



CITY PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 8th May, 2014
at 1.30 pm

PLEASE NOTE THERE ARE NO SITE VISITS PRIOR TO THIS MEETING

MEMBERSHIP

Councillors

P Gruen	M Hamilton	R Procter	T Leadley	D Blackburn
N Taggart (Chair)		G Latty		
S Hamilton				
E Nash				
N Walshaw				
M Ingham				
J Cummins				
J Lewis				

**Agenda compiled by:
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A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>CONFIDENTIAL AND EXEMPT ITEMS</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>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)</p> <p>(*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)</p>	

Item No	Ward	Item Not Open		Page No
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</p> <p>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.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>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:-</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>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.</p>	

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5			APOLOGIES FOR ABSENCE	
6			MINUTES To approve the minutes of the City Plans Panel meeting held on 10 th April 2014 (minutes attached)	9 - 18
7	Headingley; Hyde Park and Woodhouse	10.4(3)	APPLICATION 13/04862/FU - FORMER POLICE GARAGES AND ST MICHAEL'S COLLEGE - BELLE VUE ROAD WOODHOUSE LS3 Further to minute 148 of the City Plans Panel meeting held on 13 th February 2014, where Panel considered a position statement on proposals for student accommodation, key worker and apartment buildings, to consider a further report of the Chief Planning Officer setting out the formal application Included in the appendices to this report is a document considered to be exempt under Access to Information Procedure Rule 10.4(3) (report attached)	19 - 76
8	City and Hunslet		APPLICATION 13/05566/FU - OTTER ISLAND - WELLINGTON ROAD LS12 Further to minute 111 of the City Plans Panel meeting held on 21 st November 2013, where Panel received a presentation on pre-application proposals for 113 residential units on land at former Yorkshire Chemicals site between River Aire and Leeds Liverpool Canal, to consider a further report of the Chief Planning Officer setting out the formal application (report attached)	77 - 98

Item No	Ward	Item Not Open		Page No
9	City and Hunslet		<p>APPLICATION 14/01825/FU - MERRION HOUSE - POSITION STATEMENT</p> <p>Further to minute 127 of the City Plans Panel meeting held on 12th December 2013, where Panel received a presentation on proposals for alterations and refurbishment of Merrion House to provide office accommodation with a new office annex and One Stop Shop facility for Leeds City Council, together with the reconfiguration of the Georgian Mall and retail space to provide three new retail units to Merrion Way (A1,A2, A3 and A4 uses) and improvements to the public realm, to consider a further report of the Chief Planning Officer setting out the current position in respect of the proposals</p> <p>(report attached)</p>	99 - 112

Item No	Ward	Item Not Open		Page No
10	Cross Gates and Whinmoor; Garforth and Swillington; Temple Newsam		<p>THORPE PARK DEVELOPMENTS LTD</p> <p>To consider a report of the Chief Planning Officer in respect of the following:</p> <p><u>Application 14/01216/FU</u></p> <p>Position statement for the Manston Lane Link Road (North-South) route</p> <p><u>Application 14/02406/COND</u></p> <p>Discharge of condition application for determination – revised masterplan relating to the approved application (12/03886/OT) for a major mixed used development at Thorpe Park on land between Barrowby Lane and Manston Lane LS15</p> <p><u>Application 14/02488/FU</u></p> <p>Detailed application for determination - B1 office building at Thorpe Park (Surgical Innovations Building) on land off Park Approach Thorpe Park Business Park, Century Way/J46 M1 motorway LS15</p> <p>(report attached)</p>	113 - 128
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday 5th June 2014 at 1.30pm</p>	

Third Party Recording

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

Use of Recordings by Third Parties– code of practice

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

CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

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CITY PLANS PANEL

THURSDAY, 10TH APRIL, 2014

PRESENT: Councillor N Taggart in the Chair

Councillors P Gruen, D Blackburn,
M Hamilton, S Hamilton, T Leadley,
E Nash, N Walshaw, M Ingham,
J Cummins, J Lewis, A Castle and R Wood

169 Chair's opening remarks

The Chair announced the sad news of the death of Councillor Clive Fox, who had been at one time the Chair of the former Plans Panel East and a regular member of Development Plan Panel. Councillor Taggart stated that Councillor Fox had been a hardworking and diligent Councillor and had represented his constituents well. Councillor Taggart stated that as an accountant by profession, Councillor Fox could always be called upon to forensically examine reports and that he would be greatly missed

The Chair then asked for all present to stand and observe a minute's silence in memory of Councillor Clive Fox

170 Late Items

Although there were no formal late items, the Panel was in receipt of supplementary information in respect of the NGT update report and the Position Statement on proposed residential development and access at a site in Cookridge (minutes 178 and 176 refer) which had been circulated in advance of the meeting

The Chair referred to a recent visit to Derby undertaken by the Panel to view a development and stated that additional information following this visit would be circulated to Members during the break

171 Declarations of Disclosable Pecuniary Interests

Councillor James Lewis declared a disclosable pecuniary interest in agenda item 11, NGT update report, through being the Chair of the West Yorkshire Integrated Transport Authority, as Metro was the applicant (minute 178 refers)

Although not a disclosable pecuniary interest, Councillor Leadley brought to the Panel's attention the fact that he knew the agricultural tenant of the land off Bradford Road East Ardsley, which was the subject of a position statement (minute 177 refers)

The Head of Planning Services, Martin Sellens, brought to the Panel's attention that he lived in the vicinity of the site at Cookridge, which was the

subject of a report to Panel and would leave the room when Members considered this item. The Chair confirmed that during the round of site visits earlier in the day, the Head of Planning Services had remained on the bus whilst Members had undertaken the site visit to land rear of Moseley Wood Gardens and land off Cookridge Drive LS16 (minute 176 refers)

172 Apologies for Absence

Apologies for absence were received from Councillor G Latty and Councillor R Procter. The Chair welcomed Councillor Castle and Councillor Wood who were substituting for their colleagues

173 Minutes

RESOLVED – That the minutes of the City Plans Panel meeting held on 20th March 2014 be approved

174 Applications 13/03970/FU and 13/03917/LI - Applications for planning permission and Listed Building consent for the change of use of offices, involving alterations and new second floor to annex to rear to form 3, one bedroom duplex apartments; 1, one bedroom flat; 3, two bedroom flats; 2, three bedroom flats and one retail unit (A1) and one commercial unit (A1-A3) - 22 - 23 Blenheim Terrace LS2

Further to minute 146 of the City Plans Panel meeting held on 13th February 2014, where Panel deferred determination of the applications for change of use, alterations and extensions to 22- 23 Blenheim Terrace LS2, Members considered a further report of the Chief Planning Officer

Plans, photographs and graphics showing comparative images of the revised scheme and the previous proposals were displayed at the meeting

Officers outlined the changes which now proposed 9 units, comprising 16 bedspaces, albeit in a slightly larger building, as opposed to the previous scheme which was for 14 units with 19 bedspaces

Members discussed the revised proposals and were of the view that they were an improvement on what had been presented in February

Concerns were raised about the aluminium panelling to the top floor level of the extension and that a more sensitive material in this location should be considered

RESOLVED – That planning permission and Listed Building consent be granted subject to the conditions set out in the submitted report (and any others which might be considered appropriate) and subject to further discussion about the proposed material to the top floor of the extension

175 Application 13/05378/FU - Construction and operation of an Anaerobic Digestion Plan and associated infrastructure - Knostrop Sewage Treatment Works, Knowsthorpe Lane LS9

Draft minutes to be approved at the meeting
to be held on Thursday, 8th May, 2014

Plans, graphics and photographs were displayed at the meeting. A Members site visit to an Anaerobic Digestion Plant in Bradford had been undertaken on 2nd April 2014

The Minerals, Waste and Contaminated Land Manager presented a report seeking approval of an application for an Anaerobic Digestion Plant and associated ancillary infrastructure at the Knostrop Sewage Treatment Works, Knowsthorpe Lane. It was noted that the application related to two separate parcels of vacant land within the operational land of the Waste Water Treatment Works off Knowsthorpe Lane

The anaerobic digestion process was outlined to Members together with details on the earthmoving works required and the creation of a bund on the southern part of the development

The need for replacement waste facilities due to the landfill sites at Peckfield and Skelton being close to capacity was highlighted. The benefits of anaerobic digestion as a less costly way of dealing with waste compared to landfill was referred to, together with the energy potential of the scheme under consideration

In terms of design, visual impact and highways, Officers were of the view that the application was acceptable

Members were informed that Public Health England had not objected to the development and had indicated they would comment at the permit application stage, to the Environment Agency

If minded to approve the application, an additional condition was recommended which fixed the throughput at 48,000 tonnes

Members discussed and commented on the application in respect of:

- highways, particularly the route the lorries would take and the need for the time restrictions for lorries arriving and leaving the site to be adhered to
- alternative sites for the facility
- the visual impact of the proposals from further afield
- the usefulness of the site visit to the facility in Bradford
- odour issues and the need for assurances that the process would work properly

Members considered how to proceed

RESOLVED - That the application be granted subject to the conditions set out in the submitted report, a further condition to fix the throughput at the plant at 48,000 tonnes and any other conditions that the Chief Planning Officer considers necessary

176 Applications 13/04148/OT - Outline application for development of circa 200 dwellings including access from Moseley Wood Rise at land rear of Moseley Wood Gardens Cookridge LS16 and 14/00190/FU - Proposed second access road from Cookridge Drive to land at rear of Moseley Wood Gardens Cookridge LS16 - Position Statement

Prior to consideration of this matter, the Head of Planning Services, Martin Sellens, withdrew from the meeting

Plans, photographs and drawings were displayed at the meeting. A Members site visit had taken place earlier in the day

Members considered a report of the Chief Planning Officer setting out the current position on an application for residential development on a 9.9 hectare PAS site and the creation of a second access point over Green Belt land. An update to the submitted report had been circulated prior to the meeting and had been published on the Council's website

Officers presented the report and outlined the proposals, including the information contained in the update report

The indicative masterplan was shown which indicated the potential for 200 dwellings of semi-detached and detached type, with 2 – 2 and a half storeys in height

The POS proposals were outlined with Members being informed that the flood attenuation measures did not form part of the POS calculations for the site

How the site related to the criteria set by Executive Board in March 2013 for the early release of selected PAS sites was explained. Whilst accessibility had been an issue, the proposed second access route from Cookridge Drive would broadly meet the access criteria, with Officers being of the view that in principle, the site complied with the Interim Housing Policy, however there were other constraints associated with the site, these being drainage issues and the impact of the creation of the second access which would result in the loss of protected trees and a designated UK BAP Priority Habitat and would impact upon the openness of the Green Belt and the objective of preventing encroachment into the Green Belt. On this matter, Members were informed that a clause in the NPPF indicated that certain forms of development could be considered not to be inappropriate development if they did not impact on the openness of the Green Belt, one of these being engineering operations, and that the means of access could be defined in this way

In terms of the Section 106 package, this was outlined as set out in the report before Panel

Members then heard from the Group Engineer in the Council's Flood Risk Management Team who informed the Panel that initial issues with the flood modelling had been raised and that further work by the applicant's flood risk consultants had shown it was possible to locate the attenuation ponds outside the floodplain. However, the south east corner of the site was particularly boggy and that the applicant had been asked to carry out further work to determine the cause of this, although this was an issue which would need to be addressed at the Reserved Matters stage

Members discussed the report and commented on the report with the key issues being:

- the Council's 5 year land supply and the importance of this when considering applications. A brief discussion took place on the interpretation of the 5 year land supply, as set out in the Officer's report
- floodrisk and drainage and that these were two separate issues; the need to establish where the water on the south east corner of the site was coming from and the possibility that this could be a deep seated problem

- that consideration of a position statement on the proposals was premature until there was certainty about the waterlogged part of the site
- access arrangements; the extent of development possible from a single access point; that a second access point was critical and that the proposed location for this could be considered as encroachment into the Green Belt. The Transport Development Services Manager stated that whilst there was not necessarily an issue with the total number of dwellings proposed, it was about the nature of the existing access, i.e. a residential road and therefore Officers had sought an additional access to service the development, albeit that an access from Cookridge Drive was not ideal and that further comments were awaited from colleagues in Highways
- the possibility of taking an access lower down, through the acquisition and demolition of a property. Members were informed that the applicant had submitted legal and viability information on this aspect
- education provision
- the extent of development in the boggy part of the site. Members were informed that the indicative plan showed 30-40 dwellings in that location
- the cumulative impact of the proposals
- the difficult decisions Plans Panels had to take

In addressing the specific questions raised in the submitted report and an additional question in the supplementary document, the Panel provided the following responses:

- on whether Members had any concerns regarding the principle of development, the Panel indicated that it had and required certainty on the issue of drainage and what was causing part of the site to be wet and that the outcome of this could affect the layout and number of dwellings the site might be able to accommodate. In the event that Members were satisfied about the drainage issues, it was likely that the principle of development would have to be acknowledged, although at this stage, the application was considered to be premature without knowing the drainage details
- regarding the proposed access arrangements and highways, that the loss of woods, TPO trees, a BAP Priority Habitat and Green Belt land to accommodate a second access was not supported. The suggestion of an adopted cycleway and footpath however, could be supported
- regarding the sustainability or capacity of the site, to note Members' comments on these matters
- in respect of the emerging Section 106 package, to note that the education contribution complied with policy but that further information was required on the number of places this would provide and at which schools

- concerning the impact of the proposed access road from Cookridge Drive upon the openness of the Green Belt and whether the creation of an access road in this location would conflict with the purposes of including land within the Green Belt, the Panel considered that it would
- on the issue of further comments at this stage, the matter of the interpretation of the 5 year land supply was raised again. The Chief Planning Officer stated that he did not accept this was being misinterpreted by Officers but stated that further clarification could be provided

RESOLVED- To note the report, the presentation and the comments now made

Following consideration of this matter, the Head of Planning Services resumed his seat in the meeting

177 Application 13/05423/OT - Outline application for means of access from Bradford Road and to erect residential development on land off Bradford Road East Ardsley WF3 - Position statement

Prior to consideration of this matter, Councillor Wood left the meeting

Plans, photographs and drawings were displayed at the meeting. A Members site visit had taken place earlier in the day

Members considered a report of the Chief Planning Officer which set out the current position on an application for a residential development on a 13.50 hectare PAS site at Bradford Road East Ardsley. A revised indicative masterplan showed a maximum of 299 dwellings on site and a two hectare site reserved for a possible future primary school

The Head of Planning Services presented the report and outlined the relevant planning history and the position of the site in relation to the surrounding communities of East and West Ardsley and Morley

Members were informed there were concerns about the proposals in terms of highway capacity and accessibility issues. It was noted that the site also failed on the first two criteria of the Council's Interim Housing Policy

Members discussed the proposals, with the main issues being raised relating to:

- land use and the need for a site for an additional high school to serve the Morley area
- access requirements for the scheme indicated on the masterplan together with highways issues in the local area and the additional traffic which would be generated by a primary school on the site. Members were informed that further analysis of the traffic arrangements would need to be undertaken by Officers
- the fact that the site did not meet the first two criteria of the Interim Housing Policy; that further work was proposed to

consider if the highways arrangements could be supported and whether the use of resources was justified on this site

- the coalescence of communities and that in general, this should be resisted
- that at 13.50 hectares in size, the site was above the threshold specified for PAS land which might possibly be released early for development. The Chief Planning Officer stated that the Interim Housing Policy had been tested and was a lawful policy; that the applicant had not put forward any circumstances to set aside that policy; that coalescence was an issue in this case and that the Site Allocations process would resolve the issue of the use of the land for education or residential

Members considered how to proceed

RESOLVED - To note the report, the presentation and the discussions on the proposals and for the Chief Planning Officer to have regard to the views of the Panel that the application was premature; it did not fulfil two of the three criteria laid down in the Interim Housing Policy and there were also concerns about the coalescence of communities and highways issues

178 Application 13/04318/TWA - Submission of the Transport and Works Act Order application for the New Generation Transport NGT Scheme - update report

Having declared a disclosable pecuniary interest, Councillor J Lewis withdrew from the meeting. Councillor P Gruen also left the meeting at this point

Further to minute 81 of the City Plans Panel meeting held on 17th October 2013, where Panel considered a report of the Chief Planning Officer on submissions of the Transport and Works Act Order for the New Generation Transport (NGT), Members considered a further report which included updated information on the proposed route and how it would impact on the Leeds College of Art and the businesses at Pym Street. Appended to the report was the updated suite of proposed draft conditions. A plan showing the landscape proposals at Blenheim Walk was considered as a supplementary document

The Acting Planning Projects Manager presented the report and referred to the Members site visit to the Leeds College of Art on 21st November 2013 and the concerns which Members had raised

The revisions which had been made at this location, with the northbound turn having been removed and more space created around the college, were considered to be a significant improvement. The amendments also retained the garden area, walls and trees and Officers considered the proposals did not have an impact on the college

Members were informed of a representation received from the Principal of the Leeds College of Art who, whilst welcoming the amendments, considered significant concerns remained, particularly as University status was being sought and the proposals could potentially have an adverse impact on this. The concerns were summarised and included:

- impact of traffic; isolation of the College and first impressions of the College and its setting, especially as competition existed for students
- the offer of an area of land from NGT did not compensate for the loss of land
- that the alternatives had not been properly explored and that there was no reason why Blenheim Walk had to be a two-way route
- noise and that this had not been properly assessed
- that Panel should ask Metro to reconsider the proposals further and in particular not make Blenheim Walk a two-way route

The Panel discussed the changes around the College of Art site and considered the amendments to be an improvement on the original proposals. Concerns were raised that specific distances could not be provided in respect of the circulation space outside the front door of the college. Regarding Blenheim Walk, it was felt that a two-way route improved the situation and slowed down traffic

The Panel then considered the revisions to Pym Street. Members were informed that three main options had been reported to the businesses in this area, with a mix of views remaining. Whilst there was support for NGT's preferred option of retaining the left turn into Pym Street, together with signaling and realignment of Hunslet Road to create a left turn lane, some businesses also sought a new right turn from South Accommodation Road, with Metro undertaking further investigations on this option

Members welcomed the work which had been done to reach a sensible conclusion for local businesses

The Panel was referred to the suite of draft conditions appended to the submitted report

RESOLVED - That the Panel provides its support to the details of the project set out in the submitted report, subject to the various changes, revisions and amendments to conditions set out in the appendix 3 to the report and continued dialogue with key affected groups

Following consideration of this matter, Councillor J Lewis resumed his seat in the meeting

179 Preapp/14/00279 - Internal alterations and maintenance works to Kirkgate Market - Site bounded by Vicar Lane, George Street and Kirkgate LS2 - Pre-application presentation

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

Members considered a report of the Chief Planning Officer on proposed works to Kirkgate Market and received a presentation on the proposals from the agent and architect involved in the project

Members were provided with the following information:

- the background to the proposals, including the business case; the consultation which had been carried out and details of further consultation which had been arranged

- the key design stages, details of the works to be carried out on an area by area basis and the level of funding available to undertake the works
 - timescales, phasing of works and implications for traders
 - that proposals for George Street would form a separate scheme
- Members discussed the proposals, with the main issues considered

being:

- consultation with traders; anecdotal evidence to suggest that not all traders were happy with the proposals and an acceptance that not everyone would wish to engage in consultations and discussions
- displaced traders and whether alternative locations would be found for those most affected by the proposals
- changes to market entrances
- the functioning of the market whilst alterations and improvements were taking place
- the phasing of the works, particularly the Block Shops once these were vacated on the Butcher's Row side of the market
- the brick wall surrounding the outdoor market and how permeability would be achieved
- hours of delivery for the different areas the market would contain
- the heritage connection with Marks and Spencer and to ensure the proposals retained the links which currently existed
- historic design details in the 1904 hall which were currently obscured by stalls and the need for these to be opened up
- the need for the market to retain its character, with concerns that some of the images presented showed a 'sterile' environment and a lack of individuality to the stalls
- the need for longer opening hours of the market
- the need for assurances that buildings on George Street would not be demolished until re-development was to take place

A request to address the Panel had been received from Mr Simon Jose. Although it had come to light that Mr Jose was not representing the Friends of Kirkgate Market as had been first thought, the Chair used his discretion and allowed Mr Jose to address the Panel. Members were provided with information which included:

- concerns by traders at the proposals to create a combined meat and fish market
- consultation
- information included in a report considered by Executive Board
- contractual matters
- levels of compensation

The Chair advised Mr Jose that contractual matters were not issues which could be considered by City Plans Panel

In response to the specific questions raised in the report, the following responses were provided:

- Members considered that the principle of relocation of the butchers to Fish and Game Row to enable the rationalisation of services, including new drainage and extraction was acceptable

- that the 'Market Village' concept was acceptable in principle
- that the approach taken to the proposed new Block Shop and its relationship to the original 1875 Block Shop arrangements and layout was correct
- that the proposed daily covered market layout and the new flexible events space were acceptable in principle
- that the proposed routes maximized the benefit of the proximity to Victoria Gate by strengthening the connections to it
- that this rationalisation was a reasonable approach to take given the proposed change in character of this area
- that Members were satisfied that the recommendation of Officers could be agreed under delegated powers - unless the proposals were markedly different from those presented to Panel – in order that the application could be sent to the Department of Communities and Local Government for determination

Members welcomed the proposals and the investment in Leeds Market

RESOLVED - To note the report, the presentation and the comments now made

180 Date and Time of Next Meeting

Thursday 8th May 2014 at 1.30pm in the Civic Hall, Leeds



Originator: Tim Hart

Tel: 3952083

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 8th MAY 2014

PROPOSED STUDENT ACCOMMODATION, KEY WORKER AND APARTMENT BUILDINGS ON LAND AT ST. MICHAEL'S COLLEGE AND POLICE DEPOT, ST JOHN'S ROAD AND BELLE VUE ROAD, LITTLE WOODHOUSE, LEEDS (13/04862/FU)

APPLICANT

Watkin Jones Group /
Diocese of Leeds Trustee

DATE VALID

17th October 2013

TARGET DATE

8th May 2014

Electoral Wards Affected:

Hyde Park and Woodhouse
Headingley

Yes

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION : DEFER and DELEGATE to the Chief Planning Officer for approval subject to the resolution of issues relating to the provision of accessible student bedrooms, the specified conditions (and any others which he might consider appropriate) and also the completion of a Section 106 agreement to include the following obligations:

The provision of 262 low cost housing units at an affordable rent (not more than 80% of local market rent of not less than equivalent quality and specification) to keyworkers (para 3.2.4);

Phasing of the development to ensure the renovation of the St Michael's College 1908 building;

A public transport contribution of £30,000 to be spent on improvements to the existing pedestrian bridge over the Inner Ring Road to help link the site to the City Centre;

Implementation of Green Travel Plan;

A Travel Plan review fee of £4,500;

Provision of space for City Car Club car within the development and £25,000 for free trial membership and usage of the car club;

A sum of £15,000 to be spent on revising Traffic Regulation Orders if the development results in on-street parking problems;
A contribution of £10,000 towards local bus stop infrastructure improvements or sustainable travel measures;
A contribution of £20,000 to the provision of off-site greenspace;
Student occupation of student building during recognised Higher Education term time;
Control of student car use in tenancy agreement;
Community use of room in St Michael's building not less than 2 hours per calendar month;
Local employment and training initiatives;
Section 106 management fee.

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

1.0 INTRODUCTION

1.1 This application seeks planning permission for the construction of three new buildings comprising student accommodation (320 bedspaces), keyworker accommodation (262 apartments) and 61 open market apartments on land at St John's Road and Belle Vue Road. All existing buildings on the former police depot and St Michael's College site would be demolished except the original 1908 element of the college which would be retained and refurbished to form part of the proposed keyworker accommodation. A pre-application presentation of the current scheme was presented to City Plans Panel on 4th July 2013 following a site visit. The minutes of that meeting are attached as Appendix 1.

1.2 Subsequently, a Position Statement was considered by City Plans Panel on 13th February 2014. Members commented on the following issues:

1.2.1 Uses

Members noted the concerns of local Councillors about the amount of student accommodation in the scheme and requested information which set the application in context with the level of demand and the amount of student accommodation already granted planning permission given concerns about the possibility of the student accommodation in the city remaining empty. However, subject to the figures being acceptable for the level of student accommodation in the city, that further student development could be considered to be appropriate on the site. Bars and letting agent uses were not supported in the commercial space.

1.2.2 Design and amenity

That whilst the location was highly sustainable for student accommodation and there was a need for keyworker accommodation in Leeds, there were concerns about the size of the accommodation being created. Larger apartments, not studio apartments, should be provided which could be used by young professionals or keyworkers. Concerns were also raised about the size of some of the student rooms. There were mixed views about the general scale of the new development although the relationship with houses in Kelso Gardens and Consort View was considered acceptable. Further information was required on some elements of the buildings, including detailed treatment of the elevations and the relationship to

existing properties on Belle Vue Road. Members were of the view that the level of provision for disabled people was not acceptable.

1.2.3 Section 106 agreement

Members indicated that whilst this had not been discussed in detail, it was acknowledged that some of the comments made could impact on the agreement. However, Members indicated that low cost housing in perpetuity exclusively for key workers could be considered in lieu of provision of affordable housing managed by a registered provider. In the absence of on-site greenspace a contribution should be paid towards the provision of off-site greenspace. Members supported the potential community use of the building. Members also requested further information on the costs of achieving higher levels of sustainability possibly undermining the overall viability of the scheme

The minutes of the meeting of 13th February 2014 are attached as Appendix 2.

1.3 On 2nd April 2014, at the invitation of the applicant, several Members of City Plans Panel visited Darley Bank, Derby with officers to view one of the applicant's most recent student schemes. Following a brief tour of some of the rooms and facilities within the premises the applicant outlined how the student component of the scheme would be managed by Fresh Student Living; and confirmed that the keyworker accommodation was intended to address a gap in the housing market by providing an opportunity for people still living in their parental home in their late 20's and early 30's, and people living in shared house, their first step into self-contained accommodation. The rents are to be comparable with the rents for a room in a shared house but the applicant advised that the fit out of the interior would be a high quality. The managed keyworker accommodation would also benefit from a range of communal facilities including a gym, laundry, common room, games room, reading room and TV lounge, together with well-maintained external amenity space.

1.4 The applicant intends commencing development of the keyworker and student accommodation concurrently later in the year. The intention is that the student accommodation would be available for the Autumn 2016 term, and the keyworker housing shortly after. The open market housing site, on the former playground area, would be used as the site construction compound for the first phase of development. The open market housing development would follow the completion of the keyworker accommodation.

1.5 This report addresses issues raised by City Plans Panel and refers to the current position regarding section 106 issues and viability. A supplementary, confidential report, relating to viability appraisal is attached as Appendix 3. The report contains information relating to the financial and business interests of the applicant. It is considered that it is not in the public interest to disclose this information as it would be likely to prejudice the financial and business interests affairs of the applicant. It is therefore considered that Appendix 3 of the report should be treated as exempt under Access to Information Procedure Rule 10.4 (3). Suggested conditions are attached at Appendix 4.

2.0 SITE AND SURROUNDINGS

2.1 The site, extending over 1.8 hectares, comprises two neighbouring parcels of land. The northern third of site, abutting Belle Vue Road and St John's Road, contains a large single storey brick building originally constructed as a clothing factory. It was last used by the police. There is off-street parking on the road frontages behind a

low stone wall. A large ash tree close to the road junction is covered by a Tree Preservation Order.

- 2.2 The remainder of the site comprises the buildings and grounds of St Michael's College which closed in 2008. The college buildings are grouped around the original 1908 building designed by Benedict Williamson. The college was built to replace the rapidly developing Leeds Catholic College previously located to the rear of the current building. It was constructed on a grand scale and elevated above a large stone wall on St John's Road. Although the building is not listed it is a positive feature in the area. Later extensions attached to the north west and to the rear (north east) detract from the prominent college building. The buildings have suffered badly from vandalism, theft and lack of maintenance since being vacated.
- 2.3 The former school playground extends over much of the southern third of the site. Like the college, it is elevated above St John's Road and sits behind a high brick wall which has been extended vertically with the addition of further brickwork topped by open mesh fencing. There are lines of good quality mature trees close to the boundaries of the site, both to the front and rear of the college buildings. There are further groups of good quality trees between the sloping grassed area to the rear of the college buildings and on the eastern edge beyond the school playground.
- 2.4 Levels in the area fall noticeably from the north east to the south west such that the ground level of the police building is approximately 4 metres lower than the college buildings. Due to the changes in levels the two storey terraced houses in Kelso Gardens 13 metres to the north east currently look out over the roof of the single storey police building. Similarly, levels rise steeply behind the college buildings and playground.
- 2.5 Belle Vue Road is a widely spaced residential street. 3 and 4 storey terraces are set back 20 metres from the road on the west side. Houses on the east side of Belle Vue Road are typically two storeys in height, those north of the police depot are elevated above road level. The elevated St Michael's College buildings dwarf two storey dwellings in the 1970's Consort's properties located at a lower ground level on the west side of St John's Road. The late Nineteenth Century Consort Terrace and Consort Street are also located at a lower level but are larger in scale. Conversely, the modern 3 and 4 storey flats close to the junction with Victoria Road to the south-east are elevated relative to the site. Similarly, the three storey blocks of student accommodation at Albert Mansbridge Hall, sit above the eastern boundary of the site.
- 2.5 The Clarendon Road Conservation Area runs along the eastern fringe of the site beyond sections of original stone boundary walling. Fairburn House is a grade II listed building fronting Clarendon Road to the east. Due to the difference in levels and the presence of Albert Mansbridge Hall there is not a strong relationship between the site and the listed building. The University of Leeds campus is located to the east of Clarendon Road. The city centre is approximately 10 minutes' walk from the site via the footbridge over the Inner Ring Road at the west end of Great George Street.

3.0 PROPOSALS

- 3.1 It is proposed to demolish all existing buildings on the site other than the original St Michael's College 1908 building.

Student accommodation

- 3.1.1 The police building would be replaced by a 4-sided building constructed on a similar footprint to the police building but set around a central, landscaped, courtyard. The building is designed with accommodation in the roofspace. It would step up in height from 3 storeys fronting Belle Vue Road, to 4 storeys at the corner of Belle Vue Road and St John's Road, then to 5 and subsequently 6 storeys on St John's Road. The building would drop down to 5 storeys then to 3 storeys adjacent to the rear boundary of houses on Kelso Gardens. This 3 storey part of the building (2 storey plus accommodation in the roofspace), which is set down approximately 4 metres below the ground level of houses in Kelso Gardens, would be around 2.5 metres from the boundary. The new 3 storey element of building would be 11-15 metres from the rear elevation of 24-34 Kelso Gardens which itself rises towards the east. This limb of the building would have rooms facing into the courtyard with a corridor containing controlled glazing on the outward-facing elevation.
- 3.1.2 The building would contain 320 student bedspaces; comprising nine 3 bed clusters, twenty-six 4 bed clusters, ten 5 bed clusters, 67 single bed studios and 16 double studios. The typical bedroom size would be 14m² in the cluster bedrooms and 20m² for the single studios. Each of the clusters would have a common room, incorporating cooking facilities and lounge areas. 1 of the bedrooms would be fitted out as an accessible room for a disabled student. The applicant states that there are potentially an additional 16 rooms which can easily be adapted into wheelchair accessible rooms if there is the demand. A large common room (circa 224m²) and laundry are proposed on the top level of the building. The entrance to the building would be located at its southern end, adjacent to the office and reception area. The refuse / recycling and plant areas for the student accommodation are also located in this area. An area of covered cycle parking able to accommodate 160 bicycles is proposed close to the southern boundary of the building.
- 3.1.3 Two commercial units (280m² and 70m²) are identified at the northern extent of the building. A flexible permission is sought to allow the units would be marketed as class A1 (shops), A3 (restaurants and cafes), B1 (business), D1 (non-residential institutions) or D2 (assembly and leisure). Refuse, recycling and an electricity substation would be housed to the rear of the commercial units, accessed via the gap between the building and the stone retaining wall to 100 Belle Vue Road. 12 parking spaces are proposed for the commercial units, laid out in a shared space area between the north of the building and the low stone boundary wall. 2 of these spaces would be marked out for use by disabled people. The spaces would be accessed from St John's Road and marked out so as to enable vehicles to leave in a forward gear. The egress would be on to Belle Vue Road. A servicing area for vehicles visiting the commercial units would be demarcated on Belle Vue Road outside the site. 3 off-street parking spaces are proposed for staff for the student accommodation located off St John's Road. 1 disabled person's parking space is identified close to the entrance into the student accommodation. Other students would have a clause in their tenancy agreement preventing them from bringing cars to university.

Keyworker accommodation

- 3.2 The 1908 St Michael's College building in the centre of the site would be refurbished and extended in similar locations to existing extensions to the north and east albeit in a different arrangement. On the north side, the new stepped extension would be connected to the retained building by a new section set back 3 metres from the front of the 1908 building. This glazed link element would terminate a metre below the eaves of the retained building. The top level of new floorspace, which projects

above the eaves but well below the ridge of the original building, would be situated 8.5 metres back from the 1908 frontage at this point. The building would then step forward, initially aligning with the 1908 frontage, and subsequently projecting to a similar building line to the student accommodation.

- 3.2.1 A new area of accommodation would replace the later structure added to the rear of the 1908 building. Due to the significant difference in floor to ceiling heights between the original building and the new structure a high atrium space is proposed in the connecting space. The retained building, with high floor to ceiling heights would contain three levels of living accommodation. New build areas would typically provide 5 levels of accommodation.
- 3.2.2 The easternmost wing to the rear would extend into the rising grass slope beyond the existing buildings. It would be constructed around a parking area for 26 cars (including 3 disabled parking spaces). Space for 3 motorcycles and a lockable enclosure for 20-40 bicycles would also be provided in this area. An additional 23 parking spaces are identified to the front of the 1908 building. A service vehicle bay would be located to the south of the building alongside the access road.
- 3.2.3 The original central entrance into the 1908 building would be restored, involving the reinstatement of the entrance steps, opening of the blocked up doorway and re-creation of the entrance hall. Whilst the simple, robust architectural features within the retained building such as arches and pilasters survive largely intact the rooms themselves are functional and lack decoration. The stairwell, although badly damaged since the closure of the college, would be restored.
- 3.2.4 This part of the development would contain 262 apartments for “keyworkers”. The developer states keyworker housing is a recognised means of providing housing for staff employed in key service sectors that are not in a position to afford open market housing. There are different interpretations of keyworkers around the country and in Leeds it could include low income staff within the following areas:
- Emergency services
 - Health
 - Education
 - Police
 - MOD
 - Public transport
 - Local government
 - Prison and probation staff
 - Workers in charitable and community sectors
 - Retail sector
- 3.2.5 The developer states that the keyworker accommodation at St Michael’s College is intended to provide affordable rented accommodation. The rent would be set at a rate of not more than 80 per cent of local market rent of open market accommodation of not less than equivalent quality and specification.
- 3.2.6 198 of the apartments are identified as 1 bed self-contained studios (suitable for a single person) and 62 are identified as 2 bed studios, suitable for a couple sharing. The layout of the studios varies depending upon location but averages between 25m² for a single studio and 38m² for a double studio. Each of the rooms would have space for a bed, a desk, a kitchenette, a shower room and cupboard space. There would also be two, 2 bedroom flats.

- 3.2.7 Communal facilities within the keyworker accommodation include a gym and laundry in the basement level of the original building, and facilities in the rear link block include a common room, a games room, a reading room and a TV lounge.

Open market accommodation

- 3.3 The existing, elevated, playground area at the southern end of the site would be excavated and removed. A part 3, part 4 and part 5 storey building would be constructed in its place. The highest element of the building would be a similar height to the ridge of the 1908 building situated approximately 25 metres away. The central section of apartments facing St John's Road would be 3 storeys in scale. The four storey southern end would be a similar height to the modern 3 and 4 storey flats close to the southern boundary of the site. The eastern side of the building would have 4 and 5 levels of accommodation. The staggered frontage to the building would be rotated several degrees away from the 1908 building line in response to the alignment of St John's Road.

- 3.3.1 This building would sit on a platform. 61 parking spaces would be provided in the undercroft area beneath the deck, including 7 disabled parking spaces. The undercroft area would be enclosed to provide security. The undercroft area also incorporates cycle and motorcycle parking, a bin store, plant room and stair and lift access to upper floors.

- 3.3.2 A new vehicular access is proposed at the southern end of the site. The access road would provide one-way vehicular access to this part of the site. 12 visitor parking spaces and a City Car Club parking space would be located between the new access road and the existing boundary wall which would be reduced to its original height. The redundant access close to the junction with Victoria Road would be closed.

- 3.3.3 The building would contain 61 open market apartments in a mix of one (32), two (15) and three (14) bedroom flats.

3.4 Materials

- 3.4.1 A simple palette of materials is proposed across the entire development. The extensions to the 1908 building would primarily be built in brickwork other than for areas of curtain-wall glazing designed as a visual break between the old and new building. An area of panelling with a brushed aluminium finish is suggested for the new elevation attached to the rear of the 1908 building, terminating in a section of brickwork as an end-stop. Whilst window lines remain constant throughout the extensions to the 1908 building recessed infill panels of brick are used to strengthen the verticality of the elevations and to reference to the original building. Stone heads and cills are proposed on the front elevation. The base of this part of the building would be expressed by a brickwork plinth. The uppermost level of the extended 1908 building would have a mansard roof finished in zinc stepped back 300mm from the elevation below. The external fabric of the original building will be cleaned and restored.

- 3.4.2 The student and open market buildings would have a common approach to architecture and materiality. The predominant material will be brick with light and dark panelling carefully utilised to help break up the mass of the buildings and to produce a vertical emphasis. Typically, the areas of panelling have zinc-faced mansard roofs above whereas areas of brickwork primarily are flat-roofed with

parapet roofs topped by pressed metal capping. Within the open market building bay windows on the corners are inset rather than protruding as elsewhere. The garage doors to the undercroft car parking spaces will be formed in horizontal timber boarding whilst the sliding access and egress doors to this area would be perforated steel.

- 3.4.3 Surfacing materials include natural stone paving outside the front of the 1908 building and entrance into the student accommodation; concrete flags to the rear of the student building; setts are proposed to be used to break up the shared space area to the front of the commercial units and for definition of parking spaces to the front of the 1908 building and student building; timber decking is identified on the deck to the front of the open market accommodation; and tarmac used elsewhere for vehicular routes.

3.5 Trees and amenity space

- 3.5.1 It is intended to retain the vast majority of existing trees which are located around the periphery of the site including the large protected ash tree on Belle Vue Road. Building construction and changes in levels in close proximity to this tree could threaten its survival. 9 new trees are identified around the highway frontage of the proposed student building. 3 off-site trees immediately to the east of the police building which would overhang the rear limb of the student building would be retained. Smaller, lower quality trees between the college and police building are to be removed and replaced by 7 new trees. 5 new trees are shown to the front boundary of the 1908 building behind the retaining wall. An ash tree to the rear of the 1908 building is shown to be replaced. A group of new trees is proposed close to the boundary to the rear of the keyworker building to infill an existing gap in tree cover. 4 new trees are identified close to the site access and egress to the open market housing. Additionally, 10 new trees are suggested to the rear of the open market housing. In total, 70 new trees are identified. Areas of shrub planting are proposed primarily around the periphery of the site, on the decking above the undercroft car park, and to provide separation between amenity areas and living space in the student and keyworker accommodation.
- 3.5.2 The courtyard located at the centre of the student buildings would provide landscaped outdoor amenity space for students. The distance between the student buildings is approximately 20 x 40 metres.
- 3.5.3 There are peripheral areas of private amenity space to the rear of the keyworker and open market apartments. However, the usability of the majority of these areas is limited by the sloping topography and proximity to buildings and trees.

4.0 **MARKETING HISTORY AND PRE-APPLICATION CONSULTATION**

- 4.1 Marketing of St Michael's College by Sanderson Weatherall commenced in September 2010. There was a failed purchase for the use of the site as an asylum seeker institution in 2011. Following further marketing final bids were invited in February 2013. The Diocese accepted the applicant's offer despite it not being the highest. Sanderson Weatherall considered that the applicant's offer was "the best overall package, largely due to their proposed scheme complementing the neighbouring police site. It retains the old building and in our view, creates a good mix of student and residential accommodation at a quantity that should be viable in the local area".

- 4.2 The former police depot was marketed by BNP Paribas from summer 2012. 5 bids were received including two for social housing neither of which provided an acceptable return for the Police Authority. Other interest was from developers of student accommodation. The applicant / developer (Watkin Jones Group) entered into conditional contracts with both parties to acquire the sites subject to the grant of planning permission. However, these contracts have now expired.
- 4.3 Pre-application discussions regarding the current scheme commenced with officers in March 2013. The scheme initially identified approximately 450 student bedspaces, 300 “keyworker” studio apartments and 60 open market apartments.
- 4.4 The developer delivered leaflets throughout the area advertising the proposals and subsequently held a public consultation event on 22nd May 2013. The applicant also set up a website and set up Facebook and twitter pages to promote discussion regarding the scheme. The developer has also been in contact with local Councillors and made presentations to the Little Woodhouse Community Association.
- 4.5 One comment was received from one of the LWCA committee members:
- Something needs to happen on the site;
 - It is believed that it is intended that students are the main occupiers of the development. There is already a massive imbalance in the area with over 70% being students. What is needed is a good demographic mix of permanent residents;
 - Public transport links are not good;
 - Redeveloping such a large site in the heart of the area can only be good but it needs to be done creatively, considering the community aspect in greater detail. This could include new homes for keyworkers and the elderly; possibly conversion of St Michael’s College to postgraduate/international student accommodation; a new school; possibly more commercial units selling healthy foods, a coffee shop, laundrette; and a playground for children.
- 4.6 Early in the pre-application process Councillor Towler, representing the Hyde Park and Woodhouse Ward, confirmed her opposition to the student component of the scheme.
- 4.7 A pre-application presentation of the proposals was presented to City Plans Panel on 4th July 2013. The scheme involved 335 student bedspaces in a combination of 80 studios and 59 cluster flats; 302 keyworker studio apartments; and 60 apartments in a mix of 1 and 2 bedroom flats. The minutes of that meeting are attached as Appendix 1.

5.0 PUBLIC / LOCAL RESPONSE

- 5.1 Site notices advertising the application were displayed widely around the site on 1st November 2013. The application was also advertised in the Yorkshire Evening Post.
- 5.1.1 11 letters were received in response to the application as originally submitted. One of these letters is from the Diocese of Leeds who comments that the Diocese can no longer afford the upkeep of the college buildings and has worked with Watkin Jones for a long time to produce a scheme that will retain the integrity of the 1908 building. The Diocese also supports the mix of new homes proposed, including for low earners, and comments that the student apartments will help to attract students to the city, located close to the university campus rather than in traditional residential areas. The Diocese also states the development should bring economic benefits to

the Little Woodhouse area. The Diocese is concerned that refusal of the application would put the future of the original college buildings in jeopardy.

- 5.1.2 The remaining 10 letters primarily raise concerns regarding the proposals whilst also highlighting that the development would provide some benefits.
- 5.1.3 Little Woodhouse Community Association (LWCA) recognise that the site is a prime site for development. They state that they are happy that Watkin Jones has consulted the LWCA regarding the proposals. However, whilst LWCA accept that students can add to the vibrancy of an area they are concerned regarding the additional student accommodation proposed given the significant numbers of students already living in the area. They state that those students using the area to access the city and universities already have a negative effect on the quality of life through noise and disruption. Additional undergraduates would create similar problems for nearby long-term residents and occupiers of sheltered housing. LWCA question the need for additional student accommodation. At the same time they suggested that the developer should target mature/international students rather than undergraduates. LWCA seek to attract longer term residents and to improve the demographic mix of the area. They also suggested that starter accommodation would be useful and state that they very much welcome the keyworker apartments.
- 5.1.4 LWCA considers that the scale of the 1908 building has dictated the scale of the neighbouring buildings contrary to the Neighbourhood Design Statement. They are also concerned about the movement of additional vehicles in the area, whilst no provision has been made for students at the beginning and end of terms and for taxis. They do not agree that public transport in the area is excellent, noting that the City Bus doesn't pass nearby and in any event takes a long route to the city centre. LWCA would like to see improvements to the footbridge / cycle path over the Inner Ring Road as it is likely to take the bulk of additional footfall to and from the city centre. They would oppose the use of the commercial units as off-licences or hot-food take-away shops.
- 5.1.5 South Headingley Community Association object to the provision of student accommodation as it would harm local amenities including those of other residents of the development, adversely affect the balance of the community and be contrary to policy. They question whether studios would be attractive to keyworkers.
- 5.1.6 Leeds HMO Lobby has no objection to the principle of development of the site but objects that the student accommodation would be contrary to amenity and to policy, especially with regard to sustainable communities. They refer to several applications in the wider area where planning permission was refused on this basis.
- 5.1.7 The remaining 7 representations come from individuals who largely comment on similar issues to those above with regard to student accommodation and the demographic balance of the community. Additionally, one writer states that most of the accommodation would be occupied by students, not solely the proposed student accommodation. There is no need for any additional student accommodation due to falling numbers. Two writers comment that there is already significant vacancy of all types of housing in the area and the development is not needed. The development would adversely affect the local economy by reducing opportunities for local workers. The development would result in an increase in crime as students move out of HMO's.
- 5.1.8 Three writers comment that the scale and design of the development is not in keeping and that the new buildings would dominate the area. 3 storey development

would be an appropriate response to the scale of buildings on Belle Vue Road. The location of the substation to the front of the building would be incongruous and create access problems. It is stated that there is a long walk to the nearest bus stop and that the road layout proposed would cause considerable nuisance to neighbours. Limited on-street parking for customers would be favoured.

5.1.9 Several writers comment that there is a great need for graduate accommodation in the area and 2 bedroom apartments on the police site would be favoured. Additionally, others comment that the key worker proposals would provide much needed accommodation in the area. The private flats would also bring in permanent residents. The retention of trees, historic walls and the 1908 building is supported whilst consideration should be given to the need for high quality development on the former playground area. There would be an impact on nature conservation, including bats and birds. Additionally, the impacts of construction through noise, dust, light and tv / radio signals needs to be considered

5.1.10 Following receipt of revised plans the application was re-advertised on 17th January 2014. Little Woodhouse Community Association responded that:

- the relocation of the substation is welcome;
- that they endorse the comments of the Highways regarding the layout and section 106 contribution, and Access to ensure that “boundaries” to movement are removed;
- that the change in materials is advantageous but the computer visualisations may not relate to the real world;
- they are pleased to see the addition of the 3 bedroom flats, although remain concerned that these could be used as shared housing by students; and
- that the Developer has not yet committed to making improvements to the footbridge/cycle path linking Clarendon Road and Great George Street.

5.1.11 One other letter of representation has been received since receipt of the revised plans. It notes the positive responses from the developers with regard to the provision of larger flats; supports the robust conditions sought by Highways; and refers to the desire to see the oldest part of the college retained and the risk that the site will become a problem if nothing happens. It is hoped that the mixed use development will reflect the diversity of Little Woodhouse and make the student block feel part of the community.

6.0 CONSULTATION RESPONSES

6.1 Statutory:

6.1.1 Transport Development Services (7.4.14)

Whilst concerns remain regarding the potential for overspill parking from the keyworkers accommodation if these apartments are restricted to keyworkers and a contribution of £20,000 is made for Traffic Regulation Orders that may be required to control overspill parking, then the parking provision is, on balance, acceptable. An assessment of existing parking levels will need to be provided prior to the commencement of the development. No residents of the development will be permitted a resident parking permit. A car parking management plan is required to ensure that the parking across the site is allocated efficiently and appropriately for the different uses.

Additional cycle parking facilities need to be identified for the open market and keyworker apartments. There should also be shower/changing facilities for staff using the motorcycle / cycle parking.

A series of conditions are recommended to ensure safe operation during site development and provision of the identified facilities. Clauses are also requested in the Section 106 agreement to ensure contributions towards public transport improvements; the City Car Club; Traffic Regulation Orders necessary arising from any overspill parking; travel plan monitoring fee; to control keyworker housing; and to control students bringing cars to the development.

6.1.2 English Heritage (10.12.13)

EH do not wish to offer any comments on this scheme.

6.1.3 Environment Agency (27.1.14)

The EA recommend a condition requiring the management of surface water run-off.

6.1.4 Coal Authority (3.12.13)

Future intrusive site investigations are required. A condition is recommended.

6.2 **Non-statutory**

6.2.1 Public Rights of Way

No definitive or claimed rights of way cross the site.

6.2.2 Flood Risk Management (23.1.14)

The revised Flood Risk Assessment addresses the previous concerns. The FRA outlines an acceptable surface water management plan. A condition is recommended requiring details of surface water drainage works to be agreed and implemented.

6.2.3 Yorkshire Water (20.11.13)

If planning permission is granted conditions are requested regarding the provision of separate systems of drainage for foul and surface water on and off site; to ensure that surface water from vehicle parking areas passes through an interceptor; and to ensure that access to water mains are not adversely affected.

6.2.4 Environmental Protection Team (18.12.13)

There is potential for noise and dust during the demolition and construction phases. Conditions regarding hours of construction, construction activities are recommended. On completion conditions regarding sound insulation of plant and machinery, and opening hours of the retail units are recommended.

6.2.5 NGT Project Team (25.11.13)

The development will have a significant travel impact, a proportion of which will have to be accommodated on the public transport network. In accordance with the terms of the Public Transport Improvements and Developer Contributions SPD a

contribution of £30,964 should be sought towards the cost of providing the strategic enhancements which are needed to accommodate additional trips on the network.

6.2.6 Transport Development Services (Travelwise) 3.4.14

The Travel Plan needs to be included in the section 106 agreement. The agreement should also include commitment to pay the travel plan review fee; the provision of a City Car Club space and £25,000 funding to pump prime its use. The travel plan should explain how the car parking will need to be managed. The travel plan should include targets for car usage and should identify an annual budget for the site wide travel plan coordinator with increased budgets if targets are not met. References in the Travel Plan to monitoring ceasing after 5 years should be removed.

6.2.7 Environmental Studies (20.11.14)

The proposal is not likely to have a significant detrimental impact on local air quality. However, there will be an increase in vehicle ownership such that support is given to the suggested travel plan measures, including the installation of electric vehicle charge points.

6.2.8 Contaminated Land Team (8.1.14)

Conditions are recommended regarding site investigation.

6.2.9 Nature Conservation (20.3.14)

A bat roost has been identified in one of the buildings in the Bat Survey Report. Conditions are recommended requiring the provision of a Biodiversity Enhancement and Management Plan; a plan for bat roosting and bird nesting opportunities; and a method statement for the control and eradication of Japanese Knotweed.

6.2.10 Police Architectural Liaison Officer (20.11.13)

Taking control of and restricting unwanted access is vital to security and will be a key consideration to the sustainability and success of this development. It is welcomed that Secure by Design criteria are of paramount importance to the developer. Questions are raised regarding access controls to the service road; control of access into the student accommodation; the extent of coverage of the site by CCTV; the need for parking areas to be well lit during the hours of darkness and afforded clear lines of sight. The absence of access control into the undercroft parking area is a great concern.

6.2.11 Leeds Civic Trust (LCT) 20.11.13

LCT welcomes recognition that the 1908 building must be retained. The Trust supports the concept of key worker and private housing on the site. The extensions to the 1908 building sit well with the existing building. However, the scale of the other two blocks, would transform what is a single dominant building in views of the area to a long and dominant wall of building. The design of the private housing is alien to the area. The development of purpose-built student accommodation does not accord with current policy and would add to the existing problems of anti-social behaviour associated with the movement of large numbers of students through the area.

6.2.12 West Yorkshire Archaeology Advisory Service (9.12.13)

The demolition of the police building will destroy important archaeological evidence of a prominent local (clothing) industry. A condition is recommended to secure the implementation of a programme of architectural and archaeological recording of the former clothing factory.

6.2.13 Access Officer (2.4.14)

Concerns remain regarding the proposed adaptable rooms in the student accommodation. Additional provision would involve combining two rooms, demolition of a wall and construction of a new bathroom. Bollards in the shared space to the front of the student block could present a potential obstruction to disabled people.

6.2.14 Forward Planning (2.12.12)

Student accommodation can be accepted as part of the nature of development in this locality close to the University of Leeds. The remainder of the development is focussed on small dwellings. The city-wide analysis shows a need for some provision to meet larger households. The non-student elements should provide a broader mix of unit sizes.

The site is in the Area of Housing Mix. The student development would satisfy 3 of the 5 criteria in policy H15 whilst consideration regarding design and impact on neighbours should take into account comments from Environmental Health, the Police and Urban Design.

Policy H6B of the Draft Core Strategy was approved by Executive Board on 4.9.13. In terms of the criteria:

- i) The scheme provides student accommodation of a high quality in terms of on-suite facilities, internet access and security. The Housing Statement claims that there is a need for the accommodation is based upon evidence that the accommodation would appeal to thousands of returning students who have traditionally looked to share private market housing.
- ii) The proposal would not involve the loss of existing housing suitable for family accommodation. The Housing Statement identifies how many local shared houses in the area could be returned to family accommodation, creating a net gain in family accommodation in the area.
- iii) The proposal would involve a judgement on the impact upon local amenity. The Housing Statement explains that the student housing provider will have arrangements with students and a nationally recognised code of standards to minimise nuisance to residents.
- iv) The site is extremely well located for the University of Leeds.
- v) The quality of accommodation appears to be very good.

There is no policy objection to the student accommodation.

6.2.15 Local Plans (9.1.14)

The ward of Hyde Park and Woodhouse records one of the highest levels of greenspace deficiency across the city. Despite the proximity of Woodhouse Moor the area lies within a priority area for green space improvement (policy N3). The development does not provide any publicly accessible open space on site and in the absence of this a commuted sum of £348,920.36 is required.

6.2.16 Metro (12.2.14)

Residents would benefit if a bus stop on Burley Road were to be improved through the addition of live bus information displays at a cost of approximately £10,000. Metro also recommend that use of public transport is encouraged through the provision of Metrocards for residents. A contribution of £27,720 is requested towards costs of this scheme.

6.2.17 Re'new 6.2.14

Re'new was requested to review the applicant's statement submitted primarily in response to revised Policy H6B of the Draft Core Strategy (see 7.5.6 below). Re'new initially refer to a series of reports produced over the last few years with regard to the needs of a changing student population in Leeds; on student housing demand and preferences; in terms of type of accommodation and location and on the housing market conditions in areas where students live. Re'new states that this research established that:

- Student numbers are likely only to increase slightly but there could be scope for further expansion from 2015.
- Purpose built accommodation is very popular, particularly amongst new students, and especially the closer to the university campuses it is. Post-graduate and international students also provide a source of demand for this type of accommodation.
- Older university accommodation does not provide the type of amenities new purpose-built student accommodation does.
- There has been a clear movement of students away from areas furthest from the campuses to areas close to them.
- Whilst the movement of students from HMO's offers the potential to restore those properties to more stable residential accommodation this may not be easy given property types and locations.
- There has been an increasing take up of private rented lettings by young working households sharing in recent years.

Re'new subsequently reviewed the applicant's statement which summarised the local housing context; identified the quantitative and qualitative need for purpose built student accommodation; set out the management arrangements and benefits of it. The statement also explains the need for, and benefits of, the keyworker accommodation.

Re'new state that the applicant's report demonstrated a demand for the purpose built student accommodation in the vicinity of the proposed scheme and the changing preferences of students, whom are increasingly seeking purpose built student accommodation as opposed to shared housing as identified in the research carried out by Unipol and re'new in 2012, and notes the increasing benefits of purpose built accommodation perceived by returning students. Re'new state that it could certainly attract international and post graduate students and that demand problems are unlikely to materialise. Re'new state that the applicants make a strong case that the development would help stem the loss of housing suitable for family occupation and could attract students from existing HMO's in the area. Given the aim to attract returning students, post graduates from HMO's and international students it is unlikely that there would be a significant impact at all on the balance within

neighbouring communities. Re'new concludes that this is a scheme which positively satisfies the criteria set out in Policy H6B and should be supported.

6.2.18 Housing (23.4.14)

The floor area, excluding mezzanine, of the smallest studios in the keyworker housing (19.0 sqm), of which there are 4 of the 262 units, is not all usable for living, sleeping and cooking. After subtracting 5 sqm for the non-usable floor areas the space achieves the Council's minimum standards of 13 sqm. without taking into account the mezzanine floorspace.

7.0 **PLANNING POLICY**

7.1 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

7.2 Unitary Development Plan Review

7.2.1 The site is within the Area of Housing Mix designated under policy H15 of the UDP. In the area additional student housing will be managed so as to maintain a diverse housing stock and encouragement is given to proposals for purpose-built student housing that improve the total stock of student accommodation, relieve pressure on conventional housing and assist in regenerating areas in decline or at risk of decline.

POLICY H15

WITHIN THE AREA OF HOUSING MIX PLANNING PERMISSION WILL BE GRANTED FOR HOUSING INTENDED FOR OCCUPATION BY STUDENTS, OR FOR THE ALTERATION, EXTENSION OR REDEVELOPMENT OF ACCOMMODATION CURRENTLY SO OCCUPIED WHERE:

i) THE STOCK OF HOUSING ACCOMMODATION, INCLUDING THAT AVAILABLE FOR FAMILY OCCUPATION, WOULD NOT BE UNACCEPTABLY REDUCED IN TERMS OF QUANTITY AND VARIETY;

ii) THERE WOULD BE NO UNACCEPTABLE EFFECTS ON NEIGHBOURS' LIVING CONDITIONS INCLUDING THROUGH INCREASED ACTIVITY, OR NOISE AND DISTURBANCE, EITHER FROM THE PROPOSAL ITSELF OR COMBINED WITH EXISTING SIMILAR ACCOMMODATION;

iii) THE SCALE AND CHARACTER OF THE PROPOSAL WOULD BE COMPATIBLE WITH THE SURROUNDING AREA;

iv) SATISFACTORY PROVISION WOULD BE MADE FOR CAR PARKING; AND

v) THE PROPOSAL WOULD IMPROVE THE QUALITY OR VARIETY OF THE STOCK OF STUDENT HOUSING

The area of housing mix is identified under policy R2 as an area policy initiative where a student housing strategy will be developed. The strategy will:

- Manage provision of new student accommodation so as to maintain a reasonable balance with other types of housing
- Seek progressive improvement of the student housing stock
- Identify opportunities for provision of purpose-built and managed student housing that would reduce pressure on the rest of the housing stock.

7.2.2 Paragraph 7.5.35 states that “significant potential exists for further student housing in the City Centre and in locations elsewhere. To be successful, such provision will need to be well served by public transport connections to the Universities, have the potential to appeal to students and be capable of being assimilated into the existing neighbourhood without nuisance. The City Council will encourage and support pioneer developments in such locations to help establish a critical mass of student presence and, ultimately, generate alternative popular locations for students to live, other than the wider Headingley area”.

7.2.3 Policy H4 of the Unitary Development Plan Review (UDPR) allows for residential development on unidentified, brownfield sites subject to the proposals being compatible with the area and all other normal development control considerations. Policy H9 of the UDPR states that the Council will seek to ensure that a balanced provision in terms of size and type of dwelling is made in housing development.

7.2.4 UDPR policies H11-H13 set out the requirement for the provision of affordable housing. The Interim Affordable Housing policy states that 5 per cent of the dwellings (not student accommodation) should be provided as affordable housing if the development is implemented in two years.

7.2.5 UDPR policy GP5 states proposals should resolve detailed planning considerations; seek to avoid loss of amenity; avoid highway congestion and maximise highway safety and resolve access issues. Policy T2 amplifies these requirements and subsequent policies T2B-D set out the need for transport assessments, travel plans, and public transport contributions. Policy T6 states that satisfactory access for disabled people and others with mobility problems is required. Car parking, cycling, and motorcycle parking requirements are contained within Appendix 9.

7.2.6 UDPR policies N2 and N4 identify where new development should assist in supporting the establishment of the hierarchy of greenspace.

7.2.7 Policy N12 identifies fundamental priorities for urban design, including ensuring new buildings are good neighbours. Policy N19 states that new buildings within or adjacent to conservation areas should preserve or enhance the character of the area. Policy BD6 states that alterations and extensions should respect the scale, form, detailing and materials of the original building.

7.2.8 The site is not located within a centre where retail development is normally encouraged. UDP Policy S6 states that support will be given to modern convenience goods retailing in areas where residents have poor access to such facilities, including Burley, Hyde Park and Woodhouse. Policy S9 refers to criteria for consideration of smaller retail proposals.

7.3 Natural Resources and Waste Local Plan 2013 (NRWLP)

7.3.1 The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The NRWLP is part of the Local Development Framework.

- 7.3.2 One of the strategic objectives of the NRWLP is the efficient use of previously developed land. General Policy 1 is that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 7.3.3 Policy Land 1 states that trees should be conserved wherever possible and new planting should be introduced to create high quality environments for development. Where removal of existing trees is agreed in order to facilitate development tree replacement should be provided on a minimum three for one replacement to loss. Such planting will normally be expected to be on site as part of an overall landscape scheme. Where on-site planting cannot be achieved off-site planting will be sought or an agreed financial contribution will be required for tree planting elsewhere.
- 7.4 National Planning Policy Framework (NPPF)
- 7.4.1 Planning should proactively drive and support sustainable economic development; and seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. One of the core planning principles in the National Planning Policy Framework encourages the effective use of land by reusing land that has previously been developed. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50).
- 7.4.2 Annex 2 of the NPPF defines affordable rented housing as that which is let by local authorities, or private registered providers of social housing, to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent. Local Planning Authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance (para. 137).
- 7.5 Draft Core Strategy (DCS)
- 7.5.1 The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013. The weight to be attached is limited where representations have been made.
- 7.5.2 Policy H2 refers to new housing development on non-allocated land. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure; and the development should accord with accessibility standards.
- 7.5.3 Policy H4 says that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location. A minimum of 20% and a target of 30% of the units should be 3 bed.
- 7.5.4 Policy H5 states that the Council will seek affordable housing from all developments of new developments either on-site, off-site, or by way of a financial contribution if it is not possible on site.

7.5.5 DCS Policy H6B considers proposals for purpose built student accommodation. Developments should extend the supply to take pressure off the use of private housing; avoid excessive concentrations of student accommodation; and avoid locations which are not easily accessible to the Universities by foot or public transport.

7.5.6 Following approval from Executive Board the Council put forward changes to Policy H6B in response to new evidence concerning future demand / supply of student accommodation and concern about an increasing surplus of bedspaces forecast in Leeds. The changes were subject to 3 weeks public consultation prior to being considered as late changes at the Core Strategy examination in October. The changes would alter Policy H6B as follows:

B) Development proposals for purpose built student accommodation will be controlled:

~~i) To help extend the supply of student accommodation taking pressure off the need for private housing to be used,~~ accept new provision where a provider demonstrates that there is a need for additional student accommodation or that it has a formal accommodation agreement with a university/higher education institution for the supply of bed-spaces

ii) To avoid the loss of existing housing suitable for family occupation,

iii) To avoid excessive concentrations of student accommodation (in a single development or in combination with existing accommodation) which would undermine the balance and wellbeing of communities,

iv) To avoid locations which are not easily accessible to the Universities by foot or public transport or which would generate excessive footfall through residential areas which may lead to detrimental impacts on residential amenity.

v) To ensure new accommodation is of an appropriate quality and size in terms of environmental health standards

vi) To ensure new accommodation can be physically adapted for occupation by average sized households

7.5.7 DCS Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces. Policy P11 states that heritage assets will be preserved. P12 states that landscapes will be conserved and enhanced. Policy CC3 states that development in appropriate locations is required to help and improve routes connecting the City Centre with adjoining neighbourhoods, and improve connections within the City Centre. Policies EN1 and EN2 identify sustainable development criteria including achieving a BREEAM standard of Excellent from 2013 onwards. DCS Policies T1 and T2 identify transport management and accessibility requirements for new development. Specific accessibility standards are included in DCS Appendix 2.

7.5.8 The DCS proposes designating Burley Lodge (Woodsley Road) as a lower order local centre. Policy P3 states that small food stores compatible with the size of the centre would be acceptable in and on the edge of local centres. Policy P4 indicates that small scale food stores, up to 372m² will be acceptable in principle in residential areas where there is no local centre or shopping parade within a 500 metre radius that is capable of accommodating the development within it.

7.6 Supplementary guidance

Relevant supplementary guidance includes:

- 7.6.1 Public Transport Improvements and Developer Contributions SPD which identifies where development will need to make a contribution towards public transport improvements or enhancements.
- 7.6.2 Building for Tomorrow Today – Sustainable Design and Construction SPD identifies sustainable development requirements.
- 7.6.3 Travel Plans SPD identifies the need for sustainable approaches to travel.
- 7.6.4 SPG3 Affordable Housing. The Interim Affordable Housing policy states that 5 per cent of dwellings should be provided as affordable housing if the development is implemented in two years.
- 7.6.5 SPG6 Development of Self Contained Flats.
- 7.6.6 SPG13 Neighbourhoods for Living (2003)
- 7.6.7 Little Woodhouse Neighbourhood Design Statement (2011)

The Little Woodhouse Neighbourhood Design Statement (LWNDS) identifies the distinctiveness of the area, encourages improvement where it is needed, and seeks to protect the best elements of the neighbourhood. The LWNDS states that any redevelopment proposal at the college site should:

- Retain the 1908 building and the three storey building to the north of the property;
- Re-use the Chapel stained glass windows;
- Provide facilities for community meetings which St Michael's did over the years;
- Retain greenspace to the rear of the buildings for public use;
- Redevelop the area occupied by the extensions and playground;
- Restore footpath links to Kelso Gardens and Clarendon Road to provide better connections in Little Woodhouse;
- Prepare a masterplan in consultation with the local community and the City Council.

7.7 Other material considerations

7.7.2 Vision for Leeds 2011-2030

One of the aims is in 2030 Leeds' economy will be prosperous and sustainable. This includes having a skilled workforce to meet the needs of the local economy. Leeds will be the best city to live including the provision of high quality buildings, places and green spaces.

8.0 **MAIN ISSUES**

Principle of the development
Layout, scale and design
Landscape

Highways
Accessibility
Sustainability
Section 106 and viability

9.0 APPRAISAL

9.1 Principle of the development – purpose built student accommodation

- 9.1.1 The site is located within the Area of Housing Mix where the provision of additional student housing is managed so as to maintain a diverse housing stock that will cater for all sectors of the population, including families. The UDPR (paragraph 7.5.32) also notes that the Council will encourage proposals for purpose-built student housing to improve the total stock of student accommodation, to relieve pressure on conventional housing and assist in regenerating areas in decline or at risk of decline.
- 9.1.2 Policy on purpose built student accommodation has been advanced through Policy H6B of the Core Strategy. Following on from the recommendations of the Student Housing Working Group, the Council brought forward changes to Policy H6B in response to evidence concerning the future demand / supply of student accommodation and concern about the potential surplus of bedspaces in the city. The policy (see para 7.5.6 above) was approved for Development Control purposes in September 2013 and as such is the Council's policy on student housing. At the same time the Inspector's modifications use the Consolidated Core Strategy as the starting point for changes. This suggests that the Inspector has rejected the late changes to Policy H6B agreed at Executive Board that were put to him just before the Examination.
- 9.1.3 In response to Member's comments in July 2013 and Policy H6B the applicant submitted a detailed Housing Statement with the planning application. The Statement was independently reviewed by Re'new and their comments are set out at paragraph 6.2.17 above. Re'new state that the applicant's report demonstrated a demand for the purpose built student accommodation in the vicinity of the proposed scheme and the changing preferences of students such that demand problems are unlikely to materialise. Re'new conclude that this is a scheme which positively satisfies the criteria set out in Policy H6B and should be supported.
- 9.1.4 Planning Policy Officers reviewed the submission against the criteria in Policy H6B and comment that the need for the student accommodation is based upon evidence that the accommodation would appeal to thousands of returning students who have traditionally looked to share private market housing; that the development could result in many local shared houses in the area being returned to family accommodation, creating a net gain in family accommodation in the area; that the student housing provider will have arrangements with students and a nationally recognised code of standards to minimise nuisance to residents; that the site is extremely well located for the University of Leeds; and that the quality of accommodation appears to be very good.
- 9.1.5 In February 2014 City Plans Panel requested information which set the application in context with the level of demand and the amount of student accommodation already granted planning permission given concerns about the possibility of the student accommodation in the city remaining empty.

PIPELINE STUDENT DEVELOPMENTS – 22.4.14

APPLICATION	LOCATION	BEDROOMS	DECISION	POSITION
12/00152/FU	City Campus Phase 2, Calverley Street	404	25.5.12	To be occupied Autumn 2014
13/04584/FU	City Campus Phase 3, Calverley Street	465	14.4.14	To commence Autumn 2014
08/06681/FU	The Gateway Phase 3, East Street	508	24.11.09	There has been a technical commencement.
08/02061/FU	Cavendish Street, Woodhouse	411	15.6.09 (EXPIRES 15.6.2014)	No contact since approval.
12/00684/FU	22 Lovell Park Hill	66	15.6.12	Commenced.
11/05195/FU	Servia Road	300	16.3.12	Unlikely to start 2013
11/04825/FU	20-28 Hyde Terrace	27	16.2.12	Commenced.
12/02531/RM	4-28 Westfield Road	131	20.9.12	Postponed due to funding problems, 2 conditions still to be discharged
12/04154/FU (13/05802/FU)	Pennine House, Greek Street	119	31.1.13	To be occupied Autumn 2014
12/03456/FU	26-30 Clarendon Road	15	16.11.12	Completed
10/05548/EXT 14/01512/RM	Moorland Road, Woodhouse	53	31.3.11	Reserved matters application submitted 17.3.14
09/00856/FU	Glass works, Cardigan Road	154	1.2.11 (appeal)	All but 1 condition now discharged. Start date unknown
12/00373/FU	St Ann's Lodge, St Ann's Lane	49	16.3.12	On site
13/02844/FU	78 Lofthouse Place	30	19.2.14	
14/01360/FU	20 Clarendon Road	29	Undetermined	
13/04862/FU	St Michael's College and former police depot, Belle Vue Road and St John's Road	320	Undetermined	
Total		3081		

9.1.6 The above table identifies that there is currently planning permission in place for 2732 student bedspaces. 680 of the 2732 are likely to be occupied by Autumn 2014. 1403 of the 2732 bedspaces are currently unlikely to proceed in the near future such that within 6 months there will be permission in place for 649 student bedspaces (based on current figures).

9.1.7 Studies by UCAS, Unipol and the universities acknowledge that historic trends in demand for places from students had resumed in 2013-2014 following the blip in 2012-2013. According to Unipol, the larger, purpose built student accommodation developments were full from late August 2013 leading to students returning to the off-street (HMO) market.

9.1.8 Re'new referred to series of measures the Government has introduced including increasing the number of government funded places available; allowing universities to recruit unlimited numbers of students with AAB grades; and relaxing penalties for over-recruitment of students. The Government's Autumn Statement included the intention to remove the 'cap' on students from 2015, such that the growth in

applications (3.5%) seen for students looking to study from September 2013 can reasonably be predicted to continue for future years.

- 9.1.9 Given the increasing preference for purpose built accommodation it is likely that this growth will feed through into an additional demand for purpose built student accommodation in areas closer to the university campuses such as the application site. At the same time the movement of students away from HMO's offers the potential for those properties to be restored to more stable, residential occupation. The applicant forecasts that 53-107 HMO's would be returned to the open market as a result of the development. However, it is recognised that their return to family housing may not be straight-forward given the property types and locations involved.
- 9.1.10 It is recognised that a significant number of properties in the area are occupied by students. 10 letters of representation from community organisations and local residents have been received in response to the application referring to the adverse impact that additional student accommodation would have on the balance of the community and the amenities of residents. In February 2014 Members stated that subject to further analysis of the need for additional student accommodation taking place, Members were supportive of additional student development in this area having regard to local and national policies relating to the objective of creating balanced communities and the supply of other student accommodation.
- 9.1.11 The development would result in 320 student bedspaces, arranged in a mix of clusters (221 bedspaces) and studios (99 bedspaces). Consequently, there is the potential for the accommodation to be occupied by a mix of undergraduates, postgraduates and international students. The applicant states that they have changed the mix, increasing the proportion of studios, in direct response to comments from the local community. It is likely that a proportion of the students would otherwise have lived in shared accommodation in the locality such that the number of students new to the area may well be less than 320. The scheme also proposes 262 bedspaces in the keyworker accommodation and 104 bedspaces in the open market accommodation such that a wide mix of occupiers is likely in the development as a whole.
- 9.1.12 The application site is located in a predominantly residential area other than for the historic uses of the site. At the same time the eastern boundary of the site abuts existing student accommodation at Albert Mansbridge Hall and university accommodation in Fairburn House. The site is in close proximity to the University of Leeds campus and also has good access to Leeds Metropolitan University and the city centre.
- 9.1.13 The size of the student rooms is typically 14 sqm in the cluster bedrooms and 20 sqm for the smaller studios. This size is commensurate with other purpose-built student accommodation built in the city in recent years.
- 9.1.14 Consequently, it is considered that there is a clear demand for additional purpose built student accommodation and, as it is important to retain a pipeline of student accommodation in the city in suitable locations to accommodate and attract new students and to replace existing dating stock, that there is a need for the proposed student development. The applicant has also confirmed that without the student component of the scheme the development would not be able to progress.

Principle of the development – keyworker accommodation

- 9.1.15 The central element of the site proposes 262 apartments for “keyworkers”. A combination of factors including high house prices, low levels of new housing being constructed, a growing population, tight household finances and limited funds to bring forward new affordable housing construction has led to a situation where demand is being unmet and household sizes are growing as more and more people are forced to share the stock that exists. The applicant seeks to address this gap in the housing market and provide high quality self-contained accommodation at a price that is affordable for keyworkers. Keyworker housing is a recognised means of providing housing for staff employed in key service sectors that are not in a position to afford open market housing albeit, to date, there have been no examples of keyworker housing in the city. As there are different interpretations of keyworkers around the country it is suggested that in Leeds it ought to include a fairly wide interpretation of staff as set out within paragraph 3.2.4.
- 9.1.16 The layout of the studios varies depending upon location but averages between 25 sqm for a single studio and 38 sqm for a double studio. There are also 4 small studios which are 19 sqm, which also include a mezzanine. Each of the rooms would have space for a bed, a desk, a kitchenette, a shower room and cupboard space. There would also be two, 2 bedroom flats. Communal facilities within the keyworker accommodation include a gym and laundry in the basement level of the original building, and facilities in the rear link block include a common room, a games room, a reading room and a TV lounge.
- 9.1.17 The applicant has presented market research showing that a keyworker in a shared house in Leeds will typically pay about £320-380 rent per calendar month. The applicant suggests that providing the proposed studio apartments on an affordable rent (80% of average market rent), single studios will let at about £380 pcm and double studios at about £480 pcm. These rents are intended to be comparable to the rent for a room in a shared house albeit it is also intended that the accommodation being proposed is far superior as it provides high standard, well maintained and managed self-contained living with communal facilities and good opportunities for social interaction. If approved, officers propose a clause in the section 106 agreement that would set the rent at a rate of not more than 80 per cent of local market rent of open market accommodation of not less than equivalent quality and specification.
- 9.1.18 In February 2014 City Plans Panel raised concerns about the size of some of the keyworker units, commenting that flats for keyworkers would be more attractive. The 4 smallest studios are 19 sqm, plus a mezzanine. The usable floor space within these smallest rooms achieves the Council’s minimum standards of 13 sqm, without counting the mezzanine area. The applicant states that if the scheme provided larger units, then by definition there would be fewer units overall and as a consequence the income (and end value) would not be sufficient to cover the development costs and it would not be viable. Many of the development costs are fixed (i.e. dealing with the retained structure, boundary walls and landscaping) and thus by reducing the income levels the relationship between income and cost is adversely affected. Increasing the monthly rent for larger units is not an option as it would make the units unaffordable for the markets that are targeted.

Principle of the development – open market accommodation

- 9.1.19 The final residential component of the development involves 61 open market apartments. The apartments would be located on the former school playground and

as such, the scheme constitutes brownfield development in accordance with policy H4 of the UDP and policy H2 of the Draft Core Strategy. The properties would be located in a highly sustainable location close to the periphery of the city centre. Although close to the University of Leeds, they would be situated in a predominantly residential area such that the principle of residential development is appropriate.

- 9.1.20 The Strategic Housing Market Assessment 2011 identified a general need across the city for 2 and 3 bed properties to meet housing need. At the same time there is also potential for a higher demand for smaller properties in the future as a result of Welfare Reform. The keyworker housing responds to this likely demand. The open market apartments involve a wider mix of properties one bedroom (approximately 65sqm), two bedroom (80 sqm) and three bedroom (95 sqm) flats positively responding to the SHMA and policy H4 of the Draft Core Strategy.

Affordable housing

- 9.1.21 Current policy states that 5 per cent of the dwellings (excluding the student accommodation) should be provided as affordable housing in perpetuity. The applicant comments that keyworker housing is widely recognised as a valuable source of specialist affordable accommodation designed to meet the specific needs of workers that provide essential local services but cannot afford to access open market housing. The applicant states that the keyworker accommodation (262 units) will provide the affordable accommodation on site. The rent would be set at a rate of not more than 80 per cent of the local market rent of open market accommodation of not less than equivalent quality and specification. The range of organisations who may qualify for keyworker accommodation is set out at paragraph 3.2.4.
- 9.1.22 Affordable housing would normally involve a Registered Provider such that the regulatory and perpetuity requirements of affordable housing would be safeguarded. Additionally, the affordable housing would normally include a mix of social and intermediate tenures and would be let to households who are eligible for social rented housing. The applicant has presented a financial statement that shows that the likely level of profit generated from the scheme without taking into account affordable housing, is below what is considered to be an acceptable level of profit to most reasonable, hypothetical developers. However, if it is accepted that the keyworker accommodation is acceptable as low cost housing, 262 units would be delivered on the site, compared to the current policy requirement to provide 16 affordable units on site. The arrangements for regulating the rent, controlling occupation by keyworkers, and maintaining these arrangements in perpetuity would form part of the section 106 agreement.

Principle of the development – Commercial units

- 9.1.23 The development identifies two new commercial units for which planning permission is sought for a range of potential uses. Emerging policy supports a retail store up to 372sqm whilst local residents have previously indicated that they would support a shop selling healthy foods and a coffee shop within the development. However, given the close proximity of residential uses, there was the potential for noise and disturbance from some of the proposed activities. Little Woodhouse Community Association oppose the use of the commercial units as off-licences or hot-food take-away shops. In response to Members' comments in February the applicant has deleted proposals for the commercial units to be occupied as letting agents (A2) or drinking establishments (A4). The range of uses now sought (A1, A3, B1, D1 and D2) should respond to local demand without unacceptably affecting the amenities of the area.

9.2 Layout, scale and design

- 9.2.1 The original 1908 St Michael's College building was built on a grand scale in an elevated position relative to St John's Road. Unfortunately, subsequent extensions to the building were less successful and some of these diminish its setting. There is a mix of building scale and form beyond the site boundaries and the changing topography and layout affects their impact. Buildings to the east are typically 3 to 4 storey in height and elevated relative to the site. The Kelso's to the north and the Consorts across St John's Road to the south are primarily conventional two-storey terraced houses. The scale of housing on the west side of Belle Vue Road is larger although these buildings are set slightly down, and 20 metres back, from the road helping to create a widely spaced street and junction with St John's Road.
- 9.2.2 The scale of the proposed buildings takes reference from the height of the 1908 building. The extensions to the 1908 building have been refined in footprint, materials and design to create a visual break between the 1908 building and the extension on its northern side. The open market apartment building, 25 metres to the south of the 1908 building, are of a similar maximum height to the 1908 building but are modelled so as to retain the primacy of the 1908 building when viewed from the south.
- 9.2.3 Existing buildings along Belle Vue Road are typically 2, 3 and 4 storeys in scale. The proposed student building would replace a much lower structure such that there would inevitably be an impact upon the appearance of the streetscene. The proposed building rises from 3 levels adjacent to housing on Belle Vue Road to 4 levels around the road junction, and 5 and 6 levels of accommodation along Belle Vue Road. There would be a break of 10 metres from the extensions to the 1908 building which would be of a similar finished height.
- 9.2.4 Although built close to site boundaries the existing police building has a limited impact on the amenities of neighbours by virtue of its use, its height and the topography of the land. The student development would replace this building with one of much greater height (3 to 6 storey). The section of the student building closest to housing at 100 Belle Vue Road would be 3 storeys in height. As 100 Belle Vue Road is elevated relative both to the site and to road level the 3 storey section of student building would be the same height as that property. Obscure glazing would be fitted in corridor windows facing towards 100 Belle Vue Road and existing boundary walling would be increased in height to maintain privacy. The rear wing of the student building would accommodate 3 levels of accommodation close to the rear boundary of the site with Kelso Gardens. However, the difference in levels between the two areas is such that only elements of the roof would extend above the ground level to the rear of Kelso Gardens which also rises towards the east. There would be a limited amount of fenestration at lower levels of this building providing daylight to a corridor but angled and obscurely glazed so as not to create overlooking issues.
- 9.2.5 Properties on the west side of St John's Road are located at a lower level than the application site. The outlook of the properties opposite the 1908 building will be largely unaffected given existing extensions to that building and soft landscaping proposals. Much of the development on the former playground area will not be visible from within properties in the Consorts' due to the difference in levels and the retention of the boundary wall. Towards the northern end there are 4 dwellings at 27-35 St John's Road that would face the tallest parts of the student building. The properties are splayed relative to St John's Road such that the distance to the

development varies between 22-30 metres. Although this part of the building would have an impact on the amenities of occupants of those properties no overshadowing would occur given the position of the new building north of those existing.

- 9.2.6 The proposed buildings and extensions seek to deliver an architectural approach with rhythm and depth to the fenestration that would emulate the 1908 building but not in any way compete with it. A series of design studies informed the approach to the architectural form, culminating in the current proposals which have been refined and developed since City Plans Panel reviewed the proposals in February 2014.
- 9.2.7 A simple palette of materials is proposed across the entire development. The extensions to the 1908 building would primarily be built in brickwork other than for areas of curtain-wall glazing designed as part of the visual break between the old and new building. An area of panelling with a brushed aluminium finish is suggested for the new elevation attached to the rear of the 1908 building, terminating in brickwork as an end-stop. Whilst window lines remain constant throughout the extensions to the 1908 building recessed infill panels of brick are used to strengthen the verticality of the elevations and to reference to the original building. Stone heads and cills are proposed on the front elevation. The base of this part of the building would be expressed by a brickwork plinth in response to the original building. The uppermost level of the extended 1908 building would have a mansard roof finished in zinc stepped back 300mm from the elevation below so as to further reduce its impact and retain the primacy of the 1908 building. The external fabric of the original building will be cleaned and restored.
- 9.2.8 The student and open market buildings flanking the keyworker building would have a common approach to architecture and materiality. The predominant material will be brick with light and dark panelling carefully utilised to help break up the mass of the street frontages and to produce a vertical emphasis. Typically, the areas of panelling have zinc-faced mansard roofs above whereas areas of brickwork primarily are flat-roofed with parapet roofs topped by pressed metal capping.
- 9.2.9 The section of student building closest to 100 Belle Vue Road has been refined following Member's comments involving reducing the extent of brickwork to present a more conventional residential format; the introduction of horizontal bands of recessed brick to further break up the façade; and adding metal caps to areas of flat roof so as to better terminate the building. Details of shopfronts would be provided at a later date following the identification of occupiers.
- 9.2.10 Within the open market building bay windows on the corners are now inset rather than protruding as elsewhere to help soften the visual impact of the building when viewed from Kendal Lane to the south and St John's Road to the north. The garage doors to the undercroft car parking spaces will be formed in horizontal timber boarding whilst the sliding access and egress doors to this area would be perforated steel both for functional and aesthetic reasons.
- 9.2.11 Surfacing materials include natural stone paving outside the front of the 1908 building and entrance into the student accommodation; concrete flags to the rear of the student building; setts are proposed to be used to break up the shared space area to the front of the commercial units and to define parking spaces to the front of the 1908 building and student building; timber decking is identified on the deck to the front of the open market accommodation; whilst tarmac is used elsewhere for vehicular routes. The retained, but lowered, boundary wall to the front of undercroft parking area works limits the visual impact of this part of the site but careful treatment of this space is required in order that it does not appear as an unattractive

service frontage. Notwithstanding the submitted landscape plan a condition is proposed to this effect.

- 9.2.12 The proposed development would have a significant impact upon the existing appearance of the immediate area. Proposed extensions to the 1908 building replacing those existing would have a beneficial impact upon its setting. They would also bring forward a scheme which would allow the preservation of the existing 1908 building which is an increasingly precarious condition following thefts of materials and a series of arson attacks. The open market apartment building would respond to both the scale of the 1908 building and other larger buildings towards the city centre to the south. The mass of the new student building would have the most dramatic impact both on the streetscene and neighbours albeit its stepped form has been developed in response to its context. The applicant has also confirmed that the student building needs to be this scale to make the scheme viable.

9.3 Landscape and greenspace

- 9.3.1 Existing mature trees around the site provide a valuable amenity to the wider area and also help to provide a buffer to some of the properties around the periphery of the site. Although much of the new development is located in similar locations to existing buildings the new buildings will have a significant impact upon the appearance of the streetscene.
- 9.3.2 Proposed retained trees to the front of the 1908 building are susceptible to disturbance during construction and ground resurfacing such that a detailed method statement will be required to protect them from damage. It is considered unlikely that the protected Ash tree fronting Belle Vue Road will survive for a lengthy period following redevelopment of the police depot. Consequently, the landscaping scheme will need to identify proposals for appropriate replacement planting in light of this, given that the existing mature tree has a significant presence in the wider streetscape. All new frontage trees within hard surfacing required to provide a suitable setting to the buildings will require underground root cells to provide the necessary soil volumes for the trees to thrive.
- 9.3.3 The student development provides a central courtyard area of amenity space which could be used by students. This space will be affected by shade much of the time such that soft landscaping proposals need to be designed to take this into account. The keyworker and open market apartments benefit from peripheral areas of private amenity space primarily to the rear of the buildings, the usability of which is limited by the site's topography and the juxtaposition to buildings and trees.
- 9.3.4 Hyde Park and Woodhouse ward records one of the highest levels of greenspace deficiency across the city. Despite the proximity of Woodhouse Moor the area lies within a priority area for green space improvement. Adopted policy requires that developments of this scale also provide areas of publicly accessible amenity space.
- 9.3.5 In July 2013 Members stated that the public amenity space should be provided on site. However, the density of the development is such that the greenspace requirements (theoretically over 5 hectares) could not be delivered on this 1.8 hectare site as part of this development. In the absence of on-site greenspace a commuted sum of £348,920.36 has been calculated to accord with UDPR policies N2 and N4. In February 2014 Members confirmed that a contribution towards off-site greenspace should be paid. In light of viability issues the applicant has offered a sum of £20,000 in this respect.

9.4 Highways

- 9.4.1 The scheme is located in a sustainable position close to the city centre and there is an existing controlled parking zone surrounding the site. It is intended that the student element of the scheme is car free, other than for 1 disabled person's parking space and 3 staff parking spaces. It is proposed that a clause is included in the student's tenancy agreement, and referenced in the Section 106 agreement, that students, other than disabled ones, should not bring a car to the premises. Fresh Student Living, who operate the student scheme visited by Members on 2nd April, is the applicant's management arm and will act as the management group for the development. Fresh Student Living uses a highly managed moving in and out strategy whereby students book slots of 20 minutes to drop off their belongings. During these periods 10 parking spaces will be made available to facilitate drop off, resulting in 30 students being able to drop off in any one hour. This means the student development could theoretically be filled or emptied in 11 hours albeit this is likely to take place over several days such that the impact upon the local highway network would not be significant.
- 9.4.2 The commercial units would benefit from 12 off-street parking spaces, including 2 of which would be marked out for use by disabled people. The spaces would be accessed from St John's Road with an egress on to Belle Vue Road. A servicing area for vehicles visiting the commercial units would be demarcated on Belle Vue Road outside the site.
- 9.4.3 The keyworker development would provide parking for 49 cars (including 3 disabled parking spaces), 3 motorcycles and a lockable enclosure for 20-40 bicycles. Additional bicycle spaces are needed which it is intended would be secured by condition. Given the number of keyworker units (262) there is the potential for overspill parking occurring albeit the site is in close proximity to the city centre. Consequently, a contribution of £20,000 is sought in order to pay for additional parking restrictions that may be required as a result of the development. The applicant has offered £15,000 in this respect.
- 9.4.4 61 car parking spaces, including 7 disabled parking spaces, are identified in the undercroft area for the 61 open market apartments. Space is also provided in this area for 5 motorcycles and 10 bicycles.
- 9.4.5 The application was supported by a Transport Assessment and a Travel Plan has been refined during the determination of the planning application in response to officer comments. The applicant has agreed to pay the £4,500 fee for monitoring the Travel Plan. One of the key components of the Plan is the provision of a space within the site for parking a City Car Club car which would be available to hire by all people. The applicant has also agreed to pay the sum of £25,000 requested to pump prime use of the car club.
- 9.4.6 It is considered that the development is likely to generate a number of trips, a proportion of which will have to be accommodated on the public transport network. In accordance with the terms of the Public Transport Improvements and Developer Contributions SPD a contribution of £30,964 has been sought towards the cost of providing the strategic enhancements needed to accommodate additional trips on the network. In this respect the applicant has offered £30,000 to be spent on improvements to the pedestrian bridge (St George's Bridge) over the Inner Ring Road adjacent to St George's Crypt which links the Little Woodhouse area with Great George Street and the city centre. This contribution would help bring forward improvements to the bridge sought by the Little Woodhouse Community Association

and referred to in the Little Woodhouse Neighbourhood Design Statement. These could include improving visibility over the bridge by building up levels, improving landscaping and lighting, or re-surfacing the paving to improve the pedestrian experience.

9.4.7 Metro has sought a contribution of £10,000 towards improvement of a bus stop on Burley Road and a sum of £27,720 to provide Metrocards for residents. The applicant has offered £10,000 if spent on local bus stops in Clarendon Road or if a bus service is re-established on Belle Vue Road. Metro has indicated that it will not be possible to re-introduce a service on Belle Vue Road whilst it is not considered that facilities on Clarendon Road are in need of improvement. Due to the location of the site and local topography it is not considered that the bus stop on Burley Road that Metro seeks to improve would be used by residents of the proposed development. Further, given the location of the site it is considered that provision of the car club facilities and improvements to other sustainable modes of travel are preferable. Consequently, it is suggested that the £10,000 offered by the developer could be better utilised on other sustainable travel measures, such as further improvements to St George's Bridge or potentially the provision of bicycles for hire on the site.

9.4.8 The development would result in the removal of historic uses which could potentially generate a significant amount of vehicular traffic. At the same time it provides measures by way of a Travel Plan and financial contributions to help mitigate the potential impact of the scheme on the local area. Negotiations regarding whether the proposed contributions are sufficient and how they should be apportioned remain to be concluded.

9.5 Accessibility

9.5.1 Generally, 5% of student bedrooms should be wheelchair accessible to comply with Building Regulations. However, the applicant's experience is that only 1% of rooms in the student accommodation that they manage (over 5000 rooms) are occupied by disabled students. It is understood that universities typically prioritise provision of accessible accommodation on campus such that there is not a strong demand for off-campus accessible student bedrooms. As such, the applicant proposes that just one of the student rooms would be provided as disabled accommodation in the first instance. However, it has been demonstrated that 16 additional rooms could be adapted to provide accessible bedrooms, albeit this would involve combining existing rooms. The developer is unwilling to provide larger bathrooms in some of the larger studios at this stage which could be adapted in the future into accessible bathrooms should demand arise.

9.5.2 There is a significant change in levels across the site. Revised plans have confirmed that level access to the student, keyworker, open market accommodation and commercial units will be achieved. The applicant has also confirmed that all ramps and steps will be designed in accordance with the latest guidance and a condition has been drafted in this respect.

9.5.3 The scheme involves shared use of the space between the student building and adjacent roads. This leads to a potential for conflict between people and vehicles within this area of the site. As a result, the proposed flow of vehicular traffic has been reversed such that vehicles leaving the parking spaces would do so in a forward gear. Additionally, block pavoir strips have been introduced to help motorists recognise that they are travelling on a surface intended for pedestrians as well as vehicles. The careful positioning of bollards in this area should also provide

some additional protection for pedestrians. However, it is important that the bollards do not interrupt the building line which would act as a guideline for blind and partially sighted people.

9.5.4 The initial scheme showed a significant shortfall in the number of parking spaces in the open market accommodation designed for disabled people. Since City Plans Panel comments in February the number of such spaces has been increased beyond the 10% requirement set out in the Unitary Development Plan

9.5.5 The applicant has responded well to the majority of issues in respect of accessibility. However, concerns remain regarding the number of student bedrooms (1) available for disabled people when the development is first occupied and the likelihood of rooms being adapted in the future should demand arise.

9.6 Sustainability

9.6.1 In February 2014 Members requested further information regarding the sustainable features of the development. The proposed scheme includes:

- the use of materials with a high environmental performance and optimisation of material use;
- reuse of the 1908 building;
- energy saving measures such as energy efficient lighting and lifts;
- water saving measures such as low flow taps and showers, and water leak detection systems;
- management of surface water run-off through the use of sustainable urban drainage systems (SUDS);
- use of Combined Heat and Power to provide a proportion of the heating requirements for the student accommodation and an air source heat pump for the commercial units; and
- efficient construction and waste management.

9.6.2 Additionally, the scheme which is located in a sustainable urban location promotes sustainable means of transport through a travel plan; a contribution towards physical improvements to St George's pedestrian bridge over the Inner Ring Road; the provision of cycling facilities; and the provision of a car club space and pump priming to encourage its use. However, the scheme still falls short of the current targets, achieving BREEAM Very Good and Code for Sustainable Homes Level 3. Current planning policy is that new development should seek to achieve BREEAM Excellent / Code for Sustainable Homes Level 4 criteria.

9.6.3 The applicant advises that the additional steps required to achieve the higher categories of sustainability would add a significant cost. In this respect energy is by far the most expensive part of compliance with the Code for Sustainable Homes and BREEAM; typically representing circa 90% of the cost of achieving the standards. Furthermore, "Level 4" of the Code and "Excellent" of BREEAM carry a mandatory requirement for a 25% uplift on Part L of the Building Regulations. It is this item that is responsible for the bulk of the cost increase and the reason why the scheme is achieving "Level 3" and "Very Good". The introduction of features such as photovoltaics, gas CHP, a building management system (BMS) and thermal fabric improvements would add a further £1,193,000 onto the existing construction costs to achieve the higher sustainability level. The applicant states that this would further undermine the overall viability of the development. Accordingly, a condition is recommended which encourages the development to seek to achieve BREEAM

Excellent / Code for Sustainable Homes Level 4 criteria albeit it is recognised that these targets may not be realised.

9.7 Section 106 and viability

9.7.1 Following pre-application consultation with officers and the local community the application was submitted with heads of terms to be included in a section 106 agreement if planning permission is granted. Details of these, with reference to comments made in the Appraisal section above, are set out below. Following submission of the application the applicant submitted a Financial Appraisal which concludes that the level of profit would be sub-optimal but that the applicant considers that this is acceptable to them. However, as noted, given viability issues, the applicant has made a reduced offer on some of the section 106 financial contributions. Details of the Financial Appraisal and the associated review by the District Valuer on behalf of the Council are attached in the accompanying confidential report. Given changing market conditions the District Valuer comments that his appraisal is only valid if construction work commences within 6 months. Consequently, given the District Valuer's comments, the applicant's requirement to commence development as soon as possible, and the condition of the 1908 St Michael's College building, it is recommended that commencement of the scheme is required within 6 months of the grant of planning permission if the viability conclusions are accepted.

9.7.2 Member's views are sought on the following Heads of Terms:

- 1 Employment & Training
The developer to use reasonable endeavours to cooperate and work with LCC Jobs and Skills.
- 2 Off-site greenspace contribution
A contribution towards off-site greenspace / amenity space in-lieu of the deficiency of on-site provision. A sum of 348,920.36 was calculated based on adopted LCC formula. The applicant has offered £20,000.
- 3 Keyworker housing control
Provision to control occupancy and rent for the keyworker accommodation. The entirety of the keyworker accommodation, 262 units, would be provided for rent at an affordable rate (not more than 80% of local market rent of equivalent properties) in perpetuity to keyworkers (a public sector, charitable or community sector employee who is considered to provide an essential service). The maximum salary level of tenants needs to be set at a suitable point so as to ensure that only those people in need of the accommodation qualify for such. This will need to be monitored on an annual basis such that a monitoring fee will need to be agreed.
- 4 Student occupation
Provision to control occupation of the student accommodation for students only during recognised higher and further education term time.
- 5 Phasing
Provision to control development phasing and ensure refurbishment of St Michael's College as part of the first phase of development. Provision to ensure phased payment of commuted sums and delivery of S106 obligations proportionate and relative to each phase of the development.

- 6 TRO review
Traffic Regulation Orders on neighbouring roads may be required to be updated. A sum of £20,000 was requested and the applicant has offered £15,000.
- 7 Public transport
A contribution towards public transport improvements. A sum of £30,964 was calculated based on LCC formula. The applicant has offered £30,000 to be spent on improvements to St George's Bridge.
- 8 Student parking
Provision to control student parking in the tenancy agreement.
- 9 Green Travel Plan
Developer to implement a Green Travel Plan and pay the Travel Plan monitoring fee of £4,500. The applicant has accepted these arrangements.
- 10 Car Club
Provision of Car Club space on site and pump priming of the facility by way of a £25,000 contribution. The applicant has accepted these arrangements.
- 11 Bus stop infrastructure improvements
A sum of £10,000 was requested by Metro to improve a bus stop on Burley Road. The applicant has offered £10,000 to be spent on more local bus stop improvements. Given the proximity to the City Centre officers consider that this sum would be more beneficial if used on other sustainable travel measures. Metro has also requested £27,720 to provide Metrocards for residents. Officers consider that this is unnecessary given the proximity to the City Centre.
- 12 Community use of building
Provision to enable the Little Woodhouse Community Association (or similar organisation) use of a common room free of charge for the purpose of one meeting of not less than two hours per calendar month.
- 13 Management Fee
£750 per standard obligation (excluding Green Travel Plan and keyworker monitoring).

9.7.3 The Section 106 obligations are compliant with the Community Infrastructure Levy Regulations 2010 Statutory Tests.

9.8 Conclusion

9.8.1 The proposed development would bring forward a number of benefits including:

- Redevelopment of a vacant brownfield site, enabling the retention and enhancement of the original St Michael's College 1908 building which is a key feature of the local area but is experiencing significant damage and anti-social behaviour which threaten its future;
- Investment of £40 million in construction of the development and support for local employment during construction and operation of the development;
- The provision of a range of housing to meet identified demand including 262 low cost units for keyworkers;
- Provision of high quality, managed, purpose-built student accommodation and the potential release of HMO's back onto the open housing market;

- New shops and patronage of local shops and facilities by occupiers of the development;
- Financial contributions including measures to improve accessibility of the area to the city centre.

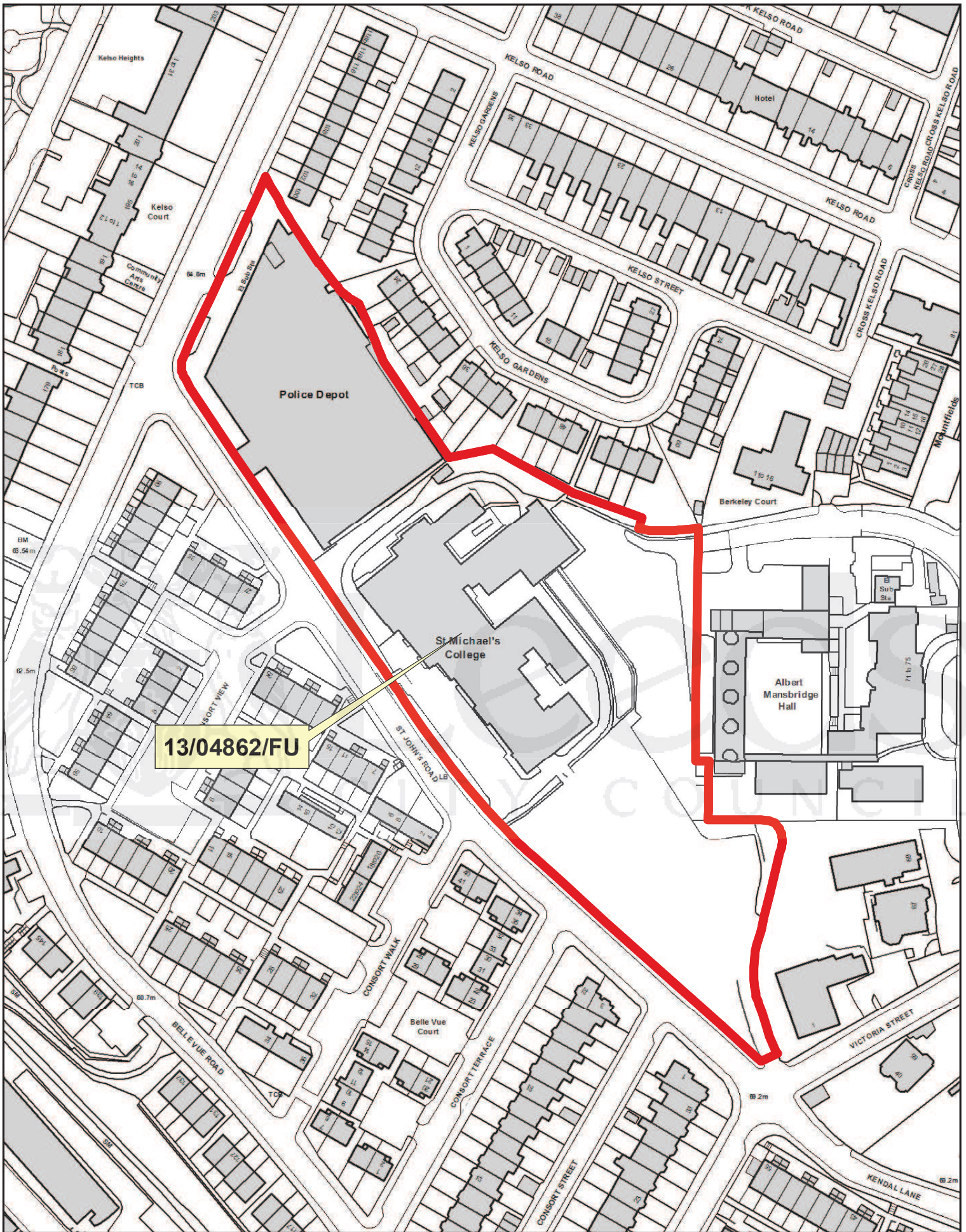
9.8.2 Whilst concerns regarding the addition of further students into the area are recognised it is considered that a need for the accommodation has been demonstrated and that the site is well located with regard to access the universities. At the same time the development brings forward a mix of residential types which would help provide a more sustainable community. The scale of the new buildings will result in a significant impact, particularly as historic uses of the site have been dormant for some time. However, recognising the critical mass required to bring forward the development the density and scale of development, is on, balance acceptable. The architecture of the new buildings has been refined in response to the existing context and Member's comments, and highway's issues have largely been agreed. Details of cycling provision, landscaping treatment and the provision of bedrooms for disabled persons remain to be resolved.

9.8.3 Accordingly, officers recommend that the application is delegated for approval subject to resolution of outstanding issues, appropriate conditions and the completion of a Section 106 agreement.

Background papers

Application file 13/04862/FU

Certificate of ownership : signed by Watkin Jones Group / Diocese of Leeds Trustees.
Notice also served on Yorkshire Distribution plc and Police and Crime Commissioner for West Yorkshire



CITY PLANS PANEL



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Appendix 1 – Minutes of City Plans Panel meeting 4th July 2013

Preapp/13/00354 - Pre-application presentation - Demolition of Extensions to St Michael's College and Police Depot and construction of 335 Student Bedspaces, 302 Keyworkers Studios and 66 Apartments at St Johns Road, Woodhouse, Leeds 3

Plans, photographs and graphics were displayed at the meeting.

A Members site visit had taken place earlier in the day.

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for a residential development at St John's Road and Belle Vue Road, Woodhouse, Leeds 3.

It was reported that the proposals were to provide a mixed residential development which would comprise student accommodation; key worker studios and open market apartments on a key site, close to the city centre. Currently the site housed a former school and police depot. The proposal was to retain the 1908 element of St Michael's Catholic College, but to demolish the extensions which had been erected. The adjacent former police depot would also be demolished.

Members received a presentation on the scheme from the applicant's representative Mr A Shaw (Watkins Jones Group) and Mr Grimshaw (Stephen Levrant Heritage Architecture).

Mr Shaw highlighted the key issues of the proposal which included:

- The heritage context – Site evolution
- Significance of site components
- Architectural context – Positive contributor to the neighbourhood
- Key design parameters
- Significant consultation undertaken
- Retain the 1908 element of St Michael's Catholic College
- Re-use of the site supporting mixed use residential and student accommodation (Student accommodation element 33%)
- Retention of mature trees on site with additional planting
- The proposed development would bring forward many benefits to the local area and the city e.g. employment opportunities for local people.

Members commented on the following matters:

- whether appropriate market research been undertaken to explore the viability of creating student accommodation together with key worker studios apartments on this site
- to welcome the proposal to retain the 1908 element of St Michael's Catholic College
- whether appropriate consultation been undertaken with the local community

- that an objective assessment on the viability of the student market would be welcomed
- that the proposals were trying to squeeze too much on the site and whether larger sized units had been considered, particularly for the key workers
- Desire for a prestigious scheme with quality design and materials, good landscaping and to include a community benefit element
- Concern about the scale and close proximity of the proposed student block to Kelso Gardens
- a preference for pitched roofs on the new blocks
- to welcome proposals for underground car parking

In responding, Mr Shaw, commenting on the viability of the scheme and the market research undertaken said that the Watkins Jones Group was one of the largest producers of student accommodation in the Country with a proven track record. Addressing the issue of including key worker studio apartments within the development, Mr Shaw said feedback from post graduate students suggested there was a market for this type of accommodation. Commenting on the quality of design and use of materials, Mr Shaw confirmed the development was a quality scheme. Responding to the concerns raised about Kelso Gardens and the proximity to the new development, Mr Shaw said that further consideration would be given to this issue.

Feedback from Panel Members

- Members were of the opinion that the sensitive redevelopment of the site, including refurbishment of the 1908 college building, in terms of scale and use, should be encouraged and that any development that takes place should provide employment and training opportunities for local people
- That subject to further analysis of the need for additional student accommodation taking place, Members were supportive that additional student development in this area was appropriate having regard to local and national policies relating to the objective of creating balanced communities and the supply of other consented schemes and pre-application enquires for student accommodation
- Members were of the opinion that the scheme provides an acceptable mix of housing sizes, however, there were questions over the unit sizes for the key workers accommodation
- Members called for further clarification around the definition of 'key workers' including their income levels and the proposed rentals in respect of the provision of affordable housing
- Members requested further consideration of the schemes effect on residents living conditions in houses in Kelso Gardens and Consort View
- It was the general opinion of Members that the location, massing and design quality of the buildings should be of high quality. Members were also concerned about the relationship of some of the proposed buildings adjacent to existing housing
- Members were of the opinion that the development should provide greenspace on site
- Members were of the opinion that it was important that existing trees were appropriately protected from construction work and that new buildings should be arranged so as not to result in their future removal

- Members supported in principle the introduction of community uses into the development.

In summing up the Chair said, Members welcomed the relationship between the old college building and the new student accommodation and in general were supportive of what the developers were trying to achieve.

RESOLVED – To note the report, the presentation and the comments now made

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Appendix 2 – minutes of the meeting of City Plans Panel 13th February 2014

Application 13/04862/FU - Proposed student accommodation, key worker and apartment buildings on land at St Michael's College and former Police Depot - Belle Vue Road and St John's Road Little Woodhouse LS3

Further to minute 24 of the City Plans Panel meeting held on 4th July 2013, where Panel received a presentation on proposals for the demolition of all existing buildings on the site, other than the original St Michael's College (the 1908 building); refurbishment and extensions to the 1908 building and the development of two new buildings to provide key worker housing; student accommodation; private market apartments and two commercial units, to consider a further report of the Chief Planning Officer setting out the current position on the application

Plans, photographs and graphics were displayed at the meeting Officers presented the report and outlined the proposals which would provide a mix of student housing – in studios and cluster flats in a new development – key worker accommodation in the 1908 building and extensions and finally a new development of open market apartments on the former playground area. Details of the proposed materials and the building heights of the different blocks were provided. Layouts of the different types of units were also shown together with an indication of how these could be converted to larger units, if required in the future

The comments of Re'new which had been received after the report had been published were read out to the Panel, with the organisation being satisfied the proposals met the criteria of Policy H6B Members were informed that comments from Highways were awaited.

Members considered the proposals and commented on the following matters:

- the number of key worker apartments and whether this had changed since the scheme was last presented. Members were informed that the level of key worker accommodation had been reduced from 302 units to 262
- the concerns of local Councillors about the amount of student accommodation in the scheme
- the new emerging strategy on student accommodation; the concerns about empty units and the need to provide, when considering applications for student housing, information which set the application in context with the level of demand and the amount of student accommodation already granted planning permission
- the need for further information on policy H6B and how this application related to that
- that the retention of the 1908 building was welcomed but concerns that the extensions and new build elements dwarfed the historic former College
- that more public open space should be provided on the site
- the possibility of the student accommodation remaining empty and that larger apartments should be provided instead which could be used by young professionals or key workers
- the impact of the proposals on the house nearest the new build element on Belle Vue Road
- concern that Re'new had not addressed the strategic questions about the level of student accommodation in the City

- the size of the key worker accommodation which was considered to be small and that people required flats, not studio apartments. Concerns were also raised about the size of some of the student accommodation
- that the scheme was over-intensive and led to cramped living conditions, particularly in the key worker and some of the student accommodation
- the possibility of the student accommodation being converted at a later date although the infrastructure would have been created for a different scheme
- that the location was highly sustainable for student accommodation and there was a need for key worker accommodation in Leeds, however there were concerns about the design of some of the buildings and the size of the accommodation being created. On the issue of design and materials, the Chief Planning Officer suggested that further work be undertaken on the student accommodation to ensure the quality being required was achieved. It was also important to ensure the future of the 1908 building which was currently suffering from neglect and vandalism and that the development of this should not be left to the end of the scheme

In response to the specific questions raised in the report, Members provided the following comments:

- that subject to the figures being acceptable for the level of student accommodation in the City, that further student development could be considered to be appropriate on the site
- that the area required retail facilities but to guard against a letting unit or bar, with the A2 and A4 uses requiring deletion
- that concerns existed about the size of some of the units and that flats for key workers would be more attractive. Members requested further work to be carried out on this
- on whether low cost housing exclusively for key workers was suitable in lieu of provision of affordable housing managed by a registered provider, as long as it was genuine low cost housing and would be so in perpetuity, then this could be considered. Again, Members requested further details on this
- regarding massing and design, that there were mixed views and that further detailing was required on some elements, including detailed treatment of the elevations and the relationship to existing properties on Belle Vue Road
- that having regard to the scheme's effect on residents' living conditions in houses in Kelso Gardens and Consort View, that the scheme was acceptable
- that in the absence of on-site greenspace that a contribution should be paid towards the provision of off-site greenspace having regard to UDPR policies N2 and N4
- that the existing trees should be protected from construction work and that new trees of appropriate species, numbers, locations and ground conditions were required to provide a suitable setting to the development
- concerning provision for disabled people, Members were informed that 5% of rooms in the student accommodation would be expected to meet the needs of people with disabilities. However the developer was proposing 1%. Similarly a lower level of disabled parking provision was being proposed. Members were of the view that this level of provision was not acceptable

- in respect of the costs of achieving higher levels of sustainability performances possibly undermining the overall viability of the scheme, Members requested further information on this
- on the proposed Section 106 Agreement, whilst this had not been discussed in detail, it was acknowledged that some of the comments made could impact on this. Two non-standard obligations were proposed, one relating to a contribution towards a pedestrian crossing over the Inner Ring Road, which was being discussed with the developer. The other condition related to the key worker accommodation which would be offered at a sub-market rent and the need for this to be in perpetuity as it would replace the requirement to provide affordable housing on the site. Regarding community use of the building, it was felt that the wording of the draft S106 should be amended to allow some flexibility as to the name of the community association which could use the building and in respect of the length of their meetings

RESOLVED - To note the report and the comments now made

During consideration of this matter, Councillor Lewis left the meeting

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Appendix 4 – Suggested conditions

- 1 The development hereby permitted shall be begun before the expiration of six months from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 3 The Local Planning Authority shall be notified in writing of the date of the commencement of development at least one week prior to such commencement.

To enable the Local Planning Authority to monitor conditions which come into force at the commencement of development.

- 4 Development shall not commence on the relevant phase of development until a Statement of Construction Practice for that phase has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage;
- d) details of access, storage, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles (including workforce parking);and
- e) how this Statement of Construction Practice will be made publicly available by the developer.

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of residential amenity of occupants of nearby property and to ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy GP5 and T2 and the National Planning Policy Framework.

- 5 Equipment to enable mud and grit to be removed from the wheels, tyres and underside of vehicles prior to their entering the public highway shall be provided and utilised in the position shown on the approved plan and maintained in working order at all times when traffic is leaving the site. The site access road shall be maintained in a clean condition at all times when traffic is leaving the site.

To ensure that mud is not deposited on the road in the interests of amenity and highway safety.

- 6 No development, including demolition, shall commence until a programme of architectural and archaeological recording of buildings on the site has been undertaken by an appropriately qualified and experienced archaeological / building recording consultant in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

To ensure necessary archaeological and architectural recording of the buildings before alteration.

- 7 Construction activities shall be restricted to 0800 hours to 1800 hours Monday to Friday; 0800 hours to 1300 hours on Saturdays with no works on Sundays and Bank Holidays.

In the interests of residential amenity in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 8 Details and samples of all external facing and finishing materials including walls, roofs and windows shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The samples shall include full-size panels of typical details of the proposed new buildings. The external surfaces shall be constructed in accordance with the details thereby agreed.

In the interests of visual amenity.

- 9 The following external façade works shall not be commenced until details at a scale of not less than 1 to 20 of the typical details have been submitted to and approved in writing by the Local Planning Authority:
- (i) Details of each type of window unit including bays.
 - (ii) Eaves treatment and roof details.
 - (iii) Details of external repair of the 1908 St Michael's college building.
 - (iv) Details of shopfronts

The works shall be carried out in accordance with the details thereby approved.

In the interests of visual amenity.

- 10 Details the proposals for reinstatement of the main entrance, including steps, door and handrails, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of the development. The entrance shall be constructed in accordance with the details thereby agreed prior to first occupation of that phase of the development.

In the interests of amenity and accessibility to meet the aims of adopted Leeds UDP Review (2006) policy GP5, T6 and BD6.

- 11 Prior to the commencement of development a survey of on-street car parking taking place within an 800m radius of the site shall be submitted to and agreed in writing by the Local Planning Authority. The survey shall be carried out on a weekday during the day and the evening, and a weekend in accordance with details which shall first be agreed with the Local Planning Authority.

In order to establish the existing on-street parking taking place within the vicinity of the site.

- 12 All off-site highway works shown on the approved plans and contained within the approved Transport Assessment by Cameron Rose must be completed before first occupation of the relevant phase of development on the site.

In the interests of highway safety in accordance with adopted Leeds UDP Review (2006) policies GP5 and T2.

- 13 Notwithstanding the approved details, before development is commenced full details of cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved cycle/motorcycle parking and facilities for that phase have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Leeds UDP Review (2006) policy T2 and T7A.

- 14 Development of the student residential building shall not commence until a car parking strategy for the management of vehicles at the start and end of the academic year has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the strategy thereby approved.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

- 15 Development of the student residential building shall not commence until details of a staff shower/changing room/locker facilities for staff of the student residential building have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to occupation of the development and thereafter be retained for the lifetime of the development.

In the interests of sustainable transport in accordance with adopted Leeds UDP Review (2006) policy T2 and T7A.

- 16 Development of the open market units shall not commence until details of electric vehicle charge points, or first fix, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to occupation of that phase of the development and thereafter be retained for the lifetime of the development.

In the interests of sustainable transport in accordance with adopted Leeds UDP Review (2006) policy T2 and policy AIR1 of the Natural Resources and Waste Development Plan Document.

- 17 No part of the development shall be occupied until a Car Park and Servicing Management Plan (including timescales) for that part of the site has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented and operated in accordance with the approved timescales. For the avoidance of doubt the parking spaces hereby approved shall only be used by residents and staff of the development hereby approved. The spaces shall not be leased to off-site users.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

- 18 No part of the development shall be occupied until the approved one-way vehicular entry and exit arrangements and appropriate signage for that part of the site, including restrictions for large vehicles on the open market flats site, are fully implemented, and must be maintained as such thereafter for that part of the site.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

- 19 Notwithstanding the details of the plans hereby approved prior to the insertion of any bollards outside the entrance to premises full details of their design and location shall be submitted to and agreed in writing by the Local Planning Authority. The bollards shall be installed in accordance with the details thereby agreed.

In the interests of pedestrian safety and accessibility and in accordance with adopted Leeds UDP Review (2006) policy GP5, T2 and T6.

- 20 Prior to the first occupation of the open market apartments the redundant access at the junction of St John's Road and Victoria Street shall be closed and the footway made good in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

In the interests of highway safety and visual amenity and to accord with adopted Leeds UDP Review (2006) policy GP5 and T2.

- 21 All proposed pedestrian gradients across the site and all formal ramps into and within the site must be constructed in accordance with the guidance provided by the British Standard BS8300:2009 + A1:2010 and retained as such thereafter.

In order to meet the aims of adopted Leeds UDP Review (2006) policy T6.

- 22 Prior to the first occupation of the student phase of the development a wall shall be constructed along the boundary of the site with 100 Belle Vue Road in accordance with details shown on drawing x. The wall shall thereafter be retained as such.

In the interests of amenity and to accord with adopted Leeds UDP Review (2006) policy GP5.

23 a) No works shall commence until all existing trees, hedges, bushes shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be retained for the duration of any demolition and/or approved works.

b) No works or development shall commence until a written arboricultural method statement for a tree care plan has been submitted to and approved in writing by the local planning authority. Works or development shall then be carried out in accordance with the approved method statement.

c) No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services, without the prior written approval of the Local Planning Authority.

d) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition and/or approved works, to allow inspection and approval of the works.

To ensure the protection and preservation of trees, hedges, bushes and other natural features during construction works, in accordance with adopted Leeds UDP Review (2006) policies GP5, N23 and LD1.

24 Notwithstanding the submitted landscape plan development shall not commence until full details of both hard and soft landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include:

- (a) proposed finished levels and/or contours,
- (b) boundary details and means of enclosure, including details of the lowered wall to the front of the proposed open market apartments; the boundary wall to the front of the 1908 St Michael's College building; the low wall to the front of the proposed student accommodation and boundary treatment around the rear boundaries,
- (c) other vehicle and pedestrian access and circulation areas including the space to the front of the open market apartment building ,
- (d) hard surfacing areas,
- (e) minor artefacts and structures (e.g. furniture, signs, lighting etc.),
- (f) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works shall include

- (g) planting plans
- (h) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and

(i) schedules of plants noting species, planting sizes and proposed numbers/densities.

- 25 All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds UDP Review (2006) policies GP5, N23, N25 and LD1.

- 26 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 27 a) No retained tree/hedge/bush shall be cut down, uprooted or destroyed nor any tree be pruned, topped or lopped or suffer root severance other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved pruning, topping or lopping shall be carried out in accordance with current British Standards and any tree survey approved by the Local Planning Authority.

b) If any retained tree/hedge/bush is removed, uprooted or destroyed or dies the Local Planning Authority shall be notified forthwith in writing. Another tree/hedge/bush of an agreed size and species shall be planted at the same place and at such time, as may be specified in writing by the Local Planning Authority.

Retained tree/hedge/bush refers to vegetation which is to be retained, as shown on the approved plans and particulars, and the condition shall have effect until the expiration of five years from the date of occupation.

To ensure the continuity of amenity afforded by existing vegetation in accordance with adopted Leeds UDP Review (2006) policies GP5, N23 and LD1.

- 28 If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 29 Prior to the commencement of development a Biodiversity Enhancement & Management Plan shall be submitted to and approved in writing by the LPA. The Plan shall be based upon the proposals in Appendix 1 and Appendix 2 of the “BREEAM New Construction 2011 Land Use and Ecology Assessment” Report No. 3 dated September 2013 by Wardell Armstrong. The Plan will include a maintenance schedule of how these features will be managed on an annual basis. The Plan shall thereafter be implemented.

To provide local biodiversity enhancements.

- 30 Prior to the commencement of development, a Plan shall be submitted to and approved in writing by the Local Planning Authority of bat roosting and bird nesting opportunities (for species such as House Sparrow, Starling, Swift, Swallow and House Martin) to be provided within buildings and elsewhere on-site. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located. The Plan shall include a timetable for implementation. The features shall thereafter be retained.

In order to maintain and enhance biodiversity.

- 31 No site clearance, demolition or removal of any trees, shrubs or other vegetation shall be carried out during the period 1 March to 31 August inclusive unless otherwise agreed in writing with the Local Planning Authority.

In order to ensure the protection of wild birds during the breeding season.

- 32 Prior to the commencement of development a method statement for the control and eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The agreed plan shall thereafter be implemented.

In order to control the spread of invasive plant species.

- 33 Any mechanical plant within the completed development shall not be operated until a scheme to control noise from it has been approved in writing by the Local Planning Authority and installed as approved. The scheme shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997. The approved scheme shall thereafter be retained.

In the interests of amenity and to accord with Unitary Development Plan policy GP5.

- 34 Details of any proposed external extract ventilation system/air conditioning plant/or measures to control odours from the commercial units shall be submitted to and approved in writing prior to their installation. The facilities shall only be installed in accordance with the approved details.

In the interests of visual and residential amenity and in accordance with UDPR policy GP5 and the National Planning Policy Framework.

35 The opening hours for the commercial uses shall be restricted to 0700 hours to 2300 hours. The hours of delivery to and from these premises shall be restricted to 0800 hours to 2000 hours Monday to Saturday with no deliveries on Sundays and Bank Holidays.

In the interests of amenity and to accord with Unitary Development Plan policy GP5.

36 Unless otherwise agreed in writing by the Local Planning Authority no building or other obstruction shall be located over or with 3.0 metres either side of the centre line of the water mains which enter the site.

In order to allow sufficient access for maintenance and repair work at all times.

37 The site shall be developed with separate systems of drainage for foul and surface water drainage on and off site.

In the interests of satisfactory and sustainable drainage in accordance with policies GP5 and N39A of the Unitary Development Plan.

38 No development shall take place until details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The works thereby approved shall be made available for use prior to the first use of the relevant phase of the development.

To ensure that the site can be properly drained in accordance with policies GP5 and N39A of the Unitary Development Plan.

39 The development shall be carried out in accordance with the approved Tier Consult Flood Risk Assessment dated 12 December 2013. The mitigation measures shall be fully implemented prior to occupation of the relevant phase of the development and thereafter maintained as such.

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

40 Development shall not commence until a Phase I Desk Study has been submitted to, and approved in writing by, the Local Planning Authority and:

(a) Where the approved Phase I Desk Study indicates that intrusive investigation is necessary, development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority,

(b) Where remediation measures are shown to be necessary in the Phase I/Phase II Reports and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use in accordance with national and Leeds City Council's planning guidance.

- 41 If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with national and Leeds City Council's planning guidance.

- 42 Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with national and Leeds City Council's planning guidance.

- 43 Site investigation works shall be carried out in accordance with the Coal Mining Risk Assessment to establish the position regarding coal mining legacy issues on the site. In the event that the site investigations confirm the need for remedial works details of such works, including a programme for implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The mitigation works thereby approved shall be undertaken in accordance with the details thereby agreed.

In the interests of safe construction of the development and to accord with Leeds Natural Resources and Waste DPD policy M3.

- 44 Prior to the commencement of development

- (i) a pre-assessment using the BREEAM assessment method showing how the development will seek to achieve a credit score commensurate with an Excellent standard; and
- (ii) an energy analysis showing the percentage of on-site energy that will be produced by Low and Zero Carbon (LZC) technologies and a carbon reduction target for the development

shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme.

A post-construction review assessment shall be submitted to the Local Planning Authority within two weeks of the first occupation of the development and a BRE certificate confirming the rating which has been achieved and final confirmation of the percentage of on-site energy that will be produced by Low and Zero Carbon (LZC) technologies shall be submitted to the Local Planning Authority within 10 weeks of occupation of the development.

The development shall be maintained and retained in accordance with the approved detailed scheme and post-completion review statement or statements.

In the interests of sustainable development in accordance with Policies GP11 and GP12 of the Unitary Development Plan (Review) the SPD Building for Today: Sustainable Design and Construction, the Draft Core Strategy and the National Planning Policy Framework.

- 45 The windows to the corridor of the student building facing 100 Belle Vue Road shall be fitted with obscure glazing prior to the first occupation of the building and thereafter retained as such.

In the interests of amenity in accordance with Unitary Development Plan policy GP5.

- 46 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) planning permission shall be obtained before any change of use of any commercial premises referred to in this permission, to any use within Use Class A2 or A4 as detailed in the Town and Country Planning (Use Classes) Order 1987 (or any order revoking or re-enacting that order with or without modification).

In order that the Local Planning Authority can retain control over uses which it considers could be harmful to the character and amenity of the area in accordance with UDP policy GP5.



Originator: P. Kendall

Tel: 0113 2224409

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 8th May 2014

Subject: PROPOSAL FOR 113 NO. RESIDENTIAL UNITS (17no. 3 BED UNITS AND 96no. 2 BED UNITS) ON LAND AT FORMER YORKSHIRE CHEMICALS SITE BETWEEN RIVER AIRE AND LEEDS LIVERPOOL CANAL (13/05566/FU)

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions (and any others which he might consider appropriate) and also the completion of a Section 106 agreement to include the following obligations:

- Provision of 5% (6no.) affordable housing units
- £170,671 Green Space contribution
- £107,598 Education Contribution
- £31,440 Improvement works to the local highway network
- £35,470 Public transport infrastructure contribution
- £2,565 Travel Plan Review Fee and travel plan measures including co-ordinator
- £6,780 Provision of free trial membership of the city car club
- Ensure public access to the open space area
- Maintenance of public areas
- Ensuring ability to connect to the bridge over the River Aire
- Use of best endeavours to create 2 no. links to canal towpath
- Retention of Meadow area
- Revocation of Hazardous Substances Consent - if this is considered to represent the best method by which this can be achieved
- Local Employment Initiatives
- Any other obligations which arise as part of the application process.

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

Conditions

1. Standard 3 year permission
2. Development to be carried out in accordance with approved plans
3. Walling, roofing and surfacing materials to be submitted and approved
4. Submission and implementation of a landscaping plan
5. Landscape maintenance schedule
6. Tree replacement if trees fail
7. Submission and approval of surface water drainage details
8. Details of bin and cycle storage enclosures to be submitted and approved
9. Details of boundary treatments to individual plots
10. Details of boundary treatments to the perimeter of the site
11. Areas to be used by vehicles to be laid out, surfaced and drained
12. No occupation until the upgrade works to Wellington St have been completed
13. Method of ventilation for residential units
14. Construction Environmental Management Plan
15. Biodiversity Enhancement Management Plan
16. Lighting design strategy for bats
17. Detailing any disturbance to the ground which may take place close to the embankment adjacent the canal
18. Details of canal towpath connections.
19. Amendment of remediation statement if unexpected contamination is discovered during development
20. Submission of contaminated land verification reports
21. Hours of construction for later phases of development.

1.0 INTRODUCTION:

- 1.1 This relates to the use of part of the former Yorkshire Chemicals site between The River Aire and the Leeds Liverpool Canal. This was part of a wider redevelopment site which gained approval for a mixed use residential, office and commercial development in 2011. However, this scheme was never commenced and the site has remained vacant. The intention is to develop this site with 113 housing units accessed via a single spine road with the buildings fronting both the River and Canal. Members visited the site in November 2013 before receiving a presentation at Panel by the developer, Strata Homes, and their representatives. Members have also been to see another site being developed by Strata at Ackworth in order to gain a better understanding of the 3 storey, 2 bedroom house type (Monaco unit) described below.

2.0 PROPOSALS

- 2.1 General layout
This is to construct a housing development comprising 113 units. 17no. of these units are to be of a traditional 3 bedroom, 3 storey, terrace type, with each terrace being 4/5 units in length. In respect of the other 96 units, the applicant has developed a residential house type which it considers to be a hybrid between an apartment and a traditional house, referred to by the applicant as the 'Monaco' unit. This will be described below.

- 2.2 Given the unusual shape of the site, the most efficient method of creating vehicular access is via a central spine road from which all car parking is accessed. The buildings are located between the access road and the perimeter of the site. This enables a built frontage to be presented to both the River Aire and the Leeds Liverpool Canal. However, because of the nature of the Monaco unit, there are also frontages on to the spine road. The layout also contains the car parking within the site so that it is screened from the view of passing pedestrians on the towpath and from across the river.
- 2.3 Monaco Unit type
The ability to provide frontages on all sides of the buildings is a result of the use of a specific type of house form known as the Monaco unit. This consists of a block of 3 storey houses set in groups of 4, 6 or 8 units. Half of these are oriented in one direction and back onto the other half, which are oriented in the opposite direction. They consist of a ground floor second bedroom with shower room and toilet, first floor lounge/kitchen and top floor master bedroom and en suite bathroom. Windows would be located at all floor levels, with some units gaining secondary windows where they are on the ends of blocks. Each unit would have its own small area of attached amenity space and a dedicated car parking space. They are designed to appeal to city centre apartment dwellers who wish to purchase their first freehold property, but who still want the benefits and convenience of city centre living.
- 2.4 Canal Front development
Fronting the canal, there are a series of 7 no. of the hybrid buildings. Each unit has pathway access to the road and parking areas. Given that the towpath is approx. 1.2m higher than the site, when viewed from the canal, the buildings would be the equivalent of two and a half storeys. A section through the site shows that the building heights will align with the existing lock-keeper's cottage, which is part of the composition of canal buildings at the Grade II listed Oddy's Lock to the eastern end of the site. This is intended to integrate the proposal with the area and specifically the cottage, which is the most characterful building in the immediate vicinity.
- 2.5 The buildings fronting the canal have been oriented to create a gentle convex curve which would be evident when viewed from the towpath. From within the site the buildings would curve in a correspondingly concave manner. Those units which front the canal would be no closer than 5m to the towpath and each building is a minimum of 5m away from its immediate neighbour. The windows which face directly across to other properties would be secondary windows to rooms which can be either omitted or obscure glazed to avoid any direct vision between units.
- 2.6 Building Design
Responding to comments made by Members at pre-application stage, the properties fronting the canal are to be constructed of a man made stone to harmonise with the existing cottage. Further design development has also taken place on the Monaco blocks to improve their visual appearance. These measures include: Introducing a small check in the building line to provide a central projection on a number of the 8 unit blocks, more variation in roof forms and eaves projection, the introduction of a 'rafter foot' detail at eaves line and an improved Juliet balcony detail. The terraced houses have also been amended to introduce units with stone elevations, a variation in roof form and building line.
- 2.7 Main Open Space Area
The row of buildings fronting the canal terminates at its eastern end before the lock keepers cottage to avoid impacting on its north-east facing living space windows. This is coincident with the provision of an area of landscaped publicly accessible open

space (30m x 40m) to be created between the residential buildings and the main spine road (although the buildings which sit around this space provide a total area of 55m x 60m). The layout would visually contain the space with new development on 3 sides and the lock-keepers cottage, and lock itself, on the other. The space would contain tree planting, grassed areas, a planting bed and a pathway feeding in to the pathway network which runs across the site all within a perimeter hedge and railings. This space has been designed to provide an impressive landscaped entrance feature which would be useable by both residents and visitors and provide a green link between the canal and river corridors.

2.8 River Front Development

Fronting the River Aire would be 8 hybrid blocks containing a mix of 4, 6 and 8 units. This terminates at the location of the existing river bridge in a 10m wide strip of public open space which would ultimately allow access to the river crossing. The bridge is the only surviving structure of the former chemical works. To the east of this, terraced houses are proposed to fill the remainder of the site. These will have rear gardens of 10m minimum length, which would back on to either the river or the warehouses to the south-east. In response to comments made by Members at pre-application stage, it is proposed that the boundary with the warehouses would be screened by a row of trees in order to reduce their impact on the rear amenity space and views out from the residential units.

2.9 All of the properties adjacent the river will be kept away from the top of the river bank in order to allow a minimum 4m width of natural landscape buffer to be created. This has been introduced to protect this sensitive waterfront habitat and would be protected by a suitably designed means of enclosure.

2.10 When viewed from within the scheme, the unit layout will create an elongated tapering enclosed street which focuses on the block at the north-western end. This includes a metal archway feature which sits above the access to the western-most residential building. This block backs on to a wild meadow (74m x 18m ave.) which would be inaccessible to both residents and the public in order to create a natural buffer between the development and the steep river bank to the north-west. This area is currently covered in piles of rubble on a concrete base and therefore the setting out of the wild meadow, along with the river bank-top buffer zone, have been included to improve on the current contribution which the site makes to the biodiversity of the area.

2.11 Car Parking and Services Provision

The car parking spaces on the site are to be allocated to the proposed units at a rate of one per unit with an additional 25 spaces provided for visitors. The area to either side of the road will contain the car parking which is split into smaller areas in front of each of the buildings they serve and which are separated by 3m-6m wide landscaped strips containing trees, hedge planting and grass. Some of the parking areas are between the buildings and can be seen from the canal towpath, although landscaping is proposed to be used to soften the visual impact of these areas and all of the parking areas will be paved in a large unit block paving to improve the visual appearance. Refuse storage and cycle parking are also included within the landscaped areas with the landscaping being positioned to reduce their impact. The refuse areas have been positioned to be accessible from the highway to avoid the requirement to leave refuse containers on the highway on collection days.

2.12 River Connection

The previous outline scheme proposed a new pedestrian and cycle bridge across the River Aire. However, the applicant is being offered the application site only, which

means they have no control over the use of the land on the northern side of the river or the existing bridge. Given this situation, the applicant is proposing to provide a link which would enable a future connection to be made when the northern site is developed and the bridge upgraded. A space 10m x 30m has been created at this point with the buildings to either side being 16m apart with the stone gables to either side acting as markers facing out over the open space. Once opened, there would be a route to the north which would give access to the existing and proposed areas of river-front open space and the Kirkstall Rd corridor.

2.13 Landscaping Overview

The landscaping proposals have been included within the description of the various parts of the site above. However it is considered appropriate to bring all of these together to make clear the hierarchy of provision included within this scheme:

- Main area of open space 40m x 30m containing mature tree planting and grassed areas
- Bridge link open space 30m x 10m
- Wild meadow 74m x 18m (ave.)
- 4m wide strip along the River Aire bank-top to give a buffer to the bankside habitat, planted with appropriate species and retention of existing where appropriate.
- Avenue of trees along central spine road
- Areas between car parking 4m-6m wide containing further trees, hedge planting and grass.
- 2 no. incidental open space areas between blocks to provide increased space about dwellings and better layout. approx. 12m x 12m
- Private amenity areas around dwellings (various sizes)
- Total 87 no. trees

In addition to this a contribution of £170,671 is being made to off-site green space provision in accordance with Policies N2 and N4.

2.14 Highways Works

Given the number of units it serves, the spine road which runs through the site must be adopted. This requires the carriageway to be surfaced, drained and lit to adoptable standards. In addition, the 200m long section of road which links the site with the Inner Ring Rd is not currently adopted and therefore further works to the existing construction are required including a new surface and sub-surface strata, the creation of a new footway along the southern side of the carriageway, street-lighting and drainage to improve it to adoptable standards. The developer has agreed that they would make the necessary provision for the carrying out of these works under Section 38 of the Highways Act to create a fully adopted highway from the ring road all the way to the north-western end of the Otter Island site.

2.15 The central spine road enters the site and goes through a right-hand, then left-hand, bend to enable it to run down the centre of the site. This has the advantage of slowing down the traffic as it passes the main landscaped area. At this point there is also a change in surface treatment to block paving which will create a better visual appearance. Pedestrians would benefit from an alternative route, to walking along the road, by walking through the open space area and along the footpath in front of the residential units. The spine road will have trees set out in pairs to either side of the carriageway at approximately 25m intervals to create an avenue type appearance.

2.16 Links to the Towpath

There is already a narrow set of steps within the towpath wall close to the access point to the site and a much larger ramped access near the inner ring road - the ramp being wide enough to enable cyclists to move between the towpath and the access road without having to dismount. However, an improved pedestrian link to the towpath, closer to the site access point, would also be desirable. There are significant levels differences between the road and the towpath and the link would be located on land outside the control of either the applicant or The City Council. In these circumstances the applicant has commenced discussions with the Canals and Rivers Trust (CRT) and will enter in to a S106 agreement to use their best endeavours to create a better link at this point. There is also a desire to install a connection to the towpath at the western end of the spine road which would be for the benefit of the residents and this connection also forms part of the discussions with the CRT.

2.17 Sustainability

This is a highly sustainable location within walking distance of the city centre and Leeds Station as well as being on the Sustrans cross-country cycle route. The developer is keen to support sustainable objectives and has included the following items within each unit:

- All light-fittings to be low energy
- Air tightness standards will average a 40% improvement over Building Regulations.
- Commitment to Robust Detail sound insulation levels
- Installation of 'Seasonal Efficiency of Domestic Boilers in the UK' (SEDBUK) 'A' rated boiler systems
- Low energy rated kitchen appliances provided as standard
- Water efficient taps, cisterns and showers
- Exceeds building regulations requirements in building envelope materials specifications,
- Glazing to have Low-E coatings to reduce heat transfer through windows

In addition, external lighting will be positioned, controlled and focused such that it provides efficient safe and secure access. This will comprise energy efficient luminaries supported by infrared sensor and time controls where necessary.

2.18 Affordable Housing

The applicant is fully intending to construct the development at the earliest opportunity and certainly within 2 years from the date of approval, should Members agree the officer recommendation. In these circumstances the requirement for the provision of affordable housing is reduced to 5% which, in this case, equates to 6 units of which 3 would be for social rent with the remaining 3 being available at sub-market rates. The applicant has agreed to this level of provision.

2.19 Travel Plan measures

The site occupies a highly sustainable location within easy walking distance of the city centre. The submitted travel plan identifies that a Travel Plan coordinator will be identified and they will have a budget of up to £1,000 per annum in addition to the other measures to be directly funded:

- Travel Plan coordinator
- Travel Plan review fee £2,565
- Lockable covered cycle parking facilities
- Direct link to the tow path cycle route

- Funding for car club use £6,780
- Motorcycle anchor points if required by an occupier

3.0 SITE AND SURROUNDINGS:

- 3.1 The site consists of one part of the former Yorkshire Chemicals site. It is an unusual long, tapering site which has frontages to both the River Aire to the north-east and The Leeds Liverpool Canal to the south-west. This includes the Grade II listed Oddy's Lock and associated stone built lock-keeper's cottage, which has windows facing out over the site, although at the time of writing this report many windows in the property were boarded up and there were no signs of habitation. The site is currently reduced to its concrete slab and is generally flat. The towpath to the south is higher by approximately 1.2m which offers views down over the site. On the opposite side of the canal to the south-west are a range of buildings of mixed light and general industrial uses with some storage and warehousing. These range from the Grade II listed Castleton Mill through to 8m high corrugated sheds. The towpath forms part of the Sustrans Trans-Pennine Trail which runs the entire breadth of the country, but more immediately provides a direct link to Kirkstall Valley Park to the west and Leeds City Centre and the railway station to the east.
- 3.2 To the north, some naturally seeded vegetation has grown along the waterfront and provides a dense natural screen to the top of the river bank. The river level is much lower than the site and the steep sided river bank is densely grown with low level vegetation and mature trees. The original private chemical works vehicle bridge remains in place over the river. However, it is not part of the land being offered to the developer and so does not form part of this proposal. A number of larger industrial sites to the north of the river have now been demolished and so the impression is of an area which is now very much in transition. Located along the south-eastern boundary are the 6m high rear elevations of a row of industrial/warehousing sheds and to the west the site tapers down to a narrow and steep sided, naturally vegetated, area which is part of the river bank to which there is no public access.

4.0 RELEVANT PLANNING HISTORY

- 4.1 This site was part of a comprehensive redevelopment proposal for the former Yorkshire Chemicals site which received outline planning permission in 2011 (permission remains extant) after consideration by Members at Plans Panel. This 'Island' part of the site was to be developed with 6 apartment buildings up to 12 storeys in height containing c.400 residential units, 20 houses, ground floor commercial units and open space provision. All of this was to be built above a basement parking area accessed from the Inner Ring Road containing 503 parking spaces. (App. Ref. 06/04610/OT)

5.0 HISTORY OF NEGOTIATIONS

- 5.1 A number of pre-application meetings took place with the applicant and advice from a range of internal consultees was provided. The scheme was presented to Members at pre-application stage in November 2013 and the site was also visited by Members at that time. Since then Members have also visited a Strata Homes site at Ackworth to see the 2 bed Monaco and 3 bed terraced units.
- 5.2 At pre-application stage, Members commented that - the principle of the site being used for residential accommodation remained acceptable. In respect of the unusual

form of housing in this location, there were mixed views about the type and restricted size of private amenity space for the majority of the units. It was recognized that conventional housing would probably not be viable but that some concerns existed about the size of the dwellings and the blandness of the design of the blocks, with the importance of attention to detail and use of materials being stressed to avoid the appearance that a normal housing scheme had simply been transplanted on to this unusual site. More stone needed to be provided along the towpath and access to the towpath needed to be achieved to make links with the site and the Sustrans-route. Views of the warehouse along the eastern boundary of the site needed to be screened. The provision of a central parking area would ensure good surveillance

- 5.3 It was also agreed that further discussions should take place with Children's Services about the need for education contributions as the 2 bed form of dwelling was considered unlikely to be attractive to families with children and that a study undertaken by Strata Homes showed that of the 133 units of this type already constructed, only 3 contained families with children.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 A Statement of Community Involvement has been submitted. This sets out that a letter was sent to 20 local businesses in the area and the owner of the Lock-keeper's cottage, informing them of the proposal. As a result of this exercise, one response was received, which was from the owner of the cottage. This stated that they were supportive of the proposal and that the development was much needed in the area, would enhance the setting of the cottage and improve the area in general. The owner also indicated their willingness to work with the applicant to determine if shared services could be provided to the cottage.
- 6.2 Comments have been received from Councillor Nash who is the Ward Member for City and Hunslet within which this site is located. Significant concerns are raised about the construction of 'back to back' properties. Also considers that the Monaco units should be split into blocks of 4 so that better levels of light can be achieved in each unit, but there should be space between the blocks to allow the ones on the northern corners to get their fair share of sunlight. Accepts that this location is really only suitable for first time buyers and as an experiment for any future development of this kind.
- 6.3 A letter of objection has been received from Leeds Civic Trust:
Whilst they support the use of brown field land for housing, they state that this location is not suitable. There is no development framework showing how this part of the city will be developed in the future. The site is poorly located behind industrial uses and an extended access road from Wellington Rd with no alternative access for emergency vehicles. There is no easy pedestrian access and a long walk to any public transport system. They also go on to state that:
- The layout is very poor
 - No account is taken of the adjacent listed Oddy's Lock
 - There is repetition of the back to back house types across the site with only half of the units having a view of either the canal or the river.
 - The central area is a large car park
 - No consideration has been given to the quality and variety of spaces
 - The visual monotony of buildings overlooking the central space is depressing.

7.0 REPOSE FROM CONSULTEES

7.1 Statutory:

Highways Agency: No objection

The Coal Authority: No objection

Canal and River Trust: No objection - subject to conditions detailing any disturbance to the ground which may take place close to the embankment adjacent the canal and the details of any boundary treatment to the canal.

Environment Agency: No objection - subject to condition regarding mitigation if unexpected contamination is discovered during development

Health and Safety Executive: No objection – subject to the revocation of the current Hazardous Substances Consent which still exists on the site and this to be secured through the S106 Agreement. (This is the method that was used as part of the extant outline permission (06/04610/OT).

Highways Services: No objection - the proposed layout is acceptable. The developer is to upgrade the existing stretch of highway which links this site to Wellington Rd to adoptable standards and provide a new central spine road to adoptable standards. The highway works will be carried out under a Section 38 Order as part of the Highways Act and any Traffic Regulation Orders will form part of that agreement. Any towpath links can be incorporated in the S106 agreement. The contribution of £31,440 for improvement works to the local highway network is acceptable.

7.2 Non-statutory:

Housing: No objection – This scheme should provide 6no. 2 bed affordable units if built within 2 years. 3 no. should be for social rent and 3 no. at sub-market rates. The units should be spread throughout the scheme (pepper-potted).

NGT, Public Transport Infrastructure: No objection - a contribution of £35,470 is required for improvements to public transport infrastructure and should be secured through a S106 Agreement.

Travelwise: No objection - Lockable cycle parking is to be provided and there is good access to the canal towpath which is part of the Sustrans Trans-Pennine cycle route. The Travel Plan Review Fee of £2,565 and provision of free trial membership of the car club costing £6,780 have been agreed and should be secured as part of the S106 Agreement. A Travel Plan coordinator will be in place from the occupation of the 34th dwelling to five years post completion of the site. As the site is close to the city centre a Metrocard scheme is not considered to be either necessary or appropriate for this site. Regarding electric vehicle charging points - all parking spaces are remote from the houses, there are no garages and the properties will be sold freehold so there is no management company to maintain the facility. It is accepted that the provision of an EV charging point is not practical as part of this unusual scheme. Provision on the public highway is also not possible as a public, on-street charging point network does not exist at present. It is considered that the other measures being included within the Travel Plan package, as well as the location of the site, will mitigate the use of private motor vehicles to an acceptable level. Whilst the contents of the Travel Plan had been agreed at the time of writing this report, the final

document had not been received by officers. Should the contents be altered in any way from those reported above then Members will be updated verbally by officers at Panel.

Metro: Access to the city centre and the bus network is good. Welcome the improvements and adoption of the access road. Support the provision of a public transport infrastructure contribution. Consider that as well as the car club scheme contribution supported by L.C.C., Metrocards should also be provided. Electric vehicle charging points would be supported if the infrastructure could be provided.

Public Rights of Way: No objection – Note that the canal towpath runs past the site.

Yorkshire Water: No objection – subject to a condition requiring that the scheme be built in accordance with the submitted drainage details

Flood Risk Management: No objection - subject to a condition regarding drainage details

Environmental Protection: No objection - The residential units are to receive double glazing systems to mitigate external noise that may affect the units. Subject to an adequate method of ventilating the rooms in periods of warm weather in the event that the windows need to remain closed, then no objections subject to condition requiring this method of ventilation to be agreed. An odour assessment has been carried out due to the mixed commercial nature of this area. The quality of the assessment carried out is robust as the method of testing has taken place at 15 different times of the day, over a 3 month period and in 10 locations across the site. The report makes it clear that there have been numerous detections of a 'soapy' odour with less frequent detections of burning wood, burning plastic, water vegetation, tar and paint. The report concludes that despite the presence of these odours none were either of such a duration or so unpleasant as to suggest that they would prevent the site from being acceptable for residential use. This is clearly a subjective area and is therefore very difficult to gauge. It is only when residential uses are placed in proximity to them that the true picture is established.

Environmental Studies Team: No Objection - the noise measurements for garden areas relate to a currently cleared site, and are likely to be reduced by screening provided by the development itself, as well as by any future development on the adjacent site to the east.

Neighbourhoods and Housing - Air Quality: No objection – wish to see electric vehicle charging points included within the scheme if possible.

Education: No objection - Accept that this type of unit on this particular site is less likely to generate children of school age than a more traditional housing type in an existing housing area. A financial contribution of £107,598 towards funding education facilities in this part of the city is required. (This has been secured and will be included in the S106 agreement)

Contaminated Land: - No objection – subject to conditions regarding the discovery of unexpected contamination.

8.0 POLICY

8.1 The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan is the adopted Leeds Unitary Development Plan (Review 2006) (UDPR) and the Natural Resources and Waste DPD. These development plan policies are supported by supplementary planning guidance and documents. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight they may be given.

8.2 National Planning Policy Framework (NPPF)

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and achieves standards of amenity for all existing and future occupiers of land and buildings. One of the core principles is the reuse of land that has previously been developed. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50). Local Planning Authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance (para. 137).

8.3 Leeds Unitary Development Plan (Review) 2006

The development plan comprises the Unitary Development Plan Review 2006 (UDPR) and the National Resources and Waste Local Plan 2013 (NRWLP)

8.4 Policy H4 of the Unitary Development Plan Review (UDPR) allows for residential development on unidentified, brownfield sites subject to the proposals being compatible with the area and all other normal development control considerations. Policy H9 of the UDPR states that the Council will seek to ensure that a balanced provision in terms of size and type of dwelling is made in housing development.

8.5 UDPR policies H11-H13 set out the requirement for the provision of affordable housing. The Interim Affordable Housing policy states that 5 per cent of the dwellings should be provided as affordable housing if the development is implemented in two years.

8.6 UDPR policy GP5 states proposals should resolve detailed planning considerations; seek to avoid loss of amenity; avoid highway congestion and maximise highway safety and resolve access issues. Policy T2 amplifies these requirements and subsequent policies T2B-D set out the need for transport assessments, travel plans, and public transport contributions. Policy T6 states that satisfactory access for disabled people and others with mobility problems is required. Car parking, cycling, and motorcycle parking requirements are also set out.

8.7 UDPR policies N2 and N4 identify where new development should assist in supporting the establishment of the hierarchy of greenspace. Policy N12 identifies fundamental priorities for urban design, including ensuring new buildings are good neighbours. Policy N8 identifies this site as an Urban Green Corridor which has the potential to provide for informal recreation and contribute to visual amenity and nature conservation. This policy also requires that where there is the potential to create a link between existing green spaces this should be retained. The river

corridor is identified as a Site of Ecological or Geological Interest (SEGI) in the UDPR. Policy N50 seeks to ensure that development does not harm the SEGI. The extent of any damage to the SEGI needs to be taken in to account.

8.8 Natural Resources and Waste Local Plan 2013 (NRWLP)

The NRWLP was adopted by Leeds City Council on 16th January 2013. The NRWLP is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. One of the strategic objectives of the NRWLP is the efficient use of previously developed land. General Policy 1 ensures that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy Land 1 states that trees should be conserved wherever possible and new planting should be introduced to create high quality environments for development. Policy Air 1 requires that low emission sources of transportation be included in developments.

8.9 Draft Core Strategy (DCS)

The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013. Some weight can now be attached to the document and its contents recognizing that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the examination.

8.10 Policy H2 refers to new housing development on non-allocated land. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure and the development should accord with accessibility standards.

8.11 DCS Policy H4 says that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location. Policy H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site.

8.12 Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces. Policy P11 states that heritage assets will be preserved. P12 states that landscapes will be conserved and enhanced. Policies T1 and T2 identify transport management and accessibility requirements for new development. Environment and sustainability policies EN1 and EN2 will make the requirements of the Sustainable Construction SPD mandatory. However, these are currently the subject of Examination by the Planning Inspectorate and therefore, at this point in time, it is not possible to know whether they will be adopted in their current form.

8.13 Supplementary Planning Documents

SPD - Biodiversity and Waterfront Development: Objectives are to: identify and safeguard existing habitats; provide ecological design guidance on waterfront developments; provide guidance on the conservation of protected and important species; identify opportunities for habitat enhancement, creation and restoration; encourage appropriate long-term habitat management.

SPD - Public Transport Improvements and Developer Contributions: To ensure that developers take full account of ensuring access to their site by means other than the private motor vehicle.

SPD - Sustainable Design and Construction: Advocates the use of a range of measures to ensure that the best possible practices are used to ensure that a sustainable environment is created. As policies EN1 and EN2 of the DCS are to undergo further examination, the objectives of the SPD should be pursued although these are not mandatory at this time.

SPD - Travel Plans: Sets out the requirements to be placed on developers to ensure that their sites will be accessible by means other than the private motor vehicle.

Neighbourhoods for Living - Adopted Saved SPG: This sets out guiding principles that should be considered when designing residential layouts. These include:

- Making connections – linking to what is around
- Pedestrian and cycle permeability
- Provision of open space
- Use larger open spaces as major focal points
- Creation of a safe environment
- Encourage natural surveillance
- Discourage through traffic and reduce traffic speeds.
- Design buildings to front on to streets
- Provide a mix of dwelling sizes
- Avoid unnecessary rear accesses
- Consider landscaping and open space from the outset.
- Retain existing habitats and consider the potential for new habitat creation
- Provide convenient and secure cycle parking
- Use innovative solutions for car parking

Waterfront Strategy – Adopted Saved SPG: This advocates public access to the waterfront as well as the laying of landscape treatments which seek to soften the bank edge. In addition, open space oriented towards the river and the protection of any wildlife habitats are also advocated.

8.14 Kirkstall Rd Renaissance Area Planning Framework: (KRRAPF) has now been adopted as Informal Guidance for Planning Purposes. It aims to promote the regeneration of the area to either side of Kirkstall Rd in a manner which will establish a real sense of place and guide developers in formulating proposals for the re-development of land. It serves to develop the principles of the UDPR and broader renaissance initiatives. This is underpinned by a need to ensure that a consistent approach is taken to all development in the area.

8.15 The framework area is split in to a series of character areas. The area between the river and the canal, which contains the application site, is identified as 'The Island'. Development sites and building envelopes will be determined by the requirement for public realm and safe and attractive pedestrian movement. New buildings must contribute to the formation of these objectives by resolving:

- Appropriate height, scale and massing
- Siting and orientation
- Landscape settings
- Emphasis of corners

- Locating entrances on public access streets/paths
- Facilitating pedestrian access through the area and avoid potential conflict with traffic.

The Island should be the 'greenest' of the areas covered by the framework with building heights reducing away from the city from 4 down to 2 storeys with the western end to be preserved as a wildlife habitat. A link across the river is also indicated as is public access to the water corridors.

9.0 ISSUES

1. The principle of residential use
2. The scheme layout and scale
3. Building design
4. Landscaping
5. Parking and Travel Plan
6. Sustainability
7. Environmental Issues
8. Biodiversity
9. Planning Obligations

9.1 Principle of Residential Use

The development is located on a brownfield site and already has permission for approximately 400 flats and 20 houses as part of the previous outline consent for the whole of the former Yorkshire Chemicals site. The site has been vacant and the former industrial buildings removed for a number of years and there is no land use allocation in current policy documents. The proposed use therefore has to be assessed on its merits taking into account all material planning considerations.

9.2 There have been very few residential developments in the city in the last few years. This represents a realistic opportunity to restart the construction of residential units in the city centre. Not only that, this is a new style of housing in a location at the edge of the city centre. It is possible that this scheme may act as a catalyst for not only this area but also, if successful, other sites which are on the periphery of the city centre. The introduction of residential use on this brownfield site is in line with national legislation, as is the provision of affordable housing. The level of provision is in accordance with the guidance set out in the relevant SPD and this is welcomed by officers.

9.3 The residential accommodation being provided is 2 and 3 bed units whereas the bulk of the extant outline would have provided apartments which would most likely have been 1 and 2 bed units. The proposal therefore provides generally larger units than would have been anticipated with the extant apartment block development. It is clear that the Monaco style of unit is an unusual hybrid form and some Members experienced this at their recent site visit. The applicant expects this format to appeal to a certain type of occupier and has specifically targeted those who may otherwise have occupied a city centre apartment but who wish to have the benefits of freehold ownership. It has been marketed and sold in other parts of the north of England and is therefore a model with a successful track record, albeit that it is new to Leeds. The inclusion of 17 no. 3 bed family houses with full length gardens is welcomed as a positive step towards the creation of a mixed community. The objective of providing a wider range of accommodation types, which will encourage people to remain closer to the city centre for longer, is therefore considered to be achieved. The principle of residential use on this site, as well as the size of the units proposed, is supported.

9.4 Scheme Layout and Scale

The KRRAPF sets out that building's within 'The Island' should be between 2 and 4 storeys. The extant permission was for a range of building sizes from town-houses to 12 storey apartment blocks. This proposal clearly reduces the scale of development down to that set out in the framework document. The open space to be created at the entry point to the site, adjacent the lock-keepers cottage, has been designed to create a positive arrival experience and generate a real sense of place. The buildings have been laid out to create a large square using the existing cottage on one side with development located around the open space. This allows a significant amount of landscaping to be provided and a pleasant open feel to the scale of development. The lock-keepers cottage would take on additional significance, as the only original feature in the composition, with the remainder of the site relating in height to this existing feature. Far from ignoring the cottage it is considered that the proposal uses it for guidance on scale and design which will only serve to increase its prominence.

9.5 In developing the layout it has been considered that there needs to be frontages on to both the canal and river to provide a positive appearance when viewed from outside the site. The spine road runs through the middle of the site and the use of the Monaco design means that there would be frontages on to this main access route as well. Given the unusual narrow tapering nature of the site the use of a more traditional house type would have resulted in rear gardens facing on to either the river/canal or on to the central spine road. Both of these were considered to be un-desirable for reasons of visual appearance as the rear elevations of the houses and potential 2m high boundary treatments would have been visible from either the water corridors or the spine road. This would also have had a significant detrimental impact on natural surveillance. The use of the blocks of Monaco units means that all of the elevations are frontages, with the level of fenestration and surveillance this brings with it.

9.6 This is an unusual format of residential unit which relies on houses, some of which are attached to others at the rear, in blocks of up to 8 units. 76 no. of the units have dual aspect or are south-west facing. 20 no. of the units are in the centres of the 6 and 8 unit blocks and would have a single aspect to the north-east. The applicant has made the following points in response to the concerns raised about back-to-back style development:

- Because of the orientation of the site the properties actually face north-east which means that they will receive early morning sun for approx. 6 months of the year.
- Lounges will all benefit from a minimum of one window and in all cases an additional full-height pair of Juliet balcony doors. This provides a greater amount of light but also a facility to open the doors and allow interaction with the outside space as well as fresh air ventilation. All master bedrooms will also benefit from this arrangement.
- The units over-looking the river will have views over the water corridor as well as further afield to Leeds city centre
- Those which face in to the scheme will have a distance of 25-40m of uninterrupted space across to the units to the north-east and 'glimpse' views through these properties to the city beyond.
- All lounges are at first floor level and so they will be elevated to look out above the road and parking areas.

- Many flat developments contain 2 bed apartments (which in general would have a maximum of 3 windows) and face exclusively north. Therefore, by comparison, the large amount of glazing and north-east orientation here would provide a much better quality of internal space.

- 9.7 It must also be remembered that there is a large area of open space included as part of this scheme which can be utilized by all residents and this is in addition to the amenity afforded by the presence of the canal towpath. Each unit will also have its own small area of private amenity space which would provide an additional amenity feature.
- 9.8 A number of the Monaco units which have secondary aspects would have windows looking across to the sides of the adjacent buildings at a distance of 5m. These windows will be positioned within the façade to avoid direct overlooking and where necessary will be obscure glazed to provide a natural light source. This is considered to represent an appropriate response to the issue of maximizing light to rooms without compromising privacy.
- 9.9 In light of the above, officers consider that the Monaco is a purpose-designed, hybrid form of housing and not a traditional back to back, and in this unique location it is considered that, this would provide an acceptable level of residential amenity for the future occupiers.
- 9.10 The composition of the Monaco buildings has been carefully considered. The different block-lengths provide flexibility in the treatment of roof forms and elevations and this, in turn, provides a more varied and interesting street scene. Given that officers consider the Monaco unit to be acceptable in respect of the level of residential amenity provided, the move to a smaller block size of 4 units, and a repetition of this across the site, would not be beneficial to the character or appearance of the development.
- 9.11 It is considered that the central location of the car parking is the most appropriate for this scheme. This location ensures that most vehicles are kept away from the water corridors, which are the most sensitive parts of the site. The parking areas are subdivided in to smaller areas and these have landscaped edges and are block paved rather than tarmacked in order to improve their visual appearance and reduce their impact. To the north the cars are separated by tree planting which is spaced in pairs along each side of the road in order to create a paired boulevard style arrangement. The amount of landscaping and the way in which it has been used to screen the parking areas, is considered to be acceptable.
- 9.12 As Members noted from the pre-application presentation, even though the parking areas are physically separated from the residential units, they will benefit from a good level of natural surveillance. The houses will also benefit as they will have a car free area around them.
- 9.13 It is considered that the scheme exhibits a simple and clear logic and the scale is appropriate to its setting, in this unusual location between the canal and the river. The relationship to the lock-keeper's cottage is also a positive feature and all of these factors will contribute to the creation of a scheme which will have a real sense of place.
- 9.14 Building Design

The units have been amended in their design since the original presentation to Members. Stone has been used exclusively along the canal frontage and this is considered to complement the location adjacent the Canal with its towpath wall and lock-keeper's cottage. The 8 unit Monaco blocks have a variation in building line coincident with the overhanging central hipped roof form to provide depth of elevation. Additional stone has been included in the 3 bedroom houses to provide visual interest and a more impressive façade composition. The retention of elements of brick along the eastern boundary and river frontage will provide visual interest and help to distinguish those buildings which front the canal from the remainder of the site. Roof forms have been further considered and the use of traditional gable ends to terminate blocks, with hip features located in the centre of the buildings, will provide a unifying theme. The eaves lines have been given greater depth and more expression through the inclusion of exposed rafter feet. It is now considered that the design of the buildings is much improved and that they now sit well together as a composition, respectful of their unusual location.

9.15 Landscaping

A clear hierarchy of open spaces has been created as part of this proposal, from the main area of open space, down to the small areas of private amenity space in front of each Monaco unit. Landscaping has clearly formed an integral part of the design development rather than being added as an after-thought. The main open space area is well located for its purpose and adds setting to the site entrance. The paired trees along the boulevard will add an extra dimension to this extended linear route and will look impressive when progressing down the central road. The landscaping features around the car parking will help to screen the parking courts and the refuse and cycle parking areas, as well as providing visual interest. Private amenity space will provide useable areas around the base of each building and the incidental open areas will help to provide spaces between the buildings to add variation to the visual appearance and improve residential amenity. In addition there will be a protected meadow and the riverside buffer zone which will also achieve bio-diversity objectives as well as improving the riverside and canal settings. The landscaping is therefore a well- designed part of the overall proposal and is considered to be acceptable.

9.16 Parking and Travel Plan

The applicant is proposing to upgrade the existing access road to an adoptable standard and provide a footpath along its full length all the way to the Inner Ring Road. This would run parallel with the canal towpath which also provides pedestrian and cycle facilities to the city centre and out to Armley and beyond. This section of towpath would also be lit by extension arms from the lighting columns on the highway and this would result in a fully lit towpath from Otter Island to Granary Wharf, and the new Station Southern Access. These are very positive aspects of the proposal which are all being provided by the developer and are acceptable.

9.17 As the bridge over the river is not within the control of the developer, the road and towpath would be the only routes by which pedestrians would be able to access the site, until such time as the bridge was brought into use by the neighbouring developer. After this link is opened a route would then exist to the future riverside walkway, associated areas of open space and the Kirkstall Road corridor. The applicant has agreed to allow the future link to take place using the appropriately located and dimensioned open space. This also aligns with the pathway through the main open space area which creates a positive off-highway link from the canal-side area to the river and this is considered to be acceptable. The retention of the publicly accessible open space areas for 24 hour access is supported, as is the fact that these areas will be maintained by the developer. This, along with the ability to link the site across the bridge, when this is eventually required, will be ensured through the S106 agreement.

- 9.18 The measures to be included in the Travel Plan are considered reasonable and proportionate to reduce the reliability on the private motor vehicle. The site is clearly in a sustainable location with the city centre and railway station walkable in 10/15 minutes. The development will seek to provide links to the canal towpath which will require further discussions with the Canals and Rivers Trust and this will be part of the S106 Agreement. Covered cycle stands are being provided as well as the ability to have a motor cycle anchor point in the ground of each car parking space. The funding of a Car Club trial scheme for the occupiers of all of the residential units to the value of £6,780 is considered to be proportionate to the requirements of this development. It is considered that this will either dissuade people from having a first car, or be a substitute for a second car.
- 9.19 The new access road and upgraded length of highway will have their parking controlled by suitable TRO's to prevent indiscriminate parking from occurring. The car parking spaces on the site are to be allocated to the proposed units with an additional 25 visitor spaces and this is considered to be a reasonable level of provision in this accessible location and is therefore acceptable.
- 9.20 Sustainability
The submitted statement sets out the principles on which the final scheme will be developed and demonstrates its alignment with sustainable objectives. A considerable number of measures are being included within the properties to improve energy efficiency. In units of this size and format it is only possible to introduce so many measures and in this case it is considered that those being included (set out in para. 2.13) are what can reasonably be expected. It must be remembered that this site is in a sustainable location and makes use of what is previously developed land. It is easily accessible and close to the city centre and the transport modes contained therein. There are also measures proposed as part of the submitted Travel Plan which support travel modes other than the private motor car. The scheme has sought to meet higher sustainability standards with a realistic package of measures. In this situation, it is therefore considered that the development meets sustainability objectives.
- 9.21 Environmental Issues
The site is set within an industrial area albeit that much of the heavier industry has now been removed from the areas to the north of the river, the application site itself having been a former chemical works. In the light of this proximity to existing industrial uses, the applicant considered it relevant to carry out an odour test to ensure that there would be no conflict between the proposed use and the existing uses in the area. It is considered that the report was carried out using a robust methodology and this is agreed with by colleagues in Environmental Protection. The report concludes that despite the presence of the odours identified, none were either of such a duration or so unpleasant as to suggest that they would prevent the site from being acceptable for residential use. As the Environmental Protection comments make clear this is a relatively subjective topic area. However, they do not dispute the conclusions and no measures are being sought to mitigate any potential odour impact. It is also the case that industrial uses are controlled through other legislation and therefore would be controlled by that process.
- 9.22 The units will be provided with a robust level of double glazing and the structure is to be of a block-work cavity-wall construction with low air-leakage rates. Mechanical ventilation will be installed and the details of this will be controlled by condition.

9.23 Bio-diversity

The applicant has provided a wild meadow as well as a strip of land along the top of the river bank to act as a buffer between the residential units and the sensitive riverside environment. The construction of the development in this format would ensure that this sensitive environment is protected from development for the foreseeable future. Conditions will be used to ensure that, during development which impacts on the river bank, measures to protect the otter habitat and protect the existing trees to be retained, will be established and employed.

9.24 Planning Obligations

In the light of the above, the following is a list of S.106 heads of terms:

- Provision of 5% (6no.) affordable housing units
- £170,671 Green Space contribution
- £107,598 Education Contribution
- £31,440 Improvement works to the local highway network
- £35,470 Public transport infrastructure contribution
- £2,565 Travel Plan Review Fee and travel plan measures including co-ordinator
- £6,780 Provision of free trial membership of the city car club
- Ensure public access to the open space area
- Maintenance of public areas
- Ensuring ability to connect to the bridge over the River Aire
- Use of best endeavours to create 2 no. links to canal towpath
- Retention of Meadow area
- Revocation of Hazardous Substances Consent - if this is considered to represent the best method by which this can be achieved
- Local Employment Initiatives during construction
- Any other obligations which arise as part of the application process.

All the identified S106 contributions have been considered against the 3 three legal tests introduced as a result of Community Infrastructure Levy legislation and which came into force on 6th April 2010 and are considered to comply.

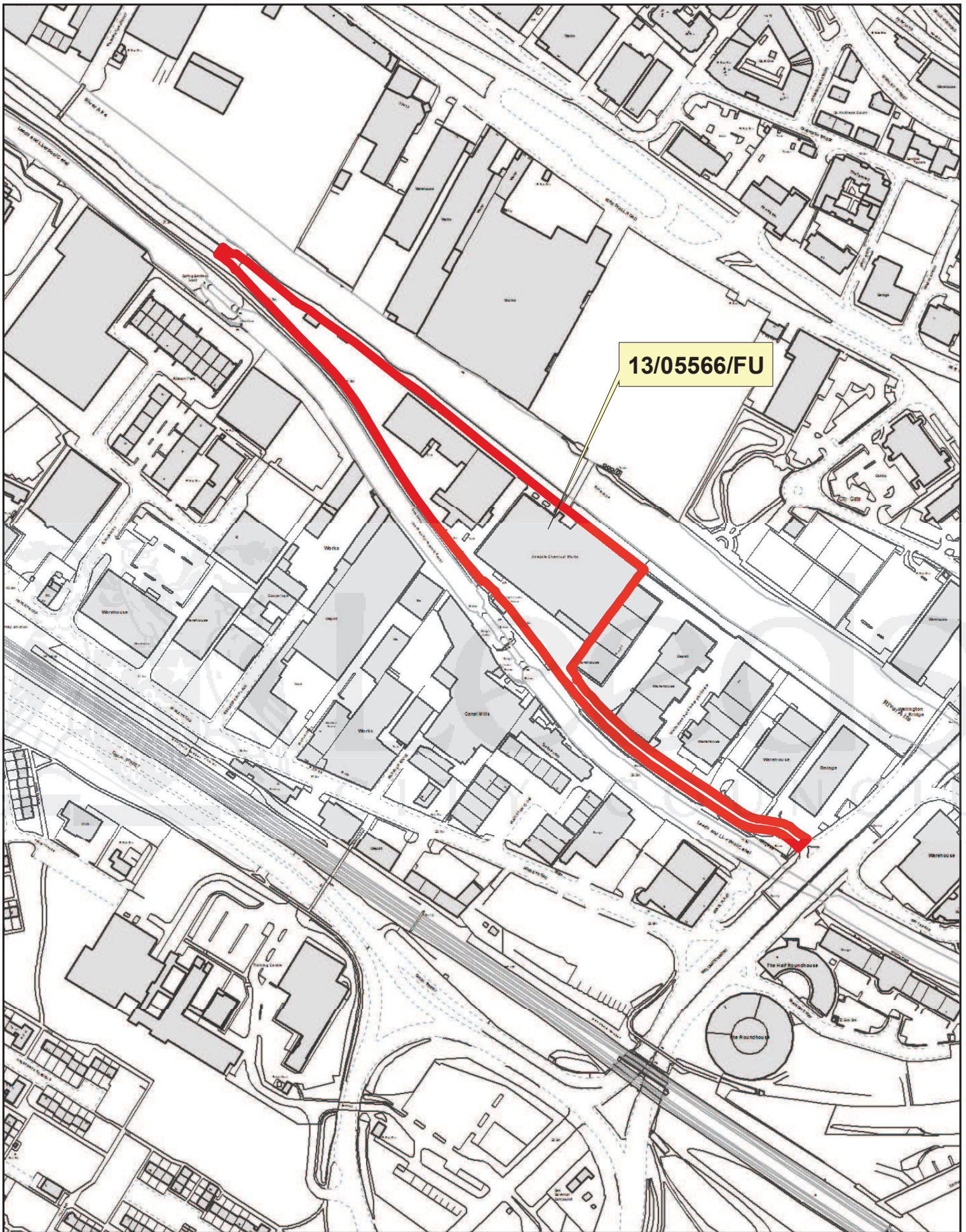
10.0 CONCLUSION

10.1 There have been very few residential developments in the city in the last few years. This represents a realistic opportunity to restart the construction of residential units in the city centre. Not only that, this is a new style of housing in a location at the edge of the city centre. The scheme sets out a strong idea which provides a positive means of addressing both the water corridors as well as the central road. It offers the opportunity to provide linkages to the north and through the proposed area of open space to the south. This space relates well to the buildings as well as to the sensitive riverside environment. The site is clearly in a sustainable location with good access to public transport and the city centre.

10.2 The layout and design of the residential units are considered to provide an acceptable standard of amenity and would enhance this vacant site and help to regenerate the wider area. The residential use on this site is in line with national legislation, as is the provision of affordable housing. In conclusion, the scheme is considered to be in line with both adopted and emerging national and local policies and Members are requested to support the above recommendation.

Background Papers:

Application file: Outline Planning Permission: 06/04610/OT



CITY PLANS PANEL



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Originator: Sarah McMahon

Tel: 2478171

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 8 MAY 2014

Subject: POSITION STATEMENT: 14/01825/FU - Alterations to and the refurbishment of Merrion House to provide office accommodation with a new office annex and a one stop shop facility for Leeds City Council, together with the reconfiguration of the Georgian Mall and retail space to provide three new retail units onto Merrion Way (A1, A2, A3 and A4 uses) and improvements to the public realm at Merrion House, Merrion Way, Leeds, LS2 8ET.

Electoral Wards Affected:

City & Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: For Members to note the contents of the report and to provide feedback on the questions raised in section 10.

1.0 INTRODUCTION:

1.1 This position statement is intended to inform Members of the latest status in respect of the proposal for alterations to and the refurbishment of Merrion House to provide office accommodation with a new office annex and a one stop shop facility for Leeds City Council, together with the reconfiguration of the Georgian Mall and retail space to provide three new retail units onto Merrion Way (A1, A2, A3 and A4 uses) plus improvements to the public realm. The scheme was originally brought before Members at pre-application stage at the City Plans Panel of the 12 December 2013 (Members comments are detailed below in paragraph 4.7 and in Appendix 1).

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site is part of the Merrion Shopping Centre, which is a 1960s group of structures housing a series of high and medium rise blocks set above a two storey plinth housing retail units. The Merrion Centre is sited within the Prime Shopping Quarter as defined by Leeds Unitary Development Plan. The Centre is close to but outside of the boundary of the City Centre Conservation Area, which runs along the middle of Woodhouse Lane.
- 2.2 The areas of the Centre affected by the proposal are the existing Merrion House office blocks fronting onto Merrion Way and the corner of Woodhouse Lane, as well as the sunken courtyard to the north of the offices and the ground floor “Georgian Mall” inside the shopping centre. The sunken courtyard is defined as existing public space and the Georgian Mall as existing pedestrian corridor in the Leeds Unitary Development Plan Review 2006.

3.0 PROPOSALS

- 3.1 The proposal is for new and replacement offices, with a ground floor and mezzanine ‘one stop’ reception area, as well as 3 new double height retail units (of some 842 sq metres) fronting onto Merrion Way. The proposal aims to create some 15,710 sq metres of flexible office and one stop accommodation by the stripping back, refurbishment of the existing 10 storey Merrion House, and extending it with 6 storeys of accommodation infilling the sunken courtyard to the north of the existing Merrion House. Further to this the footway around the site is to be widened to enhance the public realm.

4.0 RELEVANT PLANNING HISTORY AND PRE-APPLICATION CONSULTATION:

- 4.1 The shopping centre has been subjected to a high number of alterations over its history, however the most substantial and relevant regenerative changes have been granted planning permission on the following applications;
- 4.2 11/03424/FU - Alterations and extensions involving change of use to provide retail stores, restaurants, bars, hot food takeaways, financial & professional services (A1, A2, A3, A4, A5 use classes), leisure use (D2 use class), including refurbishment & recladding of car park, new substation, tenant plant area, public realm works and associated facilities and infrastructure to shopping centre on 15 June 2012.
- 4.3 11/01374/FU - Alterations to the frontages, a change of use of the existing restaurant (Class A3) to restaurant and/or take away (Class A3/A5) and betting office (Class A2), including a new entrance to the Wade Lane Mall on 27 May 2011.
- 4.4 06/07519/FU - Refurbishment involving recladding and 6th floor extension to offices; new frontages to front and side elevations of night club and new shop frontage to shopping centre. Amendments to previous application 06/05886/FU granted planning approval on 02 February 2007.
- 4.5 The proposal has been subject to detailed preapplication discussions with Officers to consider the proposed uses, the design and materials, scale and massing, the loss of the defined public space in the sunken courtyard, key views, pedestrian routes and connectivity and the sustainability credentials.
- 4.6 Ward Members were consulted by the Case Officer on 30 July 2013. Councillor Nash responded on 2 August 2013 stating that she would consider the scheme when it was presented at Plans Panel.

4.7 The scheme was presented to Members at pre-application stage at the City Plans Panel of 12 December 2013. Members made the following comments:

- Concerns regarding the narrow footway outside the building,
- Mixed views on the quality of the design for the new build with some support for a more thorough contextual analysis of nearby development such as the new Hilton Hotel. It was hoped that the building design would reflect the importance of its location at a gateway to the City and the quality of other nearby developments
- The size of the roof top plant appeared excessive and needed reconsideration
- Clarity was needed on the quality of the materials to be used on the building
- Members broadly supported the principal of the uses including the new retail units to Merrion Way.
- Members sought appropriate mitigation for the loss of the designated public spaces along the Georgian Mall and within the sunken courtyard

The full meeting minutes for the proposal can be found in Appendix 1.

5.0 PUBLIC / LOCAL RESPONSE

5.1 No responses received to date.

5.2 Ward Members were consulted formally on 28 March 2014 and by the Case Officer on 1 April 2014. One response received on 1 April 2014 from Councillor Nash stating that she will consider the proposal at Plans Panel.

6.0 CONSULTATIONS RESPONSES

Statutory:

English Heritage

Response received on 7 April 2014 stating that the proposal should be determined in accordance with national and local policy guidance, and on the basis of the Local Planning Authority's specialist conservation advice.

Non-statutory

Police Liaison Officer No response to date.

Travelwise state that the travel plan monitoring and evaluation fee of £11,250.00 should be secured via the S106 legal agreement, details regarding the retail units are required, details of the level of showers and locker provision is required, opportunities for motorcycle parking should be investigated, a detailed location plan is required, employee personalised travel plan information will be required and a transport impact survey will need to be undertaken.

Transport Policy Officer No response to date.

Land Contamination Team Response received on 11 April 2014 stating they have no objections subject to conditions being applied to address the requirement for a Phase II Site Investigation, a Remediation Statement and Verification Reports.

Access Officer

Response received on 9 April 2014 requiring more information regarding the entrance doors, the gradient of the ramped area off Woodhouse Lane, the possibility of providing a Changing Places toilet, disabled toilet provision and fire evacuation disabled refuges.

Highways Team state that further information is required regarding the impact on highways structures in the vicinity, the servicing strategy for all types of use, details of the drop off area and disabled parking bays, more details of the cycle spaces and the level of shower and locker provision, opportunities for motorcycle parking, level of guardrailing to enhanced footway and details of the construction management plan.

Neighbourhoods and Housing No response to date.

Mains Drainage state they require further information with regard to the proposed drainage scheme' compliance with the Council's surface water reduction policy for brownfield sites.

City Centre Management Team No response to date.

Open Spaces Society No response to date.

Metro No response to date.

West Yorkshire Archaeological Advisory Service No response to date.

Leeds Civic Trust No response to date.

BRE (Wind Consultants) No response to date.

Licensing state that the site is in an Amber Area in terms of the City Centre Cumulative Impact Policy used by Licensing. As such any A3 or A4 uses in the units fronting Merrion Way would require licences.

Coal Authority state that the site falls outside the defined Development High Risk Area but does fall within the Surface Coal Resource Area. As such, their recommend an Informative is applied to any approval stating that there may be unrecorded coal mining hazards.

7.0 PLANNING POLICY:

7.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied. This national planning policy document is likely to be of relevance in considering the schemes proposed progression. The NPPF advocates a presumption in favour of sustainable development, and a "centres first" approach to main town centre uses. The document also promotes economic growth in order to create jobs and prosperity. This new high quality, mixed use, retail led, quarter would help consolidate Leeds City Centre's role as the economic driver of the Yorkshire region, and the focus for investment in highly skilled and competitive businesses, as advocated by the emerging Core Strategy (please see sections 8.11 to 8.16 below).

- 7.2 Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 4th principle listed states that planning should always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 7.3 The 8th principle listed states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 7.4 The 11th principle listed states that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- 7.5 Paragraph 23 of the NPPF states that planning policies should be positive and promote competitive town centres.
- 7.6 Paragraph 60 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes, and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.

7.7 Development Plan

- 7.8 Leeds Unitary Development Plan Review 2006 (UDPR)
 The UDPR includes policies requiring that matters such as good urban design principles, sustainability, flood risk, highways and transportation issues, public realm, landscaping, and access for all are addressed through the planning application process. The application site lies within the designated City Centre and parts of the site are defined as existing public space and existing pedestrian corridor protected by Policy CC11.

Other relevant policies include:

Policy A4 (Access for all)

Policy BD2 (Design and siting of new buildings)

Policy BD3 (Accessibility in new buildings)

Policy BD4 (All mechanical plant)

Policy BD5 (Amenity and new buildings)

Policy BD6 (All alterations and extensions)

Policy CC3 (Maintaining the identity and distinctive character of the city centre)

Policy CC7 (Redevelopment of City Centre tower blocks)

Policy CC8 (New buildings to respect the spatial character of existing buildings and streets outside the Prestige Development Areas)

Policy CC11 (Enhanced pedestrian corridors and upgraded streets)

Policy CC12 (New development and new public spaces relating and connecting to the existing street pattern)

Policy CC27 (Principal use quarters)

Policy GP11 (development must meet sustainable design principles)

Policy N12 (Urban building design)
Policy N13 (Design of all new buildings)
Policy N19 (New buildings and extensions within or adjacent to a conservation area)

Strategic Aim SA8 (to provide safe and easy access for all)

Policy T2 (Transport infrastructure and new development)

7.9 Leeds Natural Resources and Waste DPD 2013

The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding coal recovery, drainage, and air quality will be relevant to this proposal.

7.10 **Relevant Supplementary Planning Guidance includes:**

SPD5 Public Transport Improvements and Developer Contributions

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

City Centre Urban Design Strategy

7.11 Emerging Policy – The Draft Core Strategy

7.12 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and the examination took place in October 2013.

7.13 As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made.

The most relevant policies include:

7.14 Spatial Policy 2: Hierarchy of Centres & Spatial Approach to Retailing, Offices, Intensive Leisure & Culture states that:

The Council will direct retailing, offices, intensive leisure and culture, and community development to the city centre and designated town and local centres in order to promote their vitality and viability as the focus for shopping, employment, leisure, culture, and community services.

7.15 Policy P10: Design states that:

New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

Proposals will be supported where they accord with the following key principles;

- (i) The size, scale and layout of the development is appropriate to its location and respects the character and quality of the external spaces and the wider locality,
- (ii) The development protects the visual and general amenity of the area including useable space, privacy, noise, air quality and satisfactory penetration of daylight and sunlight,
- (iii) The development protects and enhance the district's historic assets in particular existing natural site features, historically and locally important buildings, skylines and views,
- (iv) Cycle, waste and recycling storage are integral to the development,
- (v) The development creates a safe and secure environment that reduce the opportunities for crime without compromising community cohesion,
- (vi) The development is accessible to all users.

- 7.16 Policy EN1: Climate Change – Carbon Dioxide Reduction states that;
All developments of over 1,000 square metres of floorspace whether new-build or conversion, will be required to:
- (i) Reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate until 2016 when all development should Be zero carbon; and,
 - (ii) Provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.
- Carbon dioxide reductions achieved in meeting criteria (i) will contribute to meeting criteria (ii).

8.0 MAIN ISSUES

1. The principle of the proposed uses
2. Layout, scale and design
3. Accessibility and transport
5. Landscape and highways improvements
6. Sustainability
7. Section 106 Legal Agreement – Heads of Terms
8. Equality
9. Consultee comments

9.0 CONSIDERATION OF MAIN ISSUES

- 9.1 The principle of the proposed uses
- 9.2 The scheme is proposed to create flexible office and frontline accommodation for Leeds City Council, in accordance with the Council's long term strategic aspirations for staff work space, as well as providing new A1/A2/A3/A4 units to Merrion Way. The site is within the Prime Shopping Quarter and as such the A1/A2/A3/A4 units are a welcome addition to the street and the wider Merrion Centre. Merrion House houses existing office accommodation and the additional office space proposed in the 6 storey extension would be connected directly to this. This additional office space would be in an underused area, which due to its location would be unattractive for retail use. As such the proposed office space addition would not be detrimental to the Prime Shopping Quarter or Leeds City Centre's role as a Regional Shopping Centre.
- 9.3 **Do Members consider the uses proposed to be acceptable?**
- 9.4 Layout, scale and design

- 9.5 The proposal uses the footprint of the existing 10 storey blocks and adds to it with a 6 storey extension infilling the sunken courtyard. The 10 storey block would be stripped back and re-elevated to create a high quality façade with a strong civic presence. Care has been taken to understand the context in which the scheme sits. The wider area has a broad mix of architectural eras in its buildings with the red brick listed buildings to the west side of Woodhouse Lane and in the conservation area of the nearby Queens Square, through to the glass, stone and composite panel clad 20th and 21st century buildings within the Merrion Centre and beyond. As a result the proposal would be a reflective palette of generously sized glazing set within a framework of brick, above a granite and brick clad plinth.
- 9.6 The design of the overall elevations would be detailed to clearly define a top, middle and base to the building, with the depths of window recesses differing between these three elements, adding architectural interest. The materials would be arranged such that the north and south elevations of the blocks would have both a major and a minor grid. The major grid would be the 3 storey full height glazed windows set within the major structural grid of the building faced by brickwork. The minor scale would be etched glass set within each of the 3 storey openings. The 3 new double height retail units would be largely glazed and set into the granite plinth, which in itself would ensure that the building was strongly grounded. The existing escape stair cores to each end of the building will be reclad in polyester powder coated aluminum panels which would be solid on the gable ends and perforated elsewhere.
- 9.7 The 6 storey extension would be linked to the regenerated Merrion House, via a glazed atrium containing high level walkways. The façade of this new element would visually reference that of the larger refurbished blocks of Merrion House, in respect of its design, materials and appearance. As such the minor grid of the refurbished building would be used to elevate this extension. This would ensure visual connectivity between the two elements of the scheme whilst allow each to have distinguished characters. Again a plinth is to be used to anchor the building in the streetscene.
- 9.8 Roof mounted plant enclosures are proposed to both the refurbished building and the 6 storey extension. These have been reduced in height and would be screened with linear patterned perforated metal panels, as also proposed on sections of the escape stair cores.
- 9.9 The arrangement of the facades would ensure the proposals have the gravitas required of an important civic building whilst being sensitive to the heritage context in which it would sit. The proposal would provide a strong urban edge to this part of the Merrion Centre and would significantly upgrade the appearance of the current building.
- 9.10 Do Members consider the scale and layout to be acceptable? Do Members consider the revised design to be acceptable?**
- 9.11 Accessibility and transport
- 9.12 The site is within walking distance of the train and bus stations and is close to a number of bus routes and stops. It is also close to the route of the proposed NGT trolley bus which would have stops on the nearby Cookridge Street. In addition there are a number of existing off street car parks in the vicinity of the Merrion Centre (i.e. Woodhouse Lane, the Merrion Centre, the St John's Centre, The Light and the Rose Bowl). Therefore, due to the sites excellent accessibility via public transport, car and

on foot, there is no proposed car parking as part of the scheme other than the relocation of 6 existing disabled spaces, from their current positions to the east on Merrion Way. Three vehicle drop off points are also to be provided to the Merrion Way side of the building close to an accessible entrance, adjacent to the relocated disabled spaces.

- 9.13 In respect of cycling it is proposed to provide 160 staff cycle parking spaces in a back of house area at upper ground floor level, with showers and changing facilities being provided at lower ground floor level.

9.14 Do Members consider the access and transport provisions to be acceptable?

9.15 Landscape and highways improvements

- 9.16 Along Merrion Way the surface treatments proposed will be a continuation of those already in situ outside the New Front. With the exception of one tree adjacent to the entrance to the Mall, all other trees and landscape treatments will be removed to create a continuous piece of footway and to allow for the formation of the required disabled and space. Linear planters are proposed to frame the entrance of each of the retail units and to enhance the streetscene.

- 9.17 The proposals would require the closer of the existing Georgian Mall, which is defined as existing public corridor in the Leeds Unitary Development Plan Review 2006 and the sunken courtyard, which is defined as existing public space in the Leeds Unitary Development Plan Review 2006. Therefore there is a requirement to compensate for this loss and a figure is to be agreed. It is likely that this compensation would then be put towards pedestrian and public realm improvement works at the adjacent junction.

- 9.18 The footway to the edge to the site is currently narrow in width (being some 2.2 to 2.5 metres) providing a poor pedestrian experience. This is also a key route to the nearby Arena and is subject to very heaving footfall during events. The proposed one stop relocations will result in increased footfall in the area during the office hours. Therefore, it is proposed to alter this footway such that it would increase to at least 3 metres in width. Adjustments will also be required to the adjacent carriageway and pedestrian island to facilitate the increased footpath width. Discussions are under way with regard to the extent and location of any guard railing to ensure that the enhancements as pedestrian friendly as possible.

- 9.19 The existing pedestrian crossing over Woodhouse Lane would be opposite the proposed main entrance to the new Council offices and as such it is important that the crossing emphasises the presence of this entry point to the building. As a result it is proposed to enhance the crossing and increase its pedestrian emphasis. It may also be possible to introduce different signals priority for pedestrians at different times of day depending on the need, such as when people are exiting an event at the nearby Arena.

9.20 Do Members consider the landscape and highways improvement works proposed to be acceptable?

9.21 Sustainability

- 9.22 The submitted Sustainability Statement indicates that the proposal is intended to achieve a pre-assessment BREEAM rating of Excellent. This would be done via a variety of economic, social and environmental objectives including;

- Reuse of Brownfield land
 - A centralised chilled water (CHW) cooling system will be provided to offset the ventilation fresh air heat gains to the office accommodation
 - Implementation of sustainable lighting strategies such as specification of energy efficient luminaires and daylight and motion sensors
 - Dual flush WCs and pulsed output water meters
 - A Travel Plan promoting sustainable modes of transport
 - Materials that are environmentally friendly, of low embodied energy, locally sourced, and can be recycled or reclaimed when the building comes to the end of its life will be prioritised.
 - Materials that contain environmentally damaging chemicals will be avoided.
 - Reuse/recycling of construction waste materials will be prioritized
- Although not part of the currently proposed scheme, the possible use of photovoltaic panels to the southern elevation will be explored.

9.23 Section 106 Legal Agreement – Heads of Terms

- 9.24 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -
- (a) necessary to make the development acceptable in planning terms,
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

The obligations are as follows:

1. A monetary public realm contribution, figure to be agreed.
2. A public transport infrastructure improvements contribution, figure to be agreed.
3. A Travel Plan monitoring and evaluation fee of £11,250.00.
4. The employment and training of local people.

These obligations have been reconsidered against the legal tests and are still considered necessary, directly related to the development.

9.25 **Do Members consider the S106 obligations to be appropriate subject to details of the levels of contribution?**

9.26 Equality

- 9.27 The Council has a general duty under section 149 of the Equality Act 2010 to have regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups. The Equality Act 2010 requires public bodies to have due regard to eliminate discrimination and to advance equality of opportunity, this is evident in UDPR policy SA8.
- 9.28 In respect of the proposal for the refurbishment and extension of Merrion House with retail units, it is the case that the development proposal is intended to provide one stop Council services and would be open for use by all, with retail and other services that benefit the local and wider community.
- 9.29 Further to this as stated above in paragraph 9.12 six existing disabled parking bays are to be relocated, from their former position to the eastern end of Merrion Way, to the Merrion Way side of the building adjacent to 3 newly proposed vehicle drop off spaces, close to an accessible entry point into the one stop area of the building. The

scheme also proposes an access strategy which aims to make all elements of the new development as accessible as possible with particular regard to level access into the building and shop units. Detailed matters of access arrangements will also follow via Building Regulations.

9.30 Do Members consider equality to have been adequately considered?

9.31 Consultee comments

9.32 There are a number of consultee comments requiring further information, as detailed in section 6.0. These matters will be addressed when the application is returned to Plans Panel for determination in due course.

9.33 Providing Members consider the amended scheme now proposed to be acceptable and there are no third party objections do Members considered that the application can be delegated to Officers for determination?

10.0 QUESTIONS:

For clarity the key questions Members will have to consider include the following:

9.3 Do Members consider the uses proposed to be acceptable?

9.10 Do Members consider the scale and layout to be acceptable? Do Members consider the revised design to be acceptable?

9.14 Do Members consider the access and transport provisions to be acceptable?

9.20 Do Members consider the landscape and public realm works proposed to be acceptable?

9.25 Do Members consider the S106 obligations to be appropriate subject to details of the levels of contribution?

9.30 Do Members consider equality to have been adequately considered?

9.33 Providing Members consider the amended scheme now proposed to be acceptable and there are no third party objections do Members considered that the application can be delegated to Officers for determination?

Appendix 1 – Minutes of City Plans Panel meeting 12 December 2013

Preapp/11/00700 - Merrion House Merrion Way LS2 - Pre-application Presentation.

The report of the Chief Planning Officer introduced a pre-application presentation on proposals for new and replacement offices with 3 retail units. Members visited the site prior to the meeting and site plans and photographs were displayed. Members were given a presentation by the developer on the proposals and the following was highlighted:

- The proposals included a full refurbishment of Merrion House.
- Members were shown projected images of the proposed alterations to Merrion House
- Vehicular and pedestrian movement around the building.

- Erection of a new annexe block where there was currently a sunken open space.

In response to Members comments and questions, the following issues were discussed:

- Following concerns regarding the narrow footway outside the building, the developer stated that the new building could not be moved back due to the tenants floorspace requirements and that the entrance opposite the pelican crossing on Woodhouse Lane would be recessed so that it would not affect pedestrian movement. Members still had concerns about the narrow footpaths and mention was also made of the potential enhancement opportunities to be provided by the adjacent NGT proposals. It was suggested that there be further consideration given to increasing the footpath widths either through redesigning the new building and/or the adjacent carriageway

- There were mixed views on the quality of the design for the new build with some support for a more thorough contextual analysis of nearby development such as the new Hilton Hotel. It was hoped that the building design would reflect the importance of its location at a gateway to the City and the quality of other nearby developments

- The size of the roof top plant appeared excessive and needed reconsideration

- Clarity was needed on the quality of the materials to be used on the building

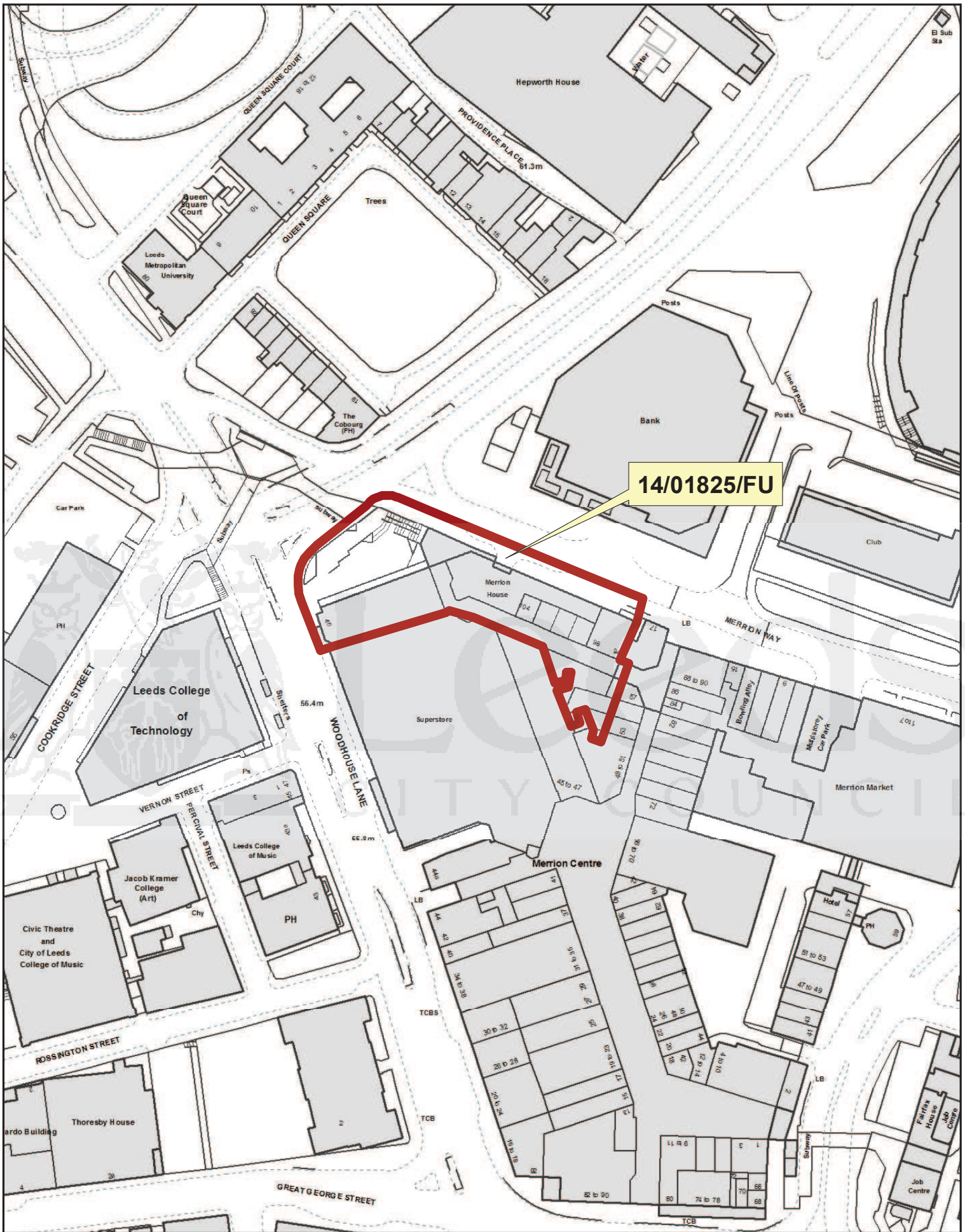
- Members broadly supported the principal of the uses including the new retail units to Merrion Way.

- Members sought appropriate mitigation for the loss of the designated public spaces along the Georgian Mall and within the sunken courtyard

RESOLVED – That the report, pre-application presentation and Members' comments be noted.

Background Papers:

PREAPP/11/00700



CITY PLANS PANEL



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Originator: Andrew Windress

Tel: 3951247

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 8th May 2014

Subject: APPLICATION 14/01216/FU – DETAILED APPLICATION FOR THE MANSTON LANE LINK ROAD (NORTH – SOUTH ROUTE) – POSITION STATEMENT.

DISCHARGE OF CONDITION APPLICATION 14/02406/COND - REVISED MASTERPLAN RELATING TO THE APPROVED APPLICATION (12/03886/OT) FOR A MAJOR MIXED USE DEVELOPMENT AT THORPE PARK

APPLICATION 14/02488/FU - B1 OFFICE BUILDING AT THORPE PARK (SURGICAL INNOVATIONS BUILDING)

APPLICANT	DATE VALID	TARGET DATE
Thorpe Park Developments Ltd	14/01216/FU – 17/3/14	14/01216/FU – 9/5/14

Electoral Wards Affected:

Crossgates and Whinmoor, Garforth and Swillington, Temple Newsam

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATIONS:

14/01216/FU – For Members to note the contents of the report and to provide feedback on the questions raised in section 10.

14/02406/COND - Defer and delegate approval of the discharge of condition 5 application for the revised masterplan to the Chief Planning Officer subject to addressing any issues Members may raise.

14/02488/FU – Defer and delegate approval to the Chief Planning Officer subject to addressing all outstanding issues including any issues Members may raise, the imposition of the necessary conditions and the completion of a legal agreement that links the development to the main Thorpe Park S106.

1.1 Members will recall the 19/9/13 and 26/9/13 City Plans Panel where development proposals for Thorpe Park were considered, this included three full applications relating to the Manston Lane Link Road (MLLR) and one outline application for a major mixed use development on Thorpe Park. Following the Panel resolutions these applications have now been formally approved and officers and the developer have continued discussions to further improve the proposed developments and progress the delivery of the highway infrastructure and mixed use development. Now presented to members is a revised application for the north – south link road of the MLLR, a revised masterplan and details of the next building proposed to be built at Thorpe Park. Members are provided with the information currently available and are requested to respond to the questions regarding the revised MLLR and delegate the final determination of the discharge of condition and Surgical Innovations applications to officers.

2.0 PROPOSAL:

2.1 14/01216/FU: Detailed application for the MLLR north-south link

2.2 A revised alignment and junction arrangement for the north-south link of the MLLR is proposed. The north-south link approved under application 12/03887/FU severed the development within the proposed masterplan for Thorpe Park and required vehicles accessing the M1 from the north of the railway line to navigate four roundabouts. Officers and members requested the alignment and junction arrangement be re-examined to attempt to improve the alignment and avoid severing development and also reduce the number of junctions and therefore make the route more attractive strategically.

2.3 The current scheme is located further east and therefore allows all new development proposed within Thorpe Park to be located to the west of the MLLR and reduces the number of roundabouts vehicles accessing the M1 when travelling south on the East Leeds Orbital Road (ELOR) are required to navigate from four to three.

2.4 The two underpasses have also been removed from the MLLR with only one crossing point now required toward the northern end of the road. This crossing point is now in the form of a landscaped 'green bridge' that will span over the road and link the proposed Central Park with Brown Moor and the public rights of way beyond. As with the approved layout, the proposed road incorporates planting within the central reservation and adjacent to the highway and allows for the potential to increase the number of lanes to accommodate the additional traffic using the road when the full ELOR is in place.

2.5 Revised masterplan

2.6 As highlighted above, the approved road layout and masterplan included a road that severed the development within Thorpe Park. As a result a condition was added to the outline planning approval that required the developer to revisit the masterplan layout (and parameter plans) and submit a revised proposal that would respond to an improved MLLR alignment, create a more connected development layout and avoid the need for underpasses linking development plots. The revised masterplan maintains the same quantum and mix of development as previously approved.

2.7 Officers have been in discussions regarding a revised masterplan and subject to refinement, the general form of a revised masterplan layout has been agreed. The

revised masterplan relocates the foodstore that was previously severed from the other development plots within the main development area and helps create mixed use heart to Thorpe Park. The revised masterplan also allows for a dedicated public transport route through the scheme, improves connectivity between office developments and the retail/leisure areas and permits the introduction of the Surgical Innovations building and medi-park referenced below.

2.8 Surgical Innovations building

2.9 The internationally renowned Surgical Innovations, designers and manufacturers of specialist medical instruments, have agreed to build their new facility at the western edge of Thorpe Park and officers have been in discussions regarding the design of this building. The building measures 6,308sq m and incorporates an office element, research and development and manufacturing elements and is intended to be the anchor in what would be a medical hub (medi-park) at Thorpe Park.

2.10 The proposed building is adjacent to the tree belt that separates Thorpe Park from Green Park and is a two-storey building with prominent glazed element in the southeast corner and simple clad structure elsewhere. There is car parking to the south of the building and a service yard to the north. Landscaping is provided within and around the site.

3.0 **SITE AND SURROUNDINGS:**

3.1 The proposals under consideration relate to the northern half of the employment allocation that totalled 63 hectares. The site is located to the south of the Leeds-York railway line and Manston Lane, west of the M1 (junction 46), north of A63 Selby Road and existing Thorpe Park buildings, Austhorpe Lane is to the west.

3.2 In terms of the wider area, Cross Gates centre is located to the west, Garforth to the east and Colton Retail Park is located across the A63 to the south. A number of residential properties are nevertheless located between the northern side of the A63 and the built component of Thorpe Park (namely Barrowby Lane, Road, Drive, Avenue etc and Austhorpe Lane, Avenue, Drive etc. In addition to existing development, the East Leeds Extension housing allocation (UDPR policy H3-3A.33) is located across the railway line to the north.

3.3 Manston Lane to the north includes primarily industrial and commercial premises but there are a limited number of long established residential properties and many new dwellings under construction.

3.4 Thorpe Park is allocated as employment land and a 'key business park' in the UDPR. It forms a key part of the Council's employment land supply and provides an attractive regionally significant business park. The land to the west is allocated as Proposed Open Space and to the east is the Green Belt. The UDPR designates a new cycle route running north-south through Thorpe Park and a scheduled ancient monument, Grims Ditch, is located to the immediate west of Thorpe Park. There is a group of protected trees on the western boundary of Thorpe Park and a small copse within the centre of the application site.

4.0 **RELEVANT PLANNING HISTORY:**

4.1 32/199/94/OT – Outline application to layout business park, Green Park and access roads - Granted 04/10/95. This relates to the original outline permission and allows for up to 1.2million ft² (111,500m²).of office floorspace.

- 4.2 32/140/96/FU – Variation of condition application to allow up to 1.8m ft² (167,225m²) of office floorspace to be provided – Granted 31/03/04
- 4.3 Connected to the above permissions is a Section 106 agreement which requires the applicant to undertake various off-site highway improvement works to achieve satisfactory points of access from the A63 and M1 motorway (these works have been completed), to provide Green Park (via a series of trigger points) and the delivery of the MLLR which is triggered following occupation of 1million ft² of office accommodation.
- 4.4 32/9/96/FU – Full permission for the Manston Lane Link Road, approved 20/5/96 and renewed in 13/11/01 by application 32/66/01/RE.
- 4.5 06/05310/FU – Application to vary various conditions attached to the MLLR scheme so as to allow details to be agreed as and when phases come forward rather than everything at the outset – Granted 21/11/06. This application is the latest permission relating to the provision of the MLLR and was submitted in recognition that part of the road had already been constructed (i.e. the section that links Thorpe Park with junction 46 of the M1).
- 4.6 08/00298/OT – Outline application for residential development of up to 256 units at Optare, Manston Lane, Crossgates – approved 15/11/12. A section 106 agreement requires the development to be phased with only the first of two phases permitted to be delivered prior to the upgrading of the MLLR. The reserved matters application for 204 units, 13/00288/RM, was approved 19/6/13.
- 4.7 08/03440/OT – Outline application for mainly residential development of up to 151 units at former Barnbow site for Threadneedle – approved as a phased development subject to a Section 106 agreement linked that restricts the construction of no more than 122 units until the MLLR is constructed. The first phase of development is nearing completion.
- 4.8 12/03886/OT: Outline application for major mixed use development, approved 20/3/14.
- 4.9 12/03887/FU, 12/03888/FU, 12/05382/FU: Application for the north-south and east-west links of the MLLR, approved 28/10/13.
- 4.10 12/05150/LA - Formation of public park, playing pitches, park and changing rooms on land to west of Thorpe Park, approved 26/2/14.
- 4.11 12/02571/OT – Outline application for up to 2,000 dwellings on land between Wetherby Road, Skelton's Lane and York Road. Pending consideration.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Following the Panel resolution to defer and delegate approval of the mixed use outline and full road applications in September, officers have regularly met with the developer to discuss the improvements to the road alignment and junction arrangement and how these improvements would be reflected in an improved masterplan. During this time officers have also had meetings to discuss the design of the proposed Surgical Innovations building.

5.2 Members of the Outer East Area Committee have been regularly updated regarding the proposed developments at Thorpe Park and the East Leeds Regeneration Board recently received an update on 29/4/14.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The MLLR application, 14/01216/FU, was advertised by way of site notices on 17/3/14 and an advert in the YEP on 27/3/14.

6.2 One letter has been received that objects to the revised layout raising a number of technical highways issues relating the junction distances, capacity of the existing and proposed roads. Concerns are also raised regarding a failure to sufficiently consider the impacts on brown moor, the development site within Thorpe Park and Green Park.

6.3 At the time of writing the Surgical Innovations application was still to be formally advertised.

6.4 The applicant has also carried out their own public consultation exercise regarding the revised road and masterplan layout.

7.0 CONSULTATIONS RESPONSES (MLLR application, 14/01216/FU, only):

7.1 Statutory:

7.2 Highways Agency: The HA has been closely involved in the formation of a revised road layout as it directly impacts on the wider highway network. Work on the finer detail is ongoing therefore the HA have issued a holding direction stating the application should not be determined until after 8/5/14.

7.3 Health and Safety Executive: As with the previous application for the north-south element of the MLLR the HSE advise that there is sufficient reasons, on safety grounds, for advising against the granting of planning permission.

7.4 Non-statutory:

7.5 Highways: Highways officers are supportive of the principle of the revised layout as it reduces the number of junctions and provides a more direct alignment that is strategically more attractive. Highways officers continue to address the finer detail of the proposal and will update Members verbally at Panel.

7.6 Public Rights of Way: No objection. PROW officers are in continuing dialogue with the applicant and states the developer is fully aware of the requirements to agree diversion orders in due course.

7.7 Coal Authority: No objection subject to the imposition of a condition that requires further investigation into the potential for any coal mining features being within the development site, as recommended by the applicant's Environmental Statement.

8.0 PLANNING POLICIES:

8.1 Development Plan

8.2 The development plan includes the adopted Leeds Unitary Development Plan Review 2006 (UDPR) along with relevant supplementary planning guidance and

documents. The site is allocated for employment purposes under policy H4:6 and identified as a key business park under policy E18:2 of the UDPR, these policies state that:

‘E4: Land for employment uses is allocated at the following locations:

.....6. Austhorpe (63.8 HA).’

‘E18: The following employment sites allocated under E4 are identified as key business park sites, and reserved for B1 use:

.....2. Austhorpe (E4:6: 63.8 HA)’

8.3 Leeds Unitary Development Plan Review (UDPR):

GP5: General planning considerations.
GP7: Use of planning obligations.
GP11: Sustainable development.
N10: Protection of existing public rights of way.
N8: Urban Green Corridor.
N25: Landscape design and boundary treatment.
N29: Archaeology.
N38b: Flood Risk Assessments.
N39a: Sustainable drainage.
T2 (b, c, d): Accessibility issues.
T5: Consideration of pedestrian and cyclists needs.
T7/T7A: Cycle routes and parking.
T18: Strategic highway network.
E4, E18: Employment sites.
LD1: Landscape schemes.

8.4 Relevant Supplementary Planning Guidance

8.5 Building for Tomorrow Today – Sustainable Design and Construction (2011): Sustainability criteria is set out including a requirement to meet BREEAM standards.

8.6 Natural Resources and Waste Development Plan Document (2013): Developments should consider the location of redundant mine shafts and the extract of coal prior to construction.

8.8 National Planning Guidance

8.9 The National Planning Policy Framework (NPPF) came into force on 27th March 2012. The NPPF states that unless material considerations indicate otherwise development proposals which accord with the Development Plan should be approved. This has recently been supplemented by the National Planning Practice Guidance (NPPG).

8.10 Emerging Policy

8.11 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy has been through public examination some weight can be attached to the policies therein.

9.0 MAIN ISSUES

APPLICATION 14/01216/FU – DETAILED APPLICATION FOR THE MANSTON LANE LINK ROAD (NORTH – SOUTH ROUTE)

- Improvements made to the previously approved alignment and junction arrangement.
- Technical highways implications.
- Impact on Brown Moor.
- HSE response.
- Letter of objection.

DISCHARGE OF CONDITION APPLICATION 14/02406/COND - REVISED MASTERPLAN RELATING TO THE APPROVED APPLICATION (12/03886/OT) FOR A MAJOR MIXED USE DEVELOPMENT AT THORPE PARK

- Improvements made to previously agreed masterplan and parameter plans.

APPLICATION 14/02488/FU - B1 OFFICE BUILDING AT THORPE PARK (SURGICAL INNOVATIONS BUILDING)

- Background.
- Design and landscape.
- Highways implications.
- Section 106.

GENERAL UPDATE REGARDING PROGRESS ON THE CONSTRUCTION OF THE MLLR AND FUTURE PROPOSALS FOR RESIDENTIAL DEVELOPMENT AT THORPE PARK.

- Timescales for delivery of the MLLR.
- Future application for residential content.

10.0 APPRAISAL

10.1 BACKGROUND

- 10.2 The changes to the approved developments that are discussed in more detail below highlight the significant steps that have been taken to further improve the continued development of Thorpe Park. In combination, the revised masterplan and realigned MLLR overcome the previous concerns regarding a lack of integration of the foodstore, the number of junctions to be negotiated plus concerns regarding the presence of two underpasses. The revised proposals now allow for a fully integrated development with more efficient highway network and does not require any underpasses but a large 'green bridge'. The revised masterplan also allows for a medi-park to be identified on plan and therefore clearly defined on the ground through changes in building design, signage and landscape treatment. Overall the proposed changes continue to improve the attractiveness of Thorpe Park.

10.3 **APPLICATION 14/01216/FU – DETAILED APPLICATION FOR THE MANSTON LANE LINK ROAD (NORTH – SOUTH ROUTE)**

10.4 Improvements made to the previously approved alignment and junction arrangement.

- 10.5 Whereas the previously approved layout sufficiently provided the necessary highways infrastructure to serve the Thorpe Park development and also provide access to the M1 for the future East Leeds Orbital Road (ELOR) traffic, the applicant

agreed to further examine the alignment and junction arrangement to attempt to enhance the attractiveness of the MLLR as the final stretch of the strategic ELOR. This process has been ongoing for the last eight months and a revised layout has now been submitted for consideration.

- 10.6 With regard to Thorpe Park itself, the MLLR severed a large and important development plot, the foodstore plot, to the east and therefore away from the majority of the mixed use development. This resulted in a less pedestrian friendly and connected development therefore the applicant was requested to put forward a proposal that integrated the foodstore into the rest of the development. The revised alignment allows for the foodstore to be located to the west of the MLLR and therefore be fully integrated into the mixed use development. The implications of this on the revised masterplan are discussed in more detail below.
- 10.7 The previous junction arrangement of the north-south MLLR required users travelling south on the ELOR to navigate four roundabouts before reaching the existing roundabouts on the entry/exit slip roads for the M1. The revised alignment allows one of these four roundabouts to be removed from this route and therefore results in a more direct and strategically attractive route, in keeping with the intended character of the proposed ELOR and is therefore strongly supported.
- 10.8 Are Members supportive of the revised alignment and junction arrangement of the north-south section of the MLLR?**
- 10.9 Technical highways implications
- 10.10 Highways officers and the Highways Agency continue to work through the technical requirements of the revised layout to ensure the best possible solution for both the local and strategic highway network. The outstanding technical issues still being considered include the speed limit of the MLLR through Thorpe Park, the number of lanes needed into Thorpe Park from the existing M1 link and the potential re-design of the existing 'western dumbbell' roundabout adjacent to the M1.
- 10.11 The current highways design introduces a four lane link from the existing Thorpe Park to the M1. Whereas this may be the best highways solution, to avoid queuing, it raises concerns regarding the impact on the character and landscaping of Thorpe Park due to the significant amount of land that would be required. Plans will be presented that further explains the layout being examined to allow members to fully consider the implications.
- 10.12 The second key issue regarding the detailed design of the realigned MLLR is the design speed of the road. The road is currently designed to with a speed limit of 30mph. However, to ensure the road remains attractive as a strategic route, highways officers are keen to promote a 40 mph road. This would require changes to the horizontal and vertical alignment of the road (straighter, flatter sections to ensure the necessary sightlines and safety aspects are achieved). The implications of this issue are being considered and further detail will be presented to Members to allow for feedback.
- 10.13 Officers will continue to ensure the right balance between a safe and flowing highway and appropriate landscaping and urban design of Thorpe Park are achieved, but will appreciate Members thoughts on these outstanding technical design issues

- 10.14 What are Members thoughts regarding the implications of the potential number of lanes on the east-west link into Thorpe Park and the potential change to the design speed?**
- 10.15 Impact on Brown Moor and Central Park.
- 10.16 The revised alignment is further east and therefore requires a greater land take at Brown Moor, the hill on the eastern edge of the employment allocation at Thorpe Park. Whereas the direct impact of the MLLR on Brown Moor is greater than before, it must be borne in mind that the previous road layout resulted in the foodstore plot being located to the east of the MLLR on the southern section of Brown Moor and therefore requiring a significant land take from Brown Moor. The proposed layout results in the removal a young, self-seeded woodland and still allows for the key and prominent elements of Brown Moor to be retained including the high point of the moor and the mature trees located in the southeast corner. The proposed MLLR will include a landscaped buffer along much of its length and the benefits outlined above in terms of integration and the strategic highway are considered to outweigh the loss of land at Brown Moor.
- 10.17 The realignment of the MLLR to the east allows for Central Park, the parkland proposed within Thorpe Park, to extend further east. Upon reaching the MLLR, Central Park no longer goes under the road via an underpass but it is now proposed to take all public rights of way over the bridge via a green bridge. The detail of the bridge will be subject to a condition but is currently designed at around 10-12m wide with a shared access route for pedestrians, cyclists and equestrians and suitable landscaping. There will be wide landscaped access points onto the bridge at gentle gradients to ensure the green bridge feels part of and a continuation of Central Park and Brown Moor.
- 10.18 HSE response
- 10.19 As with the previous applications for the link road, the standing advice from the HSE is that there are sufficient reasons to refuse the application on safety grounds. The north-south MLLR is a dual-carriageway and is therefore given a more sensitive rating by the HSE. This position is acknowledged but it is not possible to overcome the statement from the HSE. Ideally all development would be set well away from any pipelines but this is not possible and there are no deliverable alternatives for the location of the road. Instances of similar conflict occur already in the area as to the south, the pipeline extends through the existing Thorpe Park, alongside the M1 and along the A63.
- 10.20 Letter of objection
- 10.21 The issues raised in the letter of objection regarding the highways and landscape implications have been covered above and will continue to be examined in close detail prior to formally approving the application. As is evident within this report, the impact of the revised road alignment has been fully considered when considering a revised masterplan.
- 10.22 DISCHARGE OF CONDITION APPLICATION 14/02406/COND - REVISED MASTERPLAN RELATING TO THE APPROVED APPLICATION (12/03886/OT) FOR A MAJOR MIXED USE DEVELOPMENT AT THORPE PARK**
- 10.23 Improvements made to previously agreed masterplan and parameter plans

- 10.24 As highlighted above, the previously approved masterplan severed the foodstore plot and required two pedestrian underpasses. Whereas the layout was considered acceptable subject to compliance with a design code that required high quality layout and design, the applicant was requested to revisit the masterplan and parameter plans to attempt to identify an improved layout that would integrate the foodstore plot and remove the need for underpasses (whilst also picking up changes to the MLLR alignment). A lengthy master planning process continues to take place to address these issues and seek the best possible solution for this site.
- 10.25 A revised masterplan and parameter plans have been submitted pursuant to a condition attached the outline approval and Members are requested to consider the changes proposed and defer and delegate approval of the condition to officers.
- 10.26 The revised masterplan relocates the foodstore plot to the west of the MLLR and therefore allows it to be fully integrated into the remainder of the development. In turn this removes the need for the smaller southern underpass. The removal of the larger northern underpass is facilitated by the introduction of the green bridge referred to above. These changes have overcome the primary issues relating to the approved masterplan but have also provided an opportunity to further improve other elements of the masterplan as outlined below.
- 10.27 The relocation of the foodstore plot to the west of the MLLR has permitted a segregated public transport route through the heart of the development. This allows for the penetration of bus services into the development and therefore makes the development more attractive to non-car borne users whilst also creating a more pedestrian friendly 'heart' to the development.
- 10.28 The previous highly legible 'grid' layout is retained as are the principles set out within the approved design code including the hierarchy and landscaping of vehicular and pedestrian routes, quality of design, introduction of positive vistas and public spaces.
- 10.29 Importantly, the revised masterplan also identifies a distinct area within Thorpe Park as a medi-park. This cluster of building will be anchored by the Surgical Innovations building and will be defined through building design, signage and a change in the hard and soft landscaping within the area.

10.30 APPLICATION 14/02488/FU - B1 OFFICE BUILDING AT THORPE PARK (SURGICAL INNOVATIONS BUILDING)

10.31 Background

- 10.32 Surgical Innovations are internationally renowned designers and manufacturers of specialist medical equipment and in addition to the on-site executive, medical and manufacturing staff, the company attracts medical specialists from all over the world to their premises to test and improve medical instruments. The agreement for Surgical Innovations to create new premises at Thorpe Park is a major economic boost to the Leeds City Region. The Surgical Innovations building will also attract further healthcare corporations to the site and therefore allow for the creation of a medi-park within Thorpe Park with its own distinct character in terms of building design and landscaping. The introduction of Surgical Innovations to Thorpe Park and the creation of a medi-park will significantly strengthen the healthcare sector in Leeds which is identified as a key growth area for the region in addition to enhancing links between the healthcare sector and the cities universities.

- 10.33 The proposed development introduces a B1 use that is compatible with the outline approval but due to time pressures a full planning application has been submitted that will allow for an immediate start on site following approval. Whereas the application is a stand-alone full application, the consideration of the full application and revisions to the masterplan have been considered in conjunction with each other to ensure the continued integration of uses within Thorpe Park. Members are requested to consider the design of the building presented, provide comment and defer and delegate approval of the application to officers subject to the necessary conditions and Section 106 agreement to allow for an expedient approval and therefore an early start on site this summer.
- 10.34 Design and landscape
- 10.35 The Surgical Innovations building is proposed to be located on the western side of Thorpe Park adjacent to the tree belt that divides Thorpe Park and Green Park. The building equates to around office two-storeys with a largely metal clad exterior with predominantly glazed frontage to both levels at and around the main entrance in the southwest corner. The car park is located to the south and service yard to the north. Landscaping is incorporated within and around the site to complement the adjacent tree belt and integrate the building into the rest of the developed Thorpe Park.
- 10.36 The operation of the proposed building incorporates elements of a traditional office space plus research and development and manufacturing and therefore operates in three distinct elements. However, the design has been well thought out to ensure a cohesive approach to the buildings appearance is achieved.
- 10.37 A small element of the proposed building extends into an area identified in the parameter plans as an area that was only intended to accommodate landscaping and not buildings in order to ensure an appropriate buffer to the protected trees belt. Whereas the application does not fully accord with one of the originally approved parameter plans, this change has been picked up in the revised parameter plans and is considered acceptable. The encroachment into the previously identified 'landscape buffer zone' is relatively minor and is only by a building that is two-storeys high when the previous approval was for up to four-storeys. The building is also clad in a green metal cladding therefore the visual impact when viewed from Green Park to the west is further reduced.
- 10.38 Highways implications
- 10.39 The Surgical Innovations building is proposed on the west of Thorpe Park and is located away from the proposed MLLR and existing motorway junction therefore has no direct impact on these junctions in terms of layout. Parking is provided within the plot and a service yard appropriate to the scale of development is provided.
- 10.40 Section 106
- 10.41 The outline approval included a section 106 with clauses that included various triggers for the delivery of the MLLR, delivery of Green Park, ecological contribution, compliance with a Travel Plan and a requirement to provide for local employment. The legal agreement attached to the Surgical Innovations proposal will reflect the clauses within the main S106.
- 10.42 *Delivery of Green Park*

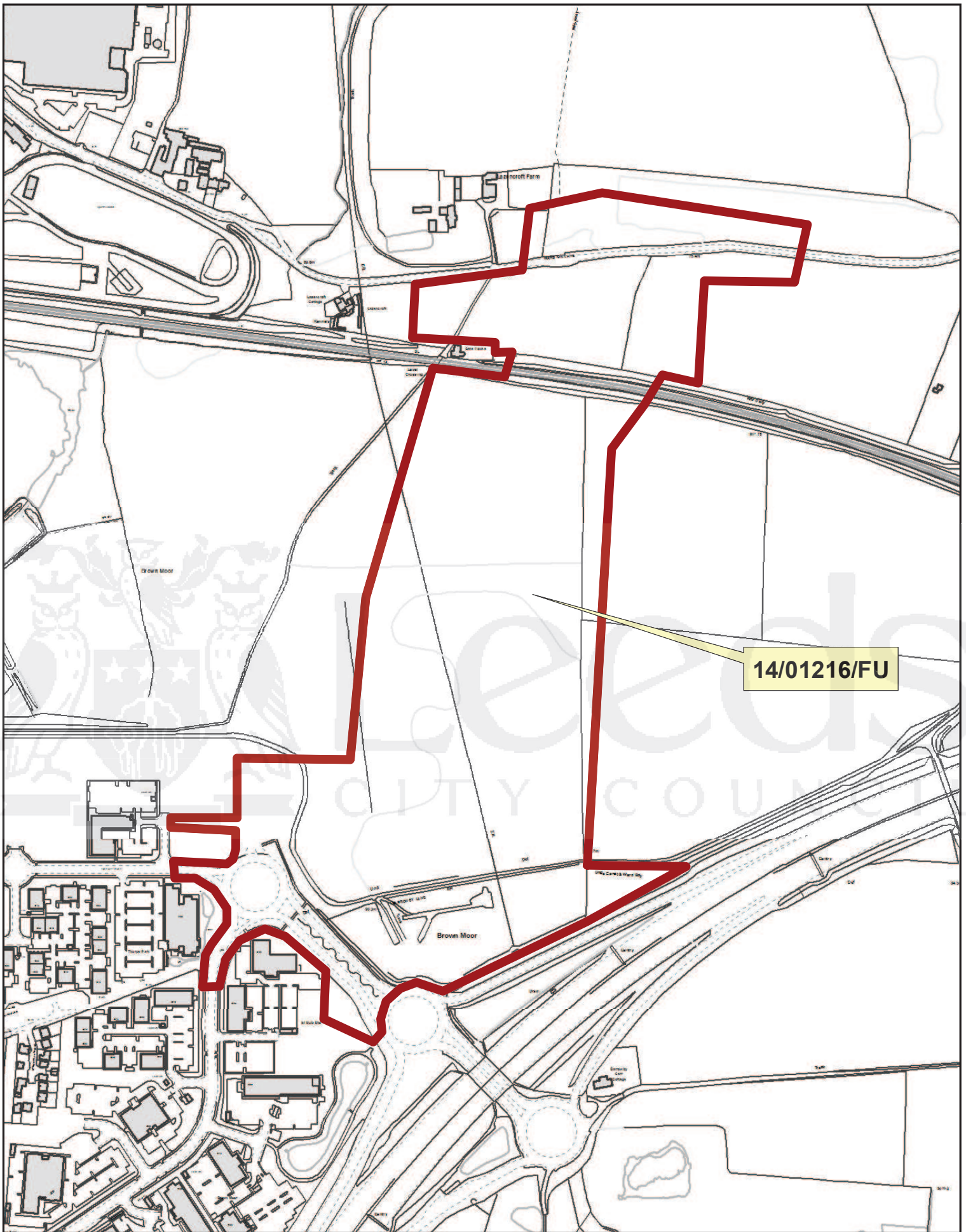
- 10.43 One of the key elements of the Surgical Innovations agreement will be that the development will directly trigger the delivery of Green Park. Prior to occupation of the Surgical Innovations buildings the development of the playing pitches and/or vehicular drop off area for Austhorpe Primary School must have been commenced. In addition the timescales and contract for the development of the changing pavilion and public car park must have been agreed.
- 10.44 *Local employment and training*
- 10.45 The Surgical Innovations agreement will also link this development to the extensive commitments the developer has agreed to in the main S106 with regard to local employment initiatives. These aims in the main S106 include 25% of the total workforce being sourced locally, plus work experience placements, apprenticeships and undertaking/hosting school visits. The developer continues to discuss these employment initiatives with Employment Leeds and local schools. In the coming years Surgical Innovations intend to increase their current employment of 100 to 400 staff on site.
- 10.46 The target area for 'local' employment is within the following wards, Gipton and Harehills, Burmantofts and Richmond Hill, Cross Gates and Whinmoor, Killingbeck and Seacroft, Garforth and Swillington and Temple Newsam.
- 10.47 In summary, the legal agreement relating to the Surgical Innovations development will ensure the benefits delivered by the main Thorpe Park development and its S106 are also triggered/delivered by this development.
- 10.48 GENERAL UPDATE REGARDING PROGRESS ON THE CONSTRUCTION OF THE MLLR AND FUTURE PROPOSALS FOR RESIDENTIAL DEVELOPMENT AT THORPE PARK.**
- 10.49 Timescales for delivery of the MLLR
- 10.50 The developer has continued to progress discussions with the relevant Council and Network Rail representatives to ensure the current agreement for the bridge and removal of the level crossing is adhered to. The existing agreement requires a more detailed 'Works Agreement' that outlines the works to be carried out and timescales for implementation to be agreed prior to 31st March 2015, discussions are at an advanced stage and it is understood Network Rail will be in a position to agree the 'Works Agreement' well in advance of this deadline. The current expected date for completion of the MLLR is late 2016.
- 10.51 Future application for residential content
- 10.52 Whereas Thorpe Park is allocated as employment land and is a key part of the Leeds City Region office provision, the Council also has significant housing target to meet therefore the developer was asked to consider introducing housing to part of the site without diluting the employment offer. The developer has agreed to this request and is preparing to submit a further planning application later this summer that would include a residential content Thorpe Park. Thorpe Park was identified as 'amber' for housing in the Site Allocation process. Officers will present further details on this proposal in the coming months.
- 10.53 The approved, revised and any future masterplan will ensure access is retained to the Council owned triangular piece of land to the east of Thorpe Park which was designated as amber for housing in the Site allocation process.

11.0 CONCLUSION

- 11.1 The revised and new developments proposed at Thorpe Park highlight a major step forward in the quality of the scheme and its delivery. The revised MLLR alignment significantly improves the attractiveness of this route as a strategic road that forms part of the ELOR. In addition the revised alignment also allows for the masterplan to be improved to create a more integrated scheme. Importantly, the developer has secured a high profile occupier for the site, Surgical Innovations, that it is hoped will act as a key attraction for other similar uses and result in the creation of an internationally significant medi-park. Progress on all elements of development at Thorpe Park continues positively and at pace therefore Members are requested to consider the details presented to them and provide comment to officers to allow for expedient decisions to be achieved and works commenced.

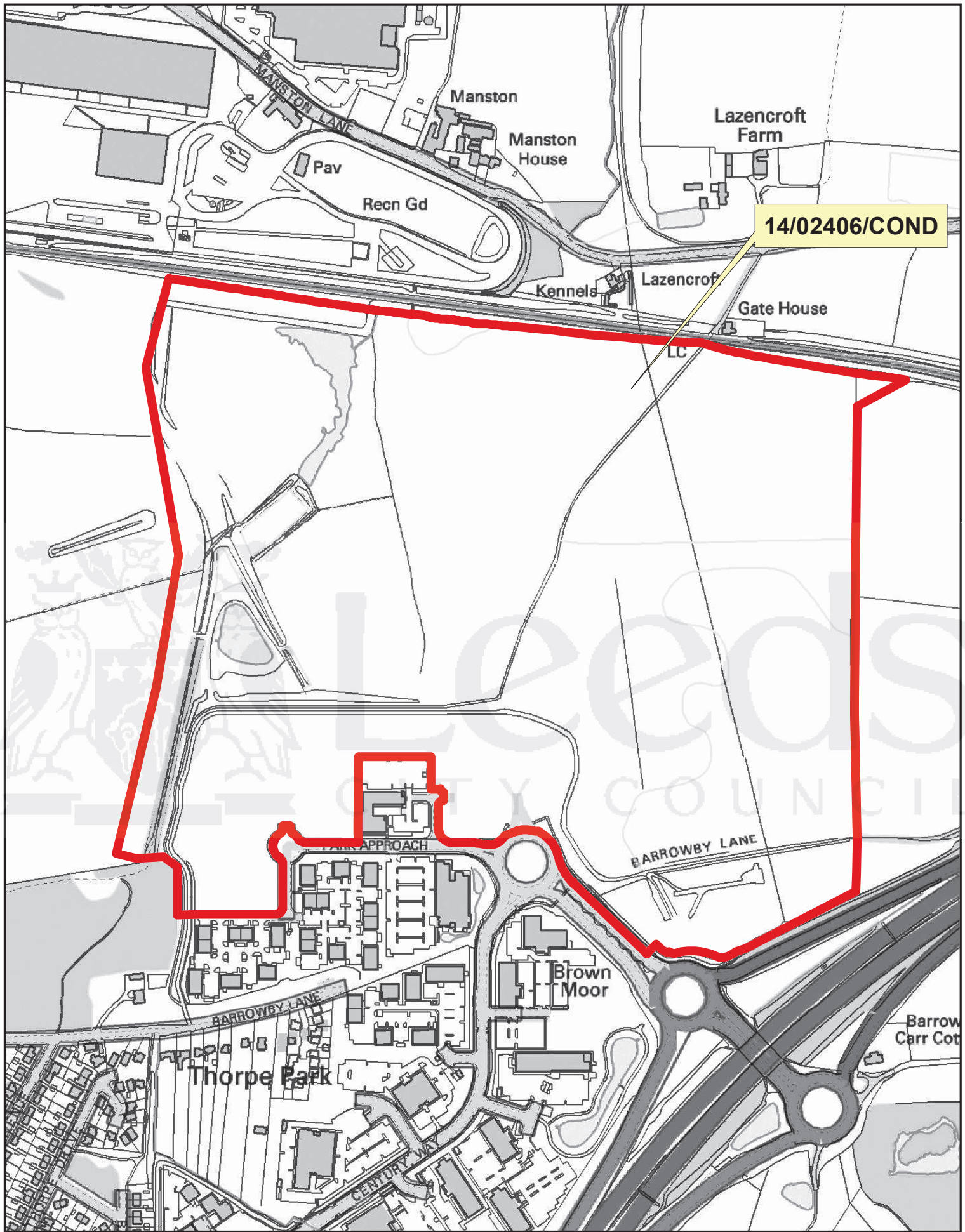
12.0 BACKGROUND

- 12.1 Application and history files.
- 12.2 Certificate of Ownership – Notice served on Leeds City Council and Network Rail regarding 14/01216/FU.



CITY PLANS PANEL

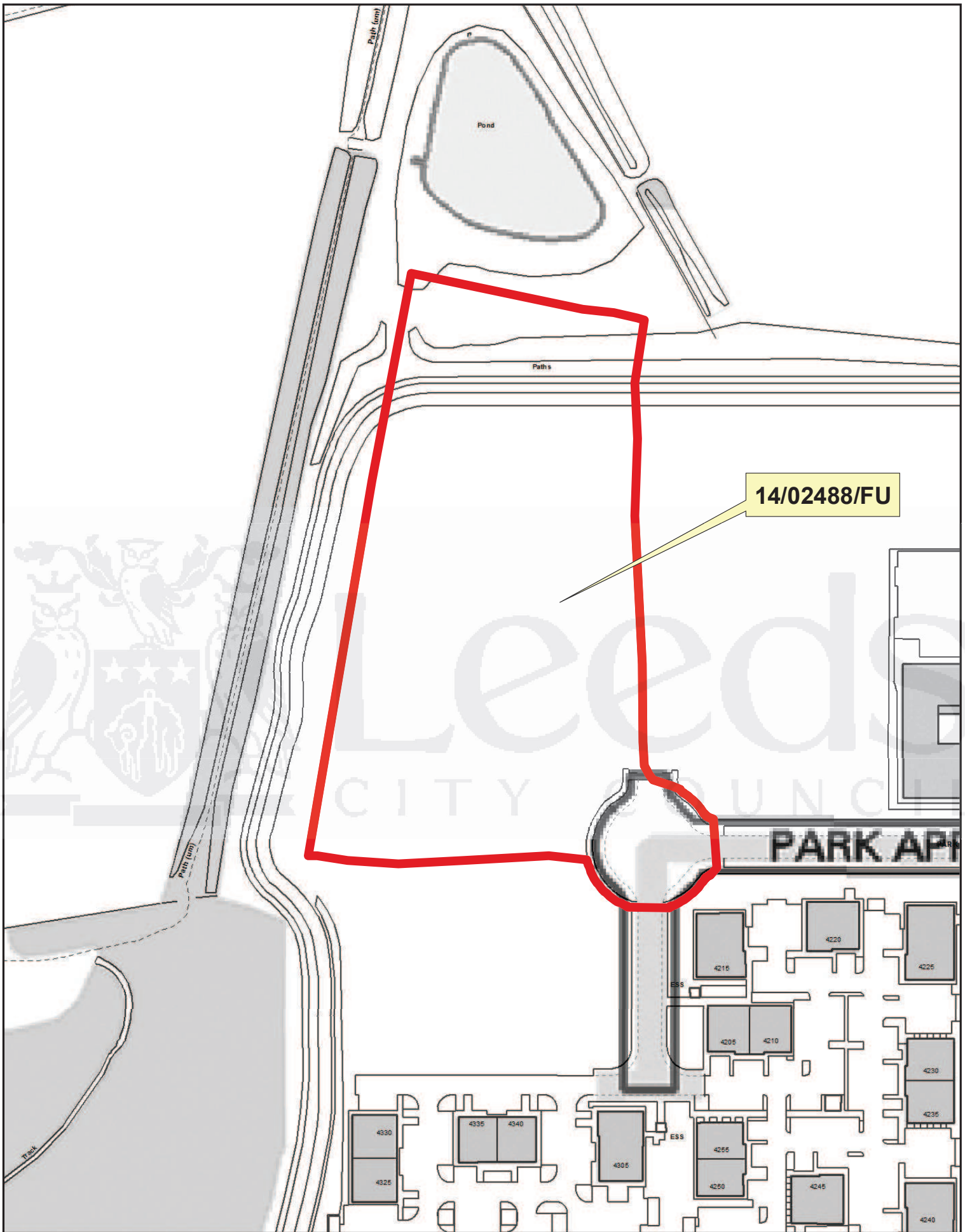




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CITY PLANS PANEL





CITY PLANS PANEL

