
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 ration 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

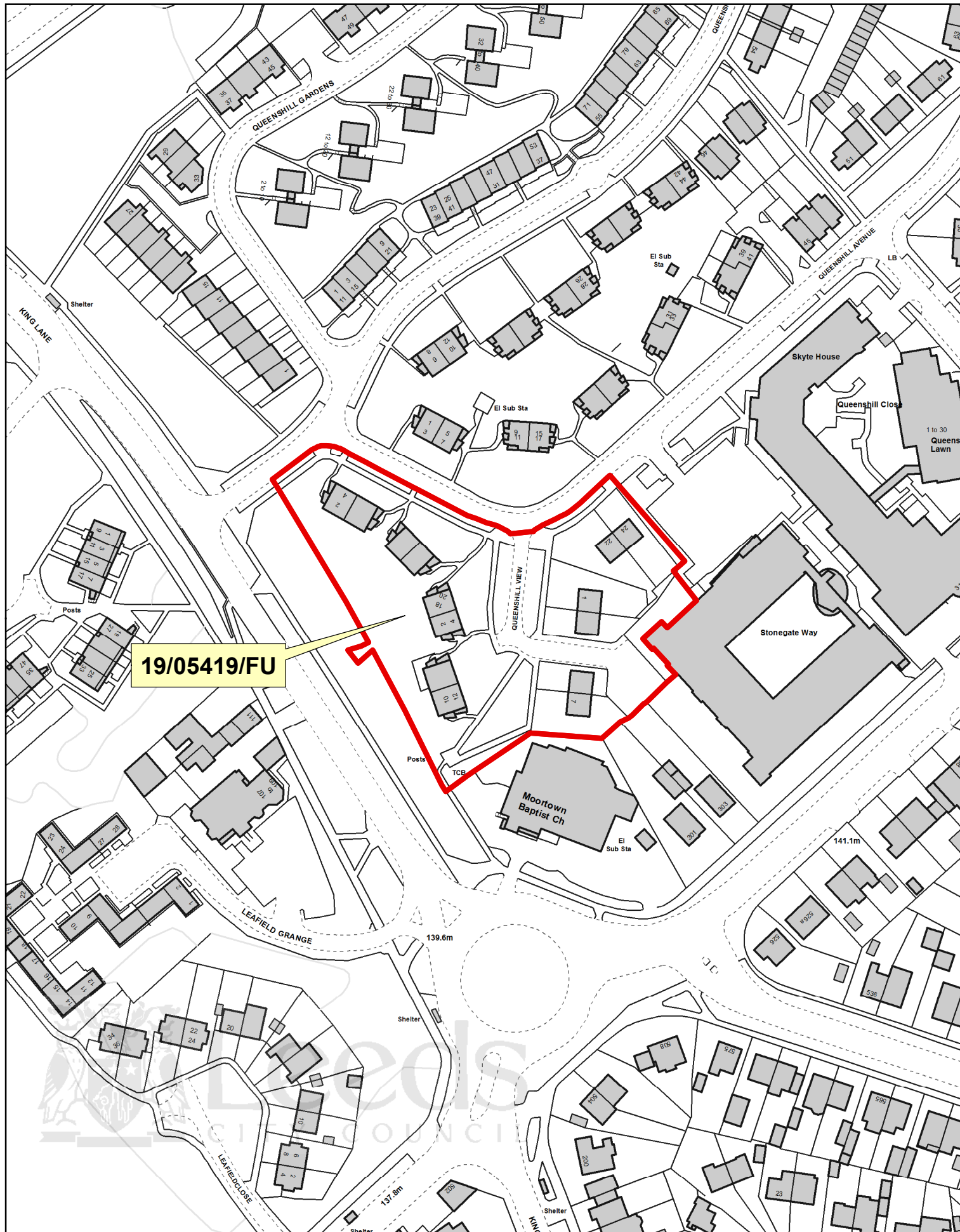
is something of an investment in the environment for the future and it will be a significantly larger investment given the replacement tree ratio of 3:1 than the current contribution made by the existing trees.

- 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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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

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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