

NORTH AND EAST PLANS PANEL

**Meeting to be held in Civic Hall, Leeds on
Thursday, 23rd January, 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

A G E N D A

Item No	Ward	Item Not Open		Page No
1			SITE VISIT LETTER 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	Moortown		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)	9 - 16
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 - 28TH NOVEMBER 2019 To receive and approve the minutes of the meeting held on 28 th November 2019.	
7			19/05419/FU - DEMOLITION OF 16 APARTMENTS AND 6 HOUSES AND ERECTION OF 85 APARTMENTS ACROSS TWO BUILDINGS COMPRISING OF 51 SHELTERED HOUSING APARTMENTS AND 34 GENERAL NEEDS APARTMENTS WITH COMMUNAL CAR PARKING AND LANDSCAPING To receive the report of the Chief Planning Officer for the Demolition of 16 apartments and 6 houses and erection of 85 apartments across two buildings comprising of 51 sheltered housing apartments and 34 general needs apartments with communal car parking and landscaping on land at land off Queenshill Avenue and Queenshill View, Moortown. (Report attached)	17 - 32

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8	Chapel Allerton		19/01665/FU - RESIDENTIAL DEVELOPMENT OF 153 NO. DWELLINGS AND ASSOCIATED WORKS To receive the report of the Chief Planning Officer for the residential development of 153 dwellings and associated works at land off Beckhill Approach and Potternewton Lane, Meanwood, Leeds. (Report attached)	33 - 56
9	Alwoodley		19/00835/FU - ALTERATIONS INCLUDING RAISED ROOF HEIGHT TO FORM HABITABLE ROOMS; TWO STOREY PART FIRST FLOOR SIDE/REAR EXTENSION To note the report of the Chief Planning Officer of an appeal by Mr A Jonisz of 22 Park Lane Mews against the decision to refuse planning application for the raising of roof to form habitable rooms; two storey part first floor side/rear extension. (Report attached)	57 - 62
10			DATE AND TIME OF NEXT MEETING The next meeting of North and East Plans will be on Thursday 27 th February 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.

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- 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.

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Planning Services

Merrion House
Merrion Centre
Leeds

To all Members of North and East Plans
Panel

Contact: David Newbury
Tel: 0113 378 7990
david.m.newbury@leeds.gov.uk

Our reference: NE Site Visits
Date: 15th January 2020

Dear Councillor

SITE VISITS – NORTH AND EAST PLANS PANEL – THURSDAY 23rd January 2020

Prior to the meeting of the North and East Plans Panel on Thursday 23rd January 2020 the following site visits will take place:

Time	Ward	
10.40am		Depart Civic Hall
10.55am - 11.15am	Moortown	19/05419/FU – Residential development of 85 apartments at land off Queenshill Ave and Queenshill View, Moortown
11.25am - 11.45am	Chapel Allerton	19/01665/FU – Residential development of 153 dwellings at land off Beckhill Approach and Potternewton Lane, Meanwood
12.00 (noon)		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at 10.40am. Please notify David Newbury (Tel: 378 7990) if you wish to take advantage of this and meet in the Ante Chamber at 10.35am. If you are making your own way to a site please let me know and we will arrange an appropriate meeting point.

Yours sincerely

David Newbury
Group Manager

www.leeds.gov.uk

general enquiries 0113 222 4444



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NORTH AND EAST PLANS PANEL

THURSDAY, 28TH NOVEMBER, 2019

PRESENT: Councillor K Ritchie in the Chair

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

SITE VISITS

The site visits earlier in the day were attended by Councillors Ritchie, Grahame, Nash, Sharpe, Midgley, Smith and Anderson.

54 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

55 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

56 Late Items

There were no late items.

57 Declarations of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made at the meeting.

58 Apologies for Absence

Apologies were received from Cllr. D Collins.

59 Minutes - 24th October 2019

RESOLVED – That the minutes of the meeting held on 24th October 2019 be approved as a correct record, with the following amendments made to Minute 50 19/03390/FU – 9 The Laurels.

Draft minutes to be approved at the meeting
to be held on Thursday, 19th December, 2019

- The applicant advised and confirmed to The Laurels residents that his in-laws would bring their car with them when they move into the extension
- The two storey extension would impact on the use of the garden at number 7 due to overshadowing
- The two storey extension would impact on the use of the garden at number 11 due to loss of privacy
- Residents of The Laurels were only made aware that a two storey extension was proposed by receipt of the Council Planning Application letter dated 8 July.

60 19/00867/FU - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF FOUR DWELLINGS GREYSTONES PARK ROAD COLTON LEEDS LS15 9AJ

The report of the Chief Planning Officer set out an application for the demolition of existing dwelling and construction of four dwellings, at Greystones, Park Road, Colton.

Members had attended a site visit earlier in the day. Photographs and slides were shown throughout the presentation.

The application was brought to Plans Panel as the proposal is within a prominent and sensitive site within Colton Conservation Area and had generated a significant amount of representations in the local community.

The proposal was for the demolition of an existing bungalow and construction of four dwellings. The bungalow has been demolished since the original submission along with timber outbuildings.

Members were informed of the following key points:

- The proposal is for four two storey dwellings, two fronting on to Meynell Road these would be linked by garages have four bedrooms, and two detached dwellings fronting onto Park Road;
- The houses would be constructed of brick with slate roofs, and timber window;
- The houses fronting onto Park Road would share one access point whilst the houses fronting onto Meynell Road would have their own vehicle and pedestrian access;
- A minimum of two open parking spaces are proposed for each dwelling in addition to the garages that are proposed for three of the four dwellings;
- The proposal also sets out an extension of the footpath on Meynell Road;
- The layout shows the retention of the majority of existing trees and hedges, and includes details of how construction would take place to provide retaining walls close to tree root systems. A slide was shown

during the presentation which showed the Panel how the tree roots were to be protected;

- The area is designated as part of the Colton Conservation Area. Beyond the Park Road Farm Buildings which are grade II listed to the South are open agricultural fields;
- The site shares its boundary with Holly Tree Cottage which is grade II listed;
- The application has received a number of objections these were set out at point 6.1 and 6.2 of the submitted report. It was noted that most of the objections received related to there being too many dwellings proposed, concerns had also been raised that the demolition of the bungalow had taken place too soon and that this could set a precedent;
- 2 further objections had been received since the publication of the report. These objections were read out to the Panel as follows:
 - Parking provision insufficient and will result in on street parking
 - Park Hill / Meynell Road dangerous junction and this will make it worse
 - Reducing scheme by one and increasing parking will help
 - Local residents concerns have not been addressed
 - Demolition of bungalow sets dangerous precedent
 - Wrong to demolish without appropriate permission
 - Impact on amenity
 - Drainage insufficient and surface water run-off
- The proposals meet the requirements of adequate separation between the proposed properties and those of neighbouring properties. Some relocation of the dwellings has taken place so that the dwellings are located further into the site but still able to maintain garden size.

Local residents attended the meeting and informed the Panel of the following:

- The Greystones site is within a conservation area with an elevated position which in their view would tower over the neighbouring properties;
- 4 properties is pushing the limits of the site's capacity;
- Building would take place right up to the root protection area especially to the rear of the site where there is a hedge which may need to be removed to allow the building work to place;
- Consultee comments have continually repeated that this site is being overdeveloped and could only fit 2 or 3 appropriately sized dwellings;
- Overdevelopment of the site would cause problems of overshadowing, lack of privacy, increased traffic and highway safety issues;
- Highway concerns in relation to visibility splays, however the concerns were reduced due to the road now being in a 20 mph zone;
- Highway safety, Meynell Road and Park Road are no through roads but, Meynell Road is a thoroughfare for residential housing, Colton Chapel and Institute and horse riders. Park Road is used by residential houses, stable workers and riders, visitors and farm workers of the Temple Newsam Estate. The junction of Meynell Road and Park Hill is dangerous as cars are often parked close to the junction especially if there are events at the chapel;

- The front door of Holly Tree Cottage opens on to Meynell Road.

The speaker in support of the application informed the Members of the following:

- The site had approval in principle for residential use on this site with a minimum of four to five units;
- The applicant has responded to all the comments from consultees and others who had provided comments;
- The scheme presented at the meeting had been revised numerous times and meets with highways requirements and has adequate parking, the garden space exceeds the space standards set out in the planning guidance. Aspect standards also exceed the design guidance;
- The height has been reduced the height of the proposed dwellings so that they are traditional standard two storey buildings. Reduced the scale as much as possible in reducing floor to floor so that the proposed dwellings sit in context with the listed buildings and neighbouring properties;
- Explained that the blue line shown on the plan it not the extent of the dropped levels it was the extent of the root protection area. The root protection area follows the line of the retained wall which will be constructed with a 'sheet pile' construction so that there is no damage to the roots;
- Properties on Park Road which abut the hedge with the site to be kept at existing level;
- The developers said that they had worked closely with the officers to amend this scheme and were now of the view that this plan now achieved a good development that will fit in well with its setting.

Members wanted assurance that the development would be as sustainable and energy efficient as possible. The Chair encouraged the developer to sign up to EN1 and EN2, it was noted that the developer was not obliged to sign up to these policies as this was a minor development.

Members requested the following:

- If hedges were damaged they should be replaced.
- Hard surfaces should be porous.
- Charging points installed
- A water butt provided to each property in relation to drainage and excessive run-off

Responding to Members questions the Panel were formed of the following:

- The bungalow was removed by a proper contractor if there were any contaminants they would have been removed securely. Officers advised the Members that soil samples could be taken to ensure that there were no contaminants left on the site before work commenced;
- Three small trees which have self-seeded will be removed from the site. Trees and hedges to the boundary will be retained. It is also the plan that landscaping would form part of the development. Trees of a set size would be protected by the developer;

- House sizes are compliant with standards policy;
- Access points are acceptable and levels of parking are generous with no concerns raised by Highways;
- The footway extension on Meynell Road would improve access visibility and suitable dropped crossings would be provided;
- Two more developments are forthcoming further down Park Road on a Council owned site;
- Solar panels would be considered by the developer;

RESOLVED – To grant permission as set out in the submitted report with the following additional conditions:

- Water butts to be installed at each property in relation to drainage and excessive run-off;
- Porous surfaces to be used on driveways;
- Rear boundary hedges to be protected and retained and boundary treatments to rear gardens to be hedges.

61 PREAPP/19/00446 - REFURBISHMENT, RECONFIGURATION AND EXTENSION OF THE HOSPICE MARTIN HOUSE CHILDRENS HOSPICE GROVE ROAD BOSTON SPA WETHERBY LS23 6TX

The report of the Chief Planning Officer set out a pre-application for the refurbishment, reconfiguration and extension of Martin House Children's Hospice, Grove Road, Boston Spa.

The pre-application enquiry had been submitted by WSP Indigo Planning on behalf of Martin House Children's Hospice.

Members had attended a site visit earlier in the day. Photographs and slides were shown throughout the presentation.

The proposals submitted consist of the refurbishment of the existing accommodation and the provision of new accommodation to provide new ensuite children's bedrooms, an education suite, parent's bedrooms and staff facilities. An additional 26 car parking spaces are proposed.

The Hospice are aware that this location is within the green belt, however, they were of the view that the proposed extension was not disproportionate or inappropriate in this area. The access, parking, trees and neighbours had all been taken into account within their proposals.

Representation had been received from Wetherby Ward Members and Clifford Council both of whom provided supportive comments. A letter for the Wetherby Ward Members was read out by the Planning Officer.

The Panel were advised that Martin House was a community lead care facility which offered specialist and respite care and support for children and families from North, East and West Yorkshire. Care is provided to the children and families on a number of complex issues 24/7, 365 days a year. Martin House

Draft minutes to be approved at the meeting
to be held on Thursday, 19th December, 2019

is a beacon of best practice both nationally and internationally. They invented the model of palliative care for children.

Members heard that technologies are changing and larger facilities were required for the numerous pieces of equipment which is need such as larger wheelchairs, hoists, TV's etc.

It was noted that due to boiler problems the hospice has had to close on two occasions in the last two years and this issue would also be addressed as part of the refurbishment.

Children and families had been consulted as part of the process to ask them what they wanted. The refurbishment would include bedrooms with better access for bedrooms and ensuite bedrooms for privacy, separate entrance for those visiting the hospice, new access and egress to the site, homely feel for families and children, maintain the openness of the gardens which are used for events and act as a buffer to the new housing estate to the east of the site.

The current location is ideal as it is close to hospitals and also easily accessible for children and families across North, East and West Yorkshire.

The development would not be adding further bedrooms just making the bedrooms that they have better.

Members were required to answer a number of questions as set out in the submitted report:

9.5 Do Members have appropriate information to understand whether a case for 'very special circumstances' exists? **YES**

9.8 Do Members support the emerging scale, massing and design of the proposals? **YES**

9.12 Do Members have any comment to make on the applicant's proposals at this time in respect of climate change? **Members approved of the proposals. However requested that measures such as the use of heat source pumps could be incorporated – It was noted as the Hospice are looking to reduce running costs.**

9.17 Do Members have any comments on the highways aspect of the proposals? – **Members did not raise any specific concerns but noted that Highways had requested further information relating to car parking and the additional access that would be considered as part of the application when it comes forward.**

9.21 Do Members have any comments on the landscape aspect of the proposal? **Members liked the children's garden and were happy that this feature would be retained after the extension.**

9.23 Do Members have any comments about the accessibility aspects of the proposal? **No. Members were of the view that their visit to the site had been of assistance in understanding the issues which need to be addressed.**

RESOLVED – To note the content of the report.

The Chair thanked the speakers for their presentation and for the welcome that they had received during their visit to the site earlier in the day. He went on to thank the Hospice for all the work and support that was given to children and the families.

The Panel showed their appreciation of the work and support provided by the Hospice with a round of applause.

62 PREAPP/18/00077 - DEMOLITION OF A NUMBER OF BUILDINGS WITHIN THE SITE AND THE CONSTRUCTION OF NEW PATHOLOGY FACILITY BUILDING ST JAMES HOSPITAL BECKETT STREET BURMANTOFTS LEEDS LS9 7TF

The Panel received the report of the Chief Planning Officer which set out a pre-application presentation for the demolition of a number of buildings within the site and the construction of a new Pathology facility building in their place at St James University Hospital, Beckett Street, Burmantofts, Leeds.

A number of speakers attended the meeting on behalf of the developer Leeds Teaching Hospitals NHS Trust.

Members were informed by the developer's team of the following key points:

- The development would be compliant with policy;
- It would be for hospital use;
- The proposal requires that 10 trees would be removed. Members were advised that this council had a policy that for every tree removed 3 would be planted. It was noted that this would be part of the indicative landscaping;
- Two Ward Members Cllrs Khan and Ragan had been consulted. As part of the consultation the Ward Members had requested that the new development should use, train and employ people from the local area. The developer was in communication with colleagues in Jobs and Skills and this would request would be taken into account through partnership working;
- These proposals form part of a wider 'Leedsway' across the hospital trust sites;
- Pathology currently is located in different buildings. This is not a patient facility but is for the diagnosis of illness and treatments through a variety of tests;
- The development seeks to demolish two 1960's buildings which are located in the north-eastern corner of the hospital campus. The buildings are currently vacant with the site not having large footfall this site needs regeneration;
- The proposal is for a purpose built two storey building, plus a basement with a slight undercroft, parking and landscaping;
- There would not be large volumes of traffic to the site but there was a specific need for a drop off facility for urgent deliveries and samples;

- The boundary wall backing to existing streets would be retained;
- Advance work had taken place for funding purposes.

Members' discussions included:

- 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
 - Shuttle bus including options for local people to use the service
- Request for the area for staff to have natural daylight;
- Future maintenance of trees. It was highlighted that there was a cherry tree on the site which had Velcro round it and this should be cut as it was starting to bite into the trunk of the tree
- 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
- Use of cladding should be of an acceptable standard

It was the view that this would be good for Leeds and the local area with the procurement of work and jobs.

The Panel were required to answer a number of questions posed within the submitted report:

7.8 Do Members support the emerging scale, massing and design of the proposals? **Do support the scale and massing. However, they were of the view that they need to see the full design and this should be brought to the Panel for consideration of reserved matters.**

7.12 Do Members support the approach to parking and sustainable transport? **Members require further information as the proposals progress and noted this was to come.**

7.14 Do Members support the emerging landscape scheme? **Members supported this in principle. However they put forward the suggestion of living roof, living wall and three trees to be planted for each tree removed.**

RESOLVED – To note the report.

63 Date and Time of Next Meeting

The next meeting of the North and East Plans Panel will be on Thursday 19th December 2019 at 1.30pm.



Originator: Glen Allen

Tel: 0113 3787976

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 23rd January 2020

Subject: 19/05419/FU - Demolition of 16 apartments and 6 houses and erection of 85 apartments across two buildings comprising of 51 sheltered housing apartments and 34 general needs apartments with communal car parking and landscaping on land at land off Queenshill Avenue and Queenshill View, Moortown.

APPLICANT

Leeds Jewish Housing
Association

DATE VALID

09 09 2019

TARGET DATE

09 12 2019

Electoral Wards Affected: Moortown

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: GRANT PERMISSION subject to the following conditions and subject to the completed Unilateral Undertaking that provides for the following:

- Off-site greenspace contribution of £86,268.56,
- The provision of a commuted sum for the installation of two bus shelters in close proximity to the site at a cost of £13,00 each and real time installation displays at a cost of £10,000 each total amount being £46,000, and
- The provision of replacement tree planting to mitigate the loss of trees on site at a ratio of 3:1 on land in close proximity to the application site under the control/ownership of the applicant.

1. Standard 3 year implementation time limit
2. Compliance with approved drawings
3. Submission of brickwork for approval
4. Submission of drainage scheme
5. Submission of SuD Management plan
6. Standard Land Contamination Conditions and informatives
7. Restriction to occupancy of Block A to 55+
8. Provision of EVCP infrastructure scheme and implementation of EVCP

9. Landscape provision implementation and maintenance
10. All external areas to comply with BS8300 2018 Part 1
11. Cycle and Motorcycle storage details
12. Footpath crossing re-instatement
13. Vehicle space to be laid out
14. Unallocated parking
15. Provision for contractors during construction
16. Construction practice
17. Mitigation method statement and Licence by Natural England
18. No removal of vegetation between 1st March and 31st August unless a survey has been submitted confirming no birds will be harmed
19. Submission of Bat Roosting and Bird nesting features to be installed
20. Submission of details, post construction, to confirm compliance with Policy EN1

1.0 INTRODUCTION

- 1.01 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.

2.0 PROPOSAL

- 2.01 The proposal seeks planning permission for the demolition of 16 apartments and 6 houses and the erection of 85 apartments across two buildings comprising 51 sheltered housing apartments and 34 general needs apartments with communal car parking and landscaping. The application is made by the Leeds Jewish Housing Association (LJHA).
- 2.02 A Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990 (as amended), has been submitted with the application to cover a number of policy demands that will be referred to in the body of the report. The contents of the Unilateral Undertaking has been checked by the Legal Officers and found to be sound.

3.0 SITE AND SURROUNDINGS:

- 3.01 The site forms part of the Leeds Jewish Housing Association landholdings in Moortown that lies east of King Lane near to its junction with Stonegate Road.
- 3.02 To the south east of the site is the Moortown Baptist Church that sits at the corner of Stonegate Road and King Lane and to the east of the church, backing onto the south eastern boundary of the application site are the two properties, 301 and 302 Stonegate Road. These are detached properties that are sandwiched between the Baptist church site and part of the exiting apartment development, known as Queenshill Court, of the LJHA that backs onto Stonegate Road but is itself accessed from Queenshill Avenue and Queenshill View.
- 3.03 King Lane to the west runs in a north-west south east direction and connects the outer Ring Road with the rather complex Stonegate Road, Street Lane, Leafield Grange Junction. To the north of the application site are exiting apartments and dwellings accessed from Queenshill Drive and Queenshill Avenue all of a similar

age (post WWII) with one or two examples of modern replacement units in the street.

- 3.04 The application site currently consists entirely of the older post WWII buildings, with the 6 dwellings sitting to the rear of the Baptist church in a row of three pairs of semis and the apartment buildings forming a “loose” crescent that faces King Lane. None of these current properties benefit from dedicated off street car parking facilities except for a small car park to the rear of 3 and 7 Queenshill View which are two of the properties that are proposed to be demolished if this scheme is successful in gaining approval.
- 3.05 At present the King Lane frontage is characterised by a significant grass verge frontage that separates the low rise apartment blocks with some tree planting in the verge. The verge is defined as greenspace in the Site Allocations Plan (SAP) and is also the subject of a highway improvement line to improve public transportation from the north into and out of the city along this transportation corridor.
- 3.06 The proposal seeks to develop two apartment blocks, Block A that will lie almost perpendicular to King Lane across the rear corner of the Baptist Church will run parallel to the end of the rear gardens of 301 and 303 Stonegate road and relate to the existing Stonegate Building with a connecting pedestrian link. This block will house the 51 No. proposed sheltered housing units over 4 floors.
- 3.07 The second block, Block B will provide the 34 general needs (C3) units and will run parallel to King Lane and lie almost perpendicular to Block A. Car parking and manoeuvring space will separate the two blocks.
- 3.08 Vehicular access is shown off Queenshill Avenue and Queenshill View, which is a short cul-de-sac will be subsumed into the development and extinguished as Public Highway. A pedestrian link off King Lane is also indicated. 62 Car Parking spaces are proposed with space for 4 No. Motorcycle spaces also indicated. An ambulance parking space near the entrance to the sheltered block is shown to be provided. Areas of amenity space are shown to the east of Block B and to the south of Block A.
- 3.09 A number of trees and shrubs are shown to be removed. None of the trees are protected by a TPO.

4.0 RELEVANT PLANNING HISTORY:

- 4.01 PREAPP/18/00219 - 46 apartments building including demolition of existing dwellings. This pre-application enquiry related to a smaller form of development on a smaller site than that currently proposed.

5.0 HISTORY OF NEGOTIATIONS:

- 5.01 The proposal has been the subject of discussions between officers and the LJHA with the initial scheme presented a much less ambitious scheme than the one presently under consideration. However, that scheme in seeking to retain the 16 apartments fronting King Lane would have led to significant car parking issues for the residents of those properties. They rely heavily on the immediate road network to the rear of the properties for their car parking requirements having no dedicated car parking provision. The scheme presented to officers at that time made no allowance for this.

- 5.02 As a result of feedback given at that time the LJHA reassessed their scheme and broadly came up with a much more comprehensive scheme the most recent version of which is before Members for determination.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.01 The application has been advertised by site notice and newspaper advert. As a result of this publicity 4 letters of objection have been received raising the following concerns:
- A 4 storey high building will result at the end of the gardens of 301 and 303 Stonegate Road, blocking most of the sky from view
 - The building will result in occupiers of 301/303 Stonegate road feeling “blocked in”
 - Overlooked/loss of privacy
 - Height, bulk and massing disproportionate to those that are been demolished
 - Loss of daylight/overshadowing
 - Increase demands on local infrastructure, landscape and wildlife habitats
 - Higher noise levels to future residents due to closeness to road
 - Loss of a choice of dwelling units that the LJHA currently offer
 - Additional pollution
 - No personal space, the current apartments have balconies to offer personal space, the proposal offers none of this

7.0 CONSULTATIONS RESPONSES:

- 7.01 Environmental Studies Transport Strategy Team – Raises no objection to the proposal as the impact from traffic noise is unlikely to be at a level that would require specific measures over and above standard building elements.
- 7.02 West Yorkshire Combined Authority – The two closest bus stops on the transportation corridor do not have shelters and it is considered that the scheme should therefore deliver two shelters one for each of the stops and a cost of £13,000 each and in addition real time information displays for each shelter at a cost of £10,000 each. The applicant has agreed to this contribution.
- 7.03 West Yorkshire Police Liaison Officer – Gives advice on matters of detail relating to secured by design issues. In this case there are no comments on the proposed layout and how that might be altered to improve security but advice is offered to be given on the use of approved products that have been tested against attack, such as window and door furniture and their locking mechanisms. This offer for advice is recommended to be imposed as an informative on any approval notice issued should approval be granted.
- 7.04 Land Contamination Team – Recommends that conditions relating to potential ground contamination be imposed on any approval issued.
- 7.05 Design – Re-iterate that design advice was given at the pre-application stage and that the scheme is submitted broadly in accordance with that advice, thus no additional comments are needed at this stage.

- 7.06 Influencing Travel Behaviour Team – Due to the high proportion of sheltered accommodation forming part of the scheme there is no requirement for a Travel Plan to be submitted in respect of this development.
- 7.07 Yorkshire Water – No comments other than to recommend conditions be imposed to manage drainage of the site.
- 7.08 Flood Risk Management (FRM) – The submitted drainage strategy indicates a 50% betterment in surface water runoff which is considered acceptable, however a condition requiring a drainage scheme should be imposed to ensure sustainable drainage and flood prevention.
- 7.09 Highways - Following the submission of additional information initial concerns relating to the possible cumulative impact on the local highway network and refuse vehicle manoeuvrability within the site have been alleviated and therefore standard conditions relating to highway matters are recommended to be imposed.
- 7.10 Landscape identify that the majority of trees on site will be lost to new infrastructure and level changes – This issue is dealt with in the body of the report, however, in short, the applicants have agreed to the replacement of these trees on other land owned by them on this 'estate' at the ratio of three to one where replacement is not possible within the application site. Standard Landscape conditions are recommended to be imposed to ensure a robust landscaping scheme is implemented and maintained.
- 7.11 Nature Team – Given that the EclA has identified the presence of 2 transitional Bat Roosts and that some buildings may have nesting birds conditions relating to submission of mitigation measures and the restriction of vegetation removal and clearance between 1st March and 31st August subject to competent ecologist surveys are recommended to be imposed.
- 7.12 Planning Policy Team – Highlights a number of policies in the Core Strategy (CS), Site Allocations Plan (SAP) and Natural Resources and Waste Management Plan (WRWLP) with particular highlights relating to SP1, H2, H3, H4, H5, H8, H9, H10
- 7.13 Access Officer – The proposal should be designed to meet the requirements of Policy H10. It is noted that the dwellings are wheelchair adaptable and so are not ready to be lived in by wheelchair users.

8.0 PLANNING POLICIES:

- 8.01 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), 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.

Local Planning Policy

- 8.02 The most relevant local planning policies are outlined below:

Core Strategy:

8.03	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 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

UDPR

- 8.04 GP5 – Detailed Planning Considerations
BD5 – New buildings should be designed with consideration to amenity

Natural Resources and Waste Management Plan

- 8.05 General Policy 1 – Support for Sustainable developments
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

National Planning Policy Framework

- 8.06 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

9.0 MAIN ISSUES

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

- The principle of the development
- Affordable housing requirements
- Contribution towards 5 year housing land supply
- Accessibility (housing standards)
- Greenspace

- Design
- Amenity of neighbours
- Highways
- Space Standards
- Landscape including trees
- Ecology
- Compliance with Policy EN1
- EVC Provision
- Housing Mix

10.0 APPRAISAL

The principle of the development

- 10.01 The application site is on land that is not identified for the purposes of residential development. The requirements of Policy H2 therefore apply. This policy, inter alia, states that land not identified for residential development in the SAP is acceptable subject to the number of dwellings not exceeding the capacity of local infrastructure and facilities, that for developments in excess of 5 units the standards of Table 2 Appendix 3 (referring back to Policy T2) are met, that greenspace should not be developed if it has intrinsic value as amenity space, for recreation or nature conservation or makes a valuable contribution to the visual, historic or spatial character of the area.
- 10.02 Part of this application site falls within land that is designated under Policy G4 as Greenspace, this being the frontage of the land between the existing crescent of apartments and the back edge of the carriageway on King Lane. This area of land is gently sloping towards the road and contains a limited number of trees that are mature in their stature. The loss of this land as Greenspace is therefore should be resisted unless there are mitigating reasons to allow its development.
- 10.03 The part of the Greenspace that lies immediately adjacent to King Lane itself but lying outside of the application site boundary along the length of King Lane is adopted highway and is the subject of a highway improvement line that seeks to improve public transportation links along this part of King Lane. Care has been taken through discussions with the applicant not to prejudice that highway improvement line although the timing of it is unknown at present. The result of this is that part of the greenspace allocation is going to be lost to the highway eventually anyway.
- 10.04 Also whilst the Greenspace is a reasonably sized area of land there are a few considerations regarding its usability and therefore its overall profitable contribution to the Greenspace of the locality. It is open and exposed and its use for games playing would be limited as a result due to its relationship to the busy King Lane highway. The gentle slope towards King Lane does not help in this regard.
- 10.05 The land contributes towards the openness of the locality but as this is not an historic or otherwise sensitive location there is no overriding reason to maintain it if other considerations outweigh the current character considerations.
- 10.06 In recognition that the development will remove an area of Greenspace, and will bring its own pressure on Greenspace provision to the locality, the developer is offering a financial contribution for offsite works to existing Greenspace in the local

area. The sum offered is in accordance with the calculations undertaken by Local Plans officers and equals £86, 268.56. This is in recognition of the nature of the accommodation to be provided that the main part is for 55+ occupiers and that the general accommodation (the C3) is apartments rather than traditional family accommodation.

- 10.07 Given its location otherwise, on land that is currently occupied by residential development and in very close proximity to good public transportation links, it is considered that the quantum of development will not adversely impact on the local highway network or local services in terms of capacity.
- 10.08 It is therefore concluded that the proposed development is compliant with Policy H2 of the CS subject to the commuted sum payment mentioned in 10.06 above.

Affordable housing requirements

- 10.09 The site lies within an area where for development in excess of 15 units a minimum of 7% of the provided accommodation should be affordable. However, in this case the developer is a social landlord and bound by their mandate to offer social housing at affordable rents, thus 100% of the development is considered to be affordable accommodation and thus the requirements of policy H5 are exceeded in this instance. This, as a material consideration, should weigh significantly in the planning balance as a positive.

Contribution towards 5 year housing land supply

- 10.10 Given that the site is not identified for housing it does not at present contribute towards the Council's target for housing provision in its 5 year housing land supply and can be considered as a windfall site. To this end the additional provision of units over those lost results in a net increase of 63 units. This, considering the size of the site is a reasonably significant contribution to the windfall contribution of units identified in the Core Strategy.

Accessibility (housing standards)

- 10.11 Policy H10 of the CS requires that 30% of the dwellings provided meet the requirements of M4(2) "Accessible and adaptable dwellings of Part M Volume 1 of the Regulations and that 2% of the dwellings meet the requirement of M4(3) "wheelchair user dwellings" of Part M Volume 1 of the Building Regulations.
- 10.12 All of the 84 Units proposed meet the M4(2) standard of the Building regulations, however as submitted the scheme does not meet the requirements of Part M4(3) for a very practical reason. The applicant has set out that they are committed to providing accommodation that is suitable for its tenants both current and in the future. The Council's policies are designed to ensure provision of accessible dwellings most often is applied in respect of speculative residential developments where the future occupier is unknown. In this particular case the accommodation for the over 55's is already "fully allocated" as the block is to replace older properties owned by the LJHA and tenants from those properties will fill the block upon completion. Thus they are aware that in terms of wheelchair accessibility there is no immediate demand for such a requirement and, even if during construction such a demand arises, the units are of such dimensions that they can be adapted easily during the construction phase or post construction. LJHA seeks to provide accommodation for their tenants that is adaptable for their tenants to remain in their homes, once occupied, for the maximum length of time possible. To

this end it is considered that there is sufficient justification for the non-compliance with this policy given that it relates to the provision of the M4(3) standard units (wheelchair user dwellings) as the applicant has a strategy in place that will accommodate this provision in the future.

Greenspace

- 10.13 This is dealt with above in the “principle of development” section however to summarise, there is no Greenspace to be provided on site and the development will result in the loss of Greenspace thus requiring some form of compensatory measures to be made. This is in the form of a financial contribution towards the improvement and maintenance of other existing open space/greenspace provision in the nearby locality. The sum offered is £86, 268.56.

Design

- 10.14 The general design of properties in the immediate location is mixed. The surrounding area consists of differing ages, scales, and forms of development with no one vernacular dominating. Some of the oldest properties in the locality are Victorian properties on the opposite side of King Lane to the application site and some of the most modern are the more recent apartment type development by the LJHA themselves adjacent to this application site.
- 10.15 Both blocks are of similar design using a regular pattern of fenestration finished in brick (to be agreed) and render (white), with windows projections to break up the potential bulk of the blocks. A metal standing seam roof (anthracite), is proposed on both blocks. Windows in both blocks are UPVC to be coloured a dark grey (anthracite). Doors are powder coated aluminium (anthracite). Black polypipe rainwater goods are proposed throughout.
- 10.16 Block B will have a break in levels which will add to the visual interest along King Lane. Block A been much more shielded from public view and on land which is level more simply responds to the site boundaries and has a slight “kink” in the middle. This adds to the design which otherwise, given its overall width might be somewhat monotonous.
- 10.17 The proposed development along this road will change the character of this part of King Lane and will make it appear more urbanised than it is at present. However given the suburban nature of the locality, that there are other successful larger scale developments in the immediate area and that the overall designs of the blocks are considered acceptable it is considered that the scheme is acceptable and compliant with Policy P10 of the Core Strategy.

Amenity of neighbours

- 10.18 The neighbours that are of concern are those occupying 301 and 303 Stonegate Road. They are “sandwiched” between the Baptist church site to their west and the existing LJHA block to their east (left and right when looking at the properties from Stonegate Road). That is not to say as such that they are blocked in with tall buildings either side. The Baptist church sits centrally on its site and the LJHA block, to the east drops to two storey where it is closest to the common boundary of 303 Stonegate Road.
- 10.19 What will alter for the occupiers of those properties however will be the medium and long views from the rear of their properties and gardens space. The concern

has been raised that the view of the sky will be blocked. It is agreed that there will, if permission is granted, be a building in the view from the rear of these properties where there previously was not one but the assessment needs to be made if that is sufficient to justify a rejection of the scheme on neighbour's amenity grounds.

- 10.20 As Members will be aware, there is no inherent right to a view under the planning process, more accurately the impact that needs to be assessed is that of the developments proposal on the amenities of occupiers of neighbouring properties. In this case that would translate into loss of outlook, overbearing impact and loss of privacy on the occupiers of neighbouring properties.

(i) Loss of outlook/Overbearing impact

- 10.21 The rear garden depth (from rear elevation to common boundary with application site), of both properties is generous by modern standards. The degree of separation from the rear of the nearest proposed block to the rear of the houses on Stonegate Road is shown to be 52 metres for 301 Stonegate Road and 55m for 303 (as shown on the submitted section plan). Thus in terms of loss of outlook it is considered difficult to justify an adverse impact from the loss of outlook over a distance of 50 metres. Likewise whilst the building is at 4 stories high the distances involved are such that it is difficult to justify that they will have an overbearing impact on the use of the gardens and the rear elevation of the properties themselves that would justify a reason for refusal.

(ii) Loss of Privacy/Overlooking

- 10.22 The accepted minimum space distance between the rear of a conventional dwelling and the rear boundary, usually the common boundary with another property is 10.5 metres. This would allow for a separation of 21 metres rear wall to rear wall for conventional two storey dwelling units. The SPD Neighbourhoods for Living is at pains to point out that these distances are minimums and are considered suitable for the situation described where the land is flat and level and there are no other material considerations that would alter that situation. Where, however, habitable rooms will exist at floors higher than in the conventional situation then consideration ought to be given to the addition of a greater distance between the elevation containing the habitable room windows and the common boundary with the neighbouring property. It is not uncommon for an additional 3 metres to be added to the 10.5metre per floor raised to allow for this. Thus in this situation an additional 6 metres would be appropriate to add to the minimum distance giving a length of 16.5 metres from the elevation of the proposed development to the common boundary with 301 and 303 Stonegate Road. The development offers circa 21 metres distance between the elevation of the proposed development and the common boundary with 301 and 303 Stonegate Road.

- 10.23 Following consideration of these distances and assessment on site it is considered that the proposed location of the block in relation to the properties 301 and 303 Stonegate Road that the impact will be such so as not to justify a refusal of planning permission as a result of loss of outlook, loss of privacy or overbearing impact on the amenities of occupiers of those properties. It should also be noted that the new block is located to the north of the residential properties and that the ground level will be altered so that the ground floor level of the new block is set approximately 1m lower than the garden level of the houses.

Highways

- 10.24 The proposal has been assessed at a technical level in respect of Highway matters and subject to conditions listed above it is considered that the proposal is acceptable.

Space Standards

- 10.25 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.

Landscape including trees

- 10.26 The development seeks to provide a landscaping scheme for the site following development the final details of which can be conditioned to ensure an adequate scheme for the amenity of the future occupiers and the wider public. The submitted provisional scheme does not include sufficient tree planting to meet the requirements of Policy Land 2 in the NRWLP, however the applicant has committed to the provision of sufficient tree planting to meet the requirements of this condition through the provision of additional tree planting on land under its control outside of the application sites boundary. This is to be secured through the provisions of the Unilateral Undertaking. The number of trees to be provided will equal the 3 to 1 replacement ratio required by this policy.
- 10.27 Concern has been raised by the Landscape Officer that this provision is insufficient, mainly because the environmental benefits of the replacement trees will not be as effective as the mature and semi-mature trees that will be removed as a result of this. This benefit relates to carbon storage, the mitigation of roadside pollution and habitat value. It is estimated that the replacement saplings will take 25-30 years to reach the same level of environmental benefit of the existing trees on the site.
- 10.28 Whilst this is acknowledged, it is a factor to be taken into account in the overall planning balance. It does not necessarily need to be the overriding consideration. The scheme offers significant benefits in other aspects. The provision of a scheme that is 100% affordable housing, in an economic climate that struggles to make such provision is considered to be a significant factor and, in this instance, is considered to be the factor that outweighs the harm that the loss of trees will result in. This is further mitigated by the agreement of the developer to make provision for the 3:1 replacement ration which will help protect the environment in future years.
- 10.29 In addition to this, the scheme provides a fairly significant contribution towards the windfall element of the 5 year housing land supply. Again, this is an element that weighs heavily in the planning balance and helps outweigh the harm as a result of the loss of the mature and semi-mature trees.
- 10.30 The trees on site, whilst some are of amenity value, it should be noted that they are not subject of a tree preservation order.

Ecology

- 10.31 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. It is therefore considered that the proposal meets the requirements of Policy G9 are met.

Compliance with EN1

- 10.32 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 in the light of the Climate Emergency declaration in March 2019, the minimum figures as adopted by Full Council in the Core Strategy were insisted upon.

EVC Provision

- 10.33 The scheme makes provision for a limited number of EVCP. At the time of discussions with the developer just prior to submission 6 EVCP were proposed but this has raised to 8 now through discussions and negotiations with the applicant. Policy EN8 requires 1 charging point per parking space for the general needs housing. However in negotiations with the developer, the LJHA has agreed to install the underground infrastructure that will allow the easy deployment of EVCP as demand rises.
- 10.34 The justification for this is whilst the popularity of EVs is increasing, at present they still represent a premium product in the market. As a result, most EVs are outside the ability of the residents to acquire one. It is therefore considered that demand on the site will be low. When demand does increase because of falling costs of EV technology and more affordable second hand vehicles coming onto the market, then the infrastructure will be in place so that the EVCPs can be readily installed. This matter is controlled by suggested condition 8 (see above).
- 10.35 Given the “specialist” nature of the housing provision, this is considered to be an acceptable compromise.

Housing Mix

- 10.36 The submission has been identified as not meeting the housing mix criteria of Policy H4. Again, it is considered that it is possible to allow the relaxation of this policy requirement because of the indented residents to the scheme. At the present time the intended residents are known to the applicant because they are either existing residents or are awaiting accommodation from the LJHA. This is a very different situation to a speculative residential development where the main defining element of the occupiers is market forces. The housing mix policy seeks to ensure that there is a good mix of units available to cater for a varying demand of households

Unilateral Undertaking

- 10.37 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 the required replacement of trees at the ratio of 3:1 on land outside of the application site but on land under the ownership/control

of the applicant. 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:

Necessary to make the development acceptable in planning terms
Directly related to the development and
Fairly and reasonably related in scale and kind to the development

- 10.38 In respect of each of these tests the following is considered relevant:
- 10.39 Greenspace Contribution: The development of the site will bring additional pressure to bear on the existing Greenspace provision in the locality and 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 working out of the actual 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.
- 10.40 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. 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.
- 10.41 The final requirement of the 106 agreement is to ensure tree planting on land owned by the applicant outside of the application site is undertaken. This is necessary to make the development acceptable in planning terms because there is insufficient land within the application site to allow for the full replacement of removed trees at the expected ratio of 3:1. The applicant owns large area of land adjacent and nearby to the site which will allow them to make the replacement planting over an area of land that is directly related to the development. Compliance with the Councils Policy Land2 will ensure that the scheme is acceptable in planning terms and fairly and reasonably related in scale and kind to the development.

11.0 CONCLUSION

- 11.01 Whilst this scheme does not meet all the necessary policy criteria as discussed in the main body of the report, it is the view of officers that where it does meet or exceed the policies of the Council is such that these matters outweigh the other matters to a significant degree. In particular, the development will make provision of 85 affordable units across the tenure of C3 dwellings and for aged 55 plus accommodation.
- 11.02 There will be environmental benefits in that the provision of the units will be of a higher energy saving standard than those which it seeks to replace and whilst the immediate benefit of the additional tree planting will not be existent for 25-30 years it

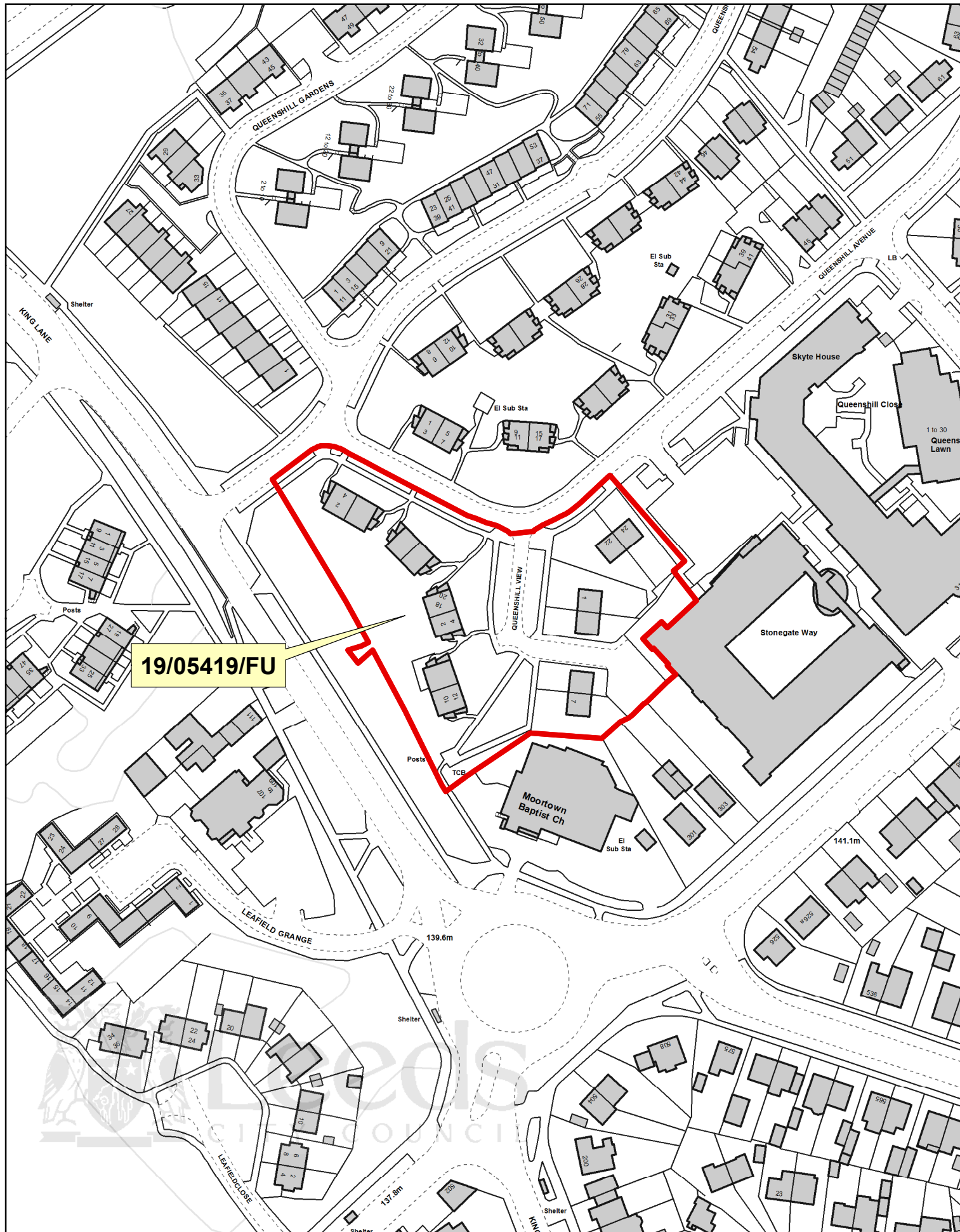
is something of an investment in the environment for the future and it will be a significantly larger investment given the replacement tree ratio of 3:1 than the current contribution made by the existing trees.

- 11.03 The windfall contribution to the 5 year housing land supply is also a material consideration that should be given significant weight.
- 11.04 Regard has been had to the concerns raised by local residents. However, none of the points raised, cumulatively or individually, serve to outweigh the benefits that arise from the proposed development. Accordingly, it is recommended that planning permission be granted.

Background Papers:

Application files: 19/05419/FU

Certificate of ownership: Certificate B served on LPA with Notice given to the Highways authority as part of development site encroaches onto public highway



NORTH AND EAST PLANS PANEL

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SCALE : 1/1500





Schedule of Accommodation	
Apartment Building A	
1Bed 2P	= 37no.
2Bed 3P	= 14no.
Total	= 51no.
Apartment Building B	
1Bed 1P	= 19no.
2Bed 3P	= 15no.
Total	= 34no.
Combined Parking Spaces	= 62no.
Approximate site area 0.76ha / 1.87 acres	

Schedule of Areas	
Apartment building A:	
Ground Floor	= 1152.9m²
First Floor	= 1083.4m²
Second Floor	= 1049.1m²
Third Floor	= 1049.1m²
Total	= 4334.5m²
Apartment building B:	
Lower ground Floor	= 314.0 m²
Ground Floor	= 664.2 m²
First Floor	= 642.3 m²
Second Floor	= 642.3 m²
Third Floor	= 323.3 m²
Total	= 2,586.1 m²

Key:

- Existing buildings to be demolished
- Controlled charging EV parking space.
- Cable enable parking bay.
- 1800mm brick piers with powder coated black metal railings between.
- 1800mm powder coated black metal railings.
- 1200mm powder coated black metal railings.
- Close boarded timber fence.
- Sheffield stand bicycle rack.
- Trees to be removed.
- Paving- Marshall or similar 600x900x50mm grey concrete flags.
- Adoptable roads and parking spaces- Tarmacadam
- Indicative retainment location, subject to engineers details.

Note:

All parking bays to be provided with draw wire for future charging points.

General Notes:

Site Layout based on interpolated topographic survey by MET Surveys drawing nr LJHA100_2DT

Layout dependant upon confirmation of Arboricultural survey, Statutory Services Information & subject to Highway approval

Drainage strategy subject to further detailed design, subject to Phase I & II Geo-technical Survey and Drainage Assessment.

Boundary Treatments & Finish floor levels subject to further detailed design. Aspect distances subject to agreement with local authority approval.

Site Layout Queenshill Avenue Leeds Leeds Jewish H.A.

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The general contractor is responsible for the verification of all dimensions on site and the architect is to be informed of any discrepancy.

The status of information contained in a computer copy of this drawing shall be limited to that conveyed by the paper copy.

Revisions:

Rev. A	24.09.2019	NGJRW
FFL raised, retainment amended accordingly.		
Rev. B	01.11.2019	NGJRW
FFL raised, retainment amended accordingly.		
Rev. C	20.12.2019	NGJRW
Draw wire for future charging points introduced to parking bays.		

Drawing Status		
☐ preliminary	☒ planning	
☐ information	☐ tender	
☐ comment	☐ construction	
☐ approval	☐ record/as built	

Scale	1:250 @ a1
Date	Oct.2018
Drawn/Checked	RBJRW
Dwg No	3088.01.190C

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Leeds
CITY COUNCIL

Originator: Stuart Daniel
Tel: 0113 5350551

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 23rd January 2020

Subject: 19/01665/FU – Residential Development of 153 dwellings and associated works at land off Beckhill Approach and Potternewton Lane, Meanwood, Leeds.

APPLICANT

Taylor Wimpey Yorkshire

DATE VALID

18th March 2019

TARGET DATE

17th June 2019

Electoral Wards Affected:
Chapel Allerton

Adjacent to:
Moortown
Weetwood

Yes

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION: DEFER AND DELEGATE APPROVAL to the Chief Planning Officer subject to conditions set out below and the signing of a Section 111 agreement (to which a Sec.106 Agreement will be appended) to cover matters below,

- Affordable housing – 11 properties in total
- Real time passenger information display at a cost of £10,000 at bus stop 10858
- Bus shelter to be provided at a cost of £13,000 at bus stop 11123
- Travel Plan review fee £3384
- Residential Travel Plan Fund £82,082
- Commuted Sum for the Council to undertake the on-site greenspace works £475,514.39
- Local Employment & Skills Initiative
- Off-site tree planting, to meet the requirements of Policy LAND2, within the Local Area

In the circumstances where the Section 111 Agreement 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.

1. Standard time limit of 3 years to implement
2. Plans to be approved
3. Samples of materials to be submitted
4. Samples of materials for the new access road for the attenuation tank to be submitted
5. Improved visibility for plot 7
6. Details of cycle/motorcycle storage facilities
7. Details of EV Charging Points
8. Maximum gradient of access road shall not exceed 1 in 40 for the first 15m and 1 in 20 thereafter
9. Maximum gradient of any pedestrian access shall not exceed 1 in 20
10. Parking spaces for plots 126-149 shall be made available for any resident and not designated to a specific plot
11. Submission of a revised site layout showing disabled parking for any shared parking areas
12. No development to commence until details of any off site highways works identified on plan 18098/GA/01 have been approved with the works implemented prior to first occupation
13. All vehicle spaces to be fully laid out, surfaced and drained prior to first occupation
14. Existing highway condition survey to be undertaken and submitted along with any necessary mitigation works. These works shall be fully implemented prior to first occupation
15. Construction Management Plan to be submitted to and approved before development commences
16. Development to be carried out in accordance with the Sustainability report & confirmation of works to be submitted & approved by the Local Planning Authority (LPA)
17. Verification that sustainability measures implemented
18. Details of proposed water butts
19. Location and detail of proposed PV panels
20. No removal of trees, hedges or shrubs between March-August
21. A plan shall be submitted to and approved in writing by the LPA of: integral bat roosting features within buildings; and bird nesting features (for species such as House Sparrow, Starling, Swift, Swallow and House Martin) to be provided within buildings and elsewhere on-site. All approved features shall be installed prior to first occupation of the dwellings.
22. Prior to development commencing, a method statement for the control and eradication of Japanese Knotweed shall be submitted to & approved in writing by the LPA
23. No building or other obstruction including landscape features shall be located over or within:
 - 6.5m either side of the 762mm public combined sewer
 - 5m either side of the 450mm & 381 public combined sewers
 - 4m either side of the 305mm & 229mm public combined sewer
24. The site shall be developed with separate drainage for foul and surface water on and off site

25. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall have been completed
26. Development shall not commence until a drainage scheme (i.e. drainage drawings, summary calculations and investigations) detailing the surface water drainage works has been submitted to and approved in writing by the Local Planning Authority
27. Development shall not be brought into use/occupied until a SUD's management and maintenance plans for the development has been approved
28. Finished floor levels shall be set no lower than 70.5mAOD (Above Ordinance Datum)
29. Prior to being discharged to any watercourse, all surface water drainage from parking and hard-standings shall be passed through trapped gullies installed in accordance to a scheme which has been submitted to and approved in writing by the LPA
30. Before development commences, a flood exceedance plan shall be submitted to & approved in writing by the LPA for events greater than the 1 in 100 plus 30% climate change event
31. No building works shall commence until a revised Phase II Desk Study has been submitted to, and approved in writing by, the Local Planning Authority
32. Remediation works shall be carried out in accordance with the approved Remediation Statement
33. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use
34. Remove permitted development rights for extensions and outbuildings
35. Full details of landscaping scheme and implementation
36. Tree protection measures for retained trees

1.0 INTRODUCTION:

- 1.01 The application seeks planning permission for a residential development of 153 dwellings. Following a discussion with the Chair it was considered appropriate to report the application to Plans Panel as it is a major development which the Chair considers would have significant impacts on local communities. The land is allocated on the Site Allocations Plan under two separate allocations. HG2-85 gives a minimum indicative capacity of 79 units with HG1-207 giving a minimum capacity of 34 units.

2.0 PROPOSAL:

- 2.01 The proposal relates to the erection of 153 dwellings consisting of 24 apartments and 129 dwellings. All of the flats would be 2 bed with the dwellings consisting of 31 two bed, 72 three bed & 26 X four bed at a vacant site located off Beckhill Approach.
- 2.02 The land is roughly rectangular in shape and is bounded by Beckhill Approach to the south-east, Stainbeck Road to the north-west and Potternewton Lane to the south-west. The site formally contained a school

(and associated playing pitches) and some sheltered accommodation, though these have been demolished some years ago. The site has 'greened over' though the hard standings of the buildings remain evident of site.

- 2.03 The site would be split into two sections, the southern part of the site would be accessed from Potternewton Lane with the northern portion accessed from Beckhill Approach. Connecting the two portions would be an area of POS (Public Open Space) running roughly north-south and would connect into an area of existing green infrastructure running roughly south-west to north-east.
- 2.04 The proposals create a development of predominantly semi-detached dwellings with a small number of terraced blocks of 3 properties within each block. The dwellings would be generally two storeys with some units having rooms within the roof. Two, 3 storey apartment blocks would be constructed to the south-eastern portion of the site.
- 2.05 The area of on-site greenspace would be a central feature of the development and would contain a MUGA (Multi Use Games Area) and an informal play area. The linear section running roughly east-west would contain footpath connections and the existing trees within this area would be largely retained. It is proposed that the Council will undertake the works though the developer will provide the funds (secured through a section 106).
- 2.06 Parking is to be provided within the curtilage of each dwelling with the apartments having a parking area adjacent to their respective blocks. Visitor parking is to be provided in accordance with current standards. External works are also proposed to the road on Beckhill Approach where a revised turning area is proposed. Alterations are also proposed to the existing retaining wall located to the south-east of the site which is associated with the existing dwellings. These works would consist visual improvements to the wall.

3.0 SITE AND SURROUNDINGS:

- 3.01 The application site is a predominantly greenfield piece of land measuring approximately 5ha and is roughly rectangular in shape. The site is effectively split into two with a belt of trees running north-south dividing the site. The land is bounded by Beckhill Approach to the south-east which is located at a higher level to the application site. Along the Beckhill Approach frontage there are a large number of trees which form part of the embankment down into the site. The site itself does slope down generally north-south to the lowest point being at Potternewton Lane.
- 3.02 Within the site itself, there are the remnants of the former buildings (school and apartments). The remaining areas are greenfield in nature. Part of the site is fenced off though the more southern portion of the site remains predominantly open.

- 3.03 There are also a number of trees on the site. Whilst some are self-seeded trees which are of poor quality and offer little in the way of public amenity there are also a number of mature trees that offer high amenity value. There is a Tree Preservation Order (No.23/2012) that protects 6 individual trees, 4 sycamores and 2 maples, and 6 groups of trees that comprise a mixture of sycamores, maples and a lime. These protected trees are located, predominantly, close to the periphery of the site.
- 3.04 Running parallel to the application site, roughly north-south, is a footpath which extends the full length of the site. Along the more northern part of the site are a number of trees which act as an informal boundary to the site. This footpath network extends far beyond the application site, connecting Stainbeck Lane to the north with Meanwood Road to the south.
- 3.05 The surrounding area is predominantly residential in nature with a mix of house types. To the south-east is the Beckhills estate which consists of predominantly terraced housing in a linear formation. To the north-west, along Stainbeck Lane are a series of two storey terraced blocks containing flats with parking courts between each block. The local centre of Meanwood is approximately 300 yards to the west along Potternewton Lane.

4.0 RELEVANT PLANNING HISTORY:

- 4.01 10/02224/LA – Outline application for residential development comprising of 34 C3 and 45 C2 units. Approved.
- 4.02 Tree Preservation Order (No.23) 2012 made 26th July 2012 (please see 3.03 above).

5.0 HISTORY OF NEGOTIATIONS

- 5.01 The scheme has been subject to a number of revisions and alterations as officers raised concerns over the level of tree loss proposed, the amount of development proposed, issues of non-compliance with the space standards and private amenity space.
- 5.02 The amended scheme now proposes 153 dwellings (rather than 164 units as originally proposed), most house types are now space standard compliant (bed 4 within one house type is slightly under the required size) and garden amenity space would now comply with policy.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.01 Site notices were posted around the application site on Potternewton Lane, Stainbeck Road, Beckhill Approach and Farm Hill North on 2nd April 2019. No representations have been received as part of this publicity.

- 6.02 Councilor's from the Chapel Allerton ward have been informed of the application as have Members from the adjacent wards (Moortown and Weetwood). No comments have been received from ward members

7.0 CONSULTATION RESPONSES:

- 7.01 Environment Agency – No comments to make
- 7.02 Sport England – No comments to make
- 7.03 West Yorkshire Combined Authority – Recommend bus stop improvements and a contribution to the sustainable travel fund
- 7.04 Travelwise Team – No objections subject to conditions relating to EV charging Points, Cycle parking & contributions relating to the Travel Plan review fee and a Travel Plan fund
- 7.05 Coal Authority – No objections
- 7.06 Environmental Studies Transport Strategy Team – No objections
- 7.07 Nature Team – No objections subject to conditions
- 7.08 Yorkshire Water – No objections, subject to conditions
- 7.09 West Yorkshire Police – No objections, its encouraged that the developer achieves a secured by design certification
- 7.10 Highways – No objections subject to conditions
- 7.11 Flood Risk Management – No objections subject to conditions
- 7.12 Contaminated Land – The remediation Strategy requires further investigation, conditions recommended.
- 7.13 Landscape – Object to the proposal due to the level of tree loss proposed including protected trees. Particular concerns are in respect of climate change, bio-diversity and the failure to provide 3 for one replacement planting (note - this last matter has now been addressed and the appropriate levels of replacement planting to meet Policy LAND2 has been agreed). Concerns have also been raised in respect of the impact of laying of drainage to the drainage tank in the south western corner of the site (note – the route of the drainage has since been amended to minimize the impact upon the root protection area of the affected trees to address this concern).

8.0 RELEVANT PLANNING POLICIES:

- 8.01 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 8.02 The development plan for Leeds is made up of the adopted Core Strategy (as amended 2019), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP), Site Allocations Plan (2019) the Aire Valley Leeds Area Action Plan (2017) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013 and any made Neighbourhood Plans.

- 8.03 Relevant Policies from the Core Strategy are:

Spatial policy 1 Location of development
Policy H1 Managed release of sites
Policy H3 Density of residential development
Policy H4 Housing Mix
Policy H5 Affordable Housing
Policy H9 House Standards
Policy H10 Accessibility
Policy P10 Design
Policy P12 Landscape
Policy T1 Transport Management
Policy T2 Accessibility requirements and new development
Policy G1: Enhancing and extending green infrastructure
Policy G4: Greenspace provision
Policy G6: Protecting existing Green Space
Policy G9: Biodiversity improvements
Policy EN1: Carbon Dioxide reductions
Policy EN2 Sustainable design and construction
Policy EN4 District heating network
Policy EN5 Managing flood risk
Policy EN8 Electric Vehicle Charging

- 8.04 Relevant Saved Policies from the UDP are:

GP5: General planning considerations.
N23/ N25: Landscape design and boundary treatment.
BD5: Design considerations for new build.
T7A: Cycle parking.
LD1: Landscape schemes.
N39B – Culverting or canalization of watercourses

- 8.05 Relevant DPD Policies are:

GENERAL POLICY1 – Presumption in favour of sustainable development.
AIR1 – Major development proposals to incorporate low emission measures.

WATER1 – Water efficiency, including incorporation of sustainable drainage
 WATER7 – No increase in surface water run-off, incorporate SUDs.
 LAND1 – Land contamination to be dealt with.
 LAND2 – Development should conserve trees and introduce new tree planting.

8.06 Site Allocations Plan:

The SAP was adopted in July 2019 so carries full weight in any decision making. The site is allocated within the SAP under references HG1-207 (indicative minimum capacity of 34 units) and HG2-85 (indicative capacity of 79 units). The site requirements contained within the SAP for HG8-85 state: *Any development should pay due consideration to the 'Beckhill Neighbourhood Framework 2014. The site is suitable for older person's housing/independent living in accordance with Policy HG4. The site contains a culvert or canalized watercourse. Development proposals should consider re-opening or restoration in accordance with saved UDP Policy N39B*

There is a policy within the SAP which are also relevant to this application which is:

Policy HDG2 – housing allocations

Supplementary Planning Guidance and Documents

8.07 The following SPGs and SPDs are relevant:

SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds
 Street Design Guide SPD
 Parking SPD
 Travel Plans SPD
 Sustainable Construction SPD
 Beckhill Neighbourhood Framework

National Planning Policy

8.08 The revised National Planning Policy Framework (NPPF), published in 2019, and the National Planning Practice Guidance (NPPG), published March 2014 set out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development. Relevant paragraphs are highlighted below.

Paragraph 12	Presumption in favour of sustainable development
Paragraph 34	Developer contributions
Paragraph 91	Planning decisions should aim to achieve healthy, inclusive and safe places

Paragraph 108	Sustainable modes of Transport
Paragraph 110	Priority first to pedestrian and cycle movements
Paragraph 111	Requirement for Transport Assessment
Paragraph 117	Effective use of land
Paragraph 118	Recognition undeveloped land can perform functions
Paragraph 122	Achieving appropriate densities
Paragraph 127	Need for Good design which is sympathetic to local character and history
Paragraph 130	Planning permission should be refused for poor design
Paragraph 170	Planning decisions should contribute to and enhance the natural and local environment

9.0 MAIN ISSUES:

- Principle
- Sustainability & Climate Change
- Housing Density
- Housing Mix
- Affordable Housing
- Accessible Housing
- Internal Space Standards
- Layout, Design and Appearance
- Amenity & Spacing Considerations
- Landscaping and Trees
- Highways and Parking
- Drainage
- Greenspace
- Planning Obligations

10.0 APPRAISAL:

Principle

- 10.01 The site is on land which is allocated for housing within the SAP (HG2-85 & HG1-207). Consequently the principle of a residential development on this site is considered acceptable. Furthermore, as the site is surrounded by existing residential properties, there would be no conflict with existing uses. The site is also considered to be within a highly sustainable location, with a small convenience store, take-away and dental surgery located adjacent to the site on Stainbeck Road at the junction with Potternewton Lane. The Local Centre of Meanwood is within walking distance with access to a wider range of services and facilities. The site also has good links to public transport with bus stops on the surrounding roads.

Sustainability & Climate Change

- 10.02 The Council declared a climate change emergency on the 27th March 2019 in response to the UN's report on Climate Change.

- 10.03 The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear at paragraph 148 and footnote 48 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
- 10.04 As part of the Council's Best Council Plan 2019/20 to 2020/21, the Council seeks to promote a less wasteful, low carbon economy. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.
- 10.05 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. Core Strategy EN1 requires all developments of 10 dwellings or more to reduce the total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate and provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.
- 10.06 The applicant has submitted a sustainability appraisal setting out the methods to be employed to achieve the policy requirements set out within EN1 and EN2. This will generally be a 'fabric first' approach with an enhanced specification for heat loss elements for external walls, floors and roofs. An air pressure test of 5 has been specified and highly efficient boilers have been included which would have heating controls for residents. Other measures to be adopted would be the use of thermal blocks, 100% dedicated low energy lighting, windows & doors to be 25% more efficient than minimum standards. The report concludes that a 20.24% reduction in site-wide carbon emissions can be achieved which exceeds current planning policy.
- 10.07 In addition the proposed dwellings will be built to maximise solar gain to reduce energy consumption for heating. The report also states that photovoltaic panels on the appropriate roof slopes will be installed to equate to 64.58KWp (Kilowatt of Power). In real terms this equates to a total of 260 panels of PV to be installed. Based on an average of 6 panels per property, a total of 43 plots would be installed with PV. Furthermore, the applicant has committed to providing water butts to each dwelling. With these measures, the development would achieve over a 20% reduction (20.24%) in carbon emissions and would therefore comply with Policy EN1 of the Core Strategy
- 10.08 Core Strategy Policy EN2 requires residential developments of 10 or more dwellings (including conversion) where feasible to meet a maximum water consumption standard of 110 litres per person per day. The dwellings will be designed to encourage less water consumption with restricted water flow taps, showers etc. This would equate to a standard of 109.30 litres per person per day and therefore complies with the aims of EN2.

- 10.09 Subject to any approval, a condition can reasonably applied requiring that the development is carried out in accordance with the Sustainability report and that confirmation of the works have been undertaken. Furthermore, each dwelling would have an Electric Vehicle Charging Point in line with Policy EN8 (1 per each dwelling house and 1 for every 10 parking spaces for the apartments). With regard to Policy EN4 (district heating network), the location of the site is not considered to be currently viable with no future plans for the network to expand to this area. It is therefore considered that Policy EN4 is not applicable in this instance.
- 10.10 Given that the development proposes tree loss, the applicant has submitted a sustainability statement in relation to this element of the proposal. It states that the new development requires 56 tree removals and that the trees to be removed have very limited species diversity, being almost entirely comprised of Cherry (14), Sorbus (22) and Sycamore (11) with Hawthorn shrubs, Leylandii Cypress and willow comprising the remaining trees.
- 10.11 The proposed new tree planting scheme includes 90 new trees. These trees are of a diverse species mix of Acer Platanoides, Acer Rubrum, Betula Utilis, Carpinus Betulus, Prunus Avium, Preunus Subhirtella, Pyrus Calleryana, Quercus Robur, Malus Sp, Sorbus Aria, Sorbus Aucuparia Aspentifolia, Sorbus Embley and Tikia Cordata.
- 10.12 Tree species diversity is an important aspect of increasing resilience to climate change and to reduce the risk from pests and pathogens. It is suggested that planting a diverse range of tree species is beneficial in carbon storage. The planting of the diverse range of suitable species in key locations throughout the site will provide some limited mitigation for the required tree removals. This has to be balanced against the loss of existing trees and the fact that there is already some diversity in tree species.
- 10.13 The planting of a high proportion of larger nursery stock (extra heavy standard (32), heavy standard (53), select standard (4) and 4 semi mature 30-35cm girth) will provide the site with younger age classes which will provide a more diverse age structure. Whilst the new development inevitably requires some tree removal, the scheme attempts to minimise environmental loss and to maintain a healthy and diverse tree population that is resilient and able to provide the many eco-system benefits urban trees provide. It should be noted that the applicant has committed to meeting the requirements of Policy LAND2 and provide 3 new trees for every one lost and this matter is discussed at paragraphs 10.38 and 10.39 below.

Housing Density

- 10.14 Policy H3 of the Core Strategy sets out appropriate densities of housing, for urban areas this is considered to be 40 dwellings per hectare. The site measures 5ha meaning that the capacity would be 200 dwellings for this

site. At 153 dwellings, the density is just over 30 dwellings per hectare and is therefore below the policy requirement set out within Policy H3. It is noted that the SAP allocations for these sites gives a minimum recommended capacity of 113 units across both sites which would give a density of just over 22 dwellings per hectare. There are a number of site constraints which mean that the density proposed is considered to be acceptable. These include a large number of mature trees, a culverted watercourse and the need to provide a Multi-Use Games Area (MUGA) on site. The need to provide suitable private amenity spaces for the properties also has an impact upon the overall density of the site. Subject to an assessment of space (addressed in the section on design and amenity considerations), it is considered that the density of this development is acceptable due to the overall constraints of the site.

Housing Mix

- 10.15 In terms of housing mix the proposal provides a range of 2-4 bedroom properties in the following mix:
- 55 x 2 beds = 36%
 - 72 x 3 beds = 47%
 - 26 x 4 beds = 17%
- 10.16 This broadly accords with policy H4 which requires between 30%-80% 2 beds: 20%-70% 3 beds and 0%-50% 4+ beds. Whilst the proposal does not provide for any one or five bedroom properties, the policy does not require this. The scheme also proposes 24 flats which equates to a total of 16% of the development as a whole. Again, this would be in line with policy H4 which requires between 10%-50% to be flats.

Affordable Housing

- 10.17 Policy H5 requires the provision of affordable which in this location is 7% of the total amount, equalling 11 units. The applicants have provided for this in the layout and demonstrated the anticipated positions of these properties. 7 of those units are proposed to be 2 bed dwellings and 4 are proposed to be flats. The proposal is therefore considered to be compliant with Policy H5 subject to an s106 to ensure implementation.

Accessible Housing

- 10.18 In terms of accessibility of the properties themselves, the applicant has confirmed and have indicated on a plans that the development would meet the requirements of Core Strategy Policy H10 by being designed to ensure that 30% of the properties (46 units) meet the accessible and adaptable dwellings standards of Part M of the Building Regulations and 2% (3 units) being wheelchair user dwellings. Such requirements and the distribution and mix of units across the site can be controlled via a condition. In conclusion, the proposal is considered to comply with relevant Core Strategy Policies with regard to residential accessibility.

Internal Space Standards

- 10.19 The dwellings fully comply with Policy H9 of the Core Strategy with regard to space standards with the exception of bedroom 4 within the Lydford house type which has an internal area of 5.7m² (where policy says it should be a minimum of 7.5m²). There are 15 Lydford house types within the proposed development which equates to 9.8% of the overall scheme. The table below demonstrates that each of the proposed house types adheres to and exceeds the policy requirements for overall floor area.

House Type	Number of bedrooms	Proposed units size (Sqm)	DCLG/ H9 Minimum Standard (Sqm)	Difference (Sqm)
Braxton (NB31)	3	101.45	99	+2.45
Elliston (NB41)	4	116.1	112	+4.1
Lydford (PA42)	4	102.1	97	+5.1
Byford (NA32)	3	90.6	84	+6.6
Ashenford (NA20)	2	71.61	70	+1.61
Kingdale (NT31)	3	96.62	93	+3.62
Apartment type 1	2	63.2	61	+1.2
Apartment type 2	2	63.2	61	+1.2

- 10.20 Officers consider that the slight shortfall in overall space within bedroom 4 of one house type in an otherwise fully compliant scheme would not create any significant residential amenity concerns and is therefore considered to be broadly in line with policy.

Layout, Design and Appearance

- 10.21 The surrounding pattern of development is predominantly residential in nature with a mix of house types. To the south, within the Beckhill estate, the dwellings are predominantly terraced and are within a linear formation, pockets of greenspace surround these dwellings. To the north, the dwellings are more closely spaced with a mix of semi-detached and terraced properties.
- 10.22 The proposed development would have two distinct areas brought together with a central area of greenspace. The layout of each area would be broadly consistent with the dwellings to the north with a central spine road with cul-de-sacs off of this road. The dwellings would be predominantly semi-detached with some small runs of terraces (no greater than 3 properties per run). The proposed layout is considered to be acceptable and would harmonise well within its surroundings.

- 10.23 The proposals would comprise of 6 different house types, all of which would be two or two & half storeys in height of brick and tile construction. The scale and traditional design of the dwellings is considered compatible with the surrounding area. The two & half storey dwellings would have a small, pitched roof dormer to their front elevation and is also considered to be acceptable and compatible with the surrounding pattern of development. Corner turning units are proposed on plots which face onto two roads. This is considered appropriate and would ensure that the development has an acceptable level of impact upon the visual amenities of the surrounding area.
- 10.24 The proposed apartments would be three storeys with a hipped roof, located toward the southern part of the site. As the land is at a lower level than the adjacent road (Beckhill Approach), the proposed scale of the apartments is considered acceptable. The design of these blocks would also be acceptable and compatible with the wider development. The materials proposed would also harmonise with the surrounding area. As such, it is considered that the proposal is acceptable with regard to the overall design and appearance and would comply with current planning policies.
- 10.25 Works are also proposed in land to the south within an area designated as greenspace. These works are for the drainage attenuation and require a tank to be installed underground. A maintenance access road would be formed from Farm Hill North. Officers consider that this would be a minor incursion to this area of land which, once completed, would be reverted back to greenspace and used by the wider public. Visually, the land would not be different to that currently experienced and therefore, in principle, officers raise no objections to this element of the proposal

Amenity and Spacing Considerations

- 10.26 The layout, spacing and garden areas all meet the design and guidance advice of the adopted SPG Neighbourhoods for Living. The layout of the dwellings is considered to provide acceptable spacing between dwellings. Most dwellings have side driveways with sufficient space for 2 vehicles. Where frontage parking is proposed, this is kept to a minimum and there are no large areas of parking together. This allows for a well landscaped scheme that ensures that the development is not dominated by parking.
- 10.27 Where the development shares a boundary with existing dwellings, there is acceptable distances between properties. To the north there is an existing green corridor which separates the proposed development from the existing dwellings along Stainbeck Road. There is a significant levels difference between the existing dwellings within the Beckhills estate to the south and the proposed dwellings which ensures that there would be no issue with regard to residential amenity for these properties. To the east, the distance between the proposed dwellings (plots 11-22) would comply with the requirements set out within Neighbourhoods for Living. The proposal is

therefore considered acceptable with regard to protecting existing and proposed residential amenities.

- 10.28 The majority of dwellings comply with the 10.5m minimum garden depths as set out within the SPG. There are a small number of dwellings which do fall short of this and typically achieve between 8.5m and 9.5m to the boundary. However, it should be noted that part of the rationale behind requiring 10.5m length of garden is to provide a reasonable degree of separation between properties to protect privacy as opposed to providing a suitable size of garden. Notwithstanding this, all dwellings provide a good level of private amenity space meeting (and in most cases exceeding) the requirement for two thirds of the total floor space. The proposed apartments would have a minimum of 25% in line with policy. On balance, officers consider that whilst there is a minor shortfall with a small number plots with regard to the 10.5m distance to the boundary, the dwellings provide a good level of garden space which is fully in accordance with the requirement for two thirds (or 25% for apartments) of the total floor space.

Greenspace

- 10.29 In line with Policy G4 of the Core Strategy, the development would provide a policy compliant level of on-site greenspace. This would comprise of a central portion of greenspace running roughly north-south which is proposed to contain a Multi-Use Games Area & an informal play space as well as paths within a woodland type setting. It would connect into the existing green link running roughly east-west. The newly created greenspace would also connect the existing Beckhills estate with the new development and allow for much improved pedestrian links. It is proposed the Leeds City Council Parks & Countryside team will undertake the work using monies secured via s106 as part of this development with further consultation work with the community to be carried out before a final layout of greenspace is agreed. Conditions will be attached to the approval for final agreed details of the layout of the greenspace. The amount required for the greenspace is £475,514.39 which will be secured via a S106 agreement.
- 10.30 Off-site drainage attenuation works are proposed within an area of greenspace in land roughly to the south of the development. This would require the installation of an underground tank with a short access road from Farm Hill North. Policy G6 of the Core Strategy states that where the greenspace is to be replaced by an area of at least equal size, accessibility and quality in the same locality, then development of greenspace can be supported. In this instance, once the works are complete then there would be no loss of greenspace either in terms of size, accessibility or in quality. It is therefore considered that the proposed off-site drainage attenuation measures are acceptable in this location.

Landscaping and Trees

- 10.31 As existing, the site contains a large number of trees most of which are located around the site boundary. A large cluster is located toward the south eastern part of the site (adjacent to Beckhill Approach), another cluster along the site frontage with Potternewton Road and a number of trees along the green corridor to the north of the site. Internally, the majority of the trees are self-seeded as have a limited ecological and biodiversity value. The submitted information states that there are 159 items of woody vegetation which comprises of 142 individual trees and 17 groups of trees, shrubs or hedges. It is noted that the quality of these trees/vegetation varies significantly with a number of trees categorised as 'U' value trees which are not considered to have any amenity value which could be for a number of reasons including the overall health of the tree.
- 10.32 A number of the trees located around the site boundary have a Tree Preservation Order (TPO) under reference number 2012/23 (see paragraphs 3.03 and 4.02), the majority of the trees under this order are Sycamores. Of particular relevance are G1, T3 and T4 of this order. G1 is a group of 3 Sycamore located toward the northern part of the site and T3 and T4 are individual Sycamores situated to the south eastern (T3) and to the north western (T4) parts of the site. Within the TPO overall, there are 29 trees, either noted as individual trees or groups of trees.
- 10.33 The proposed development will require the removal of a number of these trees as they are situated in the footprint of the development or their retention and protection throughout the development is not considered suitable. In total, 56 trees and 3 wooded vegetation groups would be removed for the development. Of the 29 trees protected by the TPO, 7 trees are proposed for removal. This would include 3 TPO trees within G1 and the TPO's named as T4, all of which are Sycamore trees. These are required for removal due to engineering factors and the creation and improvements to drainage and the requirement for an easement along the northern boundary.
- 10.34 Another Sycamore covered as part of the TPO is proposed to be removed in order to facilitate the MUGA, which is the desired location for this recreational facility in order to bring community cohesion to the area with the new development and existing dwellings to the south. Two other Maple trees that are protected are proposed to be removed to help facilitate the development. The remaining 22 trees within the TPO will all be retained, together with a number of other trees which are regarded as being a higher quality than those actually protected under the TPO.
- 10.35 Due to the relatively steep topography of the site, earthworks are required to achieve suitable road gradients and development platforms for the housing, including cutting and filling on a widespread basis across the site.
- 10.36 To facilitate construction of the residential plots, it is proposed to turn over the made ground that is present to remove obstruction up to a depth of 5m. It is not considered practical to leave 'islands' of elevated ground where existing trees are present when undertaking this work as this has the

potential to cause excessive obstruction to the movement of site traffic and construction materials. This would also be at odds with the need for retaining structures throughout the development.

- 10.37 A surface water drain is proposed along the North West boundary of the site adjacent to the culverted Stain Beck and the existing public sewer. The location of this sewer is restricted by the topography of the site therefore, to provide the sewer and the required easements either side of it, a number of trees need to be removed as these would be over the easements required for the sewer. This includes 4 of the protected trees highlighted earlier within the report (G1 & T4).
- 10.38 As previously noted, one further TPO (T3) is required to be removed due to the provision of the Multi Use Games Area (MUGA). The location of the MUGA has been subject to consultation by the developers with local Ward Members and the wider community and it was considered that the proposed location is the most suitable as it allows for this area to be used by both proposed residents of the development as well as existing residents of the wider Beckhill's estate. Having the MUGA in this area also ensures that more mature trees with a higher level of public amenity are able to be retained.
- 10.39 Taking the above into account, officers consider that the tree loss proposed is acceptable when balancing against the benefits of the proposal, the allocation of the site for housing and the constraints of the land including drainage and levels. Notwithstanding this, any replacement landscaping would need to take into account proposed trees for their amenity value as well as for their biodiversity and climate implications.
- 10.40 Planning Policy LAND2 requires a 3 for 1 replacement for trees on site. For this scheme that would require 168 trees to be re-planted to compensate for the 56 trees proposed to be removed. Site constraints mean that it would not be possible to achieve this requirement whilst providing a housing development that would be viable and suitable for the surrounding area. The proposed landscaping scheme shows a total of 90 replacement trees on site whilst retaining 96 existing trees. Of the 90 new trees proposed, the majority of these would be extra heavy standard and semi mature which will ensure that the planted trees will have an established amenity value from the outset. They would be planted in areas which have higher levels of public amenity including to the north, along the green corridor as well as within the area of proposed greenspace which would have a positive impact within the area and for all users. The applicant has committed to a 3:1 replacement being delivered as a result of this development. However, as the council will deliver some of the on-site landscaping following future internal design and public consultation, it cannot be confirmed with absolute certainty how many trees will be delivered on site. The applicant will deliver the housing and planting within the housing zones but the city council will deliver the central spine in between these areas plus the linear section along the western boundary.

- 10.41 Accordingly it is proposed to plant further 78 trees (or however many trees is required to bring the total to 168 trees) are proposed to be planted off site within neighbouring council land. Specific locations are to be confirmed once discussions with Parks & Countryside have taken place however, a commitment from the Developer has been given to the planting of these trees off-site. This will be secured through a Legal Agreement.
- 10.42 Landscaping more generally would include street trees and hedge, shrub and bulb planting which would increase the amenity value provided by the site in the longer term. A landscaping masterplan has been provided as part of the application however it is considered appropriate to attach conditions to the scheme requiring further details of the landscaping especially within front gardens. This would be to ensure that the shrubs and hedges are also of a semi mature variety to provide higher levels of established amenity from the outset.
- 10.43 Works are also proposed in land to the south of the site where the drainage attenuation tank is proposed to be located. It would be located close to the existing road, Farm Hill North, with the tank to be situated a significant distance below ground. The position of the tank has been moved from its original location due to concern raised over potential impacts upon existing trees located close to Potternewton Lane. Its new position, and the route of the drainage pipes serving it, has been designed in an attempt to minimise any harmful impact on those trees.
- 10.44 Once the works have been completed the land would be returned to its previous state and be used as greenspace. Landscaping details relating to this particular area are scant and therefore it is considered appropriate that conditions are attached which require a detailed landscaping scheme for this area.
- 10.45 In summary concerns exist about the loss of trees on site and particularly those healthy mature specimens of high amenity value. However, the applicant has provided a reasoned justification to substantiate this tree loss and this has been subject to extensive challenge and discussion. Officers have concluded that the applicant has sought to minimise tree loss and maximise tree retention. Subject to the conditions mentioned above, officers consider that the proposed landscaping scheme provides an acceptable balance between tree loss and replacement, the delivery of a development on an allocated site and a development that harmonises well within its surroundings.

Highways and Parking

- 10.46 The site forms part of the SAP under two separate allocations with National Cycle Route 668/Leeds Core Cycle Network Route 9 running parallel to the application site. These networks would be unaffected by the development. The submitted Transport Assessment demonstrates that the site is within 400m walking distance of local services and major bus routes with connections to a major public interchange in the city centre. Officers

therefore consider that the site meets with the accessibility indicators as set out within the Core Strategy.

10.47 The development would be served by two accesses, one off Potternewton Lane with the other accessed from Beckhill Approach. Each access would serve roughly half of the development each with the central area of greenspace dividing the site. The proposals would require the formation of a new junction on to Potternewton Lane as well as onto Beckhill Approach. The submitted plans indicate that adequate visibility and geometry can be achieved at both junctions. Visibility of 2.4m x 90m to the left and 2.4m x 70m to the right are provided for the junction of Potternewton Lane within the adopted highway in accordance with the recommendations of the Street Design Guide and in relation to recorded traffic speeds. Junction radii of 6m are proposed and are considered acceptable given that existing junctions on the route are consistent with this. Swept path analysis also demonstrates the suitability of both junction layouts.

10.48 The submitted Transport Assessment provides acceptable vehicle trip rates based on the proposed housing mix. This estimates 75 and 85 two-way trips in the AM and PM peak hours respectively and predicts distributions based on Journey to Work Census data. The resulting flows indicate that the development would add the following trips to local junctions:

- Potternewton Lane/Stainbeck Road/Stainbeck Avenue (40AM and 46PM two-way trips)
- Stainbeck Road/Bowman Crescent/Beckhill Approach (43AM and 50PM two-way trips)
- Stainbeck Road/Stainbeck Lane (26AM and 31 PM two-way trips)

Existing traffic count data is provided with some traffic growth in order to model the operation of the junctions to take into account future year conditions. These are shown to continue to operate well within capacity and therefore there are no objections to this.

10.49 The Site Allocations Plan does not identify any site specific highway requirements however, the Transport Background Paper to the SAP identifies congestion hotspots around the city and this includes the roundabout at Potternewton Lane/Scott Hall Road. The submitted Transport Assessment for the application indicates the development will generate 11AM and 12PM trips at the junction and consideration should be given to providing a contribution toward improvements. Transport Policy have been consulted regarding the predicted growth at the junction and consider that the predicted impact of the development would not warrant a contribution and therefore, on balance, no objection is raised to this.

10.50 Each of the proposed dwellings would have 2 off street parking spaces though the flats (plots 126-149) would have 1 space per unit (totalling 24 spaces). Officers have no objection to the parking provision for the dwellings but do recognise that the provision for the flats is below the recommended amount of 1.25-1.5 spaces per 2 bed flat using the Street

Design Guide (equating to between 30 & 36 spaces), furthermore, no visitor parking is provided for the flats. Officers consider that, on balance, providing 1 space per flat would be acceptable given the sustainable location of the development and subject to a condition being attached to any approval which would prevent these spaces being allocated to specific flats then there are no objections to the overall parking provision for the development

- 10.51 Highways Officers require that all new internal road would built to an adoptable standard and officered up for adoption under Section 38 of the Highways Act. The speed limit for the proposed development should be 20mph in accordance with the Street Design Guide.
- 10.52 Subject to the required conditions and s106 contributions towards bus stop improvements, Residential Travel Plan Fund and the monitoring fee for the Travel Plan, the scheme is considered to be acceptable in highways terms in accordance with Policy T2 of the Core Strategy.

Drainage

- 10.53 It is proposed to drain the development by installing an off-site drainage attenuation tank in land to the south of the application site. It is not possible to install the proposed tank within the development boundary due to site constraints. Within the site, drainage would comprise of a series of sewers connecting into 1 main sewer which would run adjacent to the existing watercourse. This would then flow south into the off-site attenuation tank. This tank would control the flow of water into the adjacent watercourse (Stain Beck). Officers raise no objections to the principle of these off site attenuation measures.
- 10.54 In order to ensure ongoing maintenance of the tank, an access track would need to be formed. Because of the location of the proposed tank, it would be close to Farm Road North which means that there would only need to be a short access track. This would not lead to any significant incursion within the greenspace, furthermore, as it would only be used infrequently, it can be constructed using materials appropriate for its location.
- 10.55 Subject to conditions relating to drainage and landscaping, officers raise no objection to the drainage proposals.

Planning Obligations

- 10.56 The following planning obligations are required to make the application acceptable and will be secured via a Section 111 agreement, to which a Sec. 106 Agreement, will be appended:
- Affordable Housing (11 properties in total)
 - Real time passenger information display at a cost of £10,000 at bus stop 10858
 - Bus shelter to be provided at a cost of £13,000 at bus stop 11123

- Travel Plan review fee £3384
- Residential Travel Plan Fund £82,082
- Commuted Sum for the Council to undertake the on-site greenspace works £475,514.39
- Local Employment & Skills Initiative
- Off-site tree planting, to meet the requirements of Policy LAND2, within the Local Area

10.57 From 6 April 2010 guidance was issued stating that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is all of the following:

- (i) necessary to make the development acceptable in planning terms. Planning obligations should be used to make acceptable development which would otherwise be unacceptable in planning terms.
- (ii) directly related to the development. Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement.
- (iii) fairly and reasonably related in scale and kind to the development. Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.

10.58 According to the guidance, unacceptable development should not be permitted because of benefits or inducements offered by a developer which are not necessary to make development acceptable in planning terms.

10.59 The Community Infrastructure Levy (CIL) was adopted by Full Council on the 12th November 2014 and was implemented on the 6th April 2015. The application site is located within Zone 3, where the liability for residential development is set at the rate of £5 per square meter. This information is not material to the decision and is provided for Member's information only.

11.0 CONCLUSION

11.01 In light of the above, the application is considered to be acceptable. The site is a brownfield site allocated for housing within the SAP and would provide a mix of house types and accessible housing in accordance with policy. The proposal also provides appropriate levels of affordable housing, greenspace and a number of other matters, including a MUGA, that are to be delivered through the appropriate legal agreement. As such it would be fully compliant with regard to the planning obligations. The form of the development meets the requirements of the council's residential design guidance and is not considered to be harmful to the character and appearance of the area, nor would it have a harmful impact on highway safety, subject to appropriate planning conditions.

- 11.02 The proposed tree loss is considered to be proportionate and has been kept to a minimum. The design of the development has been revised to minimise tree loss. Where protected trees are proposed to be removed, robust justification has been provided which explains that due to the drainage and required easements, amongst other matters, these need to be removed to allow for connection into the existing drainage system.
- 11.03 The proposed landscaping scheme is also considered acceptable and would provide for semi-mature and extra heavy standard trees which would offer a higher level of amenity value from the start. The development would also fully comply with sustainability/climate change policies. The application is recommended for approval subject to a legal agreement to secure Travel Plan contributions, bus stop improvements, affordable housing and a greenspace contribution, as well as the conditions as outlined.

Background Papers:

Planning application file. 19/01665/FU

Certificate of ownership: site owned by Leeds City Council

Notes:

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All Dimensions are to be verified on site before any work commences. If any discrepancies, errors or omissions are noted, these are to be reported to STEN Architecture immediately.

If any other drawings are referenced within this layout, please refer to the specific detailed drawing for design, materials and specific working practices.

V	Position of plots 150-151 and associated parking amended to engineers comments. path to plot 7 amended. visibility posted on driveway. Plot 20 depicted as affordable. Retaining adjacent retaining structure amended. Offsite engineering works shown.	TS	26.11.19
U	Number of Lydfords corrected.	TS	10.10.19
T	Ashford, Byford and Kingdale replaces Gostord and Eastdale to clients comments. Minor plot amended to clients comments as per email of 27.05.19	TS	08.10.19
S	Minor alterations made to rearset boundaries to increase garden sizes. House type substituted to clients comments as per email of 30.08.19, 22.08.19 & 01.09.19	TS	21.08.19
R	Bicycle storage to apartments amended. knee rail shown adjacent turning head to plots 79-79	TS	18.07.19
Q	Layout updated to clients comments, number reduced by 10 overall.	TS	18.07.19
P	Area of driveway removed to G145. Position of plots 128-151 amended.	TS	14.06.19
N	Area of driveway removed to G145. Position of plots 128-151 amended.	TS	11.06.19
M	Alterations to G102 & G118	SL	05.06.19
L	Layout updated with latest tree survey	SL	04.06.19
K	Road length adjacent plot 88 extended. Position of plots 42-50 & 54-57 and separating road repositioned to allow for existing easement.	TS	23.05.19
J	Off site trees added to layout	TS	10.05.19
H	Layout update in line with planning and highway comments. Overall number reduced to 163 units.	TS	02.05.19
G	Rear boundaries of plots 86-91 amended to clients comments.	TS	25.02.19
F	Plots 25-26, 36-37, 42, 66-67, 79-80 & 103 replaced with PA42. Plots 77-78 & 104-105 replaced with NB31. Position of plots 43-44 & 38-40 and associated boundaries amended to incorporate plot subdivisions.	TS	13.02.19
E	Shared surfaces serving plots 1-6 & 64-69 increased to 5.5m	TS	13.12.18
D	Indicative finished floor levels and retaining features shown. Updated easement positions indicated. Off site storage tank shown.	TS	13.11.18
C	Layout updated to clients comments and pre-app meeting. Turning heads adjacent 21 & 68 repositioned to allow for man holes. Play space area and isolation amended to engineers comments. Vehicle junction off Pottersmill Lane updated to Optima Highways design.	TS	26.10.18
B	Substation indicated. MUJA and LEAP position indicated.	TS	15.10.18
A	Layout updated in line with client comments. updated easement position shown. new LEAP and MUJA design shown on layout. trees earmarked for removal shown on plan. Speed restraint and via safety indicated.	TS	05.10.18
REV	DESCRIPTION	BY	DATE

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London: Sten Architecture

CLIENT: **Taylor Wimpey**

SITE: **Meanwood**

TITLE: **Coloured planning Layout**

SCALE AT A6: 1:500 DATE: 03.09.18 DRAWN: TS CHECKED: --

PROJECT NO: 1842 DRAWING NO: 1842.01 REVISION: V

PLANNING LAYOUT KEY

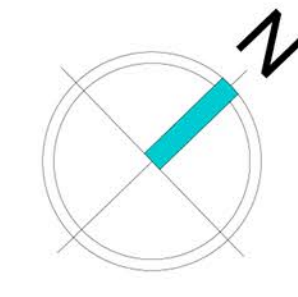
BOUNDARY TREATMENTS

- 1.8m Brick wall with tile crenating
- 1.8m Timber fence
- 0.4m Knee rail
- 1.2m Metal Railing
- Timber access gate

GENERAL

- Block paving (laid herringbone pattern) Specification to be agreed.
- Affordable plot - Rent
- Affordable plot - Shared ownership
- Retained tree/vegetation
- Root protection
- Removed tree/vegetation

Name	Floor Area Sq Ft	Total Units	Total
Apt-A	656	10	6560
Apt-B	656	6	3936
Apt-C	753	4	3008
NA20 Ashford	771	9	6939
NA32 Byford	976	28	27328
NT31 Kingdale	1040	23	23920
NB31 Braxton	1092	32	34944
PA42 Lydford	1090	15	16485
NB41 Elstion	1249	15	18735
Sub Total		142	141855
Apt-A	656	2	1312
Apt-B	656	2	1312
NA20 Ashford	771	7	5397
Sub Total		11	8021
Overall Site Total		153	149876
	hectares		acres
approx gross area	5		12.36
approx nett area	3.4		8.4
POS (inc MUJA) coverage	3.47		7.84



Scaled @ 1:500

0 10m 20m 50m



Originator: Glen Allen

Tel:

Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 23rd January 2020

Subject: Planning Application 19/00835/FU – APPEAL by Mr A Jonisz of 22 Park Lane Mews against the decision to refuse planning application for the raising of roof to form habitable rooms; two storey part first floor side/rear extension

The appeal was dismissed 4th November 2019

Electoral Wards Affected:

Alwoodley

☐ Yes

Ward Members consulted
referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION:

Members are asked to note the following appeal decision.

1.0 BACKGROUND

- 1.01 This application sought planning permission for the alterations that would raise the roof height of the dwelling to allow rooms in the roof space, and to provide a two storey and part first floor side /rear extension.
- 1.02 Officers assessed the application against the adopted Development Plan policies and focus was placed on Core Strategy Policy P10 – Design, T2 – Transport matters and sustainability, GP5 and BD6 that deal with planning matters and alterations to existing buildings and on advice in the Householder Design Guide (HHDG),
- 1.03 Officer recommendation was to grant planning permission as it was considered that the proposal complied with the policies of the Council and in particular there would be no detriment to the street by reason of the alterations proposed, that there would be no detriment to the amenities of occupiers of adjoining properties by reason of overlooking, overshadowing or noise generation and that as the proposal did not alter the existing level of off street car parking currently provided on site

there would be no material detriment to the users of the public highway as a result of this development.

- 1.04 Contrary to the Officers recommendation of approval, Members of North and East Plans Panel resolved to withhold planning permission for the below reason:

The Local Planning Authority considers the proposal would create a demand for parking which cannot be accommodated within the site. This would increase the potential for on-street to take place in an area which is already heavily parked to the detriment of the free and safe operation of the local highway network. The development is therefore contrary to adopted Core Strategy (2014) Policy T2 and saved Unitary Development Plan (Review 2006) Policy GP5 and the guidance contained within the NPPF which seeks to ensure the highway impacts of development are acceptable.

- 1.05 The decision was subsequently issued on 26th June 2019, and appealed shortly thereafter.

2.0 ISSUES IDENTIFIED BY THE INSPECTOR

- 2.01 The Inspector identified the main issues to be:

- The effect of the proposed development on highway and pedestrian safety, with particular regard to the adequacy of parking provision.

3.0 SUMMARY OF COMMENTS BY THE INSPECTOR

- 3.01 The Inspector deals with issues raised by the numerous objectors that are not related to his main issue as identified above first. These relate to the impact of the proposal of the general street scene and the impact of the proposal on neighbour amenity.
- 3.02 Commenting that "...the council does not refer to the effect of the proposed development..." on these matters he then agrees that notwithstanding the concerns raised by local residents that there will be no detrimental impact on the street scene generally and on neighbours amenity in particular.
- 3.03 The Inspector notes that "Park Lane Mews is a narrow road with footpaths along either side of part of the main east to west route through the Mews and at the corners of the entrance of the first cul-de-sac. Within other parts of the Mews there are no footpaths and the boundaries to the front of the houses are immediately adjacent to the highway."
- 3.04 The Inspector also noted that at the time of his site visit, being 09.20am, "...a small number of vehicles that were parked either at the side of the highway, straddling the highway and property boundaries or straddling the highway and footpaths". It should be noted by Plans Panel that this site visit was an unaccompanied one (as the Inspector did not require access to the appeal site) and so no notification of the date and time of their site visit was given to either the Officers of the Council or the local residential or appellant.
- 3.05 The Inspector then references the evidence supplied by third parties of the situation at other times of the day acknowledging that the Mews "at peak times.....is under

considerable parking stress with a high number of vehicles being parked on the highway or straddling property boundaries or footpaths.”

- 3.06 Acknowledging that the actual number of useable car parking spaces that are available was in dispute between the Council and the appellant, and the additional information supplied by the appellant that a car can fit within the existing garage the Inspector concedes that the provided dimensions of the garage and the spaces claimed by the appellant are below the Council’s stated standards and thus “it is unlikely that it (the garage) would be convenient or regularly used to park a vehicle” and the conclusion come to by the Inspector is that “technically the site can only accommodate one car parking space which meets the required measurements of the HDG SPD.”
- 3.07 The conclusion drawn is that whilst the current development may not create an immediate need for additional parking spaces.....it is highly likely that the additional rooms created as part of the proposed development would generate a demand ... in the future” with the result being that those cars would park on the highway.
- 3.08 Turning to the evidence submitted by third parties and the concerns of the Highway, the Inspector concedes that the Mews is “either at, or very close to its practical capacity.” And thus the development would have a “harmful effect on highway and pedestrian safety in the area.” The Inspector then emphasised that the corner location of the appeal site on the Mews would exacerbate this safety concern.
- 3.09 The Inspector concluded that the appeal should therefore be dismissed as being contrary to GP5 and T2 of the Local Development Framework

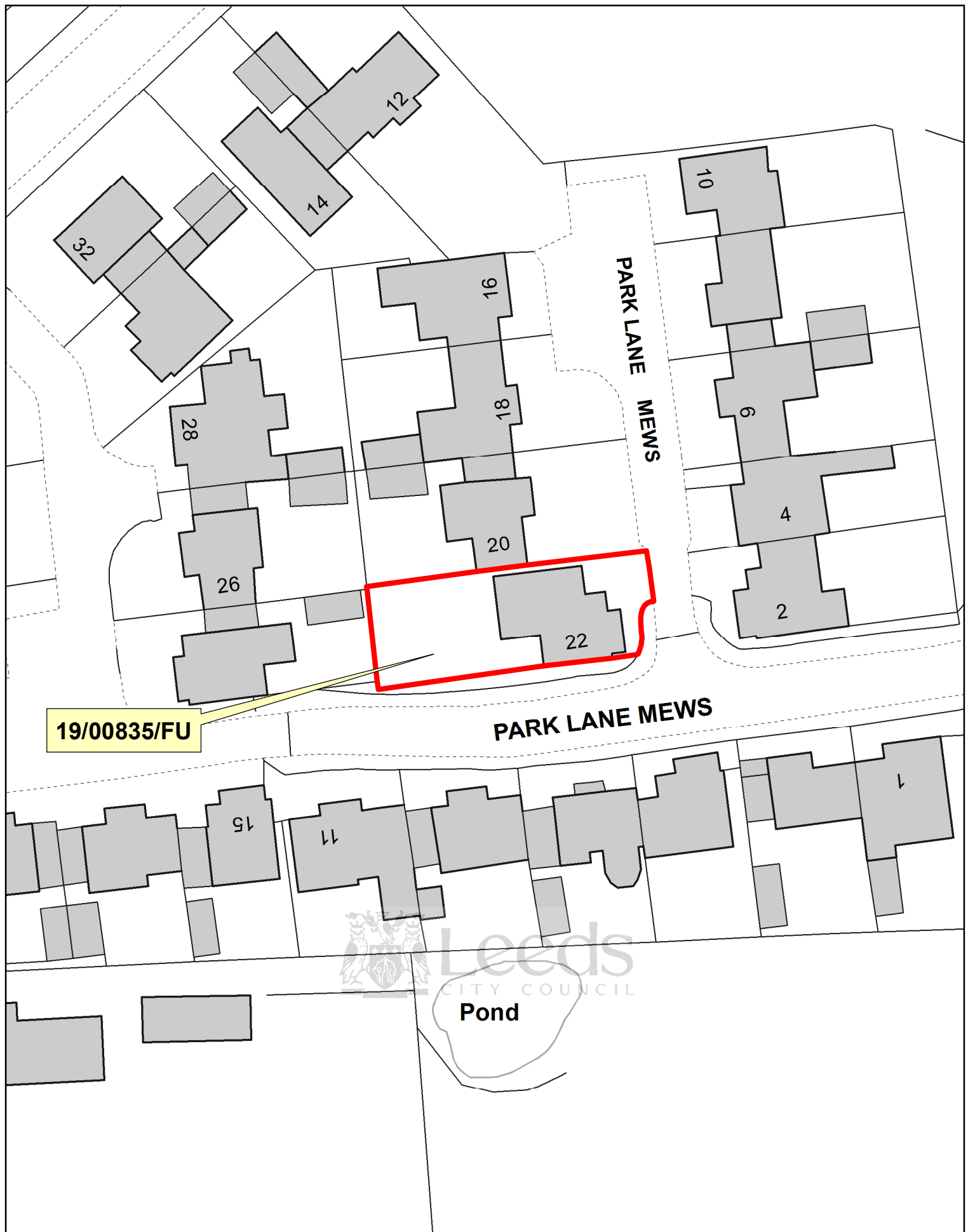
4.0 IMPLICATIONS

- 4.01 It is clearly a good thing that Members concerns in regards to this proposal have been vindicated by this decision.
- 4.02 The Inspector was very careful to draw out of his observations of the specific circumstances of this case in the nature of the Mews, the highway layout and the observations made at the site visit and the evidence submitted by third parties as well as that of the council.
- 4.03 The conclusions drawn by the Inspector are those of taking the case proposed on its individual merits. Particular regard was paid to the car parking levels that currently exist on the Mews overall, the lack of separate pedestrian facilities in certain parts of the Mews, the corner plot aspect of the application site and notably, that the existing provision on site despite been shown to be capable of accommodating some off street parking was both substandard to the current council’s standards and inconvenient for regular everyday use. Of particular note in the Inspector’s comments is the Mews is at or near to capacity already.
- 4.04 This is considered to be a subtle mix of factors all falling into place in this particular case that justify the conclusions reached and this single decision should not be used as a precedent. Rather the details of the case should be assessed and conclusions drawn on the facts of each case, including where necessary evidence provided by third parties that is otherwise not readily apparent from an inspection of the site during the normal working day.

Background Papers

Planning Application File 19/00835/FU

Inspector's Decision Letter Dated 4th November 2019



NORTH AND EAST PLANS PANEL

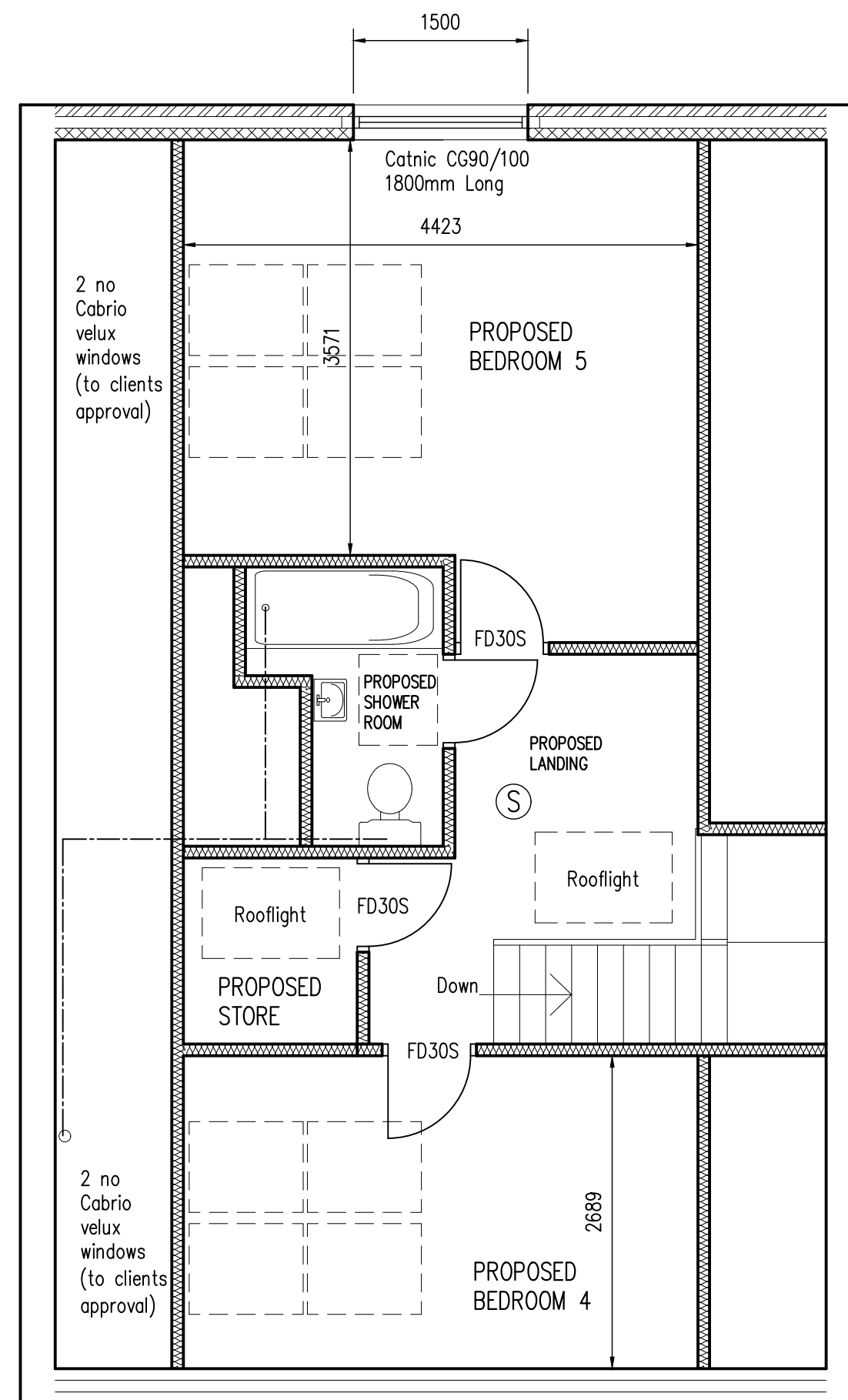
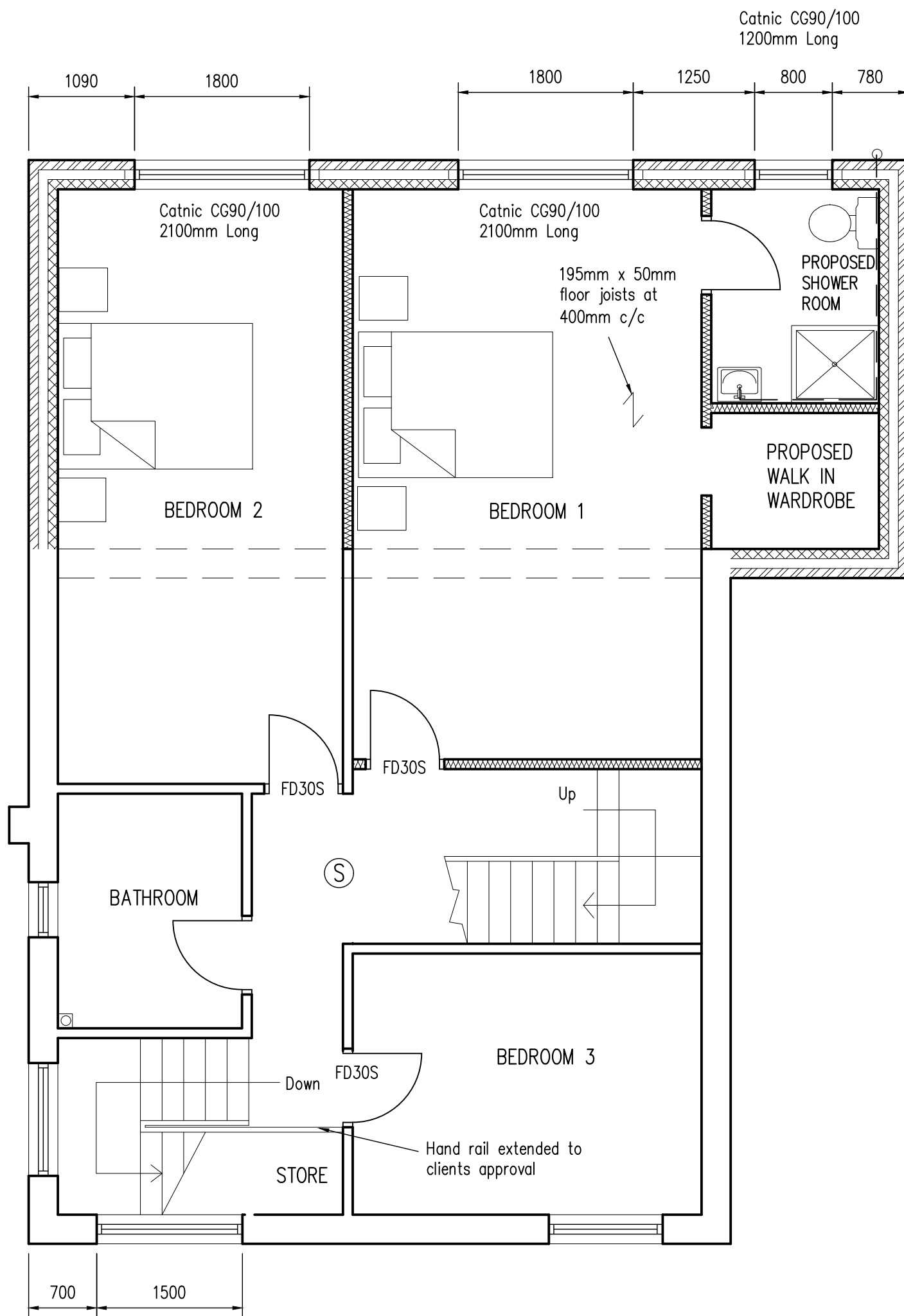
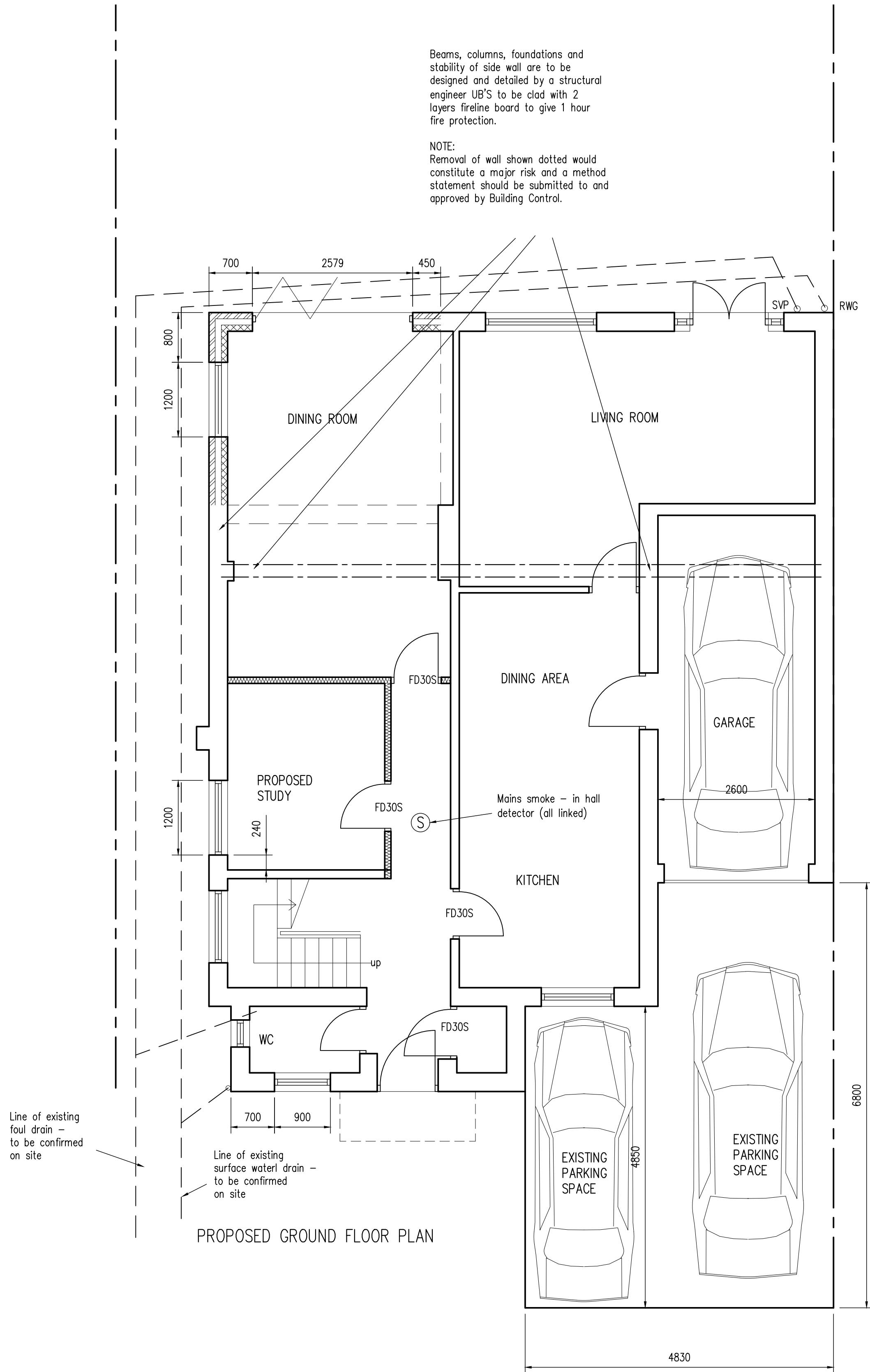
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Page 61

SCALE : 1/500





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PLEASE NOTE THAT BELMONT DESIGN SERVICES HAS BEEN APPOINTED TO DEAL WITH THE INITIAL DESIGN STAGE AND IS NOT INVOLVED IN THE PRECONSTRUCTION PHASE

- C Existing parking spaces added july 2019
- B Window amended Feb 2019
- A Clients amendments October 2018

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PROPOSED TWO STOREY EXTENSION TO REAR AND SIDE WITH NEW ROOF TO CREATE BEDROOMS AT :
22 PARK LANE MEWS
LEEDS
LS17 8SN
FOR : Mr Aaron Jonisz

Proposed Floor Plans

Date - September 2018

Scale - 1:50

Dwg No. - 8403/02 C