



CITY PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 5th March, 2015
at 1.30 pm

MEMBERSHIP

Councillors

P Gruen
S Hamilton
E Nash
N Walshaw
M Ingham
J Lewis
J McKenna
(Chair)
C Gruen

C Campbell

R Procter
G Latty

T Leadley

D Blackburn

**Agenda compiled by:
Angela Bloor
Governance Services
Civic Hall
Tel: 0113 24 74754**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</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>	

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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			<p>MINUTES</p> <p>To approve the minutes of the City Plans Panel meeting held on 29th February 2015</p> <p>(minutes attached)</p>	3 - 10
7	City and Hunslet	10.4(3)	<p>APPLICATION 14/04641/FU - SWEET STREET AND MANOR ROAD HOLBECK LS11</p> <p>Further to minute 111 of the City Plans Panel meeting held on 22nd January 2015, where Panel deferred determination of an application for mixed-use multi-level development comprising the erection of 4 new buildings with 744 residential apartments, 713 sqm of flexible commercial floorspace (A1-A5, B1, D1, D2 use classes), car parking, landscaping and public amenity space, for further discussions on a range of issues, including viability, to consider a further report of the Chief Planning Officer</p> <p>Appended to the report is a copy of the report and appendices considered on 22nd January 2015, which includes an exempt appendix under Access to Information Procedure Rule 10.4(3) as it contains financial information relating to the viability of the scheme</p> <p>(report attached)</p>	11 - 68

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8	City and Hunslet		<p>3 ADVERTISEMENT HOARDING LOCATIONS - CLAY PIT LANE; CROWN POINT ROAD AND KIRKSTALL ROAD</p> <p>Further to minute 113 of the City Plans Panel meeting held on 22nd January 2015, where Panel considered a position statement on proposals for illuminated advertisement signs at various locations around the city and agreed to defer and delegate consideration of the applications to the Chief Planning Officer apart from specific applications, to consider a further report of the Chief Planning Officer seeking determination of:</p> <p>Application 14/06618/ADV – one double sided freestanding illuminated advertisement sign – land off Clay Pit Lane</p> <p>Application 14/06621/ADV – one double sided freestanding illuminated advertising sign – land off Crown Point Road</p> <p>Application 14/06626/ADV – one illuminated freestanding advertisement sign – land off Kirkstall Road</p> <p>(report attached)</p>	69 - 80
9	Temple Newsam		<p>APPLICATION 14/07303/EXT - SKELTON MOOR FARM PONTEFRACT LANE LS9</p> <p>To consider a report of the Chief Planning Officer on an extension of time for outline planning permission 21/13/04/OT to erect B1/B2/B8 development with supporting hotel, crèche and A2/A3/A4 uses</p> <p>(report attached)</p>	81 - 98
10			<p>DATE AND TIME OF NEXT MEETINGS</p> <p><u>Tuesday 10th March 2015 at 1.30pm</u> (additional meeting)</p> <p>Thursday 26th March 2015 at 1.30pm</p>	

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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.

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To all Members of City Plans Panel

Contact: Angela M Bloor
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Your reference:
Our reference: site visits
Date 24th February 2015

Dear Councillor

SITE VISITS – CITY PLANS PANEL – THURSDAY 5TH MARCH 2015

Prior to the meeting of City Plans Panel on Thursday 5th March 2015, the following site visit will take place:

10.35am		Depart Civic Hall
10.50am	Temple Newsam	Skelton Moor Farm Pontefract Lane LS9 – extension of time for outline planning permission for industrial development with supporting uses – 14/07303/EXT
12.00 noon approximately		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at **10.35am**. Please notify Martin Sellens (Tel: 247 8172) if you wish to take advantage of this and meet in the Ante Chamber at **10.30am**.

Yours sincerely

Angela M Bloor
Governance Officer

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CITY PLANS PANEL

THURSDAY, 29TH JANUARY, 2015

PRESENT: Councillor J McKenna in the Chair

Councillors P Gruen, R Procter,
D Blackburn, S Hamilton, G Latty,
T Leadley, E Nash, N Walshaw, M Ingham,
C Campbell, C Gruen and S McKenna

115 Chair's opening remarks

The Chair welcomed everyone to this additional meeting of City Plans Panel and stated that this would be Phil Crabtree's last meeting before he retired from the Council after being Chief Planning Officer for eight years. At the conclusion of the meeting, a presentation would be made to him, although the Chair wished to place on record how helpful Phil had been to all Members during his time in Leeds

Members and Officers then introduced themselves for the benefit of the public attending the meeting

116 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

117 Apologies for Absence

Apologies for absence were received from Councillor J Lewis, with Councillor S McKenna substituting for him

118 PAS site appeals - update

The Chief Planning Officer informed Members that the PAS site at Scholes, which Panel had considered for residential development at the meeting held on 28th August 2014 (minute 40 refers) and had refused the application, was now the subject of an appeal

In respect of the site at Grove Road, Boston Spa, a letter had been received today from the Planning Inspector to advise that the Secretary of State's decision on Grove Road could not be expected until around 15th June 2015. Members were informed that a similar letter was expected on the site at Kirklees Knowl

119 Proposed site visit

Draft minutes to be approved at the meeting to be held on 5th March 2015

The Head of Planning Services referred to a visit to Sheffield to view a scheme and which was to take place on 3rd February. In view of those able to attend; the weather and the timescale for the application, a visit in late March was proposed, with Members being in agreement, subject to being informed as soon as possible of the date of the visit

120 Application 12/02571/OT - Outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping - Land between Wetherby Road, Skeltons Land and York Road LS14 - Position statement

Further to minute 117 of the City Plans Panel meeting held on 10th December 2013, where Panel received an update report on an outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping on a site known as the Northern Quadrant of the East Leeds Extension, the Panel considered a further report setting out the current proposals, particularly in respect of the East Leeds Orbital Road (ELOR)

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

Officers presented the report and outlined the progress made on the scheme since it was last presented to Panel, which included:

- the programme for delivery of ELOR, with the Council taking a leading role in this
- funding of ELOR through the West Yorkshire Transport Fund
- timescales, in terms of build out rate and delivery of ELOR, with Members being informed that ELOR could be open around 2021, with housing development on the site commencing by 2018, with circa 250 houses anticipated being constructed between 2018-2021; these being confined to two parts of the site in discreet cul-de-sacs from new site access/ELOR roundabout junctions at the A58 and A64
- further public consultation which had been carried out

Details of the green links which would be made from the site to Roundhay Park; Whinmoor Grange and the new, Green Park, within the Thorpe Park development were outlined, together with the proposed new East Leeds Country Park along the edge of the East Leeds Extension

Members were also reminded of the location within the site of the neighbourhood facilities, which would include retail; health and community facilities and older people's housing on a 0.86ha area of the site. A two form entry primary school was proposed and would be sited north of Skeltons Lane

Recent exhibitions had been held on the proposals and whilst there was broad support for the scheme, local concerns continued to be raised about highways issues; access and public transport routes

Further details were then provided to Panel on the funding for the provision of ELOR, with the majority of this being funded by the public sector

from the West Yorkshire Transport Fund, with a requirement for a contribution from the private sector. Members were informed that the Stage 1 Business Case had been submitted to the West Yorkshire Combined Authority earlier in the week

In terms of developer contributions, a roof tax or levy would be applied to each house to be built which, for the Northern Quadrant development, would recover the full cost of that section of ELOR once all homes were completed. This amount would also include provision for inflation and contingency, with the developer contributions forming an important part of the Business Case being made by the Council. The roof tax would be the means by which developer contributions would be sought in future applications in other parts of the East Leeds Extension

A planning application for the whole route of ELOR would be submitted by the Council in early 2016, to incorporate the section of the road within the Northern Quadrant scheme. The construction period was programmed for 2018-2021, which would dovetail with the work on the Manston Lane Link Road, which was to be completed by the end of 2017. In addition, to the main ELOR works, the project would also involve improvements to the existing A6120 Outer Ring Road junctions with Park Lane; the A61 Harrogate Road and King Lane, as well as significant environmental improvements to the Outer Ring Road through Seacroft/Whinmoor and Cross Gates. Members were informed that the Council was now in a good position to bring forward the ELOR scheme on the basis described but were reminded that it would be a major and complex infrastructure project

Members then received a presentation on the detailed highway implications of the development, including the strategic benefits of ELOR; improvement works required as part of the development of the Northern Quadrant site; local traffic issues and received details on public transport proposals together with cycle and pedestrian routes. Mitigation measures at three existing outer ring road junctions was described; that the ELOR programme would provide the road in advance of development impacts that would otherwise be considered problematic. In terms of local traffic impacts and potential rat-running, existing issues were described and how existing congestion on the outer ring road and key junctions contributed. The benefits of ELOR and various road closures to local traffic were described and that the proposed road closures had generally been well received but some reservations relating to Red Hall Lane remained. The phased approach to enhanced public transport proposals was described together with the network of cycle and pedestrian routes. In respect of leisure accessibility to Coal Road, a footbridge had been considered, however, this would not be pursued for several reasons which included the loss of trees, but the layout of the site would be future proofed so that any future opportunity to provide a footbridge would not be prejudiced

Members were informed that ELOR would remove general congestion on the Outer Ring Road which would make the existing routes more attractive and would provide an alternative, high speed route. On the siting of ELOR, this would be a significant distance from residential dwellings and be sited in a 1m deep cutting to help with the visual impact of the road

Regarding local concerns about the closure of Red Hall Lane and rat running, this situation would be monitored and the closure removed if required

Details of the S106 package were outlined to Panel, with Members being advised that priority was given to ELOR and that with the exception of affordable housing provision, all other matters complied with policy. On affordable housing, the policy requirement was 15%, however only 10% was guaranteed on site. Members were informed there was provision for 1% further affordable housing if the contributions in respect of the integrated public transport strategy and Metro Cards were redirected. A further 1% affordable housing - to provide a total of 12% - could be achieved by accepting a reduction in the sum towards the cost of the Northern Quadrant section of ELOR, however Members were informed this provided additional risk to the Council in respect of the business case for funding of the road

The Panel was advised that the introduction of the Community Infrastructure Levy (CIL) on 6th April 2015 did have implications for this application in terms of the S106 contributions, in the event the application had not been determined and planning approval issued by 2nd April 2015

The Chief Planning Officer commented on the positive direction of the proposals; the Council's lead in the delivery of ELOR and the provision of older people's accommodation on the site and stated that support for the application would help with the funding case to West Yorkshire Transport Fund

Members congratulated the Officer team on their comprehensive presentation and detailed report and commented on the following matters:

- the design of the bund to prevent noise spillage from the ELOR and whether there was a technical design for this. The Chief Planning Officer stated that a full application would be submitted for ELOR which would be accompanied by an environmental assessment and would need to address the issue of noise impact
- the need for Executive Board to agree the specific financial implications for the Council once the details of the S106 had been established; the need for Members to see the inter-relationship and certainty between these two matters and how practically this would work. Members were informed that early consideration of the application by City Plans Panel would enable a report to be taken to the next scheduled Executive Board for consideration of these matters
- the impact of the closure of Thorner Lane on the new cemetery. The Highways Officer in attendance advised that what was proposed was a point closure and that when ELOR was constructed it would provide an alternative, better, safer route
- the road closure at Red Hall Lane with concerns at the impact on the high level of through traffic along this route and Thorner Lane. Members were informed that the closure would only occur when alternative routes back to the proposed spine road and new A58 roundabout for the development were in place. Concerns continued to be raised about the closure of Red Hall Lane, with the Chair agreeing that further consideration could be given to this
- that the proposals provided an opportunity to address some of the transport issues from the 1970s

- issues of land ownership and how development would be controlled as parts of the site could become available at different times. Members were informed that the Master Plan in the Design and Access Statement would control this issue; that the principle of the spine road and location of the local centre and school would be fixed and that as phases of development came forward, they would have to accord with the Master Plan. The Chief Planning Officer stated due to the critical nature of the phasing, the process would be managed with the Master Plan being subject to a planning condition to set the framework against which landowners would sell their plots
- the possibility of the roof tax being renegotiated by the developer. The Panel was advised that the roof tax was set by reference to the cost of the road which was based on the price, with inflation factored in, plus an element for risk and contingency. If the amount of houses changed through the Reserved Matters process, the roof tax amount would change but not for issues of viability. Discussion took place on this, with the Chief Planning Officer informing Members that when determining the outline application for the development, information in respect of viability would be provided and that a package of contributions had been guaranteed
- the scale of development in East Leeds; that this proposal was the first of many residential developments to come forward and there was a need for it to be right and to set the standard for the expansion of this part of Leeds
- the good working relationships which had been forged between all parties during the progression of this scheme and the hope that the positive relationship with the major developer of the scheme would continue
- the need for a similar approach to be adopted to the delivery of ELOR as if it was being undertaken by the private sector, with a request being made for a letter of comfort from the Chief Executive of Leeds City Council giving a clear commitment to ELOR by the Council
- the anticipated completion of ELOR by 2021 and the hope this could be brought forward
- the need for phasing that protects established settlements
- the need to ensure funds were available to take corrective action in respect of local traffic, if this was needed
- the importance of public transport and cycling infrastructure and that the opportunity for this should not be missed
- the S106 contributions and that 15% affordable housing was required. Concerns were raised that the level of affordable housing was often the first element developers sought to reduce, if viability was an issue; that the Council had a policy on the level of affordable housing required which should be adhered to and that on a greenfield site, as this was, it was not

clear where any unusual costs would lie, which could affect viability

- that local Ward Members would prefer affordable housing rather than the provision of Metro Cards
- the build out rates; that these were considered to be low; the need for a phasing schedule across the whole of the site to be provided and for the greenspaces to be provided as the development progressed, rather than being the last element to be delivered
- the impact of the development proposals, over a long time period on the existing housing developments close to the site and the need for a schedule to be provided which demonstrated the construction methodology to mitigate against noise, dust, etc

The Chief Planning Officer commented on the collaboration which had been a feature of this scheme and was of the view that the level of objections in view of the scale of the proposals bore out the model which had been used in this case of involvement with Ward Members; Officers, developers and residents. In terms of the smaller land owners across the East Leeds Extension, there was a strong incentive for them to work with the Council as the road would be required in order for the development to progress and their land to be sold

In response to the specific points raised in the report, the Panel provided the following responses:

- that Members were content on the approach to the funding and delivery of ELOR but required a letter of comfort from the Chief Executive of Leeds City Council
- on the S106 package and the provisions to enhance the level of affordable housing through the use of potential surplus roof tax, there were concerns that the level of affordable housing did not comply with policy and that over the development period of 15 years, it was difficult to explain to residents why the full amount of affordable housing was not being provided. It was accepted that this matter would be discussed in greater detail once the financial information was provided to Panel when the application was considered for determination, but the strong view of the Panel was that more affordable housing should be sought than was currently being offered
- to note that Ward Members were content for the funding for Metro Cards to be diverted to increase the level of affordable housing; that provision of improved bus services was a higher priority than subsidised travel and whilst there might be some flexibility, ultimately Panel was being asked to consider a lesser package of benefits
- that Members were satisfied on the proposal to use potential surplus roof tax to refund other parts of the S106 package in the future, such as the Integrated Public Transport Strategy
- that the provision of additional affordable housing should be provided on-site
- the need to understand the extent of the older people's housing provision and the community facilities on the land being

provided, i.e. what was included and who would build and finance these

- the need to address the issue of construction methodology and to ensure mitigation measures were in place to protect the amenity of existing residents close to the site and as development progressed, on site
- the need for further information to be provided on pupil numbers in the schools closest to the site
- that water butts should be a requirement for all homes within the scheme, rather than offered as an option to residents

The Chair thanked Officers for the quality of the report; the presentation and their engagement in this scheme

RESOLVED - To note the report, the presentation and the comments now made and that the final report seeking determination of the application should address all the issues raised

121 Closing remarks

Prior to a private presentation from the Panel to Phil Crabtree, Chief Planning Officer, to mark his retirement, the Chair on behalf of the Panel thanked Phil for his work across all three Plans Panels and wished him well for a long and happy retirement

122 Date and Time of Next Meeting

Thursday February 12th 2015 at 1.30pm in the Civic Hall, Leeds

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Originator: C. Briggs

Tel: 0113 2224409

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 5th MARCH 2015

Subject: PLANNING APPLICATION REF. 14/04641/FU MIXED-USE, MULTI-LEVEL DEVELOPMENT COMPRISING THE ERECTION OF 4 NEW BUILDINGS, WITH 744 RESIDENTIAL APARTMENTS, 713SQM OF FLEXIBLE COMMERCIAL FLOORSPACE (A1-A5, B1, D1, D2 USE CLASSES), CAR PARKING, LANDSCAPING AND PUBLIC AMENITY SPACE AT SWEET STREET AND MANOR ROAD, HOLBECK, LEEDS LS11 9AY

APPLICANT	DATE VALID	TARGET DATE
Ingram Row Limited	7 August 2014	31 March 2015 (Extended)

Electoral Wards Affected:

City and Hunslet

Yes Ward Members consulted referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Members are asked to note this update report on outstanding issues from when the application was last considered by City Plans Panel on 22nd January 2015 and to Defer and delegate approval to the Chief Planning Officer subject to the specified conditions set out in Appendix 4 of the 22nd January report as updated and amended (and any others which he might consider appropriate) and following the completion of a Section 106 agreement to cover the following matters;

- Provision of 37 (5%) on-site low cost rental flats comprising a mix of studio, 1 bed and 2 bed flats in a similar proportion to the overall mix of the scheme available for those in full-time employment nominated by Leeds City Council
- £11,011 to be allocated to Holbeck Urban Village public realm or public transport
- Specific travel plan measures contributions – car club trial provision of £27,000
- Travel plan monitoring fee of £6,040
- Public access through the site

- Cooperation with local jobs and skills initiatives
- Management fee of £1,500

The intention is to complete the Section 106 and issue the decision before 6th April 2015 when CIL is introduced although the introduction of CIL does not substantially affect this development. In the circumstances where the Section 106 agreement has not been completed within 3 months of the resolution to grant permission the final determination of the application shall be delegated to the Chief Planning Officer

1.0 INTRODUCTION

- 1.1 Members last considered this application and a below the line report regarding viability on 22nd January 2015. Members resolved to defer determination of the application for one cycle to enable further negotiations between officers and the applicant in terms of design (including the difference in design terms between achieving a Code for Sustainable Homes Level 3 as proposed and a Code for Sustainable Homes Level 4 as required by adopted planning guidance); the viability issues and low cost market flats offer within the Section 106 agreement and the proposed parking levels. In relation to design members were concerned that the design was uninspiring and relentless, and had detailed concerns about the use and extent of exposed concrete, and the balcony treatments.
- 1.2 This report will update members on progress made on these matters which will be augmented by a presentation at Plans Panel . The report to the 22nd January Panel is appended to this report for information and sets out a full description, policies and the appraisal of the scheme at that point. Members will recall that the confidential report at the last meeting and the summary given by the District Valuer was accepted by members as a robust examination of the viability of the scheme and what it was able to deliver.

2.0 DESIGN MATTERS

- 2.1 Following the Plans Panel in January the Chief Planning Officer involved John Thorp in reviewing the scheme and that has led to a productive dialogue with the scheme architects and the applicant. As a consequence a number of revisions and refinements have been made which respond positively to member comments made at Panel. These will be fully described and illustrated at the Panel meeting but can be summarised as follows;
 - On plan, Building A2 (north west block, part of the overall approach of 4 L-shaped blocks) has been inflected at its base by amending the ground floor terraces to reflect the alignment of Manor Mills and Ingram Row and respond better to the street frontage. The alignment of the superstructure remains unchanged.
 - The site plan now indicates the context and lines of pedestrian movement through the locality
 - Overall the form of each block has been subdivided on the vertical lines of each apartment to subtly break up the overall form
 - Brick components at the gables and the plinth have been revised to a light textured (soft brown colour) to complement context

- The framing product material (for balconies) has been changed to reconstructed Portland stone (it is proposed that sample panels and planning conditions will ensure a positive finish is achieved).
- The balcony depth has been widened to 1200mm (from c.1000mm previously)
- The panels to the rear wall have been revised from a mahogany tone to a light oak tone
- In each bay the balustrade and screens have been revised to provide a more integrated approach to balcony design. The balcony edge panels and screens are carefully placed and angled to create a sense of depth, and 3-dimensions to the bays - enhancing streetscene views
- Colour/form/detail has been used to differentiate between sections of the buildings, and provide a rhythm to the streetscene views

2.2 As a result of these changes considerable progress has been made in producing a scheme which sits well within its context and is of a high quality.

3.0 PARKING LEVELS

3.1 The site is in a sustainable location, the table below shows the walk distance and time to facilities.

FACILITY	DISTANCE	WALK TIME
Holbeck Urban Village, Café /Pubs /corner shops	450m	5.5mins
Bridgewater Place Tesco Extra	300m	3.5mins
Crown Point Retail	800m	10.0mins
College of Building / City College	1200m	15.0mins
Outbound bus stop	370m	4.5mins
Inbound bus stop	270m	3.2mins
Station S entrance	800m	10.0mins
Boar Lane / Trinity	950m	11.3mins

3.2 The Core Strategy requires that bus services should be within a 5 minute walk, rail services within a 10 minute walk and local facilities also within a 10 minute walk. Employment, leisure and retail should be within a 5 minute walk of a 15 minute frequency bus service. The site meets or exceeds the requirements and clearly has additional attractions close by. The buses that use adjacent stops to the site include several high frequency services and serve destinations such as; The City Centre, the White Rose Centre, Wakefield, Kirklees destinations, Lawnswood / Headingley / Roundhay and also provide a frequent link to the city centre.

3.3 Residents will benefit from the City Car Club, with vehicles in close proximity, a high level of cycle parking and access to a safe cycle route passing along Meadow Road along with the quieter streets through Holbeck.

3.4 The ability to park vehicles on the surrounding highway network is controlled through Traffic Regulation Orders, some pay and display spaces are available close to the development, however they are quite heavily used during the day, but would be available for overnight parking and visitors. The nearest streets without parking controls (measured from the centre of the site) are within Holbeck; Holbeck Moor Road 970m walk from the site and St Matthews Street 950m walk from the site are the nearest

points. The remoteness of this parking would make it unattractive for overnight or long term parking.

3.5 The 2011 census has been examined to compare car ownership in areas of the city where there are clusters of apartments. It seems that the development site straddles 3 output areas which range in car ownership from 34% to 85% averaging at 56%. The results show a correlation between the level of parking provision in the apartments and car ownership. This is illustrated by the adjacent census area that includes the Velocity development in City Walk having a high level of parking and only 28% of households not owning a car, whilst the similarly adjacent census area containing the Manor Mills development with low parking provision has 68% of households not owning a car. These two cases represent the extremes of non-car ownership, however most established apartment developments have approximately 50% of households not owning a car.

3.6 The proposal is for 263 spaces for approx. 744 flats which allows for 35% car ownership which is within but at the bottom end of the range of car ownership figures for the area. Clearly there would have to be harm shown to refuse an application on this basis. The area is widely controlled with paid on-street parking bays which operate during the day, allowing parking for visitors and residents. Hence from a highway safety / congestion perspective it is not anticipated that there would be any highway problems with allowing this level of car parking in this city centre parking policy area where there is very good access to city centre facilities and public transport.

3.7 The proposed car parking provision also reflects the level of parking at similar developments within Leeds City Centre and others, as illustrated below (information supplied by Dandara):

- West Street/ Kirkstall Road, Leeds – Mixed use development including 100 apartments, in addition to hotel, offices, A3/ A4 use, with 32 car parking spaces – c. 68% car free housing;
- Cambridge Street, Manchester City Centre – Development comprising 282 residential apartments and ground floor commercial uses, with 75 associated basement car parking spaces – c. 73% car free housing;
- Chapel Wharf, Salford - Another Dandara development comprising 995 new dwellings and ground floor commercial space with 375 car parking spaces - c. 63% car free housing.
- Liverpool: Manfred Street/ Erskine Street – 592 residential units with six car parking spaces provided in total – 99% car free housing. The development has good public transport provision and a car club operates in the area.

3.8 In summary, there is evidence that residential developments with low car parking provision is viable, practically the availability of public transport, car club schemes, cycle facilities and good walking routes, along with proximity to local facilities and the city centre means that it is perfectly viable to live in the location of the development site without a private car.

4.0 AFFORDABLE HOUSING PROVISION AND MIX

4.1 The applicants have confirmed through their viability appraisals that they can not meet the Council's normal affordable housing requirements on this site. As an alternative they are prepared to offer 37 of the 744 units (5%) for low cost rent. The applicant has confirmed that they will accept nominations from Leeds City Council for all the low cost flats, for those in full-time employment where this is defined, by either a minimum salary or minimum number of 30 + hours a week. The low cost rental flats would be retained

in perpetuity and managed by the company for the development. The full details will be controlled by the S106 agreement.

4.2 In revising the design for the scheme there has been a slight change to the mix in that 744 units are still proposed but 43 of the one beds would become two beds. This can be accommodated within the layout without increasing the massing by the more efficient use of internal space and the loss of some additional corridors. The amended units are still considered to provide an acceptable level of internal amenity. The mix now proposed is therefore ;

81 studios (10.9%) at 29.1 sq m
252 x 1 bed (33.9%) at 44.4 sq m
401 x 2 bed (53.9%) at 59.7 sq m
10 x 3 bed (1.3%) at 89.7 sq m

4.3 It is expected that the mix of the 37 low cost units will be studios, 1 and 2 bed flats in a similar proportion to the mix of the overall scheme.

5.0 Sustainability

5.1 In order to be financially viable the scheme will achieve Code for Sustainable Homes Level 3. To achieve Code 3 the approach follows the energy hierarchy with priority given to efficient design, before consideration of renewables. It is therefore proposed to adopt an energy efficient design focusing on high performance building fabric and control systems (walls, glazing, roof, flooring), passive design measures to reduce energy demand for heating, cooling, ventilation and lighting and electric space and hot water heating to reduce the risk of unwanted internal heat gains and overheating.

5.2 The materials pallet proposed are compared against the British Research Establishment's Green Guide Methodology, these materials will also look to be procured from sustainable suppliers. To manage water efficiency within each apartment, water efficient sanitary fittings will be selected resulting in a water consumption of 105l/person/day.

5.3 The scheme also addresses the sustainable approach to resident wellbeing; internally the scheme will address improved sound insulation values and externally the ecological biodiversity of the site will be significantly improved with native species planting. All residents will have access to private space, communal or private balcony that has been designed to promote natural surveillance. To mitigate any pollution contribution from the site, the drainage strategy responds to the flood risk in proposing sustainable urban drainage via attenuation tanks. In terms of global warming, low global warming potential insulants will be selected and the proposed space and water heating will emit no Nitrogen Oxides (NOx) emissions.

5.4 If the scheme was progressed under Code for Sustainable Homes Level 4 as recommended by local planning guidance, the only differences would be:

- Energy - A Combined Heat and Power (CHP) boiler would be installed to heat and distribute hot water. The CHP boiler provides the 25% improvement over 2010 building regulations and the 10% contribution towards low carbon energy required.
- Water - Water consumption per apartment would be reduced from 105 litres per day to 90 litres per day by use of water saving fittings;
- Materials - There would be an increase in the use of Green Guide compliant materials but there would be a slight reduction in the use of responsibly resourced materials;

- Pollution - By installing a CHP boiler, it would result in the scheme emitting Nitrogen Oxides (NOx) emissions.

6.0 CONCLUSION

6.1 The above matters are considered to respond positively to and address the concerns raised by Plans Panel on 22nd January 2015. On the basis of this and all other matters addressed by the appended 22nd January 2015 Panel report it is considered that on balance, the proposals are considered to comply with the Council's substantive adopted policies, and would constitute acceptable sustainable development. This proposal would lead to the early delivery of much needed new homes within an existing and proposed strategic housing allocation, and deliver the regeneration of a longstanding cleared brownfield site in the City Centre, close to public transport links, in a sustainable location. The scheme would also contribute towards meeting low cost housing need, support sustainable travel patterns, provide improved public realm and pedestrian connectivity, provide active employment uses in part of the ground floor, and further the regeneration of the Holbeck Urban Village area of Leeds South Bank.

Background Papers:

Application file 14/04641/FU

Appendix:

22nd January 2015 City Plans Panel report and relevant Minutes



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 22 JANUARY 2015

Subject: PLANNING APPLICATION REF. 14/04641/FU MIXED-USE, MULTI-LEVEL DEVELOPMENT COMPRISING THE ERECTION OF 4 NEW BUILDINGS, WITH 744 RESIDENTIAL APARTMENTS, 713SQM OF FLEXIBLE COMMERCIAL FLOORSPACE (A1-A5, B1, D1, D2 USE CLASSES), CAR PARKING, LANDSCAPING AND PUBLIC AMENITY SPACE AT SWEET STREET AND MANOR ROAD, HOLBECK, LEEDS LS11 9AY

APPLICANT

Ingram Row Limited

DATE VALID

7 August 2014

TARGET DATE

19 February 2015
(Extended)

Electoral Wards Affected:

City and Hunslet

Yes Ward Members consulted referred to in report)

Specific Implications For:

- Equality and Diversity
- Community Cohesion
- Narrowing the Gap

RECOMMENDATION:

Defer and delegate to the Chief Planning Officer for approval in principle, subject to the specified conditions (and any others which he might consider appropriate), and following the completion of a Section 106 Agreement to cover the following matters:

- **Affordable Housing contribution commuted sum £809, 523 or provision of 37 on-site low cost market flat units with measures to control occupancy to key workers**
- **£11 011 to be allocated to either public transport or Holbeck Urban Village public realm if on-site low cost housing provision is pursued**
- **Specific travel plan measures contributions – car club trial provision £27, 000**
- **Travel plan monitoring fee £6040**
- **Public access through the site**
- **Cooperation with local jobs and skills initiatives**
- **Management fee £1500**

In the circumstances where the Section 106 Agreement 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. If the application were to be determined after April 2015, the introduction of the Community Infrastructure Levy would not affect this case.

Draft Conditions for 14/04641/FU

The full wording of the draft conditions is set out in Appendix 4 at the end of this report.

1.0 INTRODUCTION:

1.1 City Plans Panel Members were presented with a Position Statement on this application on 30 October 2014. Details of the Member comments made on this application are in the Appendix 1, with changes to the scheme set out in the Proposal section of the report, and the relevant main issues discussed in the Appraisal section.

1.2 In summary, Members requested that the scheme be revised to take account of the following issues:

- that the proposed use of the site for a predominantly residential scheme was appropriate
- that whilst in general Members agreed with the siting of the buildings, provision of landscaping; public realm and provision of active street frontages, to note Members detailed comments on these matters. That the arrangement of the taller block should be explored further and a clear rationale for it should be provided. Consideration of orientating the tall building towards The Mint building should be considered
- to note that more work was required regarding the height of the buildings, together with requirements for rooftop plant and the distribution of building heights around the scheme
- to note Members' detailed comments about the proposed landscaping
- that issues of sustainability needed to be addressed
- regarding the mix of units; their size; proportions and quality of the proposed flats, to note Members' comments and the Chief Planning Officer's comments about the work in progress on trying to achieve a Leeds Standard for units and for this work to be shared with Panel Members
- to note the requests for further detailed sun path surveys, information on proposed materials and the size of units in relation to average furniture sizes
- To note the comments made during the discussion regarding the viability of the scheme and planning obligations.

2.0 PROPOSAL:

2.1 The applicants, Ingram Row Limited have advised that the economic downturn resulted in their previous planning permission not being built at this site. Ingram Row Limited are now in a position to bring the site forward as a Private Rented Scheme (PRS) to be built and thereafter managed long term by a partner institution, and have submitted a full planning application for a revised scheme. They advise that a PRS development is managed as a whole in perpetuity as part of an institution's investment portfolio. This means a continued lettings and management presence on-site which should ensure that the development is managed and is retained long term so that the development remains attractive to tenants. Ingram Row Limited advise that PRS developments are a concept to increase housing delivery and provide high

quality and managed rented homes, which allow people to remain in the same development but move to a smaller or larger apartment if their circumstances change.

- 2.2 The scheme proposal would consist of a total of 744 flats made up of
- 81 studio flats at 29.1 sqm
 - 295 one-bedroom flat at 44.4 sqm
 - 358 two-bedroom flats at 59.7 sqm
 - 10 three-bedroom flats all at ground floor level at 89.7sqm
- 2.3 There would also be 713 sqm of commercial floor space (A1 retail, A3 café/restaurant, B1 office, D1 non-residential institution, D2 leisure) facing onto Sweet Street.
- 2.4 There would be 263 car parking spaces (including 2 electric vehicle charging points, the normal requirement would be 26 however this is part of the viability considerations) accessed from two points on Ingram Street, and 744 cycle spaces.
- 2.5 With reference to Plan 3 attached to this report, open space provision is 21.5% (3063sqm of 14113sqm) of the total site area. The landscaped courtyards offer 2500sqm of greenspace, as well as soft landscaping and street tree planting to all the streets around the site. The new development has been designed with reference to the Holbeck Urban Village Revised Planning Framework (see Appendix 2, Plan 1), with building, courtyards and streets aligned to reflect the historic street patterns. The proposal is a perimeter block approach promoted by the Framework. The buildings would be set back from the edge of the footpath and feature new planting to the edges of the streets and spaces. The proposal would provide significant improvements to Ingram Row, including traffic calming, surface improvements, soft landscaping including 10 trees.
- 2.6 The prevailing height of the surrounding buildings is between seven and nine storeys. The proposed development would contain buildings of a mixture of heights in order to create interest and allow daylight into the two new courtyard areas. The proposed building heights would range between 6 and 12 storeys – see Appendix 2, Plan 3.
- 2.7 Since the 30 October Plans Panel, the applicant has made a number of changes to the scheme proposals in an attempt to deliver a financial surplus to meet the Council's policy requirement for planning obligations, and at the same time address Member concerns regarding design. The changes include:
- The scheme would meet Level 3 Code for Sustainable Homes (rather than a policy compliant Level 4). The scheme would not deliver the Council's targets of 10% low/zero carbon energy on site and would not deliver a 20% reduction in carbon emissions compared to current building regulations.
 - The concrete panel to the building façade has been replaced with a timber composite panel (Prodema or similar)
 - Glass balustrades were explored instead of metal railings to the balcony edges. However, as part of the consideration of the viability of the scheme, the railings remain as a bronze-coloured metal finish.
 - A change from natural surfacing materials including Yorkstone to reconstituted stone surfacing materials across the whole site

- All planters to be timber construction

These changes would enable the viable delivery of the overall scheme for new dwellings, commercial floorspace, off-site highways works, and public realm enhancement, which are weighed against the Council's policy requirements in the Appraisal section below.

2.8 A number of documents were submitted in support of the application:

- Scaled Plans
- Design and Access Statement (including refuse management and servicing strategy)
- Landscape Statement and Masterplan
- Sustainability Statement
- Code for Sustainable Homes Energy Statement for Level 3
- Revised Transport Assessment
- Flood Risk Assessment (including Flood Risk Sequential Test Assessment)
- Planning Statement
- Drainage Impact Assessment
- Noise Impact Assessment
- Biodiversity Report
- Daylight and Sunlight Study
- Wind study
- Statement of Community Involvement
- Land Contamination Report
- Coal Recovery Report
- Revised Travel Plan
- Housing Needs Assessment
- Development Viability Assessment

3.0 SITE AND SURROUNDINGS:

- 3.1 The 1.9 hectare site lies between Manor Road, Ingram Road and Sweet Street, Leeds, in the Eastern Gateway Area of the Holbeck Urban Village regeneration area, within Leeds City Centre's South Bank. The site lies in flood risk zone 2. The application site consists of two temporary long stay car parks with landscaped boundary treatments. To the east lies the Velocity residential scheme (part 5, 7 and 8 storeys), and the Lateral office building (5 storeys). Immediately to the west is the stone office building, The Mint (8 office storeys), and the Manor Mills residential block (9 residential storeys). To the south lies the cleared City One site, currently in use as temporary car park, and to the north lies a number of occupied low rise office buildings (3-4 office storeys).
- 3.2 Over the last ten years, a mix of offices, residential, and supporting retail and food and drink uses have been developed in Holbeck Urban Village at the Granary Wharf, Round Foundry, Tower Works, Marshall's Mill, Manor Mills, and The Mint. A number of planning proposals have also been agreed by Plans Panel in the immediate area for large scale redevelopment of vacant or cleared sites for a mixture of residential and offices at the Oakapple Site, Sweet Street, City One site on Sweet Street, the former Reality Depot Site to the south of Sweet Street, and an office and multi-storey car park scheme at 10-12 Sweet Street. These are yet to be implemented. Temple Mill, a Grade I listed building on the western side of Marshall Street, has a temporary permission for a public event space.

- 3.3 The development of the Leeds Station Southern Entrance has commenced on-site, which will improve public transport connectivity to the South Bank and Holbeck Urban Village.
- 3.4 Leeds South Bank (including Holbeck Urban Village) covers a total of 136 hectares, has over 300,000 sq.m of development land and is the largest regeneration project in the North. With the close proximity to the future City Centre Park, and the proposed arrival of High Speed Rail at New Lane, the scheme has potential to contribute to new housing provision, place-making opportunities and economic benefits.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Reference 11/05238/FU Use of Site as Car Park (278 Spaces) at Ingram Street - temporary permission granted until 2017.
- 4.2 Reference 11/05239/FU Use of site for car park (225 spaces) at Ingram Row - temporary permission granted until 2017.
- 4.3 Reference 20/61/05/OT Outline application for mixed use development comprising 3 new buildings, including 50,167sqm of residential use (720 flats), 13,192sqm of Class B1 office space and 929sqm of A1/A2/A3/A4 uses at the lower 2 floors of the buildings and 795 car parking spaces – approved, now expired.
- 4.4 Reference 20/64/06/OT Outline application to erect multi-level development with 788 flats and A1/A2/A3/A4/A5/B1 uses (amendment to 20/61/05/OT) and reserved matters application for multi-level development up to 20 storeys with 788 flats A1/A2/A4/A4/A5/B1 uses, 720 basement car parking spaces and courtyard landscaping. This was made up of 112 studio flats, 401 one-bedroom flats and 275 two-bedroom flats. This was approved in principle at Plans Panel (City Centre) March 2006 with planning permission granted 28 August 2009 following the completion of the Section 106 agreement. Reference 20/160/06/RM, a parallel reserved matters application was also approved at the same time. (See Appendix 2, Plan 2). These approvals expired in 2014.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 Officers had three pre-application meetings with the applicant and their professional team in 2014.
- 5.2 The applicant undertook local community engagement and held a public event which took place on Tuesday 17 June 2014 at Bewleys Hotel, close to the application site. The event was advertised via a direct mailshot to over 1,200 addresses and in the local press. All of the residents in both Velocity and Manor Mills were directly invited. The public exhibition was held between 3pm and 8pm for all those that wished to attend and discuss the proposals. If anyone could not attend, a freephone community information line was set up and managed by consultants at PPS Group who received and responded to enquiries. The exhibition boards and invites also included an email address, where people could contact the PPS Group at any time with any queries. The exhibition generated a moderate response and of the 40 that attended, 30 left comments on the feedback form. Overall, the response was positive as detailed in the Statement of Community Involvement submitted with the application. In total, the scheme received a total of 206 good or very good responses to various elements. The top rated aspects were: the proposals met housing needs, the site layout, the

courtyard space and the range of units. Only 25 poor or very poor ratings were given. Concerns were mainly related to parking.

- 5.3 City and Hunslet Ward Members were consulted by email on 16 May 2014 at pre-application stage, and the applicant made a pre-application presentation to Councillors at City Plans Panel on 5th June 2014, and the Minutes are attached at Appendix 1. City Plans Panel Members visited two residential schemes built by the applicant in Salford and Manchester on 15 July 2014. City Plans Panel discussed the progress of this application on 30 October 2014, and the Minutes are also attached at Appendix 1.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Planning application publicity consisted of:

6.1.1 Site Notice of Proposed Major Development posted 15.08.2014

6.1.2 Press Notice of Proposed Major Development published 21.08.2014

6.1.3 City and Hunslet Ward Councillors consulted by email 8 August 2014 and 11 August 2014

6.1.4 Holbeck Neighbourhood Forum were consulted by email 8 August 2014

6.1.5 Leeds Civic Trust were consulted by email 8 August 2014, and responded by letter dated 14 August 2014 noting the following comments:

Leeds Civic Trust welcomed the incorporation of public amenity space between the two groups of buildings in the scheme and its connection to the pedestrian link to the city centre. However, concerns were expressed that there should equally be an attractive pedestrian link to the south of Sweet Street to connect to the rest of Holbeck in the context of the wider South Bank area. This should involve the creation of a green corridor along the line of St. Barnabas Road as part of this scheme. Subject to the incorporation of the green corridor, the Leeds Civic Trust would have no objection to the proposed scheme.

- 6.2 Objections have been received from/on behalf of 9 individual residents at the neighbouring Velocity flats and its Management Company, noting the following concerns:

- There is an oversupply of City Centre flats
- Insufficient car parking and cycle storage
- Impact of increased traffic and congestion
- Negative impact on the local economy due to the loss of temporary car parks
- Concerns regarding the viability of the commercial unit
- Excessive height, density and overdominance
- Inadequate daylight and shadow analysis
- Overlooking
- Overdevelopment of the site
- Housing mix not in accordance with draft Core Strategy policy H4
- Monolithic design with little visual interest
- Wind tunnelling and microclimatic effect
- Absence of an appropriate Section 106 agreement
- The status of the expired planning permission

- Other concerns including the nature of works to Ingram Row, bin storage provisions, and the impact of construction on local residents in terms of noise, traffic, dirt and dust

6.3 1 objection has been received from a resident at the neighbouring Manor Mills flats, Manor Road, to the west of the application site, stating the following concerns:

- There is no construction project plan provided for the construction phase
- My only window and balcony door opens towards the site. My flat is like a greenhouse during summer. Construction noise and pollution will make it impossible to live here.
- Traffic is another issue, during busy hours it takes me 30 min to drive 200 m to get to motorways, bringing another 744 residents to this area is absolute madness. There is no space.
- What about parking: considering the current situation and number of people live and work in the area, its impossible to find a parking space even on Sundays. Bringing another 744 residents and their visitors will make this worse.

6.4 1 objection from a resident at Dock Street, LS10 on the grounds of a poor quality design. The resident has *“no objection to the scheme itself, new residential development will greatly improve this area. The scheme is far too uniform, blocky and it has the appearance of 1960's council social housing. It lacks impressive scale of the similar proposed Manchester scheme and design quality. Some variation in the appearance and shape of the individual blocks is needed. The metal balustrades look incredibly cheap, how about glass balustrades? Leeds deserves better than this”*.

6.5 All contributors were notified of the revised plans and supporting Transport Assessment and Travel Plan on 8 December 2014.

6.6 A further letter of objection has been received following the reconsultation from Cunnane Planning on behalf of Velocity (Sweet Street) Management Company Limited, who are responsible for the management of the Velocity flats which neighbour the application site. They summarise their outstanding concerns as follows:

Insufficient car parking

Their client welcomes the increase in cycle stands to 744 at a ratio of 1 stand per unit, however they remain deeply concerned about the shortfall in car spaces. The applicant proposes providing 263 car parking spaces which will be rented to residents, and has argued in their revised Transport Assessment that there is a precedent for such a low provision in the city. However Cunnane Planning state that to provide sufficient car parking spaces for only 35% of the units is unacceptable. The inadequate provision of car parking spaces will have a serious negative impact on amenity and safety of the surrounding area. They state that there is already a serious parking issue in the streets surrounding the site and that hazardous parking is a regular occurrence along these streets restricting movement and resulting in dangerous driving conditions through reduced sight lines. They state that there is currently insufficient parking in the area to meet the existing needs of the adjacent residential and office developments, and the proposal will exacerbate this. The current temporary car parks on the site are used to capacity by workers in the nearby offices. The combination of these displaced cars and the inadequate provision for the residents of the new development will be severely detrimental to the amenity and safe use of the area. The applicant has also still failed to explain why it is only possible in this instance to provide 263 car parking spaces, when a previous application for the site managed to provide 784 car parking spaces. Cunnane Planning urge the Council

to pursue this matter and seek an adequate explanation, other than the cost of providing underground parking. The economic cost to the applicant is not a sufficient reason to permit something which will have such a detrimental impact on residential amenity.

Excessive height

Cunnane Planning's client remains concerned about the height of the proposed development. They note based on the revised drawings submitted by the applicant that the buildings appear to have increased in height. A number of the blocks now appear to include a parapet wall at roof level. Irrespective of the purpose, the result is a further increase in height to which our clients strenuously object. It will exacerbate the overbearing and claustrophobic feeling we already believe these buildings will have on the surrounding street network. Additionally in light of this increased height a revised daylight and shadow analysis ought to be prepared to demonstrate that this increase will not alter the impact of the proposed development on any adjoining buildings.

Housing Mix

Cunnane Planning's client remains concerned about the mix of unit types proposed as part of the development. We note the Council were also concerned about the lack of three bedroom properties as it seems to contradict the applicants rational and business model. If it is intended that people will move into the development and move up or down between units as their personal circumstances change, then more three bed units are required to make this a viable option for families. They would request the Council to review the housing mix proposed and refuse permission until such time as the applicant presents a more balanced mixture of units which complies with planning policy.

Design

Cunnane Planning's client remains concerned that the proposed development does not represent the optimum design for the site. While the applicant has changed the materials proposed for the facades, they have done little else to alter the design. They are concerned that the blocks are monolithic and provide little visual interest. Aside from the variation in height, there is little to break up the vast expanse of façade or provide visual interest as one progresses along the street. It is an endless expanse of glazing. This is not conducive to developing a character for the area. We would suggest the design be re-examined to incorporate a greater degree of vertical expression to break up the façade and provide visual interest, though preferably without increasing the height.

Cunnane Planning conclude by stating that their client remains concerned that the proposed development will have a negative impact on the residential amenity of the area due to:

- Inadequate parking arrangements,
- Impact on traffic;
- The viability of the commercial unit/s;
- Arrangements for deliveries to the commercial unit/s;
- Excessive height;
- Inadequate daylight and shadow analysis;
- Potential for overlooking;
- Overdevelopment of the site;
- Poor housing mix;
- A poor quality design which fails to contribute to the character of the area;
- Absence of the Section 106 agreement.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

7.1.1 LCC Transport Development Services

The travel plan, travel plan review fee £6040 and car club contribution £27,000 need would be secured through the S106. Travelwise have concern that the requested 26 (10%) electric vehicle charging points would not be provided.

Cycle parking (1 space per flat), motorcycle parking, showers for staff and 2 electric vehicle charging points should be secured by condition.

The extension of Ingram Street to the north would be adopted. The existing on-street parking on Ingram Street would be removed. The materials for the adoptable shared surface areas such as on Ingram Row would need to be agreed prior to commencement of development.

In relation to the pedestrian and cyclist linkages to the city centre and local facilities such as schools and places of employment, the updated Transport Assessment identifies the key routes.

Given the scheme characteristics (including location and parking provision) there will be a significant proportion of journeys on foot and by cycle. The 2011 census indicates that 40% of trips in the City and Hunslet ward are on foot.

The following improvements were requested and would be provided in order to ensure that the site is connected to the existing pedestrian and cycle route network:

- Resurfacing of the existing footway between St. Barnabas Road and Manor Road that runs alongside the northern block. It is uneven and in a poor state of repair.
- Upgrade the existing pedestrian route between Ingram Street and Manor Road to a shared pedestrian/ cycle route at least 3m in width.
- Provision of an informal dropped crossing with tactile paving on Manor Road to the east of David Street (to assist pedestrian movements to the existing leisure/ employment uses along Water Lane and the new southern entrance to Leeds Station).

The proposed accesses on Ingram Street are acceptable. The TA states that Ingram Row will become a pedestrian focussed “calmed street”, and the extended northern part of Ingram Street will be closed off to vehicles.

The basement car parking roller shutter gates will need to be set back from the highway by at least 6m to accommodate a waiting car without obstructing other road users. Fast acting roller shutters would be required for security and this would be secured by condition.

The servicing and refuse strategy is acceptable

Revised capacity assessments have been provided as requested to address technical issues identified in the traffic model. These assessments indicate that the proposals would have a minor impact on the surrounding network. There is currently queuing on the Sweet Street approach to the Meadow Road roundabout which often extends through the mini-roundabout in the PM peak.

Whilst the scheme would add to this it is not considered that this is of a scale to justify mitigating improvements. Many of these trips are related to the temporary commuter parking in the area and as these permissions expire there would be fewer vehicles at weekday peak periods in this area.

Construction traffic: There are existing residential properties adjacent to the site. The office buildings in this area also generate pedestrian traffic at the start and end of the working day as well as at lunchtime. A Construction Management Plan would be required to control items such as vehicle routing and hours of operation. This would also include details of the storage, parking, loading and unloading of contractors' plant, equipment and materials, and the parking of workforce vehicles.

A Section 278 agreement will be required to deal with the works on Ingram Row and Ingram Street as well as the identified off-site improvements. All off-site highway works as shown on drawing 169-01/GA-01 rev B. must be completed before first occupation of the development. There will be a need to amend existing Traffic Regulation Orders as part of the proposals. A new TRO will also be required for the service turning head and the loading bay.

Personal injury accident data has been considered in the vicinity of the site. The proposals do not raise any specific safety concerns

The Travel Plan and car club space will be covered by the Section 106 agreement.

Conditions would be required to control the following matters:

- Maximum gradient to access (at car park ramps)
- Cycle/motorcycle facilities
- Refuse storage
- Details of the electric car charging points
- Car Park and Servicing Management Plan (including timescales)
- The gates to the car park shall be set back at least 6m from the back of the footway and shall be fast action roller shutter types
- A Section 278 agreement would be required to deal with the works on Ingram Row and Ingram Street. There will be a need to amend existing Traffic Regulation Orders (TROs) as part of the proposals. A new TRO will also be required for the service turning head and the loading bay. The following improvements are also required in order to ensure that the site is connected to the existing pedestrian and cycle route network:

- Resurfacing of existing footway between St. Barnabas Road and Manor Road that runs alongside the northern block. It is uneven and in a poor state of repair.
- Upgrade the existing pedestrian route between Ingram Street and Manor Road to a shared pedestrian/ cycle route at least 3m in width.
- Provision of an informal dropped crossing with tactile paving on Manor Road to the east of David Street (to assist pedestrian movements to the existing leisure/ employment uses along Water Lane and the station).
- Provision of a cycle route to the existing cycle lane on Meadow Lane to include conversion of the pedestrian link between St. Barnabas Road and Meadow Road to a shared pedestrian/ cyclist facility.

7.1.2 Environment Agency:

No objection subject to a condition requiring the development to be carried out in accordance with the submitted flood risk assessment.

7.1.3 Coal Authority

No objection

7.2 Non-statutory:

7.2.1 Yorkshire Water

The submitted drainage strategy is not satisfactory - the developer must provide robust evidence of existing positive drainage to the public sewer from the site to the satisfaction of YWS/the LPA by means of detailed investigations. This must clearly demonstrate connections points to the sewer and the areas being served. The submitted reports do indicate that further investigations are required on this matter. The applicant is in discussions with Yorkshire Water regarding this. A condition is considered appropriate in this case.

7.2.2 LCC Environmental Protection

No objection subject to conditions regarding construction practice, construction working hours (not before 08.00 hours on weekdays and 09.00 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays), commercial unit delivery times (8am to 18:30 hours Monday to Saturday and 9am to 13:00 hours on Sundays and Bank Holidays), details of extract ventilation, provision of grease trap for any food businesses.

7.2.3 LCC Flood Risk Management:

No objection subject to conditions regarding surface water drainage and implementation of the scheme in accordance with the submitted Flood Risk Assessment.

7.2.4 West Yorkshire Combined Authority:

WYCA would support the Council in achieving the following:

- Low levels of car parking provision within the scheme
- Electric vehicle parking charging points
- Travel Plan
- Car club provision
- Application of the public transport contribution in accordance with SPD5
- Local pedestrian and cycle improvements

7.2.5 LCC Children's Services

No comments

7.2.6 LCC Waste Management

The bin storage arrangements are acceptable.

7.2.7 LCC Air Quality Management

10% of parking spaces should be for electric vehicle charging points.

PLANNING POLICIES:

8.2 Development Plan

8.2.1 Leeds Core Strategy 2014

The adopted Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The Core Strategy was adopted by the Council on 12th November 2014. This now forms the development plan for Leeds together with the Natural Resources & Waste Plan and saved policies from the UDP. A number of former UDP saved policies have been superseded by Core Strategy policies and have been deleted as a result of its adoption. Appendix 1 of the Core Strategy provides a full list of 'deleted' UDP policies and policies that continue to be 'saved' (including most land use allocations).

Relevant Saved Policies would include:

The site is allocated as a strategic housing site in the Saved Policies of the Unitary Development Plan Review under Policy H3-1A.44 and Proposal Area 31 Holbeck Urban Village. This states that the area should be developed in accordance with the Holbeck Urban Village Revised Planning Framework 2006, to promote a large scale contribution to housing supply, with supporting employment uses, environmental improvements to the public realm and new pedestrian routes. The overall aim is to regenerate the area as a sustainable community. Relevant Saved Policies include:

GP5 all relevant planning considerations
BD2 new buildings
N25 boundary treatments
BD4 all mechanical plant
H3-1A.44 Holbeck Urban Village Strategic Housing and Mixed Use site and Holbeck Urban Village Proposal Area Statement Policy CC31A
T7A cycle parking
T7B motorcycle parking
T24 Car parking provision
LD1 landscaping

Spatial Policy 1 sets out the broad spatial framework for the location and scale of development. This policy prioritises the redevelopment of previously developed land within Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods.

Spatial Policy 3 Role of Leeds City Centre seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by

- comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space,
- enhancing streets and creating a network of open and green spaces to make the City Centre more attractive
- improving connections between the City Centre and adjoining neighbourhoods
- Expanding city living with a broader housing mix (including family housing)

Paragraph 5.1.14 City Centre strategic Themes and Character – 'A Growing Residential Community' of the Core Strategy states that:

'With significant house building between 1995 and 2010 a substantial residential population exists in the City Centre. Despite the recession and pause in construction activity, city living remains extremely popular with little vacancy. Considerable land opportunities exist in the City Centre to boost the residential population further. It is important that efforts are made to make best use of this opportunity in order to make efficient use of land and provide a wide housing offer for Leeds as a whole, as delivery of housing in the City Centre is key to the overall delivery of the Core Strategy. However, with some of the first residents putting down roots and wanting to continue to live in the City Centre it is important that a wider variety of sizes and types of housing are made available than have previously been built. In line with Policy H4

Housing Mix, major housing developments across the City Centre will be expected to contribute to a wider mix of dwelling sizes. Potential for creation of family friendly environments exist on the fringes of the City Centre where densities can be lower, and more greenspace and supporting services can be delivered, including medical and education services.'

Spatial Policy 8 states that training/skills and job creation initiatives would be supported by planning agreements linked to the implementation of appropriate developments given planning permission.

Core Strategy Policy CC1 outlines the planned growth within the City Centre for 10, 200 new dwellings. Policy CC2 (City Centre South) states that areas for development opportunity south of the river will be prioritised for large scale office development, delivery of a new park, residential, cultural and leisure uses.

Policy CC3: Improving connectivity between the City Centre and neighbouring communities – provide and improve routes connecting the City Centre with adjoining neighbourhoods to improve access and make walking and cycling easier.

Policy H2 refers to new housing development. 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.

Policy H3 states that housing development should meet or exceed 65 dwellings per hectare in the City Centre.

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.

Table H4: Preferred Housing Mix (2012 – 2028)

Type*	Max %	Min %	Target %
Houses	90	50	75
Flats	50	10	25
Size*	Max %	Min %	Target %
1 bed	50	0	10
2 bed	80	30	50
3 bed	70	20	30
4 bed+	50	0	10

*Type is applicable outside of city and town centres; Size is applicable in all parts of Leeds

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.

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 P12 states that landscapes will be conserved and enhanced.

Policies T1 and T2 identify transport management and accessibility requirements for new development.

Policies EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development. In this case, Code for Sustainable Homes Level 4 is required.

Other relevant Core Strategy policies include:

Policy EN4 district heating

Policy EN5 Managing flood risk

Policy ID2 Planning obligations and developer contributions

Policy G1 Enhancing and extending green infrastructure

Policy G2 Creation of new tree cover

Policy G3 Standards for open space, sport and recreation

Policy G5 Open space provision in the City Centre

Policy G9 Biodiversity improvements

8.1.3 **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 flood risk, drainage, air quality, trees, coal recovery and land contamination are relevant to this proposal.

8.2 **Relevant Supplementary Planning Guidance includes:**

SPD Street Design Guide

SPD5 Public Transport Improvements and Developer Contributions

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPG City Centre Urban Design Strategy

SPG Neighbourhoods for Living

SPG6 Self-contained flats

Holbeck Urban Village Revised Planning Framework 2006

The Holbeck Urban Village Revised Planning Framework was adopted in 2006 as a guide for the sustainable regeneration of the area. The Framework encourages residential and commercial uses as part of a mixed use sustainable community.

The site is identified within the Eastern Gateway area of the Urban Village (see attached Appendix 2 - Plan 1). The Area Statement for the Eastern Gateway states that there is the opportunity to redevelop the area and create character where none exists. This could be achieved through high quality architecture, use of high quality facing materials, the development of perimeter blocks to reinforce the enclosed traditional street pattern of the area, and give character and continuity to Sweet Street and Manor Road.

The Framework envisages that a building height of around seven to nine storeys in the east at the Ingram Row site, stepping down to approximately four/five storeys to the west of this site, creating a more modest building form along Marshall Street opposite Temple Mill.

The Framework would encourage the provision of new pedestrian routes towards Marshall Street running east to west, through the public square between The Mint and Manor Mills, and north to south between Manor Road and Sweet Street. The Framework states that 20% of each development site area shall be public open space, which in this case would take the form of two courtyards. Schemes in Holbeck Urban Village will also contribute financially to strategic public realm improvements within the designated area, in accordance with the schedule in the Framework, in order to realise the vision for improving the attractiveness of the urban village, and create a distinct sense of place, appropriate to the historical importance of the area.

Buildings in Holbeck Urban Village should meet BREEAM Excellent for the commercial unit and Code for Sustainable Homes Level 4 for residential, or equivalent standards, and accord with the guidance in the SPD Building for Tomorrow Today: Sustainable Design and Construction and the Core Strategy.

8.3 National Planning Policy Framework (NPPF)

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) came into force in March 2012 and represents the government's commitment to sustainable development, through its intention to make the planning system more streamlined, localised and less restrictive. It aims to do this by reducing regulatory burdens and by placing sustainability at the heart of development process. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so.

The NPPF identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Encourage the re-use of existing resources, including conversion of existing buildings.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

The NPPF states that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres (para 23). Housing applications should be considered in the context of the presumption in favour of sustainable development (para 49). LPA's should normally approve applications for change to residential use where there is an identified need for additional housing in the area (para 50).

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).

Section 7 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments; and
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

8.4 Other material considerations

8.7.1 Best Council Plan

The Plan identifies 6 objectives in order to achieve the best council outcomes identified between 2014-2017. One of the three best Council outcomes (Best Council Plan 2013-17) is to “improve the quality of life for our residents”, and the priority “Maximising housing growth to meet the needs of the city in line with the Core strategy” within the Best Council objective “Promoting sustainable and inclusive economic growth” which gives a strong foundation to improving the quality of housing and ‘liveability’ of places delivered under this ambitious programme for the city. Also, the objective “Promoting sustainable and inclusive economic growth” is of relevance to this proposal. This would be achieved by improving the economic wellbeing of local people and businesses, meeting the skills needs of business to support growth, boosting the local economy, creating ‘more jobs, better jobs’ by working with employers and businesses, and continuing to secure local training and recruitment schemes.

8.7.2 Vision for Leeds 2011-2030

One of the aims is that by 2030 Leeds’ economy will be more prosperous and sustainable. This includes having a skilled workforce to meet the needs of the local economy, and creating significant job opportunities. The vision also states that Leeds will be a great place to live, where local people benefit from regeneration investment, and there is sufficient housing, including affordable housing, that meets the need of the community.

8.7.3 City Priority Plan 2011-2015

The Plan states that Leeds will be the best city to live in. The City Priority Plan includes an objective to maximise investment to increase housing choice and affordability. The sustainable growth of a prosperous Leeds’ economy is also a priority. The key headline indicators relevant to this proposal would be the creation of more jobs, more skills, and the growth of the local economy, and an increase in the number of hectares of vacant brownfield land under redevelopment.

8.7.4 The Leeds Standard 2014

The Leeds Standard was adopted by the Council’s Executive Board on 17 September 2014. The introduction of a Leeds Standard to ensure excellent quality in the delivery of new council homes under three themes: Design Quality, Space Standards and Energy Efficiency Standards. It sets out how the Council can use the Leeds Standard in its role as Council landlord through its delivery and procurement approaches. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council’s Neighbourhoods for

Living guidance. The Leeds Standard sets out the importance of excellent quality housing in supporting the economic growth ambitions of the council.

8.7.5 **Emerging Site Allocations Plan – Site Allocation Proposals (Housing & Safeguarded Land) 2015**

Although at an early stage, the proposed allocations presented to Development Plans Panel 13 January 2015 provide the basis for producing a draft Site Allocations Plan, which would then be placed on deposit to enable public comment to be made. This site is identified as Housing site no. 407, as a brownfield City Centre infill site for 748 units.

9.0 **MAIN ISSUES**

- 9.1 Principle of use
- 9.2 Urban design and landscaping
- 9.3 Highways and transportation
- 9.4 Amenity
- 9.5 Sustainability
- 9.6 Flood risk
- 9.7 Wind
- 9.8 Section 106 obligations

10.0 **APPRAISAL**

10.1 **Principle of use**

- 10.1.1 The National Planning Policy Framework, the Leeds Core Strategy, the Saved Policies of the Leeds Unitary Development Plan Review, and the Holbeck Urban Village Revised Planning Framework would all support the principle of a residential development of significant scale with some supporting small scale town centre commercial uses in this City Centre brownfield site location, in an identified regeneration area.
- 10.1.2 The UDPR Saved Policy designates Holbeck Urban Village as a strategic housing and mixed use site, and encourages a significant contribution to housing supply in the City Centre in this location. This policy also states that community, cultural, leisure and service facilities shall be provided by development proposals, in order to contribute to vitality and vibrancy in the area, to encourage active ground floor frontages to promote natural surveillance and place making, and offer local facilities for the benefit of residents and workers. The Holbeck Urban Village Revised Planning Framework reinforces these principles in order to promote a sustainable community with a strong sense of place within the City Centre. The provision of 713 square metres of flexible retail, financial and professional services, restaurant, bar, take-away, office, non-residential institution, and assembly and leisure use would be acceptable in this context. The flexible uses sought would allow a sufficiently wide range of uses to react to market demand in the future. A1 retail use classes provision would be limited by condition to be no more than 200 square metres and to convenience goods only in order to protect designated retail centres including the City Centre Prime Shopping Quarter, in accordance with Core Strategy Policy CC1.
- 10.1.3 The applicant has submitted a Housing Needs Assessment, which is currently being assessed against the targets in Policy H4.

Studio/one-bed flats (376)	50.6% (policy range 0-50% of total flats proposed)
Two-bedroom flats (358)	48.1% (policy range 30-80% of total flats proposed)
Three bedroom flats (10)	1.3% (policy range 20-70% of total flats proposed)

With regard to these guidelines, there is a significant shortfall in three-bedroom flat provision and a slight overprovision of studio/one-bed flats across the scheme as a whole. The applicant states in their Housing Need Assessment that part of the rationale for the scheme is to assist tenants to stay living within the development as their accommodation needs change, by providing a mix of sizes of dwellings. This rationale would be helped if more 3 bed units were available for initial tenants to progress onto as their lifestyle changes. The creation of family friendly environments on in and around the City Centre with developments of a wider mix of dwelling sizes is a Core Strategy objective. However, the policy is not prescriptive. It acknowledges that the nature of the development and character of the location should be taken into account, such as the nature of the proposal as a “build-to-rent” scheme. It is acknowledged that demand for rental accommodation will be predominantly in the age group 20-30 years, and the City Centre will be particularly attractive to economically and geographically mobile households that will tend to be smaller and childless. This is borne out by the research that informs the applicants’ Housing Need Assessment, including Dandara’s experience of typical residents, and feedback from a local letting agent, Eddisons. On balance, in the context of the above issues, following five years of a depressed housing market with very little residential building activity in the City Centre, and little robust present-day evidence of oversupply, it is considered that the delivery of the proposed new homes on previously developed brownfield land in an identified regeneration area within the City Centre is an overriding factor in this case. It is therefore not considered that full compliance with Policy H4 is a sufficient reason for refusal in this case.

10.2 Urban design and landscaping

10.2.1 The scheme proposes four pairs of linked blocks which would create two landscaped courtyards above the semi-basement car parking. The ground floor level of the flats needs to be lifted for flood risk reasons. The courtyards are significantly larger and more open than the previous scheme, and are considered to offer a good standard of landscape amenity for residents. Level disabled access and permeability through the courtyards would be achieved. Enhancements to Ingram Row (which would be 25m wide), and private forecourt gardens to the ground floor flats, which would feature front doors to the street, and within the courtyards, would enhance a good quality provision of public realm. The public realm benefits of the scheme would include 2500sqm of greenspace in the courtyards, plus landscaping improvements to Ingram Row, a new pedestrian/cycle route at the northern end of Ingram Street, and soft landscaping and street trees to Sweet Street, Ingram Street, Ingram Row, St. Barnabas Row and the pedestrian route north of St. Barnabas Row. The 10 three-bedroom flats would be at ground floor level to benefit from the private terraces fronting the street and the courtyard edges. These flats would have front-doors onto the wide pavements or courtyard edges, which is considered to improve the setting of the street and improve natural surveillance.

10.2.2 The Eastern Gateway Area Statement within the Holbeck Urban Village Revised Planning Framework gives indicative guidance on building heights for new development. This site has been indicated in the Framework ranging between seven and nine storey buildings. The neighbouring building to the east, The Mint, has been approved and built at part 8/part 9 storeys including its rooftop plant, which is higher than the 7 storeys indicated in the Planning Framework. The 2006 Ingram Row scheme proposed a range of heights between 6-10 storeys around the perimeter with a 20 storey tower. It is considered that the current scheme proposes a more open and greener public realm, and a range of heights from 6 to 12 storeys, which would remove the tower block element. The changes to the approved scheme that result in the loss of the 20 storey tower are considered an improvement, and the proposed

distribution of heights has been amended since the pre-application presentation. The tallest element of the scheme is now facing Ingram Street opposite The Mint (12 storeys), with the height to the southern part of St. Barnabas Road now reduced from 13 to 11 storeys. The varied storey heights would also allow daylight and sunlight into the courtyards in varying degrees throughout the year, to a level that is considered appropriate to this urban City Centre context, taking account of the heights of nearby buildings and spaces between them and the proposal. It is considered that in this context, the proposed height of the buildings proposed and the distribution of building heights around the scheme is acceptable.

- 10.3.3 Regarding objector comments about the introduction of a rooftop parapet, it is considered that this would improve the appearance of top of the buildings, and provide a screen for the lift over-runs, building cleaning equipment and the rooftop inspection safety railings. It is considered that this 1.1m high parapet would not lead to a significant impact in the context of the overall building heights and the spaces in between them.
- 10.2.4 The applicant has revised the architectural treatment of the buildings since the position statement presentation. The architectural approach features modern and traditional materials. The low level brick walls and gables would be complemented by a 'hanging' framed multi-storey bay in pre-cast concrete, with a full width useable balcony. The base-middle-top ordering is achieved by a brick wall providing backdrop to 'lighter weight' bay framing which ends below eaves height. The brick elements would provide a consistent and robust feel to the elevations, and that based on the material precedent proposed, there would be sufficient interest in the brickwork to avoid a uniform appearance. A timber composite product, Prodema (or similar) has now been proposed following Member's comments at Panel. It is considered that this would give warmth and contrast to the elevations compared to the previously proposed concrete finish to the balcony back panels. Officers consider that the layering of the proposed materials on the façade gives the buildings a simple expression, avoids blandness and creates a sense of place across the development. It is therefore considered that the proposed design and architectural treatment and materials are acceptable.

10.3 Highways and transportation

- 10.3.1 Objectors have raised concerns regarding the lack of car parking spaces for the flats and the potential for adverse traffic impacts in the area. However, the site has a good level of accessibility by sustainable modes of transport including walking, cycling, bus and rail access, which would be improved following the completion of the Leeds Station Southern Access. There is good public transport availability bus within walking distance of the site, including the Elland Road Park and Ride. Given the location of the proposed development within the city centre, Highways Officers have considered that 263 car parking spaces provided would be acceptable for this scheme. The 263 spaces would be available for rental to the residents in the proposed scheme only, and this would be managed by the landlord. Residents would have the option of renting one or more car parking spaces, and flats without an allocated space would not be able to park in the basement. The applicant has confirmed that the allocation of parking spaces to residential units would be made clear in all tenancy agreements. The exact details of the management of the spaces would be controlled by condition, along with details of servicing and deliveries. Those tenants without access to a car parking space and trying to park within the car park will be in breach of their tenancy agreement. All tenants will be aware, prior to taking up residency at the proposed development, whether they have access to a car parking space. Visitors to the site can access the development by a number of means, including walking, cycling,

mainline train or local bus services. There are widespread local pay and display parking spaces on-street to meet demand for visitor parking for the flats or the commercial premises. The site lies within a controlled parking zone, which is enforced regularly to ensure that road safety issues are avoided. The maximum commercial unit provision would be 4 spaces for staff, but demand is expected to be low given the availability of sustainable modes such as pedestrian links and public transport availability, and alternative parking provision on-street for visitors.

- 10.3.2 Analysis of the 2001 Census (data was not available for the 2011 Census) for the former City and Holbeck Ward, demonstrates the low level of car ownership compared to the rest of Leeds district. Approximately 60% of residents do not own a car, compared to approximately 35% of the residents in Leeds district as a whole. Saved UDPR policy states that developers will not be required to provide more spaces than they wish unless there is road safety, traffic management or environmental implications. Reduced provision may be allowed for parking in locations which have good access to other means of transport, such as this site. This reflects the level of parking proposed for the development, and in the context of good public transport availability, widespread local on-street parking controls, and the sustainable location of the site within the City Centre, this is considered acceptable.
- 10.3.3 The agreed Travel Plan sets out specific measures to reduce private car use. This package includes walking, cycling, public transport and car club provision. The applicant has committed to £27, 000 for car club trial provision for residents and commercial tenant use.
- 10.3.4 Highways Officers have confirmed that the submitted revised Transport Assessment and Travel Plan are acceptable, with the exception of the shortfall in electric vehicle charging points. This provision has been considered as part of the applicant's viability case, and on balance is considered acceptable. Given the above considerations, it is considered on balance that the proposal would not give rise to significant adverse road safety or amenity issues.

10.4 Amenity

- 10.4.1 It is considered that the amenities of future occupiers would be acceptable. All flats would benefit from a balcony or ground floor terrace, and have good sized windows, and an appropriate level of outlook and privacy in the context of a City Centre urban environment. The residential accommodation proposed is a mixture of studio, one-bed and two-bed flats. Under the Government's consultation on minimum housing unit sizes, the HCA level 1 standard and the Leeds Standard guidance, studio flats would be a minimum of 38sqm, one-bedroom units 47sqm, two-bedroom units 60 sqm and three-bedroom units 73 sqm. In this proposal, the studio apartments would be 29.1 sqm, the one-bedroom flats would be 44.4 sqm, the two-bedroom flats would be 59.7 sqm, and the three-bedroom flats would be 89.7 sqm. Whilst the studio units are below the Leeds Standard size requirement, it is considered on balance that due to their shape, large windows, balcony provision and internal layout, that these units would provide adequate space for internal circulation and carrying out expected residential functions, and are considered acceptable. The one and two bedroom units would be marginally under the standard, but not to a significantly detrimental extent. On balance, it is considered that the accommodation would have appropriate size, outlook, and natural light.
- 10.4.2 Regarding the impact on Velocity flats, the relationship between blocks B1 (10 storeys) and C1 (11 storeys) is considered acceptable with respect to the impact on daylight and sunlight and outlook on the Velocity flats, which ranges between 5 and 8

residential storeys in height, at a distance of approximately 25 metres at its nearest point. Along the Manor Road frontage, block B1 would be 9.7m from the gable of the Velocity flats. However the two flats on each floor in this gable end are dual aspect with windows facing west and north or south respectively. The windows on the proposed block would not align with these windows. It is therefore considered on balance in a City Centre context this relationship is acceptable in privacy, outlook and overshadowing terms.

- 10.4.3 Regarding the impact on Manor Mills flats and The Mint offices, Manor Mills (9 storeys) would be approximately 15 metres from Block A2, which would be a slightly lower building height of 8 residential storeys. It is considered that this relationship is acceptable, as it is common to many City Centre streets. Similarly the relationships between blocks C2 and B2 within the development, and between block D1 (12 storeys of residential) and The Mint (8 storeys of office) at 16m are considered reasonable in a City Centre context. It is considered that in the more densely built character of a City Centre location, the proposal would give appropriate space between buildings, and not have significantly adverse effects on the amenities of neighbouring properties.
- 10.4.4 Regarding other matters raised by objectors, refuse storage and collection and the treatment of Ingram Row has been resolved through detailed discussions with Highways officers. Delivery hours, construction hours of operation, construction traffic, noise, dirt and dust, and membership of the Considerate Constructors' scheme would be controlled and advised by conditions and informatives – see appendix 4.

10.5 Sustainability

- 10.5.1 The scheme would not achieve all the standards set out in the adopted sustainable design and construction SPD Building for Tomorrow Today, but the proposal would meet at least a BREEAM Excellent standard for the commercial unit and Code for Sustainable Homes Level 3 for the dwellings. The scheme does not propose that energy generation would be developed through on site low carbon energy sources. The scheme would not deliver a 20% reduction in carbon emissions over building regulations standards. The sustainability targets are not in accordance with adopted policy due to viability reasons, and on balance, this is considered acceptable in this case, as it would enable the delivery of new dwellings on a longstanding cleared site, representing efficient use of City Centre land in a sustainable location, close to public transport provision, in a manner that would reduce reliance on the private car.

10.6 Flood risk

- 10.6.1 The application site lies in Flood Risk Zone 2. The proposed uses are classed as 'less vulnerable' in the case of office, retail, cafe and restaurant, non-residential institutions, and leisure uses, and as 'more vulnerable' for the residential use according to the flood risk vulnerability classification table set out in the NPPF technical guidance on flood risk. Therefore in accordance with the requirements set out in the NPPF (para 100) a flood risk sequential tests has been submitted on behalf of the applicant and are considered acceptable. This demonstrates that no sequentially preferable sites within a lower flood risk are available to deliver this project on a site that is within the Holbeck Urban Village area as defined by the UDPR. The site is considered sustainable given its location within an identified regeneration area, accessible to pedestrians and cyclists and close to public transport links, the site is previously developed land, and through the submission of an acceptable flood risk assessment, the proposal would adequately safeguard against potential flooding impact. The proposed uses are appropriate for the City Centre as identified in the NPPF, and the site is within the specific Holbeck Urban Village

Revised Planning Framework, which identifies the potential to deliver the regeneration of the area through new development.

10.7 Wind

10.7.1 The applicant has submitted a qualitative wind assessment in support of the proposal which states that the wind environment would be acceptable for all users in the vicinity of the building and that the building is unlikely to generate wind conditions that would cause distress to pedestrians, or result in a danger to high-sided or other road vehicles. The Local Planning Authority instructed an independent wind expert to peer review the report, and they have confirmed that the assessment is sufficiently detailed and likely to be robust in terms of the range of wind conditions that have been assessed.

10.8 Section 106 obligations

10.8.1 Adopted policies would require the following Section 106 obligations:

- Affordable Housing on-site 5%
- Public transport contribution £ 163, 254
- Holbeck Urban Village Public Realm Contribution £1, 915, 379
- Specific travel plan measures contributions – car club trial provision £27, 000
- Travel plan monitoring fee £6080
- Public access through the site
- Cooperation with local jobs and skills initiatives
- Management fee £2250

10.8.2 However, the applicant has submitted a development appraisal which demonstrates that the scheme is not viable based on the proposed scheme. Officers have instructed the District Valuer to independently assess the viability report, and they have agreed that the appraisal is reasonable. The findings are discussed at Confidential Appendix 3 of this report. This part of the report is classed as Exempt under Schedule 12A Local Government Act 1972 and Access to Information Procedure Rule 10.4 (3) which provides financial information concerning the business affairs 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 applicant's commercial position.

10.8.3 Following changes to the proposed scheme regarding reducing the level of Code for Sustainable Homes from Level 4 to Level 3, and the design changes described above, a surplus sum of £842,563 has been identified. The travel plan measures and monitoring fee are considered necessary to the transportation case for the development. In the context of the confidential report at Appendix 3, it is considered in this case that a commuted sum to be used towards local affordable housing schemes or the provision of 37 (5%) low cost key-worker flats in perpetuity would be acceptable. On the basis of the viability case, the Section 106 obligations recommended are as follows:

- Affordable Housing commuted sum £809, 523 or provision of 37 on-site low cost market flat units with measures to control occupancy to key workers
- £11 011 to be allocated to either public transport or Holbeck Urban Village public realm if on-site low cost housing provision is pursued
- Specific travel plan measures contribution – car club trial provision £27, 000
- Travel plan monitoring fee £6080
- Public access through the site
- Cooperation with local jobs and skills initiatives

- Management fee £1500

10.8.4 As part of Central Government's move to streamlining the planning obligation process it has introduced the Community Infrastructure Levy Regulations 2010. This requires that all matters to be resolved by a Section 106 planning obligation have to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

'122(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.'

As listed above there are matters to be covered by a Section 106 agreement (subject to the consideration of the developer's viability appraisal). These matters have been considered against the current tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

11.0 CONCLUSION

11.1 The above matters are considered to be the main planning issues. All other matters raised by consultees and objectors have been assessed and are not considered to outweigh the conclusion that on balance, the proposals are considered to comply with the Council's substantive adopted policies, and would constitute acceptable sustainable development. This proposal would lead to the early delivery of much needed new homes within an existing and proposed strategic housing allocation, and deliver the regeneration of a longstanding cleared brownfield site in the City Centre, close to public transport links, in a sustainable location. The scheme would also contribute towards off-site affordable housing provision, support sustainable travel patterns, provide improved public realm and pedestrian connectivity, provide active employment uses in part of the ground floor, and further the regeneration of the Holbeck Urban Village area of Leeds South Bank.

Background Papers:

Application file 14/04641/FU

Appendices:

Appendix 1 Minutes of City Plans Panels 30th October 2014 and 5th June 2014

Appendix 2 Plans

Plan 1 Holbeck Urban Village Revised Planning Framework 2006 Eastern Gateway

Plan 2 Outline Planning Permission 20/64/06/OT (now expired)

Plan 3 Current application proposal

Appendix 3 Confidential Assessment of the Applicant's Viability Appraisal

Exempt report under Schedule 12A Local Government Act 1972 and Access to Information Procedure Rule 10.4 (3) which provides financial information concerning the business affairs of the applicant.

Appendix 4 Draft Conditions

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Appendix 1

Minutes of City Plans Panel 30th October 2014 (Position Statement stage)

4 Application 14/04641/FU - Mixed use multi level development comprising the erection of 4 new buildings with 744 residential apartments, 713 sqm of flexible commercial floorspace (A1-A5, B1, D1, D2 use classes) car parking, landscaping and public amenity space - Sweet Street and Manor Road Holbeck LS11 - Position Statement

Further to minute 198 of the City Plans Panel meeting held on 5th June 2014, where Panel considered pre-application proposals for a residential-led mixed use development at Sweet Street, to consider a further report of the Chief Planning Officer setting out the current position in respect of the proposals. An exempt supplementary report which provided financial viability information had been circulated to Members in advance of the meeting. Plans, drawings, photographs, graphics and sample materials were displayed at the meeting. It was noted that following the pre-application presentation in June 2014, Members had visited two residential schemes built by the applicant in Salford and Manchester. Officers presented the report and informed Members that revisions to the scheme had been made, with the 13 storey building being reduced to 11 storeys in height and the 12 storey block now being proposed to be sited opposite The Mint building. The lower buildings would be sited to the south of the public realm to maximise sunlight in these areas, with the taller blocks around the other edges of the public space. In terms of unit sizes, Members were informed these were as had been viewed in Manchester and Salford; the number of studios within the scheme had been reduced and the amount of 3 bed units had been increased from 5 to 10. The proposed materials would be brickwork, concrete, acid-etched screening and bronzed balcony railings. At this point, having previously resolved to exempt the public, the Panel considered the financial information contained in the exempt supplementary report, in private. A representative of the District Valuer was in attendance to respond to Members' queries and comments.

The main issues discussed in respect of the exempt information included:

- the reasons why the development was unviable
- the nature of the development, in that following construction it would be sold to a single investor and the units subsequently leased, so generating profit
- that details of who purchased the land should be provided
- the approach taken by the DV to financial viability assessments, and concerns that this varied across the 3 plans panels. The Chief Planning Officer stated that training by the DV would be arranged for Members of Plans Panels
- that developing the site for residential use would ease pressure on greenfield sites
- the differences between developing to level 3 or level 4 of the Code for Sustainable Homes and the need for better explanations to be provided in reports. However, Level 4 should be the objective in accordance with the Leeds Standard
- that the proposals would not ease the pressure on accommodation for existing residents within the City and Hunslet Ward
- the need for high quality to be provided on a scheme in this location which would ensure the desirability of the units, but not at a cost to the Council in terms of reduced S106 contributions
- the extent of what could be taken into account when considering financial viability
- the need for figures to be provided on the value of the development when built and when fully let

Following consideration of the exempt information, the public were readmitted to the meeting, with Panel proceeding to discuss other elements of the scheme, which included:

- the level of car parking being proposed and the need to demonstrate that sufficient car parking was being provided
- cycle parking and the need for secure cycle spaces to be provided
- whether a wind analysis had been undertaken. Members were informed that a wind study had been submitted which had been independently assessed and declared sound
- the design of the balconies and that glass balconies as seen in Manchester should be provided
- the need for improvements to the public amenity space and for the balconies to be of sufficient proportions to ensure they could be well used. The possibility of incorporating sliding panels was suggested which could help in increasing the usability of the balconies
- concern about the use of concrete and that the finish of the scheme was ordinary and uninspired
- the need for electric vehicle charging points to be included
- the need for the liveability of the scheme to be considered; the increase in renting rather than home ownership and that facilities were required to support this, in terms of provision of recreation and education facilities in the City Centre

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

- agreement that the proposed predominantly residential scheme was appropriate for this City Centre brownfield site
- regarding the proposed mix of flat units, to note the mixed views on this, although the majority view was the mix and size are appropriate
- that further work was required on the general siting of the buildings, provision of landscaping and public realm and provision of active street frontages
- in respect of the revised height of the buildings and revised distribution of building heights around the scheme, in general this was considered to be acceptable but there were concerns about the lower blocks in the middle of the site; the amount of amenity space which would be available and the extent of shadowing to the POS, as seen on the sun path diagram displayed at the meeting
- that the proposed design and architectural treatment and materials were not acceptable
- that further information was required to convince Members that the proposal would give appropriate space between buildings and not have significantly adverse effects on the amenities of neighbouring properties
- that Members were unsure on the information provided that the development would provide accommodation of an appropriate size, outlook and sufficient natural light
- that further information was needed on the financial viability appraisal
- that further details were required about parking to justify the low level of car parking proposed in the scheme

The Chief Planning Officer accepted the amount of work required to bring this scheme forward but stated that if the applicant worked with the Council, a successful scheme on the site could be envisaged

RESOLVED – To note the report and the comments now made.

During consideration of this matter, Councillor R Procter and Councillor D Blackburn left the meeting

Minutes of City Plans Panel 5th June 2014 (Pre-application stage)

198 PREAPP/14/00337 - Proposal for residential development at Sweet Street, Holbeck, Leeds

Members discussed the proposals and commented on the following matters:

- the amount of natural light residents would receive for much of the year
- the maintenance of the landscaped areas, particularly the raised beds
- the need for problems of litter and vermin around the landscaped areas to be fully addressed
- the use of tree pits and whether sufficient space would be available for trees to grow adequately
- a suitably sized play area for children would be required
- issues of security for residents
- the high number of studios and one bed room flats in the scheme and the need to understand the market the development would be aimed at
- community identity and how this would be forged
- S106 contributions which would be required
- Issues of sustainability and whether photovoltaics and grey water could be included in the proposals
- the size of the units with concerns these were not as generous as hoped
- the location of public seating areas and the need to address potential issues of noise nuisance and anti-social behaviour for tenants of units in close proximity to these areas
- whether a public seating area was necessary
- concerns about the proliferation of studios and that these did not help create a permanent community
- appropriate tree species and that Councillor Nash should be consulted on this, in the event the pre-application proposals progressed to a formal application
- the need for the different sized units to be mixed across the scheme to prevent segregation
- the changes to the heights of blocks; that the shortfall would need to be made up elsewhere in the scheme; the siting of the 13 storey block and whether this was appropriate
- the need for any development on this site to be of a high quality and distinct character, rather than just standard residential apartment blocks
- the need for detailed sunlight surveys to be provided as well as a proposed colour palette
- that more family accommodation was needed, particularly in view of proposals for a large school to open in the area within a few years
- the buoyancy of the private rented market and that city centre apartments were welcomed as were some elements of the design principles, i.e. the proposals to activate the streets and provide front doors and private courtyards space. However it was felt the scheme lacked a sense of place; that buildings of greater architectural merit were required for this key location;
- that the mix of units was not suitable and that more family accommodation should be provided

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

- that the proposed use of the site for a predominantly residential scheme was appropriate
- that whilst in general Members agreed with the siting of the buildings, provision of landscaping; public realm and provision of active street frontages, to note Members detailed comments on these matters. That the arrangement of the taller

block should be explored further and a clear rationale for it should be provided. Consideration of orientating the tall building towards The Mint building should be considered

- to note that more work was required regarding the height of the buildings, together with requirements for rooftop plant and the distribution of building heights around the scheme
- to note Members' detailed comments about the proposed landscaping
- that issues of sustainability needed to be addressed
- regarding the mix of units; their size; proportions and quality of the proposed flats, to note Members' comments and the Chief Planning Officer's comments about the work in progress on trying to achieve a Leeds Standard for units and for this work to be shared with Panel Members
- to note the requests for further detailed sun path surveys, information on proposed materials and the size of units in relation to average furniture sizes

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

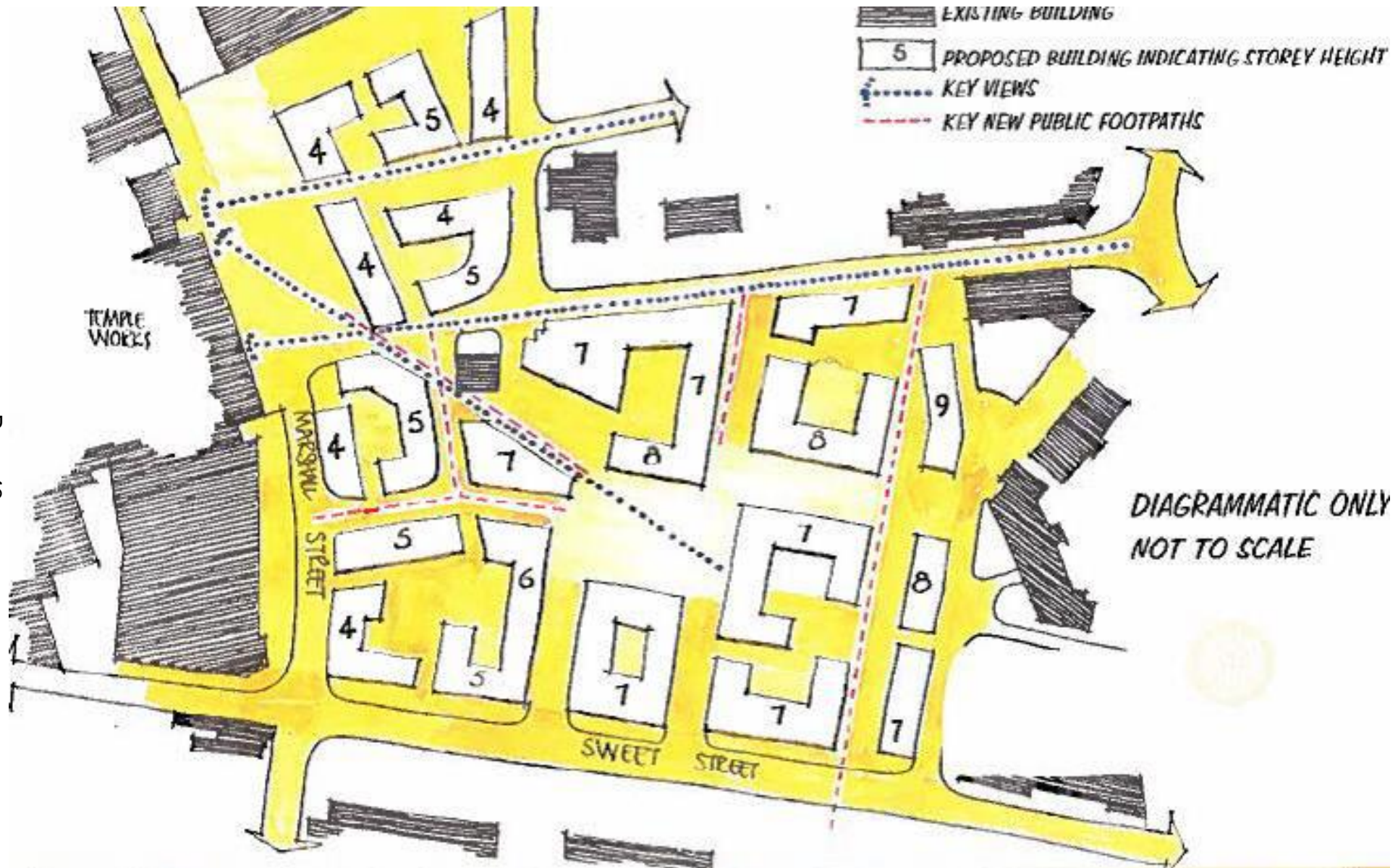
Appendix 2 Plans

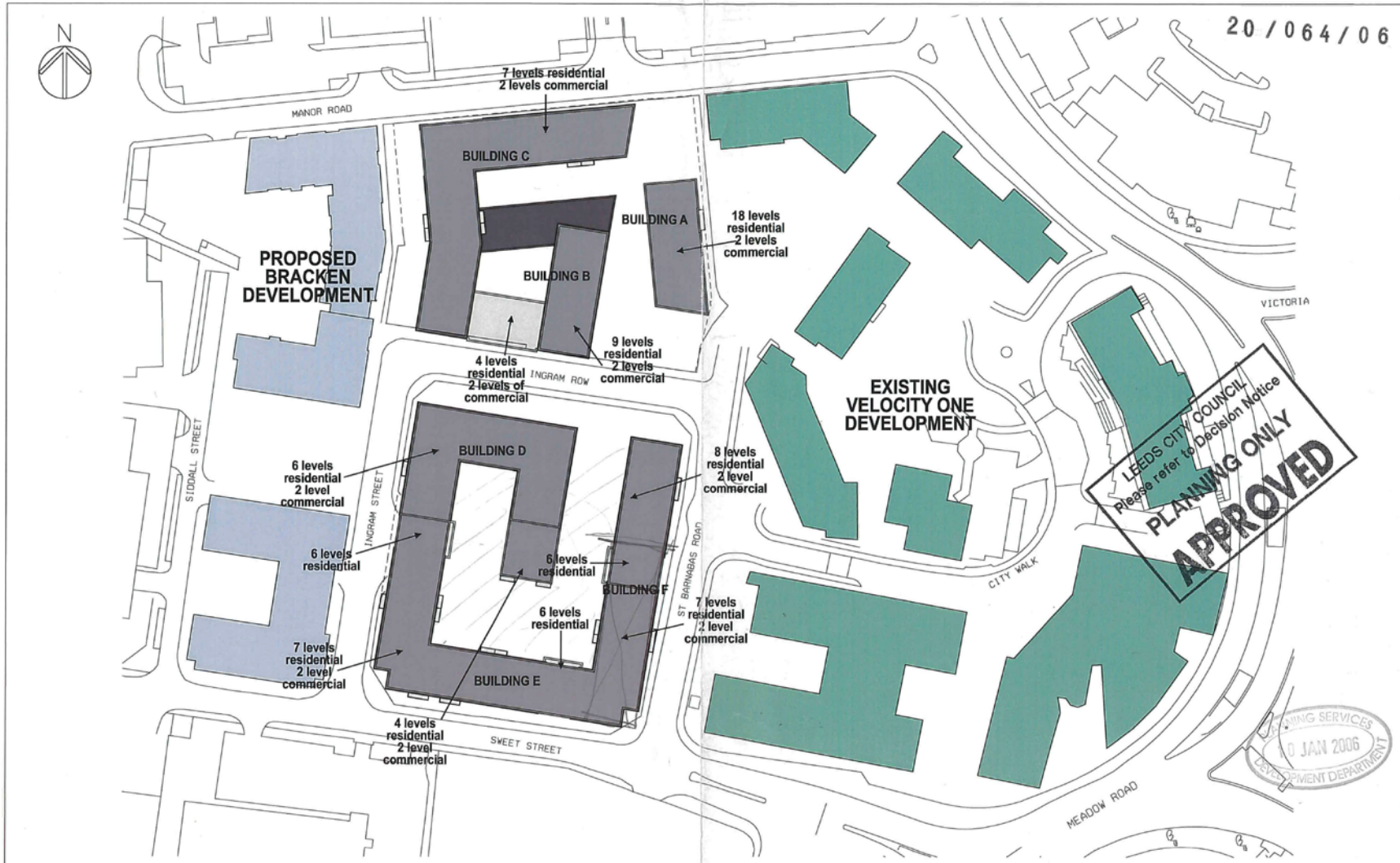
Plan 1 Holbeck Urban Village Revised Planning Framework 2006 Eastern Gateway

Plan 2 Outline Planning Permission 20/64/06/OT (now expired)

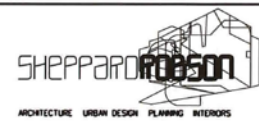
Plan 3 Current application proposal

Plan 1 - Holbeck Urban Village Revised Planning Framework 2006 Eastern Gateway



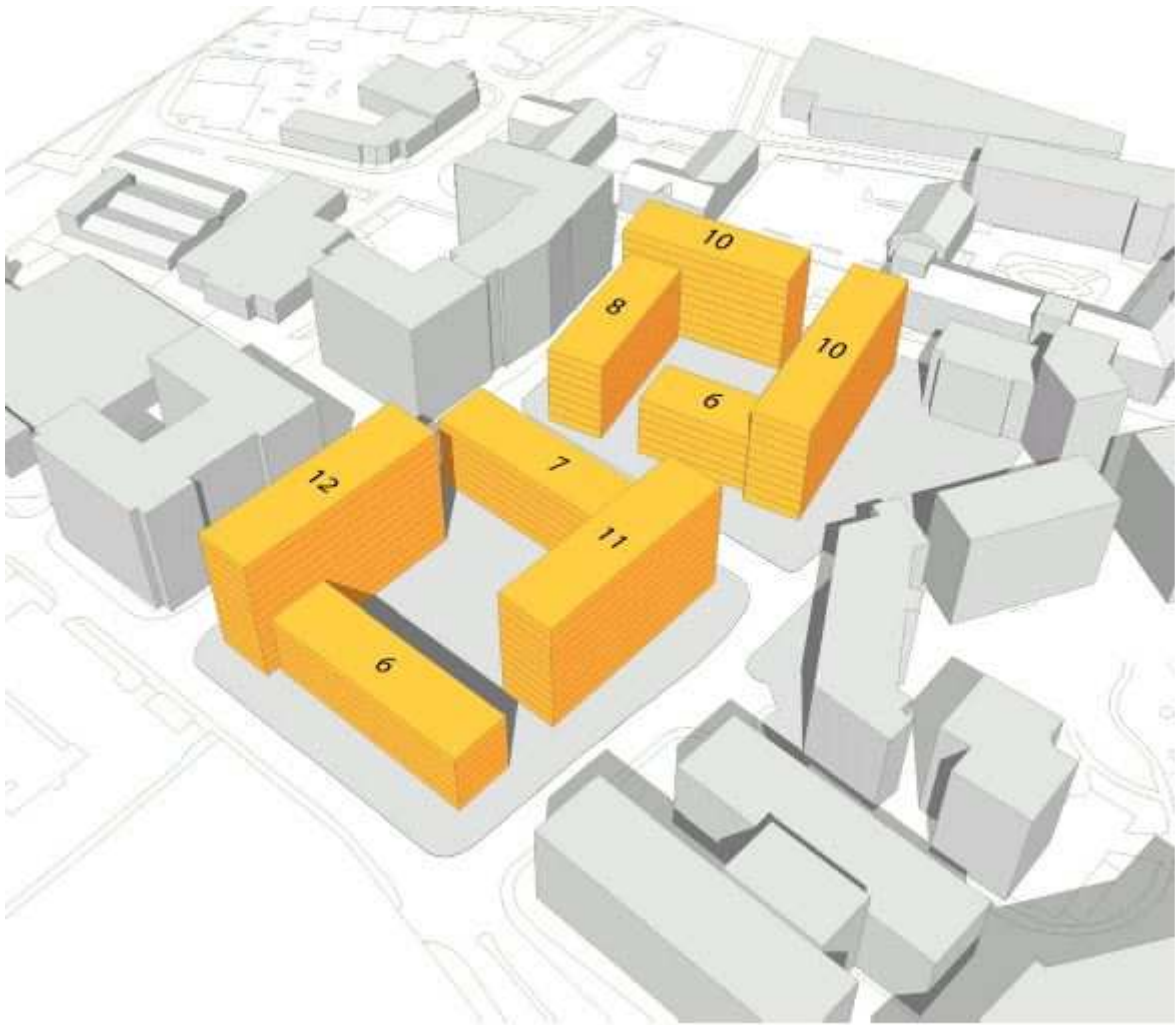


Rev A: Amendments to Building Heights following Client Review 11.07.05
 Rev B: Amendments to Building Heights following Planning Review 25.07.05
 Rev C: Amendments to Building Heights following Client Instruction 23.08.05
 Rev D: Amendments to building envelope, Building Heights and roof plan. Issued for Scheme Design Report 17.10.05
 Rev E: Building A updated and issued with Outline Planning Application 06.01.06



DRAWING: Building Heights Plan
 DATE: 06/06/05
 SCALE: 1:1000
 DRAWING NO.: 2696_00_402_E

Plan 3 - Current application proposal



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Appendix 4

Draft Conditions

- 1) The development hereby permitted shall be begun before the expiration of one year 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) No development shall commence until details of a phasing plan have been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include associated highways works, any affordable housing provision on-site, and landscaping works within a given phase where relevant. Details for each relevant condition below shall then be submitted in accordance with the phasing plan. Any subsequent changes to the phasing schedule shall be submitted in writing to and approved by the Local Planning Authority. The scheme shall be built out in accordance with the approved phasing plan.

In order to accord with the provisions of the Leeds Core Strategy, Saved Policies of the Leeds Unitary Development Plan Review, Leeds Natural Resources and Waste DPD, and the Holbeck Urban Village Revised Planning Framework, in the interests of amenity, visual amenity, the provision of affordable housing, pedestrian connectivity, highways safety, sustainable development, and in order that the Local Planning Authority is informed of the phasing in order that the relevant sections of the conditions may be discharged.

- 4) No construction of external walling or roofing shall take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. This shall include a large sample panel of all external facing materials and glazing types to be used. The external cladding and glazing materials shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to the completion of the development.

In the interests of visual amenity in order to accord with Leeds UDP Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the NPPF.

- 5) Notwithstanding details shown on the plans hereby approved, no external walling or roofing shall be constructed until typical 1:20/1:50 scale working drawings showing the details shown on drawings have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the details thereby approved and retained as such thereafter.

In the interests of visual amenity in order to accord with Leeds UDP Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the NPPF.

- 6) No external surfacing works shall take place until details and samples of all external surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The surfacing works shall be constructed from the materials thereby approved prior to occupation of the building.

In the interests of visual amenity, in accordance with Leeds UDPR Policies GP5 and LD1, Leeds Core Strategy Policy P10 and the NPPF

- 7) 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,
 - (c) car parking layouts,
 - (d) other vehicle and pedestrian access and circulation areas,
 - (e) hard surfacing areas,
 - (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
 - (g) 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
- (h) planting plans
 - (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
 - (j) schedules of plants noting species, planting sizes and proposed numbers/densities.
 - (k) tree pits and soil volumes

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 Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, Leeds Natural Resources and Waste DPD, and the NPPF.

- 8) 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 Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, the Leeds Natural Resources and Waste DPD, and the NPPF.

- 9) 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 Core Strategy policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, the Leeds Natural Resources and Waste DPD, and the NPPF.

- 10) No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before (within 24 hours) the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the LPA within 3 days of works being carried out.

In order to protect nesting birds in accordance with the NPPF.

- 11) Prior to the commencement of development, a Plan shall be submitted to and approved in writing by the LPA 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, together with a commitment to being installed under the supervision of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained thereafter.

In order to maintain and enhance biodiversity.

- 12) The development shall not be occupied until all areas shown on the approved plans to be used by vehicles have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway in accordance with adopted Leeds Core Strategy Policy T2 and Street Design Guide SPD (2009).

- 13) Notwithstanding the approved details, before development is commenced full details of long and short stay 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 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) policies T7A, and T7B, Leeds Core Strategy Policy T1, the Travel Plans SPD and the NPPF.

- 14) Prior to the commencement of development full details (including siting, materials and means of enclosure) of the proposed residential bin store(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the bin store(s) thereby approved have been provided. The bin store(s) shall thereafter be retained and maintained as such in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity, in accordance with Leeds UDPR Policy GP5, Leeds Core Strategy Policies T2 and P10 and the NPPF.

- 15) Prior to the occupation of each commercial unit full details (including siting, materials and means of enclosure) of the proposed bin store(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the bin store(s) thereby approved have been provided. The bin store(s) shall thereafter be retained and maintained as such in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity, in accordance with Leeds UDPR Policy GP5, Leeds Core Strategy Policies T2 and P10 and the NPPF.

- 16) Prior to commencement of development, details of the access controls to the basement car park shall be submitted to and approved in writing by the Local Planning Authority. Any roller shutter shall be set back at least 6m from the back of the footway and shall be a fast action roller shutter type. The approved details shall be installed prior to first occupation of the development and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of pedestrian and vehicular safety, in accordance with Leeds UDPR Policy GP5 and Leeds Core Strategy Policy T2

- 17) Prior to the first occupation of the development hereby approved, details including the locations of the proposed electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided in accordance with the approved details for use prior to first occupation of the building, and retained as such thereafter.

In the interests of encouraging more sustainable forms of travel, in accordance with the NPPF, Leeds Natural Resources and Waste DPD, Leeds Travel Plans SPD, Leeds UDPR Policies GP5 and Leeds Core Strategy Policy T2

- 18) No development shall take place until details for the provision of off-site highways works as shown on drawing no. 2007-221/002E as follows:

- (a) Resurfacing of existing footway between St. Barnabas Road and Manor Road that runs alongside the northern block.
- (b) Upgrade the existing pedestrian route between Ingram Street and Manor Road to a shared pedestrian/ cycle route at least 3m in width.
- (c) Provision of an informal dropped crossing with tactile paving on Manor Road to the east of David Street to assist pedestrian movements to the existing leisure/ employment uses along Water Lane and the station
- (d) Provision of a cycle route to the existing cycle lane on Meadow Lane to include conversion of the pedestrian link between St. Barnabas Road and Meadow Road to a shared pedestrian/ cyclist facility.
- (e) Amendment of existing Traffic Regulation Orders (TROs) and new TROs for the service turning head, loading bays and car club space
- (f) Works to Ingram Row
- (g) Works to Ingram Street

have been submitted to and approved in writing by the Local Planning Authority for inclusion in the section 278 Highways Agreement or to be secured by such other procedure as may be agreed between the applicants and the Local Planning Authority.

In the interests of pedestrian and vehicular safety, in order to accord with the NPPF and Core Strategy Policy T2.

- 19) Prior to the occupation of the commercial uses hereby approved, details of secure cycle storage, shower facilities and lockers for staff for each unit shall be submitted to and approved in writing by the Local Planning Authority. Secure cycle storage, showers and lockers shall be available for all units/floorspace prior to its occupation and retained as such thereafter.

In the interests of promoting walking, running and cycling as more sustainable means of travel to work, in accordance with the NPPF, Leeds UDPR Policy GP5, Leeds Core Strategy Policy T1 and the Travel Plans SPD.

- 20) Prior to the occupation of the development hereby approved, details of a car park and servicing management plan shall be submitted to and approved in writing by the Local Planning Authority. Car parking spaces shall only be allocated to residential or commercial tenants based at this site. The car park and servicing shall be operated in accordance with the approved management plan thereafter.

In the interests of sustainable development, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policies T1 and T2, and the NPPF.

- 21) Unless otherwise approved in writing by the local planning authority, no construction of buildings or other structures shall take place until measures to divert or otherwise formally close the sewers that are laid within the site have been implemented in accordance with details that have been submitted to and approved by the local Planning Authority.

In the interest of satisfactory and sustainable drainage, in accordance with the NPPF

- 22) Development shall not commence until a scheme detailing separate surface water and foul drainage works has been submitted to and approved in writing by the Local Planning Authority. This shall include drainage plans and summary of calculations and investigations. The works shall be implemented in accordance with the approved scheme before the development is brought into use.

To ensure sustainable drainage and flood prevention in accordance with Leeds UDP Review (2006) Policy GP5 the Council's Minimum Development Control Standards for Flood Risk, Leeds Core Strategy Policy EN5, the Leeds Natural Resources and Waste DPD and the NPPF.

- 23) Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal, in accordance with the Leeds NRWDPD and the NPPF.

- 24) Development shall not commence until a scheme detailing the surface water drainage works (ie drainage drawings, summary calculations and investigations) has been submitted to and approved in writing by the Local Planning Authority. The surface

water drainage scheme shall comply with Council's Minimum Development Control Standards for Flood Risk - see the Natural Resources and Waste LDF and be in accordance with the WSP Drainage Strategy Report. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention in accordance with LCC's Natural Resources and Waste LDF 2013 and the NPPF

- 25) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by WSP and the finished floor levels are set no lower than 150mm above the surrounding ground levels (with the exception of the basement). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

To reduce the risk of flooding to the proposed development and future occupants, in accordance with the NPPF.

- 26) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

Where remediation measures are shown to be necessary in the Phase II Report 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 policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 27) 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 policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 28) 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 policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 29) Prior to the commencement of development an updated Sustainability Statement shall be submitted which will include a detailed scheme comprising (i) a recycle material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit) (ii) a Site Waste Management Plan (SWMP), (iii) a pre-assessment using the Code for Sustainable Homes assessment method demonstrating how a credit score to meet at least Level 3 standard will be achieved. The development shall be carried out in accordance with the detailed scheme, and

(a) Within 6 months of the first occupation of each phase a post-construction review statement for that phase shall be submitted by the applicant including a certified Code for Sustainable Homes Level 3 final assessment and associated accreditation,

(b) The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

To ensure the adoption of appropriate sustainable design principles in accordance with Leeds Core Strategy Policies EN1 and EN2, Leeds SPD Sustainable Design and Construction, the Sovereign Street Planning Statement 2011, and the NPPF.

- 30) Prior to the occupation of any commercial unit, details of a signage/window manifestation strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall set out signage zones on the building for appropriate signage or obscure window manifestation for the building itself and for building occupiers in order that all future additions would be in keeping with the architectural features of the host building.

In the interests of visual amenity and the character and appearance of the nearby Conservation Area, in accordance with the NPPF and Leeds UDPR Policies GP5, BD6 and BD8.

- 31) No installation of externally mounted plant or equipment shall take place until details of the installation and/or erection of any air conditioning or extract ventilation system, flue pipes, window cleaning equipment or other excrescences proposed to be located on the roof or sides of the building, including details of their siting, design, noise attenuation, and external appearance have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works approved in accordance with this condition have been completed. Such works shall thereafter be retained, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity and visual amenity, in accordance with Leeds UDPR Policies GP5, BD2 and BD4, Leeds Core Strategy policy P10 and the NPPF.

- 32) The opening hours of the commercial units brought forward for any A1/A2/A3/A4/A5/D1/D2 uses shall be restricted to 0700 to 2300 hours Monday to Saturday, and 1000 hours to 2200 hours on Sundays and Bank Holidays.

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

- 33) Any A1/A2/A3/A4/A5/D1/D2 unit shall be acoustically insulated and treated to limit the break out of noise and vibration in accordance with a scheme of acoustic treatment that has been submitted to and approved in writing by the Local Planning Authority prior to first occupation. The scheme shall be implemented in full before the approved use commences, and retained as such thereafter.

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

- 34) Notwithstanding the description of development, no more than 200 square metres gross internal area of the 713 square metres commercial uses proposed shall be used for Class A1 Retail as defined in the Town & Country Planning (Use Classes Amendment) Order 2005 (or any order revoking or re-enacting that order with or without modification) and this shall be for convenience goods only.

In the interests of the vitality and viability of existing retail centres, in accordance with Leeds UDPR Policy GP5, Leeds Core Strategy policies SP2, SP3, P8 and CC1 and the NPPF.

- 35) The hours of delivery to and from the premises shall be restricted to 0800 hours to 2000 hours Monday to Saturday and 0900 hours to 1700 hours on Sundays and Bank Holidays.

In the interests of residential amenity, in accordance with Leeds UDP Review 2006 Policy GP5 and the NPPF.

- 36) The noise rating level from fixed plant items associated with fixed plant items should not exceed the prevailing background (LA90) noise level minus 5 dB at nearby noise sensitive receptors, when assessed in accordance with BS 4142:1997.

In the interests of residential amenity, in accordance with Leeds Core Strategy, Leeds Saved UDPR Policy GP5 and the NPPF

- 37) Notwithstanding the provisions of the Town & 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 of A2 financial and professional service/A3 restaurant or café/A4 drinking establishment/A5 hot food take-away units hereby approved, to any use within use class A1 as defined in the Town & Country Planning (Use Classes Amendment) Order 2005 (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 of the area and the viability of the City Centre, in accordance with the NPPF, and Leeds UDPR Policies S1, S2 and CC21.

- 38) No works shall begin 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 and location of contractor and sub-contractor parking
- e) a local resident communications strategy for the duration of the works

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 in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

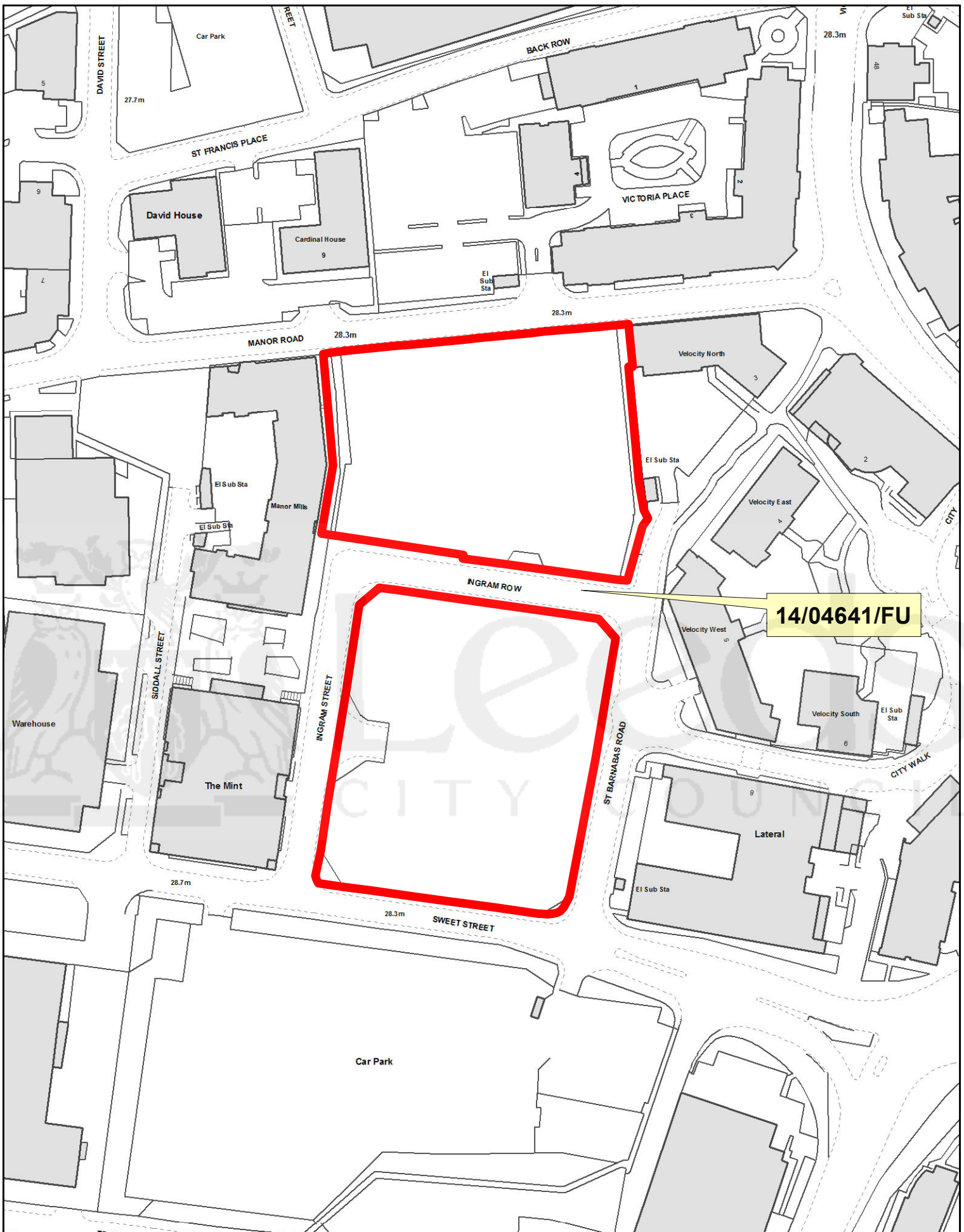
- 39) No demolition or building operation shall take place before 08.00 hours on weekdays and 09.00 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays, with no works on Sundays or Bank Holidays, unless agreed in writing with the Planning Local Authority.

In the interests of residential amenity, in accordance with Leeds Core Strategy, Leeds UDPR Saved Policy GP5 and the NPPF

- 40) The vehicular access gradient shall not exceed 1 in 40 (2.5%) for the first 15m and 1 in 20 (5%) thereafter, unless otherwise agreed in writing by the Local Planning Authority. The gradient of the pedestrian access shall not exceed 1 in 20 (5%).

To ensure the free and safe use of the highway, and in the interests of disabled access in accordance with the adopted Leeds UDP Review (2006) policy T2, T5, T6 and the adopted Street Design Guide SPD (2009).

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14/04641/FU

CITY PLANS PANEL



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Originator: Matthew Walker

Tel: 3952082

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 5th March 2015

Subject: 14/06618/ADV – ONE DOUBLE SIDED, FREE STANDING ILLUMINATED ADVERTISEMENT SIGN: LAND AT CLAY PIT LANE; 14/06621/ADV – ONE DOUBLE SIDED FREESTANDING ILLUMINATED ADVERTISEMENT SIGN: LAND AT CROWN POINT ROAD; 14/06626/ADV – ONE ILLUMINATED FREESTANDING ADVERTISEMENT SIGN: LAND AT KIRKSTALL ROAD

Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT Advertisement Consent subject to the conditions specified at Appendix 1.

1.0 INTRODUCTION

- 1.1 This presentation is intended to update members and allow for determination of the remaining proposals for Advertisement Consent with regard to the development and rationalization of the current Leeds City Council Advertisement Portfolio in partnership with J.C.Decaux UK LTD.
- 1.2 The applications are brought to City Plans Panel following member comments related to 4 of the 11 proposed sites following the presentation of a position statement at City Plans Panel on 22nd January 2015.

2.0 SITE AND SURROUNDINGS

The proposal relates to 3 individual sites located within or close to the City Centre Boundary, mainly located along main arterial routes in and out of the city. The individual sites and their respective contexts are outlined in paragraph 3.0 of this report.

3.0 PROPOSALS

- 3.1 As part of the rationalization programme put forward by J.C.Decaux UK LTD, 10 existing hoardings within the Leeds City Council Advertisement Portfolio are programmed for removal. The sites are as follows:

Viaduct Road, Jack Lane, Tong Road/Wortley Moor Road, Commercial Road, Sydenham Street, Geldard Road, 4 Tong Road, Bridge Street/Sweet Street/Holbeck Lane, 18/28 Bradford Road, 139 Town Street Stanningley.

- 3.2 Following the view of members that a number of the proposed sites be dealt with by delegated decision (City Plans Panel 22nd January 2015), the following remaining sites are to be determined by members. Members will also note that a fourth site identified as requiring a decision by members (14/06617/ADV (One illuminated freestanding advertisement sign: land at Inner Ring Road) is not brought to members for determination as originally planned due to the application being withdrawn.

3.3 14/06621/ADV - Land at Crown Point Road

The proposal is for a double sided, internally illuminated display 12.45 metres x 3.28 metres with associated structure to a height of 11.25 metres. The hoarding is proposed to be located to the existing landscaped area adjacent to the public pedestrian and cycle route at the junction of Crown Point Road and East Street. The site is approximately 40 metres from the City Centre Conservation Area boundary to the west of the site and also approximately 100m from the Grade I Listed Leeds Minster also located to the west of the proposed siting.

3.4 14/06618/ADV - Land at Clay Pit Lane

The proposal is for a double sided, internally illuminated display panel, 7.45 metres x 5 metres with associated support structure located to the central reservation adjacent to the Junction of Clay Pit Lane and Chapeltown Road.

3.6 14/06626/ADV - Land at Kirkstall Road

The proposal is for a single sided, internally illuminated display, 12.45 metres x 3.28 metres with associated support structure, located to the existing landscaped bank adjacent to the junction of West Street and Kirkstall Road. The banking is a greened area which treats the transition of levels between Kirkstall Road and the West St. flyover, and includes a series of mature trees to its perimeter.

4.0 RELEVANT PLANNING HISTORY

No applications are directly relevant to the pre-application proposal before members.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 In January 2014, J.C. Decaux UK LTD submitted an overview proposal for 13 hoardings and 2 digital screen advertisements in response to the tendered opportunity from Leeds City Council.
- 5.2 In May 2014 a series of detailed proposals were submitted to the Chief Planning Officer in relation to the 15 sites for consideration prior to pre-application discussions between planning officers and highways officers.
- 5.3 On 5th June 2014, representatives of J.C. Decaux UK LTD met with the Chief Planning Officer, planning officers and highways officers and feedback on the merits of each scheme were provided. Negotiations took place and a rationalized proposal prepared for consideration by officers which was received on 8th June 2014. Based on those discussions, the proposed sites were reduced in number to the ten proposed sites outlined in 3.0 of this report.
- 5.4 A pre-application presentation of each of the sites was presented to City Plans Panel by the applicant on 17th July 2014.
- 5.5 The proposals were then brought back to City Plans Panel as a position statement on 22nd January 2015. Members were resolved to allow delegated decisions at the following sites:
- 14/06627/ADV – Victoria Road, 14/06625/ADV – Claypit Lane bridge, 14/06624/ADV – Meadow Lane, 14/06623/ADV – Inner Ring Road/Woodhouse Lane, 14/06622/ADV – Hunslet Road, 14/06620/ADV – near Domestic Road 14/06619/ADV – Wellington Road.
- 5.6 However that in light of concerns raised by Highways Officers that further detail on road safety measures and servicing assessments were required to support the applications, members required the four remaining proposals outlined at the head of this report to be returned to City Plans Panel for determination.
- 5.7 Members are advised that identified highways concerns connected to application 14/06617/ADV (One illuminated freestanding advertisement sign: land at Inner Ring Road) were considered insurmountable and consequently, the application was withdrawn by the applicant on 30.01.2015.

6.0 POLICY

6.1 National Planning Policy Framework (NPPF)

6.2 Paragraph 67 of the NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

6.4 Leeds Unitary Development Plan Review

6.5 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. Relevant policies include:

6.6 BD8: All signs must be well designed and sensitively located within the street scene. They should be carefully related to the character, scale and architectural features of the building on which they are placed.

BD9: All signs within or adjoining Conservation Areas should preserve/enhance the character and appearance of the Conservation Area.

GP5: Proposals should resolve detailed planning considerations including design and safety.

6.7 The Leeds City Council Advertisement design guide advises where advertising would and would not generally be acceptable, encourage design excellence, innovative ways of advertising and high standards of maintenance.

6.8 Draft Core Strategy (DCS)

6.9 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.

6.10 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. Development should protect and enhance locally important buildings, skylines and views.

6.11 Policy P11: The historic environment, consisting of archaeological remains, historic buildings, townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved and enhanced, particularly those elements which help to give Leeds its distinct identity:

7.0 ISSUES

7.1 Outlined below is a brief appraisal of each of the proposed site locations. It should be noted that a number of sites are located adjacent to or within the public vehicular highway network. Notwithstanding the appraisals below, specific, site by site safety audits are required to further assess the suitability of the proposals in terms of both highway safety and servicing the proposed hoardings.

7.2 Land at Crown Point Road

The site is approximately 40 metres from the City Centre Conservation Area boundary to the west of the site and also approximately 100m from the Grade I listed Leeds Minster and so consideration must be given to the setting of the Conservation Area and the setting of this important building.

The proposed hoarding consistent with other examples within the portfolio would be a cantilever style hoarding with a modern, bespoke, sculptural appearance and would be identifiable as part of a city wide family of signage. From eastbound, northbound and southbound views, the hoarding would be read against the backdrop of commercial buildings including the Ibis hotel, Quarry House and Northern Ballet.

The A61 forms an existing visual division between the commercial context of modern buildings (to the east of the A61 are the Ibis hotel, the Gateway building and Merchants Quay) and to the west of the A61 is the City Centre Conservation Area (and therefore a more heritage sensitive context).

Whilst it is acknowledged that from southbound and from some westbound views along the highway network the hoarding and the Leeds Minster would be read within the same view, it should be noted that the hoarding would be identifiable as part of the more modern and commercial setting within a wide landscaped area which will help mitigate it's overall impact.

The loop road takes the driver immediately away from the siting of the hoarding towards the Leeds Minster and therefore from southbound views, the juxtaposition of the hoarding and Leeds Minster would be fleeting. There are no views containing both the Leeds Minster and the proposed hoarding from a northbound direction.

In highways terms, there is a requirement for the proposal to be supported with additional directional lane designation signage.

Following a site visit between representatives of J.C.Dcaux on 30.01.2015, the proposed siting has been slightly amended with the structure relocated slightly towards the east. Following comments made by members at 22nd January City Plans Panel, the applicant has presented two options with cantilever wires both shown and omitted from the proposed structure for members to consider their preference.

Highways officers have assessed the revised position and consider it would be unlikely to cause issues in regard to highway safety however a road safety audit and full details of servicing arrangements will be controlled by condition so that this issue can be fully assessed prior to installation.

7.3 Land at Clay Pit Lane

The double sided signage is proposed in a location which maximises exposure of the sign from a number of key views whilst avoiding the need for a proliferation of different hoardings to take advantage of these available viewpoints. The sign will be viewable from Meanwood Road, Sheepscar Street, Clay Pit Lane and Roundhay Road and would be read as part of a commercial/industrial environment. In highway safety terms, consideration must be given as part of any application to the location of existing gantry signs and lighting columns and this would be addressed by a Road Safety Audit controlled by conditions as expressed in Appendix 1 of this report.

Following a site visit between representatives of J.C.Decaux and planning/highways officers on 30.01.2015, the proposed siting has been slightly amended following member concerns regarding potential conflict with an existing gantry sign which was not in place at the time of the original submission / pre-application negotiations.

At the time of this report, discussions are still taking place between highways officers and traffic management with regard to the revised location, the requirements for a layby to be installed within the central reservation and the potential for a requirement to relocate an adjacent lighting column. These discussions are not yet concluded and members will be updated verbally at plans panel on this matter.

7.4 Land at Kirkstall Road

The hoarding would be read within the context of high sided landscaping which will help to soften the visual impact of the sign and will be read against the backdrop of trees, planting and the modern 'West One' building within an otherwise generally commercial context. The sign is to be set into the banking to ensure no conflict with directional signage and to prevent an over-dominant impact upon the highway and public footpath. To support the siting of the proposal, additional directional signage would be required to be located to the northern edge of the adjacent West Street Car Park to ensure continuing highway safety.

Following comments made by members at 22nd January City Plans Panel, the applicant has presented two options with cantilever wires both shown and omitted from the proposed structure for members to consider their preference.

Highways officers have assessed the revised position and consider it would be unlikely to cause issues in regard to highway safety however a road safety audit and full details of servicing arrangements will be controlled by condition so that this issue can be fully assessed prior to installation.

Background Papers: Application files – 14/06621/ADV, 14/06618/ADV, 14/06626/ADV

Appendix 1:

Proposed Conditions

1. Plans to be approved

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.

2. Road safety audits

Prior to the commencement of development a risk assessment shall be carried out regarding the advertising structure and submitted to and approved in writing by the Local Planning Authority. Prior to the submission of the risk assessment the details shall be agreed with the LPA. The approved measures shall be implemented and retained in accordance with the approved timescales.

In the interest of highway safety, saved UDPR policy GP5 and advice contained within the NPPF

3. Servicing Management Plan

Development shall not commence until a Servicing Management Plan (inc. timescales) 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.

To ensure the free and safe use of the highway in accordance with saved Leeds UDP Review (2006) policy GP5.

4. Specified Servicing Hours

Changing the advertising display shall not be carried out between the hours of 6am and 10am or 3:30pm and 7:30pm.

To ensure the free and safe use of the highway in accordance with saved Leeds UDP Review (2006) policy GP5.

5. Maximum Luminance

The Luminance level of the signs must not exceed the thresholds contained within the ILP document Guidance Notes for the Reduction of Obtrusive Light GN01:2011 for the lifetime of the development.

In the interests of highway safety in accordance with adopted Leeds UDP Review (2006) policy GP5

6. Minimum Clearance

All structures must stand a minimum 1.5m from the carriageway edge and provide minimum vertical clearance of 2.6m.

In the interests of highway safety in accordance with adopted Leeds UDP Review (2006) policy GP5

Proposed directions

Direction to obtain licenses under highways act 1980

The applicant is advised to contact the Department of Highways and Transportation (0113 247 5388) concerning the need to obtain a S115 license to install a structure in the highway and a S171 license to make any excavation necessary for the structure.

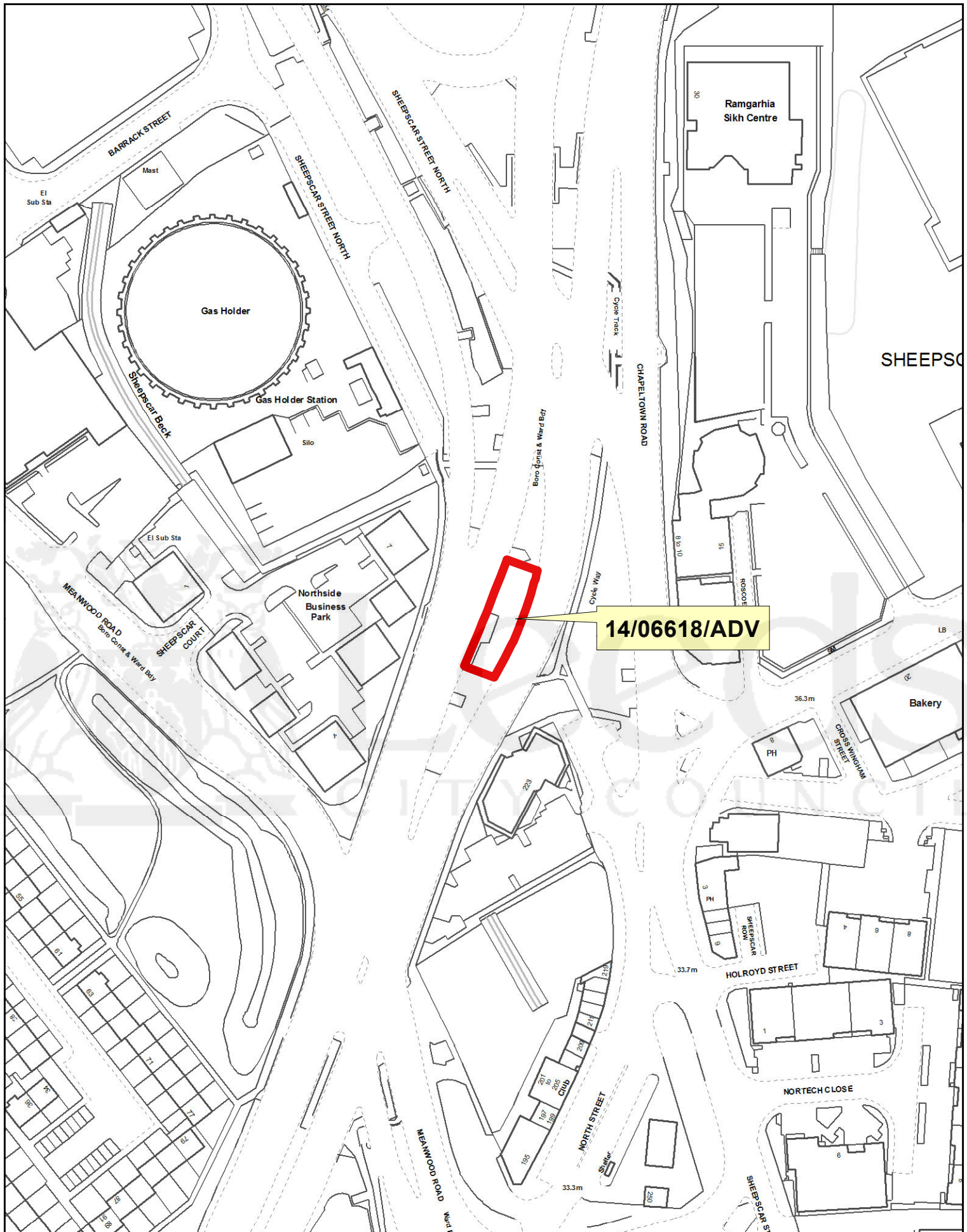
Direction advising requirement for approval in principle

The applicant is advised to contact the Department of Highways and Transportation (0113 247 5388) concerning the need to obtain Approval In Principle in accordance with BD02/12

Standard Advertisement direction

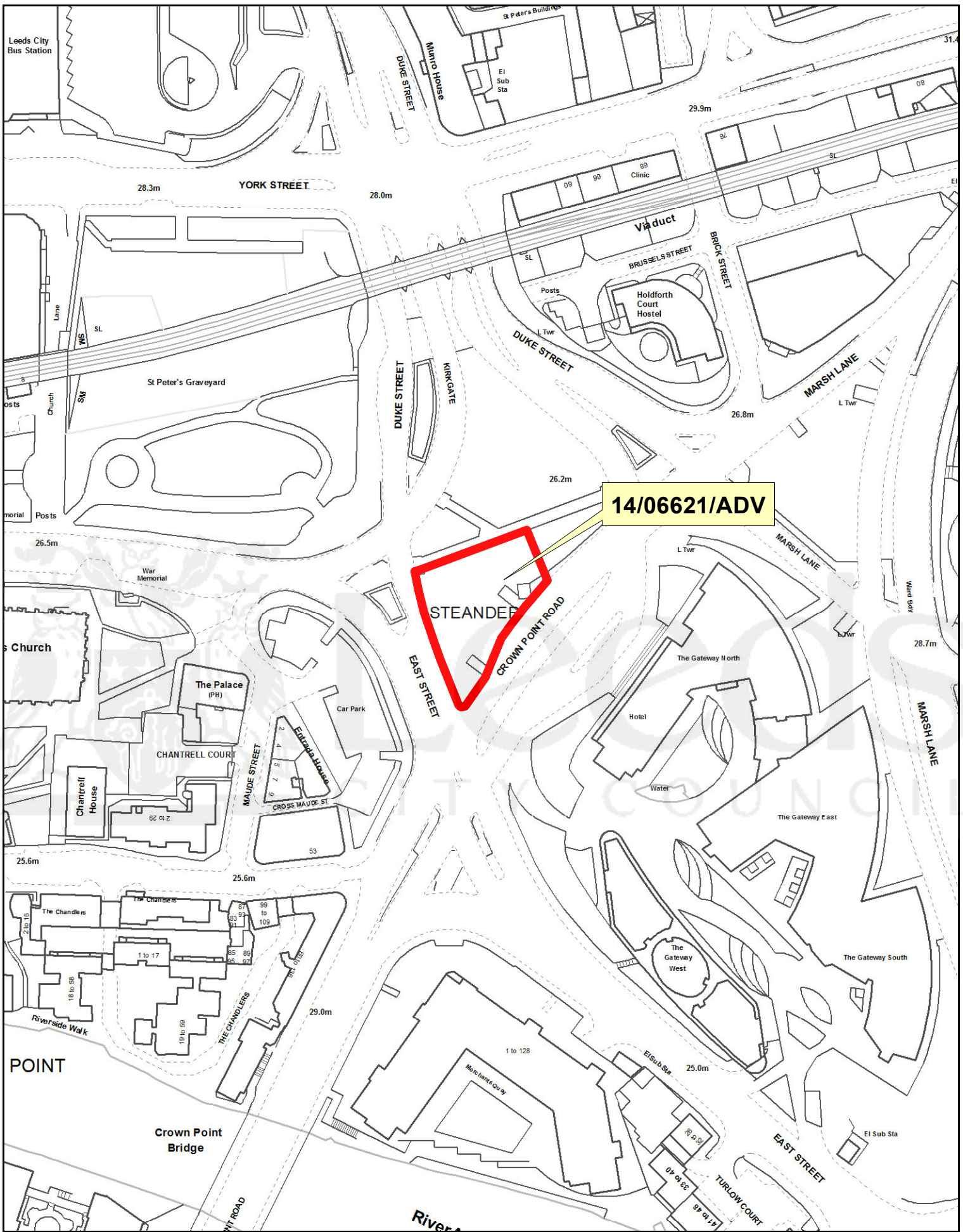
In accordance with the provisions of Schedule 2 to the Town and Country Planning (Control of Advertisement) (England) Regulations 2007 (or any Regulation revoking and re-enacting those Regulations with or without modification) the following standard conditions are applied to all advertisement consents:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.



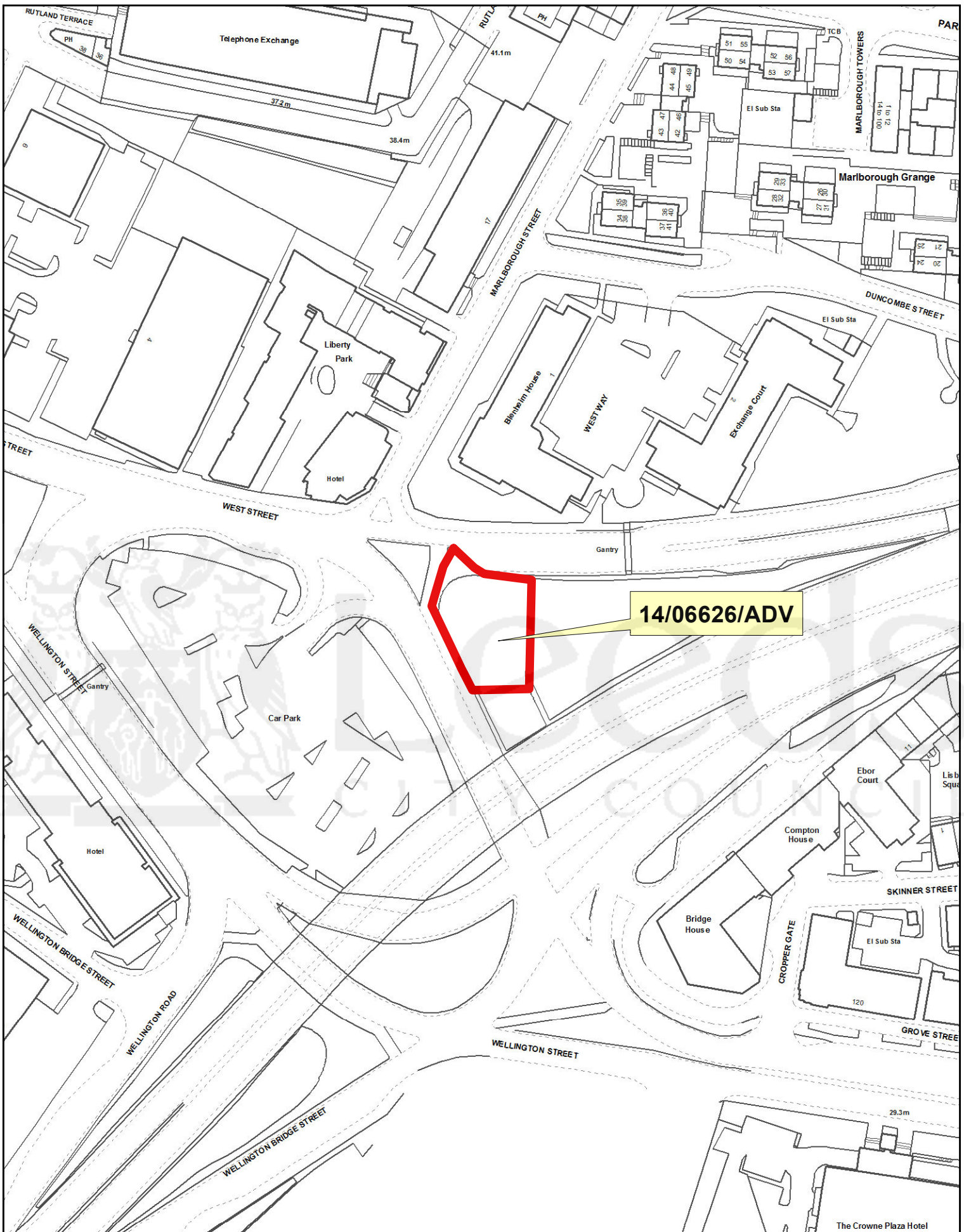
CITY PLANS PANEL





CITY PLANS PANEL





CITY PLANS PANEL



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Originator: J Bacon

Tel: 0113 222 4409

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 5th March 2015

Subject: 14/07303/EXT Extension of time for outline planning permission 21/13/04/OT to erect B1/B2/B8 development with supporting hotel, creche and A2/A3/A4 uses on land at Skelton Moor Farm, East Leeds Link Road, Cross Green.

APPLICANT

Muse Development Ltd

DATE VALID

15th December 2014

TARGET DATE

16th March 2015

Electoral Wards Affected:

Temple Newsam

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER AND DELEGATE for approval to Chief Planning Officer subject to the conditions specified and the completion of a Section 106 agreement to secure the following:

- Contribution towards East Leeds Link Road (£3,810,000)
- Travel Plan monitoring fee (£13,865)
- Public Transport Enhancements
- Employment and Training Initiatives

1. Submission of reserved matters approval (access; appearance; landscaping, layout, scale)
2. Time limit for approval of reserved matters
3. In accordance with approved plans
4. Programme for phasing of development
5. Restrictions on total gross floor area for proposed uses
6. Phased delivery of B1/B2/B8 development
7. Limits on total vehicle trips for B1/B2/B8 development

8. Details of a system to monitor vehicle arrivals and departures from development
9. Submission of data obtained from vehicle trip monitoring
10. Restrictions on car parking to B1/B2/B8 development
11. Submission of car park management scheme
12. Submission of a Travel Plan
13. Provision of road link between Halton Moor Road and ELLR
14. Provision of a bus gate to Halton Moor Road
15. Details of external walling and roofing materials to be submitted
16. Details of boundary treatment to be submitted
17. Area used by vehicles shall be laid out
18. Submission and implementation of landscape scheme to include structural landscaping
19. Provision of a landscape transition zone to north and east site boundaries
20. Protection of existing trees/hedges/bushes
21. Provision of replacement trees
22. Details of works for dealing with surface water discharges
23. Implementation of flood relief channel
24. Easements of 6m and 10m from water mains that cross the site
25. Easement of 4m from sewer that crosses the site
26. Separate systems of drainage for foul and surface water
27. Surface water drainage from parking area to pass through an oil interceptor
28. Sustainable drainage / porous surfacing / greenfield run off rates
29. Details of treatment of emissions to atmosphere to be submitted
30. Details of the installation of plant, machinery, equipment to be submitted
31. Details of extract ventilation equipment to be submitted
32. Installation and operation of air conditioning systems
33. Details of storage and disposal of litter and waste materials to be submitted
34. Lighting restrictions
35. Operation of tannoy systems
36. Provision of grease trap
37. Protection of all hedges or hedgerows during works on site
38. Details of the retention and enhancement to part of the Leeds Nature Area
39. No ground clearance to occur during bird breeding season (1st Mar to 31st Aug)
40. Submission of bat survey
41. Submission of water vole survey
42. Details of bird and bat boxes to be submitted
43. Submission of a statement setting out sustainability principles of development
44. Submission of site investigation reports
45. Submission of amended remediation reports
46. Submission of verification reports
47. Testing of any imported soils
48. Any Coal Authority conditions
49. Details of an assessment of new buildings impacting on television coverage to be submitted
50. Submission of a programme of archaeological recording
51. Details of a scheme to mitigate impact of flies/odours from nearby waste water treatment plant

Full wording of the above conditions to be delegated to the Chief Planning Officer, including any revisions and additional conditions as may be required.

- 1.1 The above application is presented to Plans Panel as it represents a large scale development proposal within the Leeds City Region Enterprise Zone (Aire Valley) and keeps Panel Members updated on the planning and development activity at this key location.
- 1.2 This application seeks to extend the time limit for the implementation of planning permission 21/13/04/OT which was approved on 26th April 2006. The outline planning permission was time limited allowing for ten years to submit reserved matters and therefore would lapse on 26th April 2016. For clarity, the current proposal is exactly the same in its form and location to that development already approved; the application only seeks an extension of the time period in which the development can take place.
- 1.3 As it is an extension of time application the main considerations relate to what changes have occurred since the previous approval of the application. Under current policy the application would trigger a requirement for a contribution to public transport infrastructure which was not included in the original approval. Potentially this could result in an additional contribution of up to £894,229. There are viability issues as a consequence which are currently being considered. At the same time there is a genuine desire to see development progress within the Enterprise Zone and not to put obstacles in the way of sites coming forward for development. These issues are currently being explored and members will be updated on the latest position at the Panel meeting. This could result in the need for a confidential report relating to the scheme's overall viability. The information contained within any separate report which may be tabled is confidential as it relates to the financial and business affairs 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 applicant's commercial position. It is therefore considered that the viability report, if and when issued, should be treated as exempt under Schedule 12A Local Government Act 1972 and Access to Information Procedure Rule 10.4 (3).

2.0 SITE AND SURROUNDINGS:

- 2.1 The site comprises 49.1ha of agricultural and scrubland situated at Pontefract Lane. A group of farm buildings and a dwelling, known as Skelton Moor Farm, are centrally located within the landholding toward the southern end of the site with access achieved via a track leading on to the East Leeds Link Road (ELLR). The ELLR forms the southern boundary of the site. To the south eastern corner there is a spur and a section of roadway that connects to the Bellwood Roundabout. This will provide access in to the future development site.
- 2.2 A public right of way (PROW) runs north to south through the site, diverting off in the top north east corner to run across into Temple Newsam grounds, and linking in the south to the PROW that runs along the ELLR and joins up with footpaths in Bell Wood on the south eastern border. A small beck arises in the north-west corner and runs westwards to join the culverted Wyke Beck that forms the western boundary of the site. Wyke Beck is mostly culverted along this border although works have commenced on site to create a flood relief channel and retention basin to the western portion of the site. Site preparation works have also started in relation to the construction of an industrial warehouse unit located to southern end of the site which is associated with a separate planning permission.
- 2.3 Trees and hedges form the eastern and northern boundaries and also subdivide the western portion into smaller fields. There are also trees within the farm house garden,

and a small portion of woodland encroaches into the north east corner of the site (Halton Wood). Bell Wood which adjoins the south east corner of the site is an extensive area of woodland associated with the historic park and garden of the Temple Newsam estate although this part of the wood forms part of a golf course.

- 2.4 The site is relatively level although the land drops slightly towards the south and east, and towards the west, draining into the culvert. The ELLR to the south is built up on a small embankment. A sewer crosses the north eastern corner of the site, and another runs along the southern boundary that have wide easement requirements. A high pressure gas main also crosses the site, east to west, cutting it almost in half.
- 2.5 The majority of land to the east is undeveloped, the site marking the current extent of development along the ELLR. Beyond the established trees and hedges along the northern boundary is a large housing estate and there is a bus terminus adjacent to the site's access on to Halton Moor Road. To the south are the extensive sewage works (Knothrop Water Treatment Works) and other agricultural land. Contractor activity is evident to the Temple Green site to the south side of Bellwood Roundabout as construction works have commenced for the delivery of road infrastructure to support a park and ride facility and future development proposals. To the west, the appearance of the land becomes more industrial through the partial build out of the adjacent Thornes Farm development site. Construction activity is currently evident at this site with the steel framework of a new industrial warehouse being erected and site preparation works being carried out at another plot. Further west are the industrial estates of Cross Green and Pontefract Road and the on-going construction of a recycling and energy recovery facility for the Council and the recent erection of a tall wind turbine for Yorkshire Water serve to highlight the increased level of development activity in this locality.
- 2.6 The application site lies within the City Region Enterprise Zone (Aire Valley). Overall, the Enterprise Zone covers a total of 142ha of land split across four sites that are suitable for a range of manufacturing, industrial and distribution uses which provide opportunities for job creation and stimulate development of the wider Aire Valley. To assist, the Enterprise Zone is backed by incentives which include reduced business rates and simplified planning regulations. The application site is one of the identified sites and is known as Logic Leeds. Investment support to accelerate the delivery of development in the Enterprise Zone has previously been secured in order to build confidence in the market to enable further investment and growth.

3.0 PROPOSAL:

- 3.1 The application seeks to extend the time period for submission of reserved matters of an outline planning permission for a significant employment development with supporting uses. The permission was issued pursuant to conditions and a Section 106 Agreement which secured delivery of the East Leeds Link Road. The existing ten year time limit expires on 26th April 2016.
- 3.2 The original outline planning application sought acceptability of the principle of development with all other matters reserved. The range and scale of uses permitted by the original application and applied for within the application are set out below:

143,000sqm of B1/ B2/ B8 uses (of which no more than 43,050sqm shall be B1 employment use)

120 bed hotel (C1 use class)

700sqm crèche

500sqm A3/A4 uses

200sqm A2 use
Maximum of 2,834 car parking spaces

- 3.3 The grant of the original outline planning permission pre-dated the establishment of the Aire Valley Enterprise Zone (established in 2012). However, since the announcement of the Enterprise Zone status, the economic recession has slowed down development and funding opportunities meaning that development activity within the Aire Valley Enterprise Zone has not come forward at the rate it was first envisaged.
- 3.4 To assist marketing the Logic Leeds development site and demonstrate confidence to investors and potential occupiers and the application seeks to extend the time limit for the submission for approval of reserved matters by a further ten years until 2025.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The application site was granted outline planning permission (Ref: 21/13/04/OT) on 26th April 2006 for employment development and supporting uses (all matters reserved). Since the grant of this permission there have been a number of applications submitted for planning consideration and below is a summary of those schemes of relevance.
- 4.2 In 2008 reserved matters approval was granted for the laying out of an access road and the erection of a warehouse unit (Ref: 08/2836/RM). This unit was to be sited towards the southern portion of the site and represented the first phase of development to come forward at the Logic Leeds site. This permission has not been implemented.
- 4.3 In 2010, amendments to the original 2006 outline permission were granted (Ref: 08/05480/FU) removing the need for a public transport link from the Logic Leeds site through to the Thornes Farm site to the west and instead require a north-south connection through the site to the East Leeds Link Road allied to the provision of a bus gate to Halton Moor Road and bus service facilities within the site. This permission, in effect, formed a new outline planning permission.
- 4.4 Two years later full planning permission was granted (Ref: 11/04915/FU) to install a flood relief channel along the full length of the western portion of the site. The requirement arose following a strategic assessment of flood risk and in order to facilitate development at the site. Works associated with this permission are currently being advanced on site.
- 4.5 In 2013, planning permission was granted to vary the planning conditions imposed under the original outline planning permission (Ref: 12/02237/OT) to incorporate the phased submission of details as well as remove condition no longer considered necessary. The permission also allowed for the implementation of laying out an access road off Bellwood Roundabout (as previously detailed in the 2008 reserved matters approval). These works benefitted from grant funding to support the delivery of infrastructure works at the Logic Leeds site to demonstrate investor confidence and stimulate market interest. This permission, in effect, formed a new outline planning permission.
- 4.6 In September 2014, reserved matters approval (associated with Ref: 12/02237/OT) was granted for a speculative warehouse/ industrial unit (Ref: 14/04461/RM) and preparatory works in connection with this permission are on-going at the site. This represents the first phase of development at Logic Leeds which is expected to act as a catalyst from further development phases to come forward. The development of this

phase is partly grant funded which reflects the stifled development market since the outline permission was granted.

- 4.7 Elsewhere within the City Region Enterprise Zone it is noted that the Temple Green site (which lies to the south of the application site on the opposite side of the ELLR) was granted permission in June 2014 to extend the time period of an extant outline planning permission for employment uses (Ref: 10/05048/EXT). The permission in effect extended the time for the submission of outstanding reserved matters (under this extant outline permission) until 2025.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 Discussions with the applicant before the formal submission of this application focused on the extent of information to accompany the application.
- 5.2 Prior to the submission of this planning application the applicant sought an Environmental Impact Assessment (EIA) Screening Opinion and it was concluded that no EIA was required.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 3 site notice displays posted and publicised in the Yorkshire Evening Post on 9th January 2015.
- 6.2 The publicity period expired on 30th January 2015 and no letters of representation have been received.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Coal Authority: No objection, subject to suggested conditions.

Environment Agency: No objection.

Health and Safety Executive: No objection.

Non Statutory:

West Yorkshire Combined Authority: Requested financial contribution (£20,000) to enhance bus service infrastructure (bus stop and real time information display).

Yorkshire Water: No objection, subject to suggested conditions.

Highways: No objections, subject to the retention of highway/ transport related condition on extant permission.

New Generation Transport: Requested contribution towards improve public transport infrastructure at following rates (B1 offices- £15.49p/sqm; B2/B8- £1.82 p/sqm; C1 hotel- £372per bedroom)

Flood Risk Management: No objection subject to suggested conditions.

Public Right of Way: No objection.

Travelwise: No objection, travel plan and monitoring fee (£13,865).

SDU (Landscape): No objection, suggested updated conditions.

SDU (Nature Conservation): No objection, suggested updated conditions.

West Yorkshire Archaeological Advisory Service: No objection, suggested conditions.

8.0 PLANNING POLICIES:

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

Local Planning Policy

8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:

SP1: Delivery of spatial development strategy.

SP2: Support for a centres first approach directing retail, offices, leisure... supported by sequential and impact assessments

SP4: Regeneration priority programme areas, including Aire Valley. Priority will be given to developments that improve ... access to employment and skills development, enhance green infrastructure and greenspace, upgrade the local business environment...;

SP5: Aire Valley Leeds identified as a strategic location providing new homes, land for employment uses and new retail services of an appropriate scale.

SP8: A competitive local economy will be supported through provision and safeguarding a supply of land to match employment needs and opportunities for B class uses; seeking to improve accessibility to employment opportunities by public transport, walking and cycling across the district and especially in relation to job opportunities in the Aire Valley Leeds; supporting training/skills and job creation initiatives.

SP9: Provision for offices, industry and warehouse employment land and premises.

EC1: General employment land will be identified, in the first instance, to meet the identified need for land to accommodate research and development, industry, warehousing and waste uses over the plan period.

EC3: Safeguarding existing employment land and industrial areas.

P1: Identifies town and local centre designations.

P8: Sequential and impact assessments for main town centre uses.

P10: New development for buildings and spaces, and alterations to existing, should ... provide good design that is appropriate to its location, scale and function;

T2: New development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

G1: Seeks to improve green infrastructure/ corridor function of land; deal positively transition between development and adjoining open land; provision/retention of biodiversity and wildlife.

EN5: Seeks to manage and mitigate flood risk.

8.3 The application site is allocated for employment uses within the UDP Review (2006). The site also lies within the Aire Valley regeneration area for which an Area Action Plan is being prepared. In addition a triangular shaped portion of Leeds Nature Area (Halton Wood) encroaches the site to its north-east corner. The following saved policies are considered to be of relevance:

- GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- LD1: Seeks for landscape schemes to complement and where possible enhance the quality of the existing environment.
- E3: Identifies land for employment uses.
- N23: Incidental space around built development should provide a visually attractive setting.
- N24: Requires development proposal which abut green belt, green corridors and other open land to assimilate into the landscape.
- T24: Refers to car parking guidelines.
- BD5: Requires new buildings to give consideration to both their amenity and that of their surroundings.

8.4 The following Natural Resources and Waste DPD (2013) policies are considered to be relevant:

- WATER 7 : All developments are required to ensure no increase in the rate of surface water run-off to the existing formal drainage system and development expected to incorporate sustainable drainage techniques.
- LAND1: Supports principle of development on previously developed land and requires submission of information regarding the status of the site in term of contamination.

8.5 Supplementary Planning Guidance/ Documents:

- SPG22 Sustainable Urban Drainage (2004)
SPD Street Design Guide (2009)
SPD Sustainable Design and Construction (2011)
SPD Public Transport Improvements and Developer Contributions (2008)
SPD Travel Plans (2011)

8.6 Other relevant documents:

- A Design Guide for the Aire Valley, Leeds
Local Development Order 1 (Solar Panels) & 2 (Changes of use and extensions): Aire Valley Leeds Enterprise Zone (Aug, 2012)

8.7 In April 2012, the Leeds City Region established an Enterprise Zone in the Aire Valley. National government introduced the concept of Enterprise Zones to *“stimulate private sector investment and drive economic growth, backed by incentives which include reduced business rates and simplified planning regulations. A key requirement is that the areas designated as enterprise zones should be made up of ‘clean sites’, available for immediate development and with few or no business occupants”*.

8.8 The associated Enterprise Zone website states that *‘All four sites within the enterprise zone – Newmarket Lane (9.2 ha), Thornes Farm (21.08 ha), Logic Leeds (49.1 ha) and Temple Green (63.04 ha) – have planning consents already in place for a range of employment uses including large-scale manufacturing, distribution and high quality offices.’*

8.9 The website further states that *'Leeds was chosen as the location for the enterprise zone as it demonstrated the potential to deliver significant economic growth and access to job opportunities across a wide geographic area. The enterprise zone is expected to act as a catalyst for the regeneration of the wider Aire Valley Leeds which, fully developed, could deliver £550 million of additional economic output and over 9,500 new jobs by 2025. An additional benefit is that the local enterprise partnership will be able to retain business rates generated within the enterprise zone to fuel economic development projects and growth elsewhere in the city region.'*

National Planning Policy

8.10 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.11 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. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF. The NPPF gives a presumption in favour of sustainable development and has a strong emphasis on achieving high quality design.

8.12 In para.7 of the NPPF the economic role is identified as one of the three dimensions to sustainable development (alongside social and environmental) *...'contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth and innovation, and by identifying and coordinating development requirements, including the provision of infrastructure.'*

8.13 Para. 19 of the NPPF states *'the government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'*

8.14 Para. 21 of the NPPF states *'investment in business should not be over-burdened by the combined requirements of planning policy expectations.'*

8.15 Greater Flexibility for Planning Permission- Guidance (Oct 2010).

9.0 MAIN ISSUES

- 1. Extension of time period applications**
- 2. Principle of development**
- 3. Highway implications**
- 4. Landscape and ecological considerations**
- 5. Flood risk implications**
- 6. Visual amenity considerations**

7. Other matters

10.0 APPRAISAL

Extension of time period applications:

- 10.1 The provision for extending time limits on permissions was initially brought into force on 1 October 2009 via the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009 (SI 2009 No. 2261) and the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2009 (SI 2009 No. 2262). An amendment to this order was introduced on 1 October 2012 and this confirmed a one-year extension to the temporary provisions previously introduced. The effect of this statutory is to bring a new 12-month cohort of planning permissions within the scope of the initial provisions and allow applicants with unimplemented extant permissions granted on or before 1 October 2010 (previously the deadline was 1 October 2009) to apply for a replacement permission for the same development, subject to a new time limit for implementation.
- 10.2 These measures were introduced to make it easier for developers and local planning authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve. In effect, this application is for an extension of time for the implementation of a planning permission by grant of a new permission for the development authorised by the original permission (in this case, 21/13/04/OT).
- 10.3 The national guidance for such applications states that '*...local planning authorities should take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date.*' The guidance continues advising that whilst the applications are still to be determined in accordance with the statutory development plan '*...local planning authorities should, in making their decisions, focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission.*
- 10.4 Accordingly, the issues to be considered as part of the extension of time application are limited and should concentrate on the implications of any significant changes to development plan policies and any other material considerations since the original scheme was granted permission rather than re-visiting all matters.

Principle of development

- 10.5 The application site is allocated for employment uses and for regeneration initiatives. The emerging Area Action Plan also continues to propose the site for employment related uses. Since the grant of the original outline permission (Ref: 21/13/04/OT) the Leeds City Region Enterprise Zone has been established (in 2012) which is expected to act as a catalyst for regeneration in the Aire Valley through the delivery of additional economic output and job creation from the build out of development sites.
- 10.6 The range of uses benefitting planning permission at this site allow for B1, B2 and B8 uses up to a maximum limit of 143,000sqm. These uses are consistent with local planning policy that identifies regeneration areas (including Aire Valley) as an appropriate location for general employment uses which cover these classes of development. Indeed, there is a policy requirement to identify 250ha of land within the

Aire Valley for employment uses. The creche element of the proposal is also considered to accord with plan policies as a supporting use to the main development.

- 10.7 The remaining uses proposed potentially include up to 43,050sqm of B1(a) office uses, a hotel and class A2, A3 and A4 uses. Since the grant of the original outline planning permission there have been changes in national and local policy in terms of the approach of where to direct B1(a) office and leisure type uses. Currently these along with the retail uses proposed fall within the NPPF's definition of main town centre uses. Local policy also prioritises new office, retail, service, leisure and cultural facilities in city/ town centre locations. The application site lies in an out-of-town location and therefore in accordance with this current centre based approach it is considered necessary for a sequential assessment to be undertaken to demonstrate that the proposal cannot be located within or on the edge of the city centre or a town centre. The relevant catchment area for the sequential test assessment is 15 minutes driving time based on the scale of office development and the hotel proposed. An impact assessment is also required on the basis of the scale of these elements.
- 10.8 The catchment area used in the applicant's sequential assessment identifies 10 town centres and 4 local centres within the catchment. The scope of assessed sites within and on the edge of the city centre had previously been agreed with the applicant to include saved UDP city centre proposals (Primary Office Quarter sites and Prestige Development Area sites) and edge of city centre employment sites. It is accepted that a site of at least 4.5ha is required to accommodate the office (43,000sqm) and hotel (120 bed) elements of the scheme and that there is no need to disaggregate the scheme because the assessment is based on the previously approved development. The methodology used by the applicant is therefore considered to be sound.
- 10.9 The applicant's assessment of the town centres and local centres within the catchment area indicates that there are no available sequentially preferably sites which could accommodate the proposed development and can be justifiably discounted on grounds of suitability or availability or because they are too small.
- 10.10 The conclusions reached in the impact assessment are accepted and significant weight is given to the fact the town centre uses proposed are part of a much wider employment development which could deliver up to 143,000sqm of industrial/ distribution floorspace on this site within the Leeds City Region Enterprise Zone. It is also noted that the extant outline planning permission allows the site to be developed entirely for non-town centre employment uses falling under classes B1(b), B1(c), B2 and B8 which are entirely consistent with site's employment allocation. It is therefore considered that the proposal accords with the development plan and national planning policy in principle.
- 10.11 It is to be noted that there is discretion in terms of the length of time a planning permission can be extended for and to grant a longer permission needs to be adequately justified on planning grounds. This proposal seeks a further ten years (to 2025) in which to allow for submission of reserved matters with development begun no later than 2 years from approval of the last reserved matters. The applicant advises that this extension of time period is required in order to provide confidence to investors and potential occupiers and that they have further time to deliver this scheme in full given the large-scale nature of the site and the current market conditions. The 2025 date also aligns with the timescales identified for the City Region Enterprise Zone to deliver economic output and delivery of jobs and with a recent extension of time period permission granted at the nearby Temple Green site for employment based uses.

10.12 When considering the acceptability of the proposed extension of time period requested it is recognised that the application site is large scale and works to development plots will be advanced in phases. The applicant requires commercial confidence to demonstrate the potential for the build out of the site and it is to be highlighted that there is development activity currently at the development site suggesting confidence in the delivery of future development works. The proposed extended time period would be consistent with the permission recently granted at the nearby Temple Green site and would align with the target Enterprise Zone timescales. In taking account of these factors the requested extended time period is considered appropriate.

Highway implications

10.13 The applicant has submitted updated transport statement to reflect current transport/highway conditions. It is noted that the site falls short of accessibility standards although it is recognised that the application is allocated and lies within an enterprise zone and it is expected that through the implementation of various extant permissions in the locality improvements to public transport provision will be realised over time.

10.14 Since the grant of the original outline planning permission the East Leeds Link Road (ELLR) has been constructed and is open to serve the site, providing a strategic link from Leeds City Centre to the motorway network via Junction 45 of the M1. The development of this land and the other adjoining participating development sites in the Aire Valley was contingent upon the financing and construction of the ELLR. An existing s106 agreement associated with permission Ref: 12/02237/OT secured repayments towards the funding of this route and the money relates to the land rather than the implementation of any specific planning permission. In respect of this site, the developer has a commitment to pay £3.81m towards the cost of the ELLR and this contribution is to be secured through a s106 agreement.

10.15 Access to the development site has been established through the laying out of an initial 200m section of spine road connecting to the Bellwood roundabout (off the ELLR) that has been provided as part of an earlier planning permission (Ref: 12/02237/OT). It is expected that this spine road will eventually continue through the whole of the site and link to the Halton Moor Road. Vehicle access to and from Halton Moor Road will be restricted to buses (via a bus gate), pedestrians and cyclists only whereby such facilities were agreed under permission Ref: 08/05480/FU.

10.16 The spine road will be constructed to adoptable standards and act as an internal vehicle route providing egress and exit routes designed to cater for future phases of development at the wider Logic Leeds site. Pedestrian and cycling facilities are also to be provided.

10.17 The extant outline planning permission includes a number of highway related conditions that seek to limit the number of vehicular trips to and from the site. The conditions seek to restrict the amount of development carried out under a minimum number of phases, limits on the vehicle trips during peak periods and provision to monitor traffic movements (to accord with the restricted number of vehicle trips). Moreover, restrictions on the number of car parking spaces associated with the development are also imposed. These requirements remain relevant in order to ensure the safe operation of the highway network and free flow of traffic to the nearby M1 motorway and accordingly, these conditions are to be repeated.

10.18 In addition, the applicants' Travel Plan Framework document promotes measures to ensure that future occupiers of the development site offer a choice of travel modes to and from the premises. A planning condition requiring the submission of details and

the implementation of travel plans for employees and visitors was imposed under the original planning permission and this condition is to be repeated. The securing of £13,865 to cover the monitoring of the travel plan documents is secured in the s106 agreement.

- 10.19 Pedestrian and cycle connectivity will be improved in this locality through the delivery of a pedestrian and cycle crossing (toucan crossing) on the ELLR, located to the west of the Bellwood roundabout that will provide good safe access to the park and ride facility recently granted planning permission to the Temple Green site to the south. However, it is unlikely that the park and ride service will divert into the development site and therefore the services linked to the park and ride would still have to be accessed from ELLR. With this in mind, the permeability of the site to reduce walk distances to bus stops on ELLR is an important design consideration. However, whilst the West Yorkshire Combined Authority has sought a financial contribution towards additional bus facilities on the ELLR, conditions imposed under an earlier planning permission at the site have secured public transport services through the site (north to south) which will connect Halton Moor Road and the ELLR. The conditions could be repeated through this proposal and will assist in the delivery of public transport services through the site, providing supporting bus facilities directly related to the development proposal.
- 10.20 The scale and nature of the proposed development will generate a significant number of trips, a proportion of which will have to be accommodated on the public transport network. Since the grant of the original outline permission the Public Transport Improvements and Developer Contributions supplementary planning document has been adopted (in 2008) and so regard must be given to its requirements. Indeed, a similar approach was applied to the recent extension of time period application at the nearby Temple Green site (Ref: 10/05048/EXT) that obtained planning permission in 2014. A financial contribution proportionate to the travel impact of the scheme would normally be required towards the cost of providing the strategic transport enhancements which are needed to accommodate additional trips on the network. In this case, a contribution of up to £894,229 could be required based on the full build allowed of B1 office use and hotel; if the development involved no B1 offices (and instead a full build out of the B2/B8 element) the scheme would result in a reduced contribution of £305,778. Given the flexible nature of the uses involved in the development proposal a pro-rata methodology has been calculated and the rates for the B2/B8 use are the same as those used and agreed for the nearby Temple Green site. Contributions towards enhancements of public transport infrastructure will assist the developer in achieving the restricted vehicular trip rates specified within the planning conditions. The financial contribution is normally secured through a Section 106 agreement.
- 10.21 It is noted that the developer is required to pay a significant sum towards the completed East Leeds Link Road, which provides access to the site and nearby motorway, but this does not compensate for the requirement for public transport services as set out in the City Councils adopted supplementary planning document.
- 10.22 Overall, no objections have been received from the LCC Highways Authority and it is consequently considered that this proposal is not harmful to highway safety subject to the highway and transport related planning conditions imposed under the original extant outline permission being repeated.

Landscape and ecology considerations

- 10.23 The application site comprises predominantly of arable fields with areas of grassland and the boundaries of the site are marked by a mixture of intact and defunct hedges, fencing and scrub. The site lies within the indicative Strategic Green Infrastructure as

part of the Wyke Beck corridor and a designated Leeds Nature Area (Halton Wood) encroaches the site to its north-east corner.

- 10.24 In 2007 Strategic Flood Risk Assessment was undertaken which identified that this development site (Logic Leeds) would be required to provide flood risk mitigation by means of a relief channel (Ref: 11/04915/FU). Works related to this flood relief channel have commenced and include wildflower areas, native tree and shrub planting. This flood relief channel and the other associated landscaping works detailed to be provided along the site's western and southern boundaries make a substantial contribution to green infrastructure provision on the site. Allied to the provision of structural landscaped boundaries along the northern and eastern edges of the site and the retention and supplementing landscape buffers to part of Halton Wood which encroaches the site shall ensure an appropriate landscaped setting to the proposed development.
- 10.25 Accompanying this extension of time period application is an updated habitat survey covering the application site. The existing buildings on site are identified as having potential to support roosting bats and further assessments of bat presence are required prior to demolition. Furthermore, bat activity assessments are also required to assess the use of the site by foraging and commuting bats. Conditions imposed on the extant permission that cover these matters are to be carried through. Similarly, conditions relating to the assessment of the presence of water voles and the provision of bat/ bird boxes are to be repeated. The updated habitat survey did however record Japanese knotweed at a number of locations within the site and as a non-native invasive species should be treated/ removed from site as part of the development works and such measures could be adequately dealt with by planning condition.

Flood Risk Implications

- 10.26 The applicant has submitted a technical update on flood risk and drainage matters to support this extension of time period application. Since the grant of the original outline permission further assessment of the adjacent watercourse (Wyke Beck) has been carried out which included hydraulic modelling to determine flow rates both in the beck itself and overland across the site. As a result of this work, a proposal was submitted (Ref: 11/04915/FU) to construct of a flood relief channel along the site's western boundary to reduce the risk of flooding both within the site and downstream. Permission was granted in 2011 and the design of the flood relief channel is considered to remain relevant. Moreover, the proposed details of the surface and foul water strategy are considered acceptable.

Visual amenity implications

- 10.27 This application proposal is in outline form only and therefore the detailed site layout and appearance of individual buildings will be subject for future consideration. In recognition of the site's size, this is a long-term development that will be built out in phases where opportunities to achieve a consistency in design and high quality landscaping along visually prominent frontages and between individual plots can be detailed as each development phase is advanced.

Other matters

- 10.28 By virtue of the scale and nature of the development proposal provisions are to be made to secure employment and training initiatives to promote employment opportunities for local people during construction works and within the future development.
- 10.29 In respect of land contamination matters, officers are content for the development to progress although request the submission of a further site investigation reports as

each development plot is advanced across the site. This additional work can be adequately secured through appropriate planning conditions. Furthermore, since the grant of outline permission 21/13/04/OT The Coal Authority are now a statutory consultee. The application site lies within a defined Development High Risk Area with the potential for mining related hazards to be present within the site. However, planning conditions can adequately deal with any coal mining legacy issues.

- 10.30 The archaeological potential of the site have been reviewed in desk based assessments (in 2008 and 2014) and both archaeological geophysical survey and trenching have been carried out on parts of the site adjacent to the ELLR. This work related to planning conditions imposed under separate planning permissions at the site. Archaeological evaluations of the remainder of the site can be adequately secured by the repetition of the planning condition imposed under the original outline permission.
- 10.31 As identified earlier in this report, a pipeline crosses the site which will likely require easements from buildings which will restrict the developable area at the site. As this application is in outline form the layout of the development is not yet known. The pipeline location would influence where buildings could be sited but this would be dealt with under later reserved matters applications. Ultimately, the Health and Safety Executive have advised that there is no reason, based on safety grounds, why planning permission could not be granted.

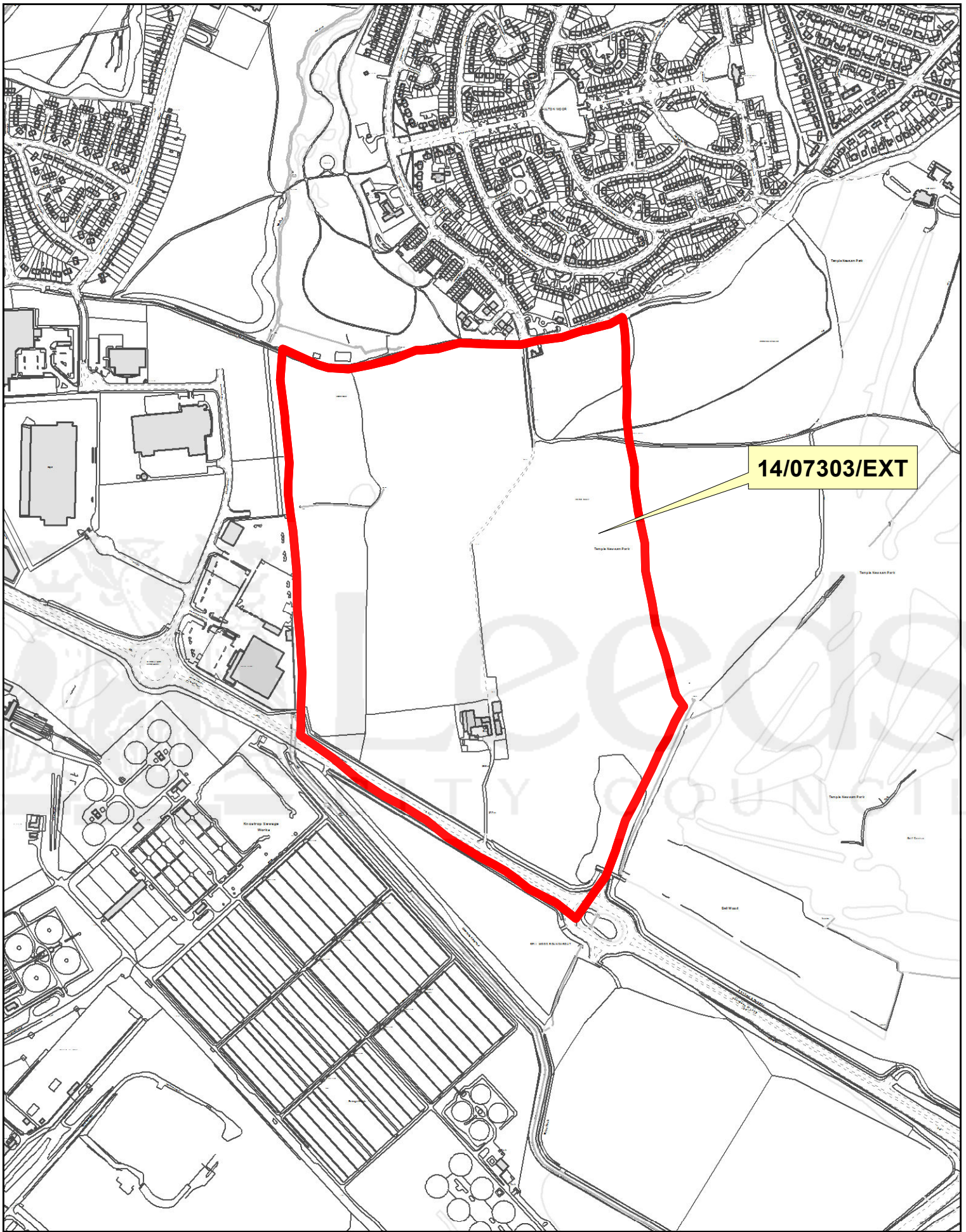
11.0 CONCLUSION

- 11.1 This application proposal will extend the time period for the submission of reserved matters to support the continued delivery of employment and supporting uses on this allocated employment site. The site benefits from an extant permission (until 2016) for employment development and is of considerable significance to the economic strategy of the Council. The proposal at the Logic Leeds site is expected to be a catalyst for further investment and the build out of further commercial floorspace to future phases at the site leading to job creation within the City Region Enterprise Zone. Therefore, the proposed development is considered acceptable in principle and is strongly supported.
- 11.2 The detailed design and layout of the proposed development will be subject to future assessment under reserved matters applications. The proposed development is not considered to be prejudicial to highway safety and through the imposition of appropriately worded planning conditions suitable mitigation can be afforded to matters of flood risk, landscape, ecology, contamination and archaeology. It is to be noted that the wording of the conditions imposed under the original outline planning permission are to be reviewed to ensure that they relate to up-to-date advice and align with current planning policy references.
- 11.3 The one outstanding issue relates to the requirement for a public transport contribution and the impact of that on the viability of the proposal given it was not part of the original approval. Members will be advised further on the outcome of that issue at Panel. Subject to the satisfactory resolution of the issue it is recommended that the application is deferred and delegated for approval to allow completion of the legal agreement.

Background Papers:

Application files: 14/07303/EXT

The applicant served the requisite notice to landowners John Austin (Skelton Moor Farm) and Lord Halifax Estates dated 15th December 2014.



CITY PLANS PANEL



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