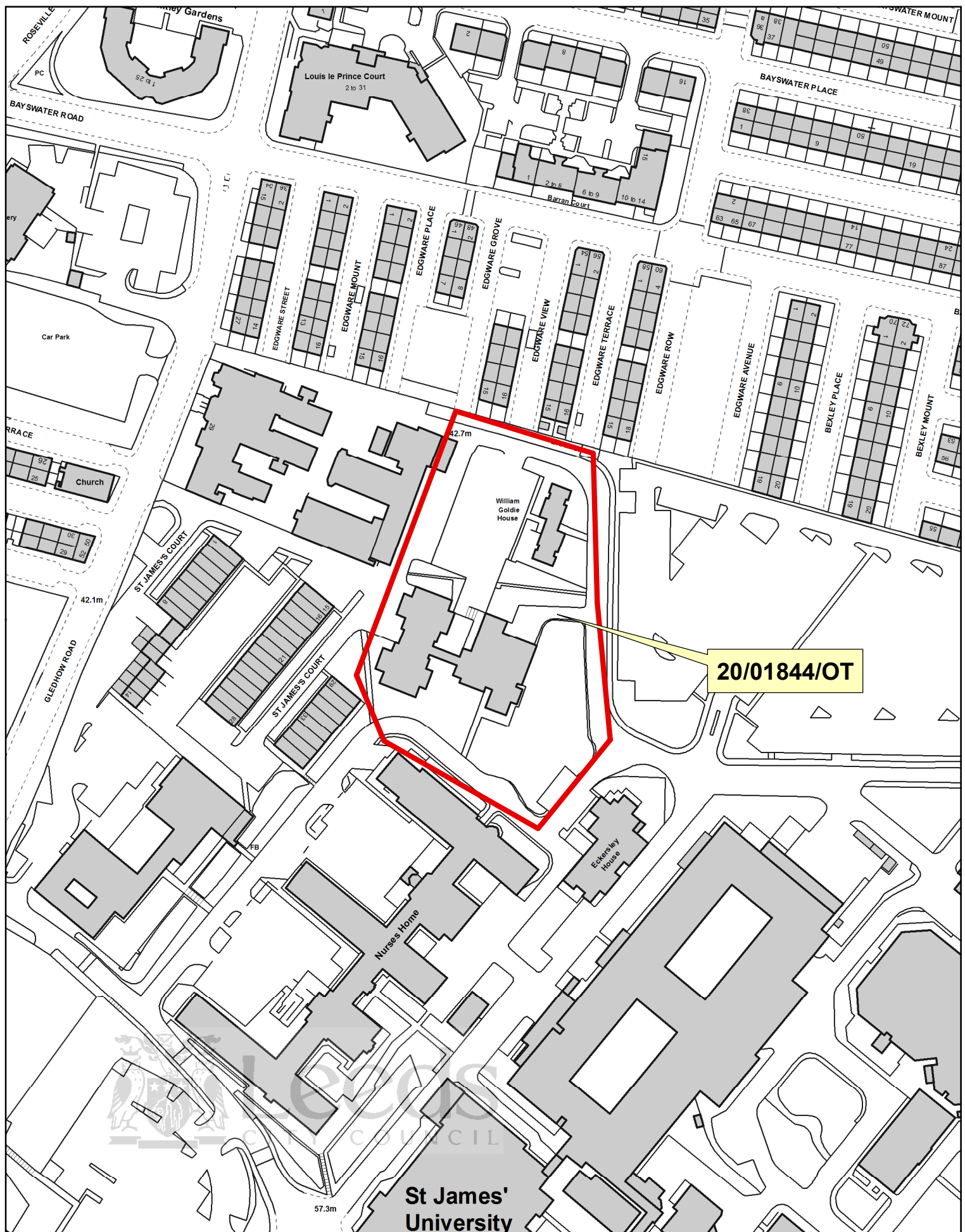
7. Section 106 Legal Agreement

- 63 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 (as amended). These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -
- (a) Necessary to make the development acceptable in planning terms,
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
- 64 There is a requirement for the following obligations:
- 1. Employment and training of local people
 - 2. The provision of a travel plan fee of £3,857.00
 - 3. A management fee of £750.00.
- 65 The proposed obligations have been considered against the legal tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. Accordingly this can be taken into account in any decision to grant planning permission for the proposals.
- 66 Outline planning permissions that are granted from the date the Community Infrastructure Levy (CIL) Charging Schedule comes into effect will be liable to pay CIL, when the development is built. The proposal would be subject to CIL, but as the liability is calculated at Reserved Matters stage a figure cannot be provided at this Outline stage. In any event, detail of CIL liability is for information only and is not a material planning consideration in the assessment of the overall planning application and decision-making process.

CONCLUSION

- 67 In conclusion it is considered that the proposal would allow the creation of clinic accommodation that will enable St James University Hospital to consolidate and centralise its Pathology services and assist the NHS Trust to ensure the most advanced technologies, equipment and treatments are made available to all patients.
- 68 The principles and parameters laid down for the scheme in the Outline submission will ensure that the resulting building is of a high quality, is appropriate and sensitively designed in respect of the hospital campus context and that it makes the most efficient use of available land. As such the development would not only assist the functioning and vitality of the Leeds NHS Trust's key sites of St James University Hospital and the Leeds General Infirmary, but would also add to the vibrancy of and health provision facilities for the wider city of Leeds.
- 69 Therefore the proposal is in accordance with the Development Plan and is considered to be acceptable and is recommended for planning approval subject to the conditions set out in the Appendix and the planning obligations set out at the head of this report, alongside any others that may arise as being necessary once outline permission is granted.

Background Papers:
PREAPP/18/00077
20/01844/OT



NORTH AND EAST PLANS PANEL

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Page 47

SCALE : 1/1500



