



CITY PLANS PANEL

**Meeting to be held in Civic Hall, Leeds on
Thursday, 28th July, 2016 at 1.30 pm**

MEMBERSHIP

P Gruen
N Walshaw
J McKenna
(Chair)
A Khan
A Garthwaite
J Heselwood
B Selby
C Macniven

C Campbell

R Procter
G Latty

T Leadley

D Blackburn

**Agenda compiled by:
John Grieve
Governance Services
Civic Hall
Tel: 0113 224 3836**

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>	

Item No	Ward	Item Not Open		Page No
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13 -16 of the Members' Code of Conduct.</p>	

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5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence (If any)</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To receive and approve the minutes of the previous meeting held on 7th July 2016.</p> <p>(Copy to follow)</p>	
7	City and Hunslet; Hyde Park and Woodhouse		<p>PLANNING APPLICATION NO. 16/01322/FU - STUDENT RESIDENTIAL ACCOMMODATION BUILDING COMPRISING 87 STUDIO FLATS, INCLUDING ANCILLARY COMMUNAL FACILITIES AND RETAIL UNIT, ASSOCIATED LANDSCAPING AND CAR PARKING AT 46 BURLEY STREET, LEEDS, LS3 1LB</p> <p>To consider a report by the Chief Planning Officer setting out details of an application for a Student Residential Accommodation Building, comprising 87 studio flats, including ancillary communal facilities and retail unit, associated landscaping and car parking at 46 Burley Street, Leeds, LS3 1LB.</p> <p>(Report attached)</p>	3 - 28
8	City and Hunslet		<p>PLANNING APPLICATION NO. 16/01921/FU - TEMPORARY USE AS RESIDENTIAL SITE FOR GYPIES AND TRAVELLERS WITH 8 PITCHES FOR 10 YEARS AT KIDACRE STREET, HUNSLET, LEEDS, LS10 1BD</p> <p>To consider a report by the Chief Planning Officer which sets out details of an application for the temporary use as residential site for Gypsies and Travellers with 8 pitches for 10 years at Kidacre Street, Hunslet, Leeds, LS10 1BD.</p> <p>(Report attached)</p>	29 - 46

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9	City and Hunslet		<p>PREAPP/16/00172 - PRE-APPLICATION PRESENTATION FOR PROPOSED MULTI-LEVEL COLLEGE DEVELOPMENT IN UP TO FOUR BUILDINGS AT QUARRY HILL, LEEDS 1</p> <p>To consider a report by the Chief Planning Officer which sets out details of a Pre-application presentation for a proposed multi-level college development in up to four buildings at Quarry Hill, Leeds 1.</p> <p>(Report attached)</p>	47 - 56
10			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Thursday 18th August 2016 at 1.30pm in the Civic Hall, Leeds.</p>	

Third Party Recording

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

Use of Recordings by Third Parties– code of practice

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

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To all Members of City Plans Panel

Planning Services
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Contact: Daljit Singh
Tel: 0113 247 8010
daljit.singh@leeds.gov.uk

Our ref: City Site Visits
Date: 18.7.2016

Dear Councillor

SITE VISITS – CITY PLANS PANEL – THURSDAY 28th July 2016

Prior to the meeting of City Plans Panel on Thursday 28th July 2016 the following site visits will take place:

Time	Ward	Site
10.00-10.20am	City & Hunslet	46 Burley Street, Leeds 3. Application reference: 16/01322/FU
10.30-10.50am	City & Hunslet	Kidacre Street, Leeds 10. Application reference: 16/01921/FU
11.00-11.20am	City & Hunslet	Quarry Hill, Leeds 1. PREAPP/16/00172

For those Members requiring transport, a minibus will leave the Civic Hall at 9.50 am prompt. Please notify Daljit Singh (Tel: 247 8010) if you wish to take advantage of this and meet in the Ante Chamber at **9.45 am at the latest**.

Yours sincerely

Daljit Singh
Central Area Team Leader

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Originator: C. Briggs

Tel: 0113 2224409

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 28 July 2016

Subject: Planning Application Reference 16/01322/FU Proposal for Student Residential Accommodation Building Comprising 87 Studio Flats, including Ancillary Communal Facilities and Retail Unit, Associated Landscaping and Car Parking at 46 Burley Street, Leeds LS3 1LB

APPLICANT

Burley Place Limited

DATE VALID

14.03.2016

TARGET DATE

04.08.2016 (Extended)

Electoral Wards Affected:

City and Hunslet
Hyde Park and Woodhouse

Yes

Ward Members

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions set out in Appendix 1 (and any others which he might consider appropriate) and also the completion of a Section 106 agreement to include the following obligations:

- Use of residential accommodation only by students in full-time higher education;
- Restrictions on student car parking
- Cooperation with local employment and training initiatives
- Section 106 management fee (£750)

In the circumstances where the Section 106 has not been completed within 1 month of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

1.0 Introduction

- 1.1 This application is brought to Plans Panel because it relates to a proposed major housing development at 46 Burley Street. This new application is in response to the

previous Plans Panel refusal and subsequent planning appeal dismissal for student housing and a ground floor retail unit.

2.0 Site and Surroundings

2.1 The cleared application site (approx. 0.13ha) is bounded by Burley Street, Park Lane, Rutland Mount, and a red-brick electricity substation. There was previously a red-brick two storey warehouse on the site. To the east of Rutland Mount is a distinctive red-brick and concrete mid-20th Century former Post Office Sorting Office. To the south lies Sentinel Towers, a beige brick student housing scheme, a pedestrian route via steps to Cavendish Street, and the St. Andrews Court office park, including the Grade II listed St. Andrew House. The nearest traditional housing is at Kendal Walk (approx. 45m away) and Hanover Square, higher up the grassed valley side. Developments in the last 10 years in the wider area have included student housing and café, gym and retail facilities at Opal Court 1 and 2 to the south west, and Concept House on Burley Road to the north east of the application site. Prior to these developments, the Kirkstall Road and Burley Road area was mainly commercial and industrial in character; however these recent developments have increased the mix of uses and facilities in the area. The site lies within the designated City Centre.

3.0 Proposal

3.1. The application proposal consists of 87 self-contained studio flats, including ancillary communal facilities, a retail unit, a second floor communal roof garden, associated landscaping and car parking. The scheme has been revised during the course of this application, and is now part 4, part 5, part 6 storeys along Park Lane, and part 7, part 8 storeys along Burley Street.

3.2 There would be 3 car parking spaces and one motorcycle space accessed from Park Lane. 22 secure cycle parking spaces would be provided at ground floor. Servicing and refuse collection would take place from lay-bys off Burley Street and Park Lane. Rutland Mount would be closed to traffic, with new footway surfaces and tree planting.

3.3 Pedestrian access to the upper floor flats would be from Rutland Mount and Park Lane. There would be two communal lounges, one at ground floor level (Burley Street side) of 99.8sqm and one at second floor level (ground floor on the Park Lane side) of 78.8sqm

3.4 The 170sqm A1 convenience retail unit at ground floor would be accessed from the Burley Street frontage.

3.5 A communal external terrace is proposed at second floor level on the south (Burley Street) side of the building. This would be approximately 10m x 6m of useable space with planters arranged around the building frontage to protect the amenities of the surrounding units.

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

- Scaled Plans (revised)
- Design and Access Statement
- Sustainability and Coal Statement
- Transport Statement
- Planning Statement
- Retail Statement

- Noise Impact Assessment
- Wind study
- Statement of Community Involvement
- Land Contamination Reports
- Typical flat layouts
- Computer Generated Images of the proposed building (CGIs)

4.0 Relevant Planning History and History of Negotiations

4.1 Planning application 14/03735/FU for student residential accommodation building comprising 110 studio flats, including ancillary communal facilities and retail unit, associated landscaping and car parking was refused on 16th February 2015, following a resolution at City Plans Panel on 12th February 2015, on the following grounds:

“1. The proposed development due to its design, nature and limited accommodation type would provide inadequate amenities for the future residents of the site and would fail to meet sustainable long term housing needs, contrary to Policies CC1, H4, P10, and H6B of the Leeds Core Strategy, Saved Policies GP5 and BD5 of the Leeds Unitary Development Plan Review 2006, Supplementary Planning Guidance Neighbourhoods for Living, and the National Planning Policy Framework.”

2. The application proposal would result in an overintensive development, out of character with the urban grain of the immediate surrounding area by reason of the dominating effects of its excessive height and bulk. The application is therefore contrary to Leeds Core Strategy Policy SP1(iii) and P10, Leeds UDPR Saved Policies GP5 and BD2, and Little Woodhouse Neighbourhood Design Statement SPD, Neighbourhoods for Living SPG, and the National Planning Policy Framework.”

The applicant appealed the decision and the appeal was considered by the Planning Inspectorate on 22nd July 2015, through the Informal Hearing procedure, and the decision was issued on 10th September 2015 (Planning Inspectorate ref. APP/N4720/W/15/3005747). The appeal was dismissed with both reasons for refusal being upheld.

4.2 In 2016 Officers gave feedback on pre-application drawings, and stated that the living conditions for a number of flats would still be cramped. The bulk of the proposed 5 storey building (when viewed from Park Lane) was also considered to be unacceptable at the western end of the block. The applicant submitted the scheme in the same form as that discussed at pre-application stage, and was advised by officers that they needed to further revise the scheme. The applicant has since reviewed the scheme, and increased the size and improved the shape of a number of flats. They also modified the top floor of the building to give a stepped appearance at the eastern and western ends.

5.0 Public/Local Response

5.1 Planning application publicity consisted of:

5.2 Site Notice of Proposed Major Development posted 01.04.2016

5.3 Press Notice Major Development published 01.04.2016

5.4 City and Hunslet and Hyde Park and Woodhouse Ward Members consulted by email on 15.03.2016 and 14.06.2016.

- 5.5 All previous objectors were consulted when this application was lodged. During the current application process, the plans have been revised, and all objectors were re-consulted.
- 5.6 7 objections have been received from 2 residents of Kendal Walk, Little Woodhouse Community Association, a resident of Ash Grove in Headingley, the South Headingley Community Association, Leeds Civic Trust, and Cllr. Gerry Harper (Hyde Park and Woodhouse Ward), stating the following concerns:
- the principle of student housing development *is not acceptable* at the site due to an existing over-concentration in the area
 - the proposed revised building height and bulk would dominate the housing on Kendal Walk and be out of keeping with the character of the area
 - The roof-form of the proposed building does not respond to the topography of the area
 - The building would block views across the valley from Belle Vue Road
 - The revisions dated 27th May 2016 increase the maximum height of the building
 - the proposed building footprint is overdevelopment of the site,
 - The CGI images are misleading
 - taxis on Park Lane are likely to block the highway and sound their horns, causing nuisance to nearby residents
 - the proposed development would introduce an intrusive element into the townscape as it would be taller than the terraced housing on the other side of the road
 - the building wouldn't have a pitched roof and therefore would be out of keeping with the nearby terraced houses and adjacent electricity sub-station
 - the proposed development would lead to increased traffic, and lead to more accidents in the area
 - loud music from open windows facing onto Park Lane would disturb those living on Kendal Walk and Kendal Rise
 - the building would lead to less light in Sentinel Towers and properties on Kendal Walk
 - the proposed development would be too close to other tall buildings. As well as creating windy conditions this would lead to the feeling of claustrophobia already apparent in the nearby so-called "student village"
 - The proposal is for 87 flats. This is almost twice the number recommended in the Draft Site Allocations Plan
 - By removing stone setts from Rutland Mount, the proposal would damage the area's character
 - The retail unit would attract vehicles which would park on Park Lane, Burley Street and other nearby roads.
 - The Council should not take account of the economic viability of the proposed development
 - The proposed elevations are utilitarian and would not enhance the area, particularly Park Lane and Belle Vue Road
 - conditions should be attached to any approval to require management of the situation, perhaps through provision of introductory information to students about the area and their responsibilities towards its general amenity; a travel plan that includes information on walking routes; the provision of litter bins along the routes with information on their location and use; and requirements within the terms and conditions of the lease about behaviour outside the site within the neighbourhood.

Statutory

6.1 LCC Transport Development Services

No objection. The site is in an accessible location and the local area is within a controlled parking zone.

The Transport Statement addendum advises that 22 secure cycle spaces and lockers will be provided in the undercroft parking area with 4 cycle hoops provided on the Park Lane frontage. The long stay provision equates to 25% of bed spaces and is on balance acceptable.

WYCA/Metro should be consulted regarding the proposal, funding of a Metro 'live' bus information display was previously requested at bus stop number 11452 at a cost of approximately £10,000 (including 10 years maintenance) to the developer.

The Kirkstall Road Area Planning Framework proposes Rutland Mount to be improved to be a 'Green Access Link' for north-south non-motorised movements. The proposed layout indicated on the submitted plans has been agreed in principle through previous applications on the site. However, there are some operational and technical requirements that will need to be accommodated in the final design. The proposed alterations to Rutland Mount may hinder future access to the adjacent building, if there are any maintenance or access requirements, these would need to be accommodated through discussions between the applicant and the building owner.

The lay-by on Park Lane is proposed to be only 1.8m wide and would not be suitable for larger vehicles but is acceptable for pick up and drop off by car. The bin store is indicated to be accessed via Burley Street, the loading bay at this side is adequately wide to accommodate larger vehicles at 2.8m and the proposed lay-by dimensions are acceptable.

The applicant is not proposing any student parking for the proposals – this is on-balance acceptable subject to suitable wording within a Section 106 agreement that no students may bring a car to Leeds during their tenancy.

The undercroft parking area should be left unmarked so that it can be used for disabled parking, staff parking and student drop-off-pick-up at the start/end of term time

The following conditions/s106 obligations are recommended:

- Full details of cycle/Motorcycle Facilities Notwithstanding Approved Drawings
- Car Park And Servicing Management Plan as the pick up and drop off at the beginning and end of term times must be managed to avoid large numbers of vehicles arriving for concentrated periods
- Provision For Contractors During Construction
- No parking permits for the student residents
- Full details of off-site Highway Works including Rutland Mount and service lay-bys to Park Lane and Burley Street

6.2 Coal Authority

No objection

Non-Statutory

6.3 **LCC Environmental Studies (road noise and air quality)**

No objection

6.4 **LCC Environmental Protection (commercial noise)**

No objection subject to conditions regarding construction practice, construction working hours (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

6.5 **LCC Flood Risk Management**

No objection subject to a condition requiring a detailed surface water drainage scheme.

6.6 **West Yorkshire Combined Authority**

There is a regular bus service running next to the development serving Leeds, Horsforth, Seacroft, Ireland Wood, Garforth etc. There are also more services nearby. Future residents would benefit if one of Metro's new 'live' bus information were to be erected at bus stop number 11452 at a cost of approximately £10,000 (including 10 years maintenance) to the developer. The display is connected to the West Yorkshire 'real time' system and gives accurate times of when the next bus is due, even if it is delayed. Good pedestrian access to/from the site to/from bus stops should be provided taking into consideration the needs of the elderly and mobility impaired.

7.0 **Planning Policies**

7.1 **Development Plan**

7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Any Neighbourhood Plan, once Adopted.

7.1.2 **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 UDPR 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' UDPR policies and policies that continue to be 'saved' (including most land use allocations).

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

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.

Para 5.2.20 of the Core Strategy states that: 'significant growth in student numbers in the past has led to high concentrations of student housing in areas of Headingley, Hyde Park and Woodhouse. This generated concerns about loss of amenity to long term residents'

Para 5.2.27 of the Core Strategy states that 'The decade 2001 – 2012 witnessed considerable development of new purpose built student accommodation particularly in and around the north west sector of the City Centre. Growth in this accommodation is to be welcomed in order to meet need and to deflect pressure away from private rented houses in areas of over-concentration. Nevertheless, care is needed to ensure that purpose built accommodation does not itself become over-concentrated and is located with good access to the universities.'

Core Strategy Policy CC1 outlines the planned growth within the City Centre for 10, 200 new dwellings. Part (b) of Policy CC1 encourages residential development, providing that it provides a reasonable level of amenity for occupiers.

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 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and character of the location.

Policy H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site. *(Please note student-only housing schemes are exempt from affordable housing).*

Policy H6B refers to proposals for purpose built student accommodation. Development will be controlled to take the pressure off the need to use private housing; to avoid the loss of existing housing suitable for families; to avoid excessive concentrations of student accommodation; to avoid locations that would lead to detrimental impacts on residential amenity; and to provide satisfactory living accommodation for the students.

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.

7.1.2 **Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies**

Relevant policies include:

GP5 all relevant planning considerations

BD2 design and siting of new buildings

BD4 all mechanical plant

BD5 Residential amenity

LD1 landscaping

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

Other material considerations

7.2 **Relevant Supplementary Planning Guidance includes:**

SPD Street Design Guide

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPG City Centre Urban Design Strategy

SPG3 Affordable Housing

SPD Parking

SPG Neighbourhoods for Living

Neighbourhoods for Living provides advice and principles for good residential design across the themes of use, movement, space and form. It promotes local character, analysis of landmarks, views and focal points, and quality buildings.

Little Woodhouse Neighbourhood Design Statement 2011 (adopted SPD)

The document states that Burley Road is a major traffic route into and out of the City, and that thin strips of land formerly occupied by industrial buildings are now giving way to purpose-built student housing flats. The old sorting office between Park Lane and Burley Street is identified as a local landmark. General design advice includes:

- building materials include red-brick as the basic walling material
- infill development should maintain existing building line
- views and vistas should be maintained
- new development should be of a similar size scale to its immediate neighbours
- new development should be sensitive and responsive to its context.

- Buildings in key locations – in corner positions or at the end of vistas and other key locations, buildings should be designed and detailed in a manner which reflects the importance of their location

Kirkstall Road Renaissance Area Planning Framework 2007

The Kirkstall Road Renaissance Area Planning Framework 2007 is informal supplementary planning guidance, and whilst it is a material consideration, it has little weight compared to the weight of policies comprising the Development Plan.

7.3 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.
- 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).

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.

7.4 The Leeds Standard 2014 and the Nationally Described Housing Standards

The Leeds Standard was adopted by the Council's Executive Board on 17th September 2014 to ensure excellent quality in the delivery of new council homes. 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 a minimum target of 37sqm for a self-contained studio flat. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has been adopted as formal planning policy and only limited weight can be attached to them, given their evidence base in determining the minimum space requirements, they are currently used to help inform decisions on the acceptability of development proposals.

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

The draft site allocations presented to Development Plans Panel on 13 January 2015 provide the basis for delivering the Council's housing and employment growth over the plan period. These allocations have now been the subject of public consultation. This site is identified as Housing site no. 226 as a brownfield City Centre infill site for 48 dwellings.

8.0 MAIN ISSUES

- 8.1 Principle of use
- 8.2 The effect of the proposed development on the character and appearance of the locality and the impact on surrounding amenities
- 8.3 The living conditions of the future occupiers of the proposed studio flats, with particular regard to internal living space, outlook, and external amenity space.
- 8.4 Highways and transportation
- 8.5 Sustainability
- 8.6 Wind
- 8.7 Other matters raised by representations
- 8.8 Section 106 obligations and CIL

9.0 APPRAISAL

9.1 Principle of use

- 9.1.1 The National Planning Policy Framework, Leeds Unitary Development Plan Review, and the Leeds Core Strategy, would all support the principle of residential development with a supporting small scale town centre commercial use in this City Centre brownfield site location, which has been vacant for many years. With regard to the Kirkstall Road Renaissance Area Planning Framework (an informal SPG with limited weight) this advises against further residential development in the City Heights area. However, the City Heights area identified in this document is still predominantly commercial in nature. This document does not benefit from as much weight as the NPPF or the Core Strategy, and does not form part of the Development Plan. The Core Strategy is also more recent and was subject to more thorough public examination.
- 9.1.2 Adopted Core Strategy Policy H6B relates specifically to the provision of student housing and is relevant to this application proposal. H6B was adopted following the Core Strategy Inspector's rejection of the Council's position that the policy should include a test for need when considering applications for new student housing. The application is assessed as follows against the criteria within Policy H6B:

Part i) states that development proposals should help extend the supply of student accommodation taking pressure off the need for private housing to be used. This

proposal would assist this objective by providing 87 purpose-built student studio flats.

Part ii) states that development proposals should avoid the loss of existing housing suitable for family occupation, and this proposal would also meet this objective, because it does not propose the loss of any family housing.

Part iii) seeks to avoid excessive concentrations of student accommodation (in a single development or in combination with existing accommodation) which would undermine the balance and wellbeing of communities. Whether the concentration is excessive in the area depends on the consideration of the local context. Whilst excessive concentrations of student populations can cause harm to discrete residential areas, it is considered that as a result of the site location within a busy City Centre environment, the local mixed land use functions and the proximity to the educational campus areas that the proposed student accommodation, as a small percentage increase to an existing concentration, could be tolerated in this location. It is considered that there would be some difficulty in defining a wider area within which student housing proposals would not form part of a mixed community, taking into account the dominant commercial uses around the site, and the existing residential communities of Little Woodhouse. If the community is defined across a wider area that includes Little Woodhouse and the area up to Kirkstall Road to the south, it is considered that the mix and type of residential accommodation is extremely varied, and therefore a balanced and mixed community is achieved. The key issues would be the location of a community boundary, identifying affected individuals/groups, what the harm was, identifying the individuals/groups causing harm, and the collection of robust, credible evidence to that effect. In addition the location and surrounding topography of the site means that students are likely to travel along the more convenient and direct main roads to nearby educational campuses and city centre facilities, rather than through more traditional residential streets such as the Kendals to the north. It is therefore considered that the proposal would not undermine the balance and well-being of existing communities in the area.

- 9.1.3 Regarding the retail unit, Policy CC1 states proposals for convenience retail up to 200sqm will be deemed acceptable anywhere within the city centre. As the proposed retail element falls below 200sqm, there is no requirement to undertake a sequential assessment. Therefore the retail element of the proposal would be in accordance with the Core Strategy.

9.2 The effect of the proposed development on the character and appearance of the locality and the impact on surrounding amenities

- 9.2.1 With regard to the assessment of the impact of the development on the character and appearance of the locality, the Appeal Inspector gave weight to Leeds Core Strategy Policies SP1(iii) and P10, Saved UDPR Policies GP5 and BD2, the Little Woodhouse Neighbourhood Design Statement 2011 (LWNDS), in particular that the LWNDS states that new development should be of a similar size and scale to its immediate neighbours. The Inspector acknowledges the varied topography of Park Lane and Belle Vue Road on the hillside, and the varied townscape of the immediate surroundings. The Inspector notes that the previous proposal did feature positive elements, including the provision of housing on a brownfield site with associated jobs and positive economic regeneration, and the general design of the podium element and fenestration details, but that these do not outweigh the harm to the character of the area caused by the 9-storey blade element.

- 9.2.2 In response to the appeal decision the applicant has now removed the 9-storey 'blade' element of the proposal, but has increased the height of the remaining podium element by one to two storeys along parts of the building facing Burley Street, stepping down towards the substation. The Inspector had commented that the original 4-storey podium element would closely relate to, and be in keeping with, the general character and appearance of the area. Also whilst there is no right to a view, the gap that currently exists (and previously existed with a lower warehouse building) is considered to offer relief from the taller buildings to the south for residential properties to the north of the site on Kendal Walk. Officers have therefore negotiated with the applicant a revision to the proposed massing that seeks to better complement the existing built scale and character of the area by creating a 'stepping effect', which follows the topography of Park Lane from the east down to the west.
- 9.2.3 The taller element of the revised proposed building would be of a similar height to that of the former sorting office building to the east. The lower section would be comparable to the height of Sentinel Towers to the south. The form would step down to the electricity substation to the east, and this lower element would also step below the ridges of the houses on Kendal Walk. The step in roof form would also serve to aid the breaking down of height, scale and bulk in relation to adjoining buildings and in longer distance views such as from Kendal Walk. Existing views from Kendal Walk are already dominated by Sentinel Towers (built in the 1990s) and The Tannery (early 2000s) and other modern buildings including the Holiday Inn on Kirkstall Road. On Burley Street, Sentinel Towers features a step in its roofline and the proposal would acknowledge this as it steps down. The roofline of the proposed building is generally considered to be in keeping with the scale of Burley Street. The Inspector also noted that there is a general perception of development stepping down with the topography in this immediate area.
- 9.2.4 In summary, the scale and form of the proposed revised building appears on balance to have an acceptable relationship with the sorting office, and the stepping down of buildings heights would be in line with the topography of the area. Therefore it is considered that the scale and form of the building is acceptable in this context.
- 9.2.5 With regards to elevational treatment, the proposed simple red-brick would reflect the traditional materials in the area. The building is considered to provide a suitable appearance in its immediate context with a simple palette of materials, a clear base, middle and parapet top to its design, and elevational interest provided by its window arrangements and reveal detailing.
- 9.2.6 Part iv) of Core Strategy Policy H6B states that proposals for student housing should avoid locations which are not easily accessible to the Universities by foot or public transport or which would generate excessive footfall through quiet residential areas which may lead to detrimental impacts on residential amenity. The site is approximately 800m from the University of Leeds, approximately 700m from the LGI and 1200m away from the main Leeds Beckett University campus. It is considered that the location of the site in relation to these educational establishments is likely to mean that most residents would travel along Park Lane and Clarendon Road and thereby avoid most established residential areas. Whilst there may be some travel through existing residential areas, this is more likely to take place through the day and would be limited in number compared to the more direct routes available along Clarendon Road and Park Lane.
- 9.2.7 A small number of local residents in their representations on this and other proposals have expressed concern regarding general noise and disturbance as a

result of students generally. However the area is characterised by a mixture of uses including significant existing student accommodation, which contribute to a busy edge of City Centre environment. It is considered that this proposal in itself would not unduly affect this existing character.

9.2.8 With regard to the direct impact of the development on adjacent residential properties, the site would be separated by a distance of approximately 45m from the nearest traditional residential properties to the north. The site lies in a predominantly commercial area, but close to traditional neighbourhoods. The direct impact of this proposal in terms of direct loss of amenity/noise/general disturbance on the existing residents of the Kendal's and Hanover Square, is likely to be relatively small due to the physical distance and change in topography. It is considered on balance that the relatively small increase in student numbers from this application would not result in a significant adverse impact on the nearby traditional residential areas.

9.3 The living conditions of the future occupiers of the proposed studio flats, with particular regard to internal living space, outlook, and external amenity space.

9.3.1 Core Strategy Policy H6B(v) clearly states that student housing should provide satisfactory internal living accommodation in terms of daylight, outlook, and juxtaposition of living rooms and bedrooms, and Core Strategy Policies CC1(b) and P10, and Saved UDPR Policies BD5 and GP5 also provide more general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. Paragraph 17 of the NPPF states that planning should also seek a high quality of design and a good standard of amenity for existing and future occupants of land. The appeal Inspector noted that in order to require a minimum internal housing standard, Local Planning Authorities should only do so by reference in their Local Plan to the Nationally Described Space Standard. Officers are currently preparing the necessary evidence for need, viability and timing, as set out by national guidance, in order to progress work on the Nationally Described Housing Standard in Leeds. In the case of studio flats, the Nationally Described Housing Standard and the Council's Leeds Standard specify a size of 37sqm, however the assessment of amenity is also a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space. These are all reasonable material planning considerations for Local Planning Authorities to assess, with reference to the National Planning Policy Framework (NPPF), the Leeds Core Strategy and the Saved Policies of the UDPR. These matters are subjective and it is a normal part of the assessment of a planning proposal to make subjective judgments of such matters.

9.3.2 In terms of the living conditions of the future occupiers of the proposed studio flats for this revised scheme, with particular regard to internal living space, outlook, and external amenity space, the applicant has responded to the appeal decision by making a number of changes. The cramped L shaped units from the previous refusal have been omitted, and nearly all the units are now of a wider square or rectangular shape. The total number of proposed studio flats has been reduced from 110 units to 87 units. In terms of ensuring that each unit has sufficient space for the purpose and function of fully self-contained independent occupation where a student could sleep, cook, eat, study and relax, the applicant has increased the size of the 87 proposed units as follows:

- 71 flats are approx. 28-30sqm

- 5 flats are 27.6sqm with south and east dual aspect
- 1 flat is 27.9sqm with south aspect
- 7 flats are approx. 30-32sqm
- 2 flats are 36 sqm
- 1 flat is 42 sqm

The smallest studios are significantly larger than those dismissed at the planning appeals at 46 Burley Street (primarily 20.9sqm); Kirkstall Design Centre (primarily 16-25sqm); and the development at City Campus, Calverley Street (22sqm) which was approved before the Leeds Standard and the introduction of the Government's Technical Housing Standards and which Members of City Plans Panel visited a show-flat on May 12th 2016. Although many units under this current application proposal for 46 Burley Street are not 37sqm or more, they are on balance considered to all benefit from an appropriate regular-shaped arrangement of living functions, furniture and circulation for satisfactory day-to-day living, as demonstrated by the submitted typical layouts.

9.3.4 In addition, the proposal includes two communal lounges (99.8sqm and 78.8sqm), which would allow residents to socialise and relax away from their flats.

9.3.5 There has been an increase in the width of Rutland Mount by 1m, and the flats on this flank of the building would be dual aspect. It is considered that generally the units facing Rutland Mount now have sufficient daylight and outlook, due to increased distance to the Sorting Office, the reduction in the number of units on each floor on this side of the building, the positioning of dual aspect units on the corners of the building, and the provision of additional projecting south and north facing windows to the units in between. This would give improved outlook, views of sky, daylight and sunlight, and the outlook and amenities of the occupiers of the units facing Rutland Mount are now considered on balance to be acceptable.

9.4 Highways and transportation

10.4.1 Transport Development Services have raised no objections to the proposed low level of parking. They have advised that subject to the provision of cycle and motorcycle parking, and demonstration of appropriate bin storage and collection, the proposal would be unlikely to result in adverse road safety issues or adverse impact on amenities for local residents. Secure cycle storage and bin storage is identified on the plans. The Parking SPD parking guidelines can accept minimal or no car parking where there is considered to be no adverse impact on the highway. On-street parking is controlled by a parking scheme in the local area. The site is well located in terms of access on foot or by cycle to the City Centre, the universities, the LGI, and public transport and local services are within easy walking distance. Highways officers would recommend a restriction that tenants who do not have an allocated space on site do not bring a car to the area. This would be controlled by the Section 106 agreement.

10.4.2 West Yorkshire Combined Authority has commented that future residents would benefit if one of Metro's new 'live' bus information displays were to be erected at bus stop number 11452 at a cost of approximately £10,000 (including 10 years maintenance) to the developer. However as the bus stop in question serves people travelling west-bound, away from the City Centre, there would be little reason for the proposed student population to use this bus stop, as the majority of their journeys are expected to be towards the City Centre and Universities. As such, it is considered that a bus stop improvement contribution is not fairly related to the development proposed or justifiable in planning terms in this case.

10.5 Sustainability

- 10.5.1 The proposal would meet at least a BREEAM Excellent standard for student housing. The scheme would deliver at least a 25% reduction in carbon emissions over building regulations standards. A minimum of 10% energy generation would also be provided on-site by the roof-top solar panels. The scheme would therefore achieve the standards set out in the adopted sustainable design and construction SPD Building for Tomorrow Today, and the Leeds Core Strategy.

10.6 Wind

- 10.6.1 The applicant submitted a qualitative desk-top wind assessment in support of the previous taller scheme which stated 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 conditions that have been assessed. Whilst the proposed footprint has not changed significantly, and the building form is lower, it is considered appropriate to condition a detailed wind study in order to ensure that no adverse wind issues result from the building, prior to the commencement of any building works.

9.7 Other matters raised by representations

- 9.7.1 The site lies within the designated City Centre, where under the Core Strategy housing development is required to be built at a density of at least 65 dwellings per hectare. The site allocations makes provision for 48 units on this site which is an estimate based on a formula and is not prescriptive of the actual number that should be achieved. In practice the nature of flatted accommodation in the City Centre has often resulted in residential densities significantly in excess of 65 dwellings per hectare.

9.8 Section 106 obligations and Community Infrastructure Levy (CIL)

- 9.8.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms,
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The proposed scheme produces the need for the following obligations which it is considered meet the legal tests:

- Occupation of the studios only by full-time higher education students only in order to meet with the Council's affordable housing policy;
- Restrictions on student car parking
- Cooperation with local employment and training initiatives;
- Section 106 agreement management fee (£750).

9.6.2 The proposed development would be subject to a Community Infrastructure Levy (CIL) of £20, 250

11.0 Conclusion

11.1 The proposed redevelopment of the site has the potential to enhance the character of the surrounding area, by regenerating a derelict brownfield site that has been vacant for many years. The principle of the development of the site for use as student accommodation and a retail unit is acceptable in accordance with the Development Plan, and it would deliver sustainable, economic growth, jobs and specialist housing. The size of the studio flats, although not spacious in all cases, are on balance considered acceptable given the standard of amenity for the occupiers, when considered in conjunction with a reasonable level of communal space. A new small scale retail premises would contribute positively to the Burley Street streetscene, add to facilities in the area for local residents, and provide jobs. Therefore, it is considered that the proposal is on balance acceptable subject to a section 106 agreement and the specified conditions.

Background Papers:

Leeds City Council Planning Applications 16/01322/FU & 14/03735/FU
Planning Inspectorate ref. APP/N4720/W/15/3005747

Appendix 1 Draft Conditions for 16/01322/FU

- 1) The development hereby permitted shall be begun before the expiration of three years 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 plans listed in the Plans Schedule

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

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

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 4) 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.

- 5) 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.

- 6) Prior to the commencement of development, a Statement of Construction Practice shall be 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) location of contractor and sub-contractor parking;
 - e) how this Statement of Construction Practice will be made publicly available by the developer.

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

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

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

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

- 8) Building operations shall not commence until a scheme detailing surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme should be sufficiently detailed with supporting calculations to confirm the pre and post development discharges as well as attenuate storage requirements for the development. Surface water from the development will be subject to balancing of flows to achieve a minimum 30% reduction of the existing peak flow rates from the site up to the 1 in 100 year storm with climate changes. 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 policies GP5, the Natural Resources and Waste DPD, Policy N39A of the Saved Leeds UDP Review (2006) and the NPPF.

- 9) No piped discharge of surface water shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development of that phase commences.

To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading, in accordance with the NPPF, Leeds Natural Resources and Waste DPD and Saved UDPR Policy GP5.

- 10) Prior to the commencement of building works, a sample panel of all external facing materials, roofing and glazing types to be used shall be constructed on-site and approved in writing by the Local Planning Authority. 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 Core Strategy Policy P10, Saved UDP Review Policies GP5 and BD2, and the NPPF.

- 11) No building works shall be commenced until full 1 to 20 scale working drawing details of the following have been submitted to and approved in writing by the Local Planning Authority:
- a. soffit, roof line and eaves treatments
 - b. junctions between materials
 - c. each type of window bay proposed
 - d. ground floor frontages

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

In the interests of visual amenity and the character of the surrounding area, in order to accord with Leeds Core Strategy Policy P10, Saved UDPR Policies GP5 and BD2, and the NPPF.

- 12) No surfacing works shall take place until details and samples of all 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 and completed prior to the occupation of the building.

In the interests of visual amenity in accordance with Leeds Core Strategy Policy P12, Saved UDP Review Policies GP5 and LD1, and the NPPF.

- 13) Landscaping works 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, tree pits, cultivation and other operations associated with plant and grass establishment) and

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

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 Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5, N23, N25 and LD1.

- 14) 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 UDP Review (2006) policies GP5 and LD1 and the NPPF.

- 15) 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 Leeds Core Strategy Policy P12, Saved UDP Review (2006) policies GP5 and LD1 and the NPPF

- 16) 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, Street Design Guide SPD (2009) and the NPPF.

- 17) Prior to the occupation of the development hereby approved, details of a car park and servicing management plan including access security measures, pick –up drop off arrangements, and servicing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved management plan thereafter.

In the interests of sustainable development, amenity, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policy T2, Leeds UDPR Policy GP5, and the NPPF.

- 18) Prior to the occupation of the development hereby approved, details of an electric vehicle charging point car park 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 prior to first use of the car park, and retained as such thereafter.

In the interests of encouraging more sustainable forms of travel and to reduce the impact of development on air quality, in accordance with the NPPF, Leeds Natural Resources and Waste DPD 2013, the Parking SPD, and Saved Leeds UDPR Policy GP5.

- 19) No building works shall take place until details for the provision of off-site highways works shown on the submitted plan reference 3173-O(1)008A for works to Rutland Mount, and service lay-bys to Park Lane and Burley 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, Leeds Core Strategy Policy T2 and Saved UDPR Policy GP5.

- 20) Notwithstanding the details shown on the plans hereby approved and prior to the commencement of development, full details of the facilities for the parking of cycles within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking facilities thereby approved have been provided. The facilities shall thereafter be retained and maintained as such.

In order to meet the aims of the Leeds Core Strategy Policies T1 and T2, and the NPPF

- 21) Prior to the installation of any extract ventilation system or air conditioning plant, details of such systems shall be submitted to and approved in writing by the Local Planning Authority. Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The systems shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997.

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

- 22) No building works shall commence until a detailed acoustic assessment of the proposed building and a noise insulation scheme, including details of any necessary mechanical ventilation equipment have been submitted for written approval by the Local Planning Authority. The scheme shall be designed to protect the amenity of the residents of the proposed dwellings from noise from surrounding roads, adjoining uses and any plant or equipment associated with the approved building. The noise insulation scheme for the development shall be designed to achieve internal noise levels in living spaces not exceeding 35dBLAeq and 30dBLAeq in bedrooms at night, with peak levels kept below 45dBLAmax. The approved scheme shall be implemented prior to occupation of the dwellings and retained thereafter

In the interests of residential amenity

- 23) 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 Saved Leeds UDP Review 2006 Policy GP5 and the NPPF.

- 24) The hours of opening of the retail premises shall be restricted to 0800 hours to 2200 hours.

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

- 25) Any A1 retail use carried out within the ground floor unit indicated on the approved plans shall be limited to the sale of goods for convenience shopping to serve the needs generated by the development and other local needs.

The site lies outside those areas of the City Centre where the Local Planning Authority would wish to promote unrestricted A1 retailing. The use is limited to a convenience shopping use in the interests of maintaining the viability of local centres in accordance with Leeds Core Strategy and the NPPF.

- 26) Prior to the commencement of building operations an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority for that phase, which shall include a detailed scheme comprising (i) a pre-assessment using the BREEAM assessment method to BRE Excellent Standard or equivalent for the proposed buildings and to the correct category in line with their use(s) (ii) an energy plan showing the final percentage of on-site energy that will be produced by Low and Zero Carbon (LZC) technologies, meeting at least a 10% minimum target. This shall specify a carbon reduction target and energy plan for the development to reduce carbon emissions by at least 20% below Building Regulations. (iii) details of the green roof. The development shall be carried out in accordance with the details as approved above; and

(a) Within 6 months of the occupation of the development a post- construction review statement shall be submitted by the applicant including a BRE certified BREEAM final assessment and energy plan and associated paper work and approved in writing by the Local Planning Authority

(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 Saved Policy GP5 of the Unitary Development Plan, the Leeds SPD Building for Tomorrow Today Sustainable Design and Construction, the Leeds Core Strategy policies EN1 and EN2, and the NPPF.

- 27) Prior to first occupation a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details of how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented before the development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling, in accordance with the NPPF and Leeds UDPR Saved Policies GP5 and the NPPF.

- 28) Prior to the occupation of the retail use hereby approved, details of secure cycle storage, shower facilities and lockers for staff for all building occupiers 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.

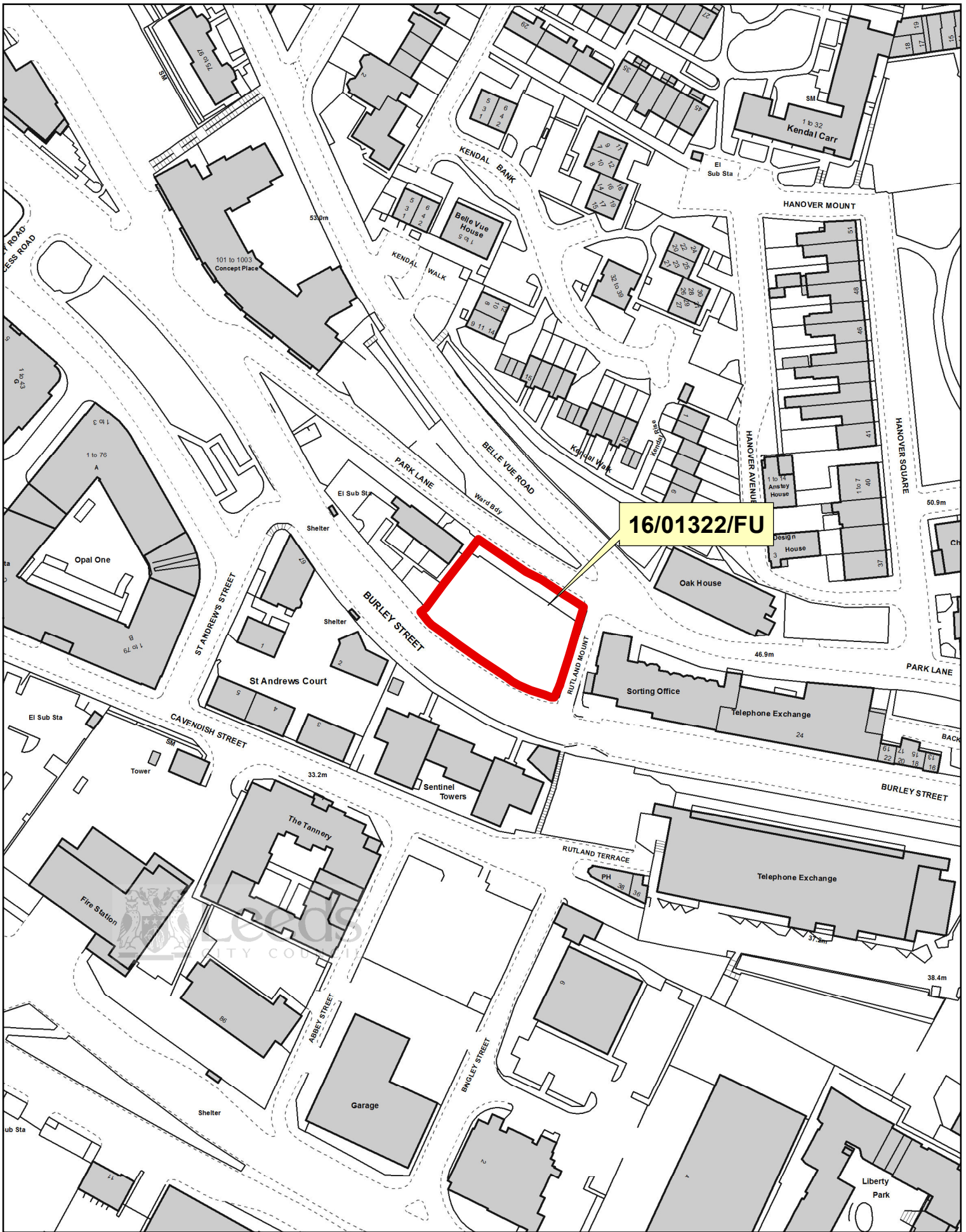
In the interests of promoting walking, running and cycling as more sustainable means of travel to work, in accordance with the NPPF, Leeds UDPR Policy GP5, Leeds Core Strategy Policy T1 and the Travel Plans SPD.

- 29) Notwithstanding details shown on the plans hereby approved the gradient of pedestrian ramps shall meet BS8300:2009+A1:2010. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of accessibility in accordance with the Leeds Core Strategy Policy P10 and the NPPF.

- 30) Prior to the commencement of building works, a wind assessment shall be submitted to and approved in writing by the Local Planning Authority. Any necessary mitigation measures considered necessary by the wind assessment shall be incorporated into the design of the scheme and constructed prior to occupation. Any necessary mitigation measures shall be retained as such thereafter.

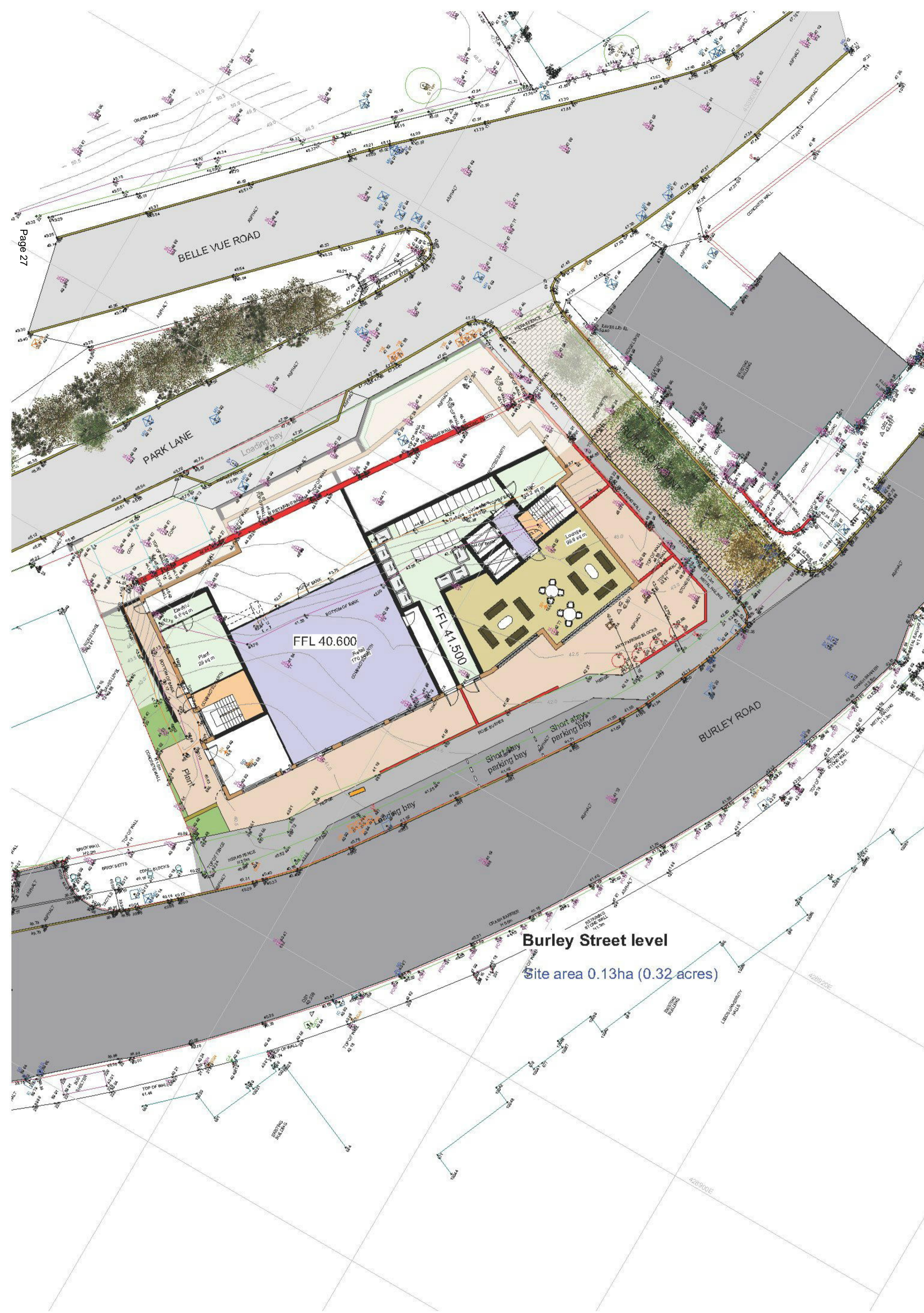
In the interests of the safety of pedestrians, cyclists and vehicles, in accordance with Leeds UDPR policy GP5, Core Strategy Policy T2 and the NPPF.



CITY PLANS PANEL



Revisions
 N 12/11/15 CS Line of previous application shown.
 O 23/10/15 CS Stair revised.
 P 17/11/15 CS Revised to suit Co-op
 Q 19/4/16 CS Paving on south west corner revised.
 R 26/5/16 CS Retail layout revised.



project
Burley Street

drawing title
Site layout

drawing number
3173-P(1)001 R

scale drawn/Checked date
 1:200@A1 CS / CS 20/06/2012

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Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 28 July 2016

Subject: Planning Application Reference 16/01921/FU Application for Temporary Use as Residential Site for Gypsies and Travellers with 8 Pitches for 10 Years

APPLICANT	DATE VALID	TARGET DATE
Leeds City Council	06.04.2016	04.08.2016 (Extended)

<p>Electoral Wards Affected:</p> <p>City and Hunslet</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION:
GRANT planning permission subject to the conditions set out at Appendix 1 and any others that may be considered appropriate.

1.0 INTRODUCTION:

- 1.1 This application is brought to City Plans Panel because it relates to a temporary Gypsy and Traveller site proposal by Leeds City Council in the City Centre, and is subject to representations from a local landowner.
- 1.2 City Plans Panel (30 October 2014) approved in principle a temporary planning permission for 3 years at this site, subject to improvements to facilities for residents. The families at Kidacre Street were previously at roadside encampments around Leeds prior to being directed to the site in 2014. In accordance with Government guidance, a welfare needs assessment exercise was carried out and the Housing Authority determined that these arrangements were not suitable, and alternative arrangements had to be put in place immediately. Therefore Housing Services determined to move these families onto this site in 2014 prior to securing planning permission in early 2015. They now seek an extension to the time period for the use of the site for a further 10 years.

2.0 PROPOSAL:

- 2.1 The proposal consists of 8 residential pitches with space for 16 vehicles for a temporary period of ten years. Each pitch would have a portable pre-fabricated bathroom/toilet, hot water and kitchen facilities, and mains electricity. There would be a communal refuse and waste water store close to the entrance onto Kidacre Street. Lighting is proposed across the site for use by the residents.
- 2.2 Housing Leeds have indicated a delivery programme for the proposed works. In order to allow the proposed construction and drainage works to take place, residents would have to temporarily vacate the site in August 2016, subject to the agreement of a decant site. Housing Leeds will discuss potential temporary decant site options with relevant Ward Councillors. Pre-commencement conditions would be discharged and construction works would commence within 12 weeks of the residents vacating. Housing Leeds state that the build programme would be 9 – 12 months, with residents moving back to the site in late 2017.
- 2.3 The application has been supported by the following documents:
- Scaled plans
 - Design and Access Statement
 - Site Management Plan
 - Noise report
 - Land Contamination report (site investigation)
 - Flood Risk Assessment and Drainage Strategy

3.0 SITE AND SURROUNDINGS:

- 3.1 The site lies within the designated City Centre, flood risk zone 1 and on the initial preferred route announced by Government at the end of January 2013 for the High Speed Rail project (HS2). The site comprises a cleared 0.28ha site, accessed off the western side of Kidacre Street. The wider land ownership is roughly rectangular in shape and is defined by a variety of fencing and brick walls associated with the former buildings on the site. It is understood that these buildings were cleared a number of years ago. The land is divided in half by a 2m high wall that runs in an east/west direction. Within the site are a number of earth mounds. The southern half of the land ownership is partially surfaced and is currently occupied, and forms the application site boundary along with the access road from Kidacre Street, whilst the northern half of the land ownership is covered by self-seeded trees and shrubs, and lies outside the application boundary.
- 3.2 Two gasholders are sited off Kidacre Street and these are a designated hazardous installation. The gasholder has a three zone map, based on inner, middle and outer zones. The majority of the site lies within the middle zone for the gasholder, and no pitches would be positioned in the inner zone. The site access lies within the inner zone, along with 0.027ha of the total site area. Two high pressure gas pipelines run outside the site along Kidacre Street.
- 3.3 The surrounding land uses are Crown Point Retail Park to the east, a motorcycle training centre to the south, and a gas storage and distribution facility to the south and west. There are a number of surface gas pipes that sit beyond the southern and western edges of the site. To the west, beyond a mature tree belt, are a number of office buildings with associated parking.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 14/03263/FU Retrospective application for a temporary use as residential site for Gypsies and Travellers with 8 pitches for 3 years. Leeds City Council Housing Services established this temporary Gypsy and Traveller residential site at Kidacre Street in May 2014, a planning application was submitted in June 2014, approved in principle at City Plans Panel October 2014, and granted permission 11.03.2015. Councillors resolved at City Plans Panel on 30 October 2014 to grant temporary planning permission for 3 years, subject to the agreement of details of improved ablution facilities to be provided, and the provision of a management plan. The planning consultant representing Crown Point Retail Park objected to Members' decision to grant a 3 year permission by email on 11 November 2014, however did not raise any new material planning issues in addition to those previously set out in the report. The submitted revised plans (29 January 2015) included the provision of enhanced toilet and washing facilities and the reduction in the number of plots to 8 at the applicant's request. The applicant indicated that it would take at least 6 months to construct the improved toilet blocks and the changes involve a degree of excavation of the existing embankment to the site. It was considered that the applicant had amended the scheme in accordance with the Plans Panel resolution. The application was approved and consent granted for a 3 year period, subject to the use of the site in accordance with the approved management plan and conditions relating to the time limit for the implementation of the approved works, the provision of mitigation measures for the loss of any trees and vegetation due to the excavation works and the adequate mitigation of any potential ground contamination.
- 4.2 The applicant has not fully undertaken the approved works as yet, notably the enhanced toilet and washing facilities, and is therefore in breach of the conditions attached to the existing planning permission. Housing Leeds has costed the installation of 8 "amenity" blocks providing the required toilet and washing facilities at approximately £250k. They considered that this cost could not be justified whilst only a three year planning permission was in place. A 10 year planning permission would enable Housing Leeds to spread the cost over that time period. However, to date, Housing Leeds has laid additional tarmac, installed a water supply and put up fencing to create a defined 'pitch' space for each family living on the site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Planning officers have repeatedly advised the applicant team that the works to regularise the existing temporary consent should be undertaken as soon as possible.
- 5.2 Prior to making this new planning application, the applicant undertook pre-application consultations with the neighbouring businesses and landowners, representatives of the Gypsy and Traveller community, and Ward Members.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by Site Notice dated 15.04.2016
- 6.2 City and Hunslet Ward Councillors were consulted by email on 07.04.2016
- 6.3 Leeds GATE were consulted on 07.04.2016
- 6.4 Previous objectors Aviva Investors/the Crown Estate and Leeds School of Motorcycling notified 07.04.2016.

6.5 There has been one objection to this application proposal made on behalf of Aviva Investors and the Crown Estate (owners of Crown Point Retail Park), as follows:

- A three year consent should not have been supported in 2014. There is no justification to extend the period beyond the current consent. To badge a 10 year permission as temporary to overcome the clear constraints of the site is misleading.
- The site is not suitable under two of the criteria of Core Strategy Policy H7, firstly relating to the 'suitability' of the site for residential accommodation. The site is not suitable because no mitigation is or can be provided to remedy the lack of children's play/recreation space, attenuation of noise associated with the adjoining gas apparatus, or the associated health and safety concerns arising from this relationship.
- The site is also not suitable under Policy H7 because of the availability of alternative deliverable sites. An alternative deliverable site has been assessed by the Council under the SAP process to serve the same 'catchment area' at Tulip Street, which is therefore appropriate to meet the needs of residents of Kidacre Street.
- A permanent/semi-permanent gypsy and traveller site could have a detrimental impact on potential investment in the local area and the economic prosperity of the City (and wider City Region). It is not a use that sits comfortably with the marketing of an internationally significant regeneration and investment opportunity in the South Bank.
- Aviva/Crown Estate contend that the Council-owned former Moorend Training Centre, Tulip Street (draft SAP safeguarded site ref. HG6-3) is preferable to Kidacre Street because:
 - it is closer to local facilities (500m to Hunslet centre, which includes a number of shops, doctor's surgery and a school),
 - it does not suffer from land contamination, and it is not near refuse sites, heavy industry, electricity pylons,
 - it has greater potential for play/recreation space
 - it is not located in flood risk zone 3
 - the site is a previously developed brownfield site
 - the site was also supported at the consultation event at Latter Lee Horsefair
 - There is no overriding need or benefit to retaining the Kidacre Street site.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory

7.1.1 Health and Safety Executive

No objection. In relation to the HSE planning advice for developments near hazardous installations, the sensitivity of the development as housing (residential caravans) at a density of no more than 40 dwellings per hectare, is considered to be Level 2. The proposal is at 35 dwellings per hectare with all pitches within the middle zone, and only 0.027ha of the site within the inner zone (this part of the site contains only roadway and refuse storage in this area and it is less than 10%

permitted by Rule 1 of the guidance). The HSE therefore do not advise against approving the development.

7.1.2 Northern Gas Networks

No comments received at time of writing. NGN had no objection in 2014.

7.1.3 Environment Agency

No objection

7.1.4 Coal Authority

No objection

7.2 Non-Statutory

7.2.1 LCC Transport Development Services

No objection.

Accessibility: Policy H7 of the Core Strategy requires that Traveller/ Gypsy sites “*must have reasonable access to public transport, health care, schools, shops and local services*”. The accessibility of the site with the City Centre is considered to be good for access to public transport and local facilities.

Vehicular access: The site is accessed from Kidacre Street.

Internal layout, servicing and bins: A bin store has been proposed near the site entrance, bins should be placed here on bin collection days.

Parking: There is enough hardstanding on-site for parking of vehicles for each pitch.

Road Safety: The lighting facing the site entrance on Kidacre Street should be no more than 300cdm².

7.2.2 LCC Flood Risk Management

The Flood Risk Assessment and Drainage Strategy, Doc Ref-10035-5072, Revision No 00, dated May 2014, is acceptable. Because any approval would be limited to 10 years, the surface water drainage system does not need to be designed for the 1 in 100 year plus climate change event. It will be sufficient for the surface water drainage system to be designed for the 1 in 10 year event. The site should however remain safe during exceedance events up to 1 in 30 years return period. FRM do not have any objections to the proposal subject to a condition requiring full details of the surface water drainage.

7.2.3 LCC Environmental Protection

Environmental Protection have made clear that they do not wish to make any further comments, as they provided detailed comments in 2014. In 2014 they stated that “caravans will not provide the same sound insulation as traditional dwellings, and residents will bring their own noise sources to the site in the form of generators to supply electricity. A noise report has been submitted which outlines that the noise climate on site during the day is dominated by road traffic noise from Kidacre Street. The noise climate during the night is dominated by generators being used by existing Travellers and noise associated with gas distribution pipework to the north”. The submitted noise report calculates the anticipated noise levels within the caravans to be acceptable, taking into account the measured data, attenuation afforded by the ‘distance’ to the noise source, and the existing brick wall ‘barrier’ which runs along the eastern boundary of the site. It concludes that average noise levels within caravans situated on the site are expected to be in compliance with guidance given in BS 8233:2014. In addition, the outdoor amenity space should meet an acceptable noise level. Due to the temporary nature, the use of on-site generators for the caravans, and practicalities of sound attenuation of the gas pipework, the overall sound levels are acceptable.”

7.2.4 **LCC Transport Strategy - Environmental Studies**

There is no objection regarding air quality. In 2014 they also stated that the submitted noise report is acceptable, and that traffic noise is sufficiently mitigated by distance and the barrier effect of the existing wall adjacent to Kidacre Street.

7.2.5 **West Yorkshire Police**

No comments in addition to those made in 2014. In 2014 it was noted that all residents had signed up to an agreement to ensure the site was maintained, would not be subject to fly-tipping and anti-social behaviour. It was noted that the site had attracted very few complaints and crime figures in the area had not increased. Officers are not aware of any on-going amenity problems for the neighbouring uses resulting from the current use of the site.

7.2.6 **LCC Nature Conservation**

Provided that Condition 3 (no removal of trees/shrubs) from 14/03263/FU is attached for this time extension, there are no significant nature conservation issues.

7.2.7 **LCC Land Contamination**

Conditions regarding further site investigation and monitoring are recommended. If necessary, a remediation statement may be required, and conditions relating to the approval of a remediation statement and subsequent verification will be required.

8.0 **PLANNING POLICIES:**

8.1 **The Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013)
4. Any Neighbourhood Plan, once Adopted

These development plan policies are supplemented by supplementary planning guidance and documents.

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

8.2 **Leeds Core Strategy**

The most relevant policy for this proposal is Policy H7: Accommodation for Gypsies, Travellers and Travelling Show People, which states that:

The City Council will identify suitable sites in the Site Allocations Plan to accommodate the following identified needs:

- 62 pitches for Gypsies and Travellers (of no more than 15 pitches per site), and
- 15 plots for Travelling Showpeople (to be accommodated on either one or two sites),

In identifying land or determining planning applications for pitches / plots, consideration will be based on the following criteria:

- (i) pitches and plots should have reasonable access to public transport, health care, schools, shops and local services,
- (ii) pitches and plots should not be located on land that is deemed unsuitable for general housing, such as land that is contaminated, adjacent to refuse sites, landfill sites, heavy industry or electricity pylons,
- (iii) pitches and plots should avoid zones of high flood risk (zone 3 flood risk areas),
- (iv) the following order of preference for categories of land should be followed: brownfield, greenfield and Green Belt. Alterations to the Green Belt boundary to accommodate pitches and plots will only be considered in exceptional circumstances, to meet a specific identified need. In such circumstances and as part of the Site Allocations Plan, sites will be specifically allocated as a Gypsy, Traveller and Travelling Showpeople's site only,
- (v) the availability of alternative deliverable sites for Gypsies and Travellers and Travelling Showpeople,

Other relevant Core Strategy policies include:

Policy CC1 City Centre Development

Policy CC2 City Centre South

Policy T1 Transport Management

Policy T2 Development should be located in safe and secure locations

Policy P10 Proposals should accord with principles around size, scale, design, layout, character, surroundings, public realm, historic / natural assets, visual, residential and general amenity, safety, security and accessibility to all.

SP1 Spatial Policy 1 Location of development

SP3 Spatial Policy 3 identifies the importance of the city centre as an economic driver:

SP11 Spatial Policy 11 Transport infrastructure investment priorities, including High Speed Rail

8.3 NATIONAL PLANNING POLICY

8.3.1 National Planning Policy Framework (NPPF) (March 2012)

The National Planning Policy Framework replaced Planning Policy Statements and Guidance (PPSs/PPGs) in 2012, and states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 6), and seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. One of the core planning principles in the National Planning Policy Framework encourages the effective use of land by reusing land that has previously been developed.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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). 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.

The NPPF refers to the national Planning Policy for Travellers Site (PPTS August 2015), the most relevant paragraphs are summarised below:

Policy H: Determining planning applications for traveller sites

24. Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections

26. When considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

27. If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. The exception is where the proposal is on land designated as Green Belt; sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).

28. Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:

- a) limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise
- b) specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events)
- c) limiting the maximum number of days for which caravans might be permitted to stay on a transit site.

8.5 Other Material Considerations

8.5.1 Draft Leeds Site Allocations Plan (SAP)

The site is proposed as an allocation for residential use as a Gypsy and Traveller site in the SAP (reference HG6-2).

“Through the course of the Site Allocations Plan further existing sites have come to light, which were not considered to form part of the existing supply in the Leeds GTAA at the time. One of these sites is publically managed at Kidacre Street, as temporary permission for 3 years and currently accommodates 8 pitches. The Kidacre Street site is identified as being on the High Speed 2 rail line, which according to the latest Government announcement is due for construction during the 2030s. The site can, therefore, contribute to meeting accommodation needs for most, if not all, of the Plan period. There is also potential to expand the Kidacre Street site by a minimum of 3 pitches. Given the highly sustainable nature of the Kidacre Street site, a replacement site has been reserved in the same area to replace the site, if it is lost to the high speed rail development. This site, at Tulip Street, is therefore safeguarded to provide for Gypsy and Traveller accommodation use pending the loss of the Kidacre Street site”.

The SAP has been the subject of the public consultation and the following objection was received to the allocation for this site, from the owners of Crown Point Retail Park:

- *The proposed allocation was considered unsound due to a lack of justification;*
- *That the temporary (18 months) ‘nature’ of the previous planning permission was used to justify the decision to deviate from Policy H7 of the Core Strategy and national policy concerning gypsy and traveller sites;*
- *The proposed allocation is contrary to Policy H7 of the Core Strategy and national policy concerning gypsy and traveller sites, particularly when compared with the reasonable alternatives; and*
- *An alternative site at Tulip Street in Hunslet is not subject to the same levels of constraint as the Kidacre Street site, and would be a more suitable and sustainable alternative for permanent allocation in the SAP.*

Planning policy officers attended the Latter Lee Horsefair event in September 2015 to consult on the Gypsy and Traveller site allocations, and there was general support for the extension of time period for the existing site. Existing residents on the site liked its location. However, they stated that improvements need to be made to the existing living environment on the site and it needs to be laid out properly as soon as possible.

9.0 MAIN ISSUES

- 9.1 Principle of use
- 9.2 Amenity
- 9.3 Highways and transportation

10.0 APPRAISAL

10.1 Principle of use

10.1.1 This proposal relates to a specialist housing need. The Council must provide for this need in the most sustainable way possible, taking account of the needs of the residents. Government policy favours a sustainable location, avoiding Green Belt land or open countryside, on a brownfield-first basis. The proposal is assessed against the most relevant national guidance and Core Strategy Policy H7, the following comments are made against each of the criteria:

- i) pitches and plots should have reasonable access to public transport, health care, schools, shops and local services

The site is brownfield and within the City Centre, with good access to local shops and facilities. The site is within walking distance to the City Centre, is very close to Crown Point Retail Park, and approximately one mile to Hunslet district centre. Housing Services have confirmed that children are transported to local schools by Leeds City Council Children's Services. The applicant understands that everyone at the site is registered with a local GP.

- ii) pitches and plots should not be located on land that is deemed unsuitable for general housing, such as land that is contaminated, adjacent to refuse sites, landfill sites, heavy industry or electricity pylons

Whilst the site is not adjacent to a refuse site, heavy industry or electricity pylons, the site is near to a major hazardous installation (the gasholders) and two gas pipelines and there is potential for noise nuisance from the nearby gas infrastructure. However the site is separated to the south from the gasholders by boundary treatments and an adjoining site. The pitches are separated from the pipeline infrastructure to the west by high boundary walls and mature self-seeded vegetation. The submitted noise report has indicated that noise conditions are likely to be acceptable for the proposed residential use (see amenity appraisal below). The HSE and Northern Gas Networks do not object to the development on safety grounds. The planning application is accompanied by a site investigation report, which recommends that further investigation and monitoring is undertaken to address any potential land contamination risks. Appropriate planning conditions can be attached to ensure that this is monitored and any necessary mitigation or remediation works are undertaken. Therefore, the site is on balance considered suitable for general housing use.

- iii) pitches and plots should avoid zones of high flood risk (zone 3 flood risk areas),

The application site lies within flood risk zone 1, meaning that it has a less than 1 in 1000 annual probability of flooding, which is considered to be a low probability, and is the designation that represents the lowest risk.

- iv) the following order of preference for categories of land should be followed: brownfield, greenfield and Green Belt. Alterations to the Green Belt boundary to accommodate pitches and plots will only be considered in exceptional circumstances, to meet a specific identified need. In such circumstances and as part of the Site Allocations Plan, sites will be specifically allocated as a Gypsy, Traveller and Travelling Showpeople's site only.

The application site is an urban brownfield site and identified in the draft SAP to meet an acknowledged need. In the SAP, there were 3 positive comments and 3 negative comments regarding this site.

- (v) the availability of alternative deliverable sites for Gypsies and Travellers and Travelling Showpeople

No alternative deliverable sites are currently available. Tulip Street is safeguarded in the case that Kidacre Street is required for HS2, it is not presented in the draft SAP as an alternative for the whole plan period. The Council has committed to developing 25 publicly managed pitches by 2028 in the adopted Core Strategy. The current proposed development at Kidacre Street will account for 8 out of the 25 pitches in a sustainable city centre location. Given that the Kidacre Street site will

be affected by the HS2 proposals which are likely to begin before the end of the Plan period the Site Allocations Plan has identified a safeguarded site at Tulip Street to address future displaced needs. It is understood that the landowner (Leeds City Council) is currently exploring the options for locating temporary non-residential uses on the Tulip Street site so as to ensure the site remains active in the interim.

10.1.2 Relevant national policy guidance (Policy H paragraph 26 of the PPTS) also states that the following other matters should be considered:

b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness

c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children

d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

The boundaries to Kidacre Street are existing historic boundary treatments. These boundary treatments help to mitigate noise from roads and neighbouring use, and offer privacy for residents. The site is not isolated, the area around Hunslet Road has a wide range of uses including retail, businesses and flats. The site offers easy access to local facilities at Crown Point, the City Centre and Hunslet. The proposed site layout is well planned and relatively open in nature, with each pitch laid out with space for living accommodation, an amenity block, two parking spaces and a 1m high boundary treatment around each pitches to offer some privacy, sense of ownership and safety for children playing. No specific play facilities are proposed however the site is constrained, and consists of a relatively low number of pitches. Each pitch offers some enclosed space for informal play, and this is considered on balance to be a safer environment than an illegal roadside encampment, where the residents were until 2014. The site also features mature self-seeded trees and shrubs around its edges, which would offer visual amenity and soften the existing boundary walls. The lack of specific play facilities has therefore been balanced against an otherwise well planned site which will help to provide a healthier lifestyle for the occupants.

10.2 Amenity

10.2.1 The provision of pre-fabricated amenity blocks including mains electricity, bathroom, kitchen and hot water facilities would be a significant improvement on the current situation at the site and would regularise the current breach of planning conditions. The applicant has confirmed that the improvements would be delivered by late 2017.

10.2.2 The submitted noise report states that attended measurements have shown that areas of the site immediately adjacent to Kidacre Street are currently subject to moderate levels of environmental noise during the daytime and low levels of noise during the night-time. Measurements have also indicated that whilst some industrial noise is present in the vicinity of the site, it is not significant when considering the suitability of the site for residential purposes. The new amenity blocks would feature mains electricity for appliances, showers, hot water and for connection to the pitches themselves, which means that external generators will not be required, avoiding the risk of additional noise nuisance. Officers in Environmental Protection have confirmed that they have no further comments in relation to the retention of the proposed use at this site for a further 10 years, and Environmental Studies have confirmed no objection to the retention of the pitches for a further ten years.

10.3 Highways

- 10.3.1 It is considered that the proposal would not lead to road safety and amenity issues, and the site has good access to local facilities and public transport. The proposed layout, access and parking provision are considered acceptable. No problems have arisen in terms of road safety and highway amenity since 2014.

11.0 Conclusion

- 11.1 On balance, taking into account the above detailed amenity and highway implications, the principle of the use is considered acceptable on a temporary basis. The Core Strategy Policy H7 and the National Planning Policy for Travellers Sites advise that Gypsy and Traveller accommodation should be located on land which is suitable for general housing and considered in the same manner as an application for settled housing. However, in this case the proposal would meet a complex housing need with specialist requirements, and the traditional City Centre mixed-use urban design model does not apply. Kidacre Street is an existing site with a temporary planning permission, located close to local shops and facilities. The Kidacre Street site is suitable, available and achievable to meet the needs of residents for the next ten years. This ensures that whilst the site is temporary, the identified need is met for the majority of the plan period up to 2028. Regarding the regeneration of the surrounding area, HS2 adds uncertainty on this site for any permanent redevelopment, and residential pitches are on balance an appropriate meanwhile use of the site in advance of HS2, which also meet an identified complex specialist housing need. Taking into the account the factors discussed above the application is therefore recommended for approval subject to conditions for a further ten years.

Background Papers:

Application file 16/01921/FU

Appendix 1 Draft Conditions for 16/01921/FU

Appendix 1 Draft Conditions for 16/01921/FU

- 1) The use hereby permitted shall be discontinued and all caravans, structures, equipment and materials brought onto the land in connection with the purposes of the use shall be removed on or before 29 July 2026.

In the interests of sustainable development, in accordance with the Leeds UDP Review (2006) policy GP5, and Leeds Core Strategy Policies T1, T2, G1, G2, G5, H7, P10, SP1, SP3, SP11 and CC2 and the National Planning Policy Framework.

- 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 proper planning.

- 3) Within 2 months of the date of this planning permission, a timetable for the implementation of the approved works shall be submitted to and approved in writing by the Local Planning Authority. The proposed works including the amenity blocks, refuse store, lighting shall be fully operational and available for use in accordance with the agreed details and timetable.

To accord with the approved plans and in the interests of residential amenity.

- 4) No works shall take place until a Statement of Construction Practice 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) Location of workforce parking;
 - e) How this Statement of Construction Practice will be made publicly available by the developer.

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

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

- 5) 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.

- 6) 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.

- 7) 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.

- 8) Development shall not commence until a scheme (ie drainage drawings, summary calculations and investigations) detailing the surface water and foul water drainage works has been submitted to and approved in writing by the Local Planning Authority. 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 NRWLP policy Water 7 and GP5 of the UDP

- 9) Prior to the removal of any trees, shrubs or other vegetation outside the limits of the existing hardstanding as shown on the site layout drawing, details of any trees, shrubs or vegetation to be removed, and details of a mitigation scheme for their loss and timescales for implementation, have been submitted to, and approved in writing by, the Local Planning Authority. Works shall be carried out in accordance with the approved details.

In the interests of amenity and nature conservation, in accordance with adopted Leeds UDP Review (2006) policies LD1 and GP5, Leeds Core Strategy policies G1 and G9, and the National Planning Policy Framework.

- 10) The lighting facing the site entrance on Kidacre Street should be no more than 300cdm⁻².

In the interests of highway safety.

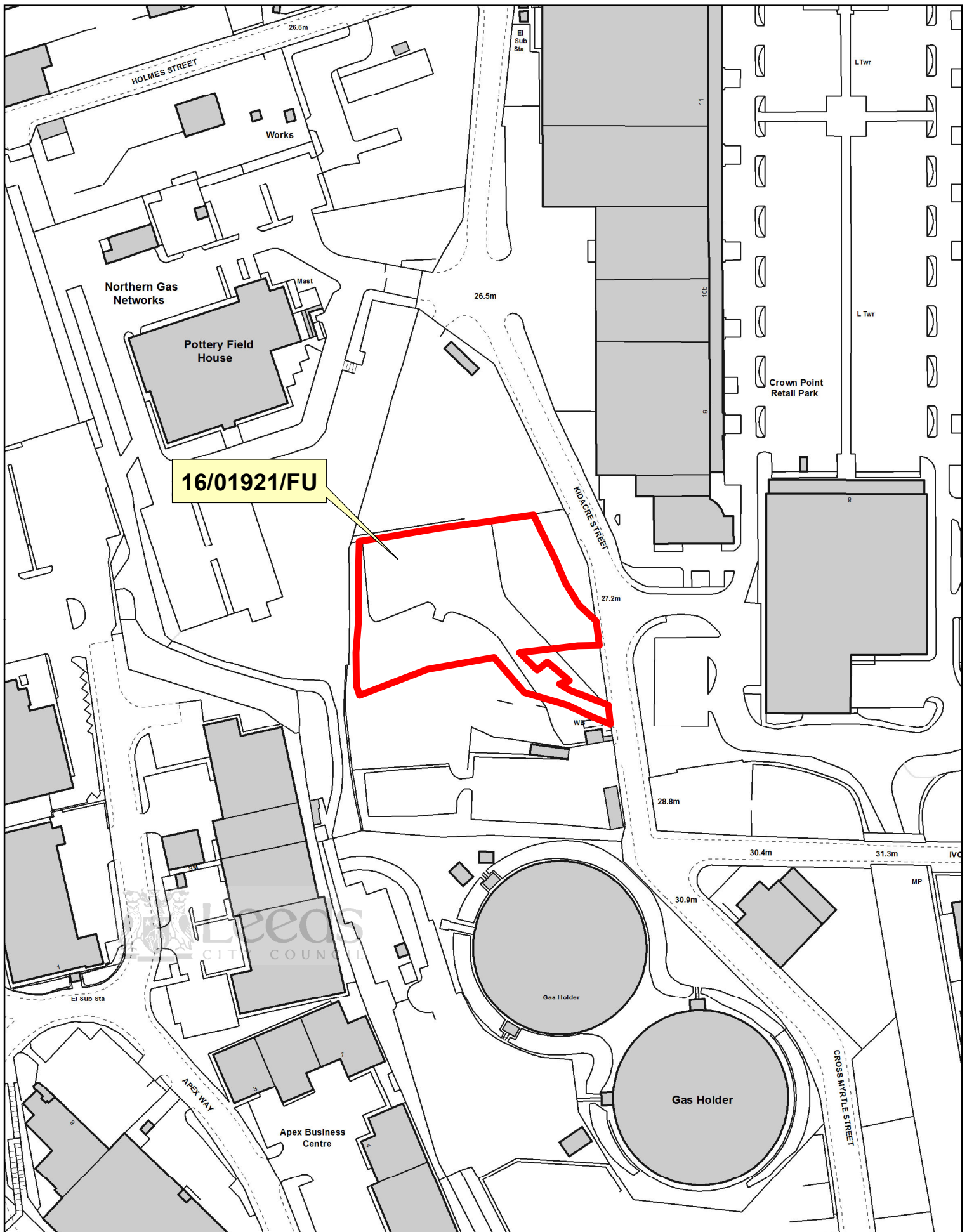
- 11) Prior to the commencement of building works, a planting plan for the proposed areas of planting shall be submitted to and approved in writing by the Local Planning Authority.

The planting scheme shall be implemented in the first available planting season after construction. The planting plan shall include:

- a. Schedule of plants noting species, planting sizes and proposed numbers/densities;
- b. Written specification to include: soil depths, cultivation and other operations associated with planting establishment;
- c. Landscape management plan, to include replacement planting of any failed planting within five years following establishment.

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.

In the interests of landscape quality, in accordance with Leeds Core Strategy Policy P12, Leeds UDPR Policies GP5 and LD1, and the NPPF.



CITY PLANS PANEL



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Originator: Paul Kendall

Tel: 2478000

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 28th July 2016

Subject: PREAPP/16/00172 - Pre-application presentation for the development of a new campus for Leeds City College comprising buildings between 5 and 11 storeys on land at Quarry Hill

Applicant: Leeds City College

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Panel for information. The Developer will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION:

1.1 This presentation is intended to inform Members of the emerging proposals for a new Leeds City College campus development at Quarry Hill. Leeds City College is the largest further education establishment in the City and has pursued an estate rationalisation and re-investment strategy since 2009. Their ultimate goal is to have two campus sites in Leeds based at the Printworks, Hunslet Road and one other. The College originally considered a remodelled Park Lane site as the second site but have now moved to their preferred option to deliver a purpose built campus in the heart of what the College consider to be an education/cultural area based around Quarry Hill. The project will be funded in part by the College and a bid through the Local Enterprise Partnership (LEP). The College programme schedules opening of the new campus for the 2018 academic year.

- 1.2 Given the prominent nature of the building it was considered appropriate to bring it before Members for a pre-application presentation. Members will be asked to comment on the emerging scheme.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site is 0.64ha (1.58 acre) and is located on the northern side of the entrance to Quarry Hill. The site is bound by Eastgate (A61) to the north west, the access road within Quarry Hill serving Playhouse Square to the east and an area of open space to the north of the West Yorkshire Playhouse known as Gateway Court. The site contains a steep grassed bank plus a number of trees and at present is enclosed by hoardings. Plans Panel have recently agreed proposals for a mixed use development on the adjacent site to the east (owned by Caddick Developments) for mixed use redevelopment including residential, offices and educational development (application reference 14/06534/OT). To the south of this are Leeds College of Music (LCM) and its associated student residential tower, the Northern Ballet/Phoenix Dance HQ and Skyline apartment building.

3.0 PROPOSAL

- 3.1 Leeds City College are proposing a new build college facility which will be delivered in two phases. Phase One is proposed to house Creative Arts and Health and Caring Services along with a new facility for Leeds College of Music (LCOM). Phase Two is proposed to be occupied by the College's Higher Education (HE) and Further Education (FE) faculties.
- 3.2 The detailed proposals being presented relate to phase one of the scheme with the second phase due to be submitted in outline, therefore this application is a hybrid with one phase in detail and the second in outline. The interim treatment of the phase two land is being discussed with the applicant at the time of writing this report.
- 3.3 The buildings have been developed as a series of linked building blocks sitting on a plinth which follows the curved frontage to Eastgate. The blocks step up in height (5 storeys up to 10 storeys) from the lowest point in the south-western corner of the site, where the proposal is at its closest to the Grade II listed former garage in the centre of Eastgate roundabout, to the highest point in the north-east where it ties in to the heights of the approved Caddick Scheme. The indicative envelope for the phase 2 outline buildings also step down from north to south (11 storeys down to 10) and would act as a back-drop to the detailed application buildings described above. This will be made clear as part of the presentation to Members at Panel.
- 3.3 The proposals have been developed to align on key vistas and respect the entrance to the Quarry Hill at Gateway Court. The buildings are progressively stepped upwards on the east/west axis to create a tiered effect reminiscent of the building on the northern side of Eastgate, and also stepped forward to align with the approved Caddick scheme. This also facilitates the delivery of an external terrace area which provides the opportunity to integrate with Gateway Court. A route through the buildings, to the main entrance courtyard of the scheme, is also proposed on this southern elevation to provide pedestrian permeability and provide even greater integration with the public realm to the south.
- 3.4 No car parking is being proposed within the site at the time of writing this report. A service area is indicated to be provided to the east of the site adjacent the site access road. Transport matters are the subject of ongoing discussions with the

agent as part of the pre-application process with the matters being discussed covering those referred to in the comments from Highways Services set out below.

4.0 HISTORY OF NEGOTIATIONS

4.1 Officers have had a meeting and e-mail correspondence with the agent and project architects which commenced in May this year. These have dealt principally with the form, mass and design of the building

5.0 RELEVANT PLANNING HISTORY

5.1 The wider Quarry Hill site has an extensive planning history however of relevance are the following:

- A multi-level hotel development up to 13 storeys, with, casino, bars/restaurants and basement car parking, (Application 07/04522/FU) was approved on 7 August 2009 on the proposed college site. The permission was extended in October 2012 (Application 12/03111/EXT) but this lapsed in October 2015.
- Caddick have recently obtained approval in principle for an outline permission for mixed use office residential, restaurant, bars, retail and educational uses on the majority of the land between the proposed college site and Quarry House to the east. App. Ref. 14/06534/OT.
- The site between the Caddick scheme and the A64 has an extant permission for the construction of a mixed use office and multi-storey car park development up to 14 storeys. This was originally approved by application ref. no. 08/06093/FU and then extended by app. ref. 12/03110/EXT. This permission lapses in October 2017.

6.0 PRE-APPLICATION CONSULTATION RESPONSE

6.1 Ward Members Response

Cllr Nash has indicated her support for the scheme.

6.2 Highways Services

No objection in principle to this type of development at this location. The plans submitted indicate that there is no car parking being provided on site at this time (*although discussions are on-going in respect of this point*). No evidence has yet been provided which sets out how the college would operate without on-site parking (e.g. a proportion of staff parking and disabled spaces for both staff and students). Servicing and drop-offs also need to be considered. A Transport Assessment indicating trip generation, junction analysis, site access, layout and facilities will be required as well as a Travel Plan. Cycle parking will also be required. No servicing is permitted to take place from the lay-by to the west of the site on the Eastgate frontage. The need for any off-site highways improvements will be assessed once the submitted information has been assessed.

6.3 Flood Risk Management

(*Note – the western part of the site, fronting Eastgate, is within a Zone 3 Flood Risk Area*). This is a major development and so would expect to see a surface water green field discharge rate to be applied where possible. Infiltration drainage may not be possible therefore need to explore underground attenuation storage methods. SuDs and green roofs need to be explored. Local network capacity needs to be established.

7.0 RELEVANT PLANNING POLICIES

7.1 The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Any Neighbourhood Plan, once Adopted.

7.2 National Planning Policy Framework (NPPF)

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

- Proactively drive and support sustainable economic development;
- Seek high quality design and a good standard of amenity;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and the reuse of land that has previously been developed.

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.

7.3 Core Strategy

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the District. The most relevant policies to this proposal are set out in the paragraphs below:

Spatial and economic policies

Spatial Policy 1: Location of Development prioritises the redevelopment of previously developed land within the Main Urban Area, prioritising urban regeneration and taking advantage of existing services and high levels of accessibility.

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 through a

number of criteria. These criteria include 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; and improving connections between the City Centre and adjoining neighbourhoods.

Spatial Policy 8: Economic Development Priorities supports a competitive local economy through promoting the development of a strong local economy through enterprise and innovation; job retention and creation, promoting the need for a skilled workforce, educational attainment and reducing barriers to employment opportunities and by supporting training/skills and job creation initiatives via planning agreements.

Spatial Policy 11: Transport Infrastructure Investment sets out a series of spatial priorities for the delivery of an integrated transport strategy for Leeds. One priority is related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre.

City Centre policies

Policy CC1: City Centre Development sets out the planned growth within the City Centre. University, and college facilities are to be retained in the City Centre. All other town centre uses will be supported in the City Centre providing the use does not negatively impact on the amenity of neighbouring uses.

Policy CC3: Improving Connectivity between the City Centre and Neighbouring Communities sets out the requirement to improve routes connecting the City Centre with adjoining neighbourhoods and improve connections within the City Centre through developer contributions.

Design, conservation, transport and other policies

Policy P9: Community Facilities and Other Services recognise the importance of local community facilities and services, such as education, in relation to health and well-being. New community facilities and services should be accessible by foot, cycling or by public transport. The scale of the facility or service should be relative to the level of need within the community and its proposed location within the Settlement Hierarchy.

Policy P10: Design requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function. New development is also required to deliver high quality inclusive design. Policy P10 sets out a series of key design principles for new development, in relation to size, scale, design, layout, existing assets, amenity and accessibility.

Policy P11: Conservation states that the historic environment and heritage assets will be conserved, including their settings, particularly those elements which help to give Leeds its distinct identity.

Policies T1: Transport Management and Policy T2: Accessibility Requirement and New Development identify transport management measures and accessibility measures to ensure new development is adequately served by highways and public transport, and provides safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policy G5 sets out the requirement for 20% of the site to be provided as open space for development of sites measuring more than 0.5 ha in area. In areas of adequate

open space supply, or where it can be demonstrated that not all the required on site delivery of open space can be achieved due to site specific issues, contributions towards the city centre park and new pedestrianisation will take priority.

Policy G9: states that development will need to demonstrate biodiversity improvements resulting in an overall net gain for biodiversity.

Policies EN1: Climate Change – Carbon Dioxide Reduction and EN2: Sustainable Design and Construction set targets for CO2 reduction and sustainable design and construction, and a minimum requirement for 10% of the predicted energy needs of the development to be provided from low carbon energy.

Policy EN5: Managing Flood Risk identifies a series of requirements to manage flood risk.

Policy EN6: Strategic Waste Management requires development to demonstrate measures to reduce and re-use waste both during construction and throughout the life time of the development.

Policy ID2: Planning Obligations and Developer Contributions sets out the requirement for Community Infrastructure Levy and S106 planning obligations and developer contributions.

7.4 Leeds Unitary Development Plan Review 2006 – Saved Policies

The UDPR saved policies of relevance to this scheme are:

GP5 All relevant planning considerations (including access, drainage, contamination, stability, landscaping and design) are to be resolved.

BD2 New buildings should complement and enhance existing skylines, vistas and landmarks.

LD1 Sets out criteria for landscape schemes.

7.5 Natural Resources and Waste Local Plan

The Natural Resources and Waste DPD sets out where land is needed to enable the City to manage resources, such as 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 drainage, air quality and land contamination are relevant to this proposal.

Policy AIR 1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated.

Policy WATER 4 - All developments are required to consider the effect of the proposed development on flood risk, both on-site and off-site.

Policy WATER 6 - All applications for new development will be required to consider flood risk, commensurate with the scale and impact of the development.

7.6 Relevant Supplementary Planning Guidance includes:

SPD Parking

SPD Street Design Guide

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPG City Centre Urban Design Strategy

8.0 ISSUES

8.1 Principle of the Use

Both local and national policy are in support of educational use in this city centre location. It is also part of a much larger site on which a wider mix of uses has already been agreed in principle. This use would complement those other uses as well as those educational uses which already exist on the southern side of Quarry Hill. Officers therefore consider that the use of this site as an educational establishment for Leeds City College is acceptable in principle.

Do Members agree that this site is acceptable for use as an educational establishment for Leeds City College?

8.2 Design

The building has been set out in a number of blocks and officers consider that this enables it to respond well to the unusual shape of the site and the topography as it rises up the hill and around the curved Eastgate frontage. This approach has also provided the opportunity for an architectural treatment which is consistent across the site but which contains subtle variations to produce an overall scheme which reads well together but does not look like one large mass. This block approach also enables pedestrian penetration to be achieved between the buildings.

The buildings are progressively stepped back on the east/west axis to create a tiered effect reminiscent of the buildings on the northern side of Eastgate. This creates a view from Eastgate which draws the eye into the main body of Quarry Hill. There is also the opportunity to provide seating on the south-west facing terrace which means it will be open to natural light and helps to animate the lower parts of the building facing out over the Gateway Court area. In conclusion, officers consider that the form of the building and its architectural treatment are acceptable.

Do Members agree that the form of the building and the architectural treatment are acceptable?

8.3 Transport

At the time of writing this report no car parking is proposed on site, however, this matter is the subject of on-going discussions and the current position will be made clear as part of the presentation. Servicing will take place from within the Quarry Hill site as it is not possible use Eastgate. The site is close to the main bus and coach stations and will primarily be used by students who would have a low level of car ownership. Cycle parking and storage facilities would be provided and this is considered to be appropriate for sustainability reasons.

What is Members opinion on the proposal to provide no car parking on this site (subject to on-going discussions and the development of this aspect of the proposal which would be explained at Panel)?

8.4 Pedestrian Connectivity

The amount of footfall in this area is likely to increase in future given its location between Victoria Gate and the Caddick scheme and with the College proposal coming forward. Therefore, there is a desire to improve the quality of the pedestrian

routes and connectivity in this area particularly through Gateway Court. At this moment in time L.C.C. is coordinating discussions between the adjacent land developers with a view to agreeing proposals for the treatment of this space.

8.5 Open Space

The plans which have been submitted so far do not show how the central courtyard area is to be laid out and there are also pedestrian routes into this area indicated on the drawings. At this stage is it not known what proportion of the site will be given over to publicly accessible open space. This site is greater than 0.5ha and hence there is a requirement for there to be an on-site provision of 20% open space with any shortfall made up for by a financial contribution in accordance with Core Strategy policy G5.

What are Members views on officer's approach to the issues of connectivity and public realm provision?

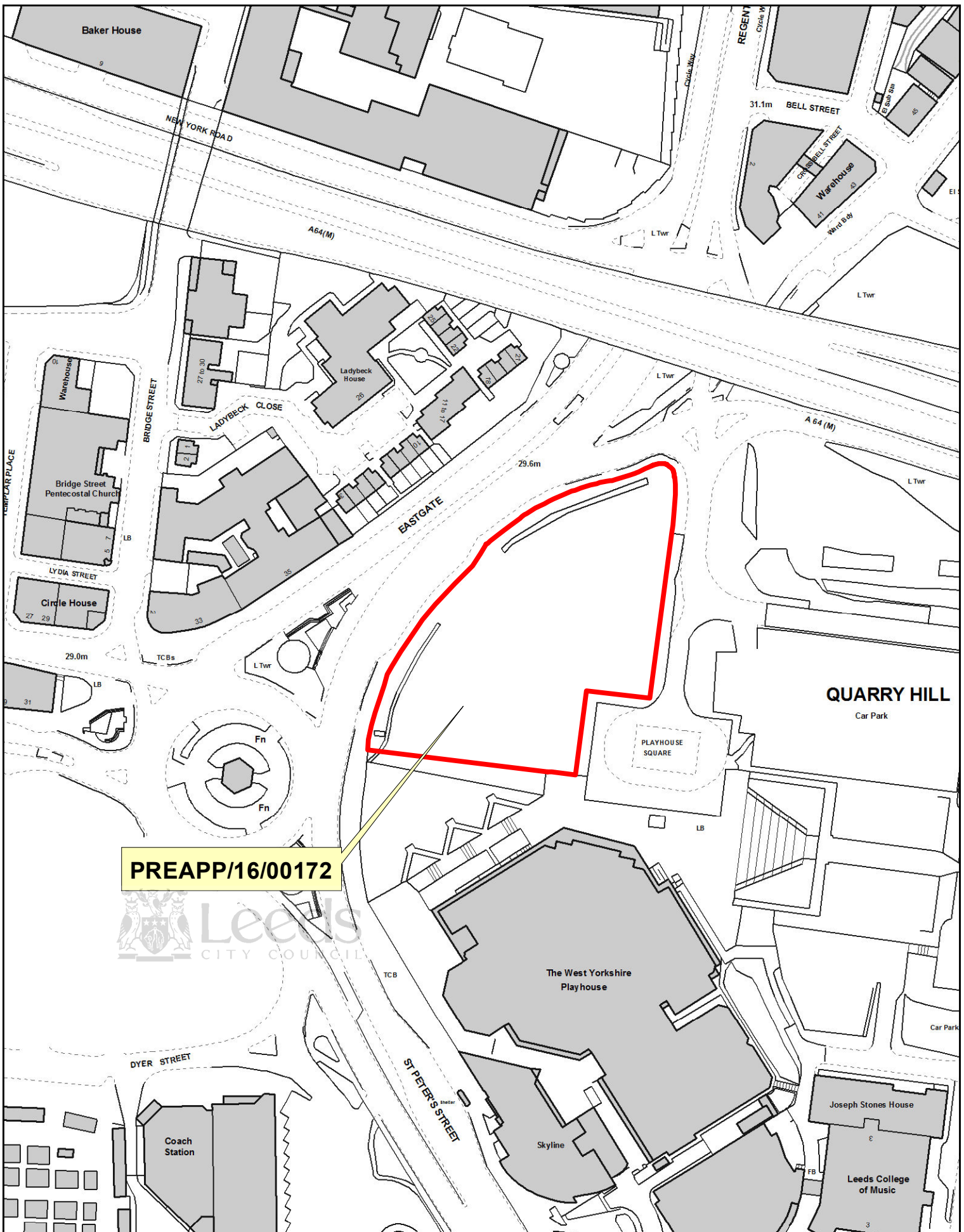
9.0 **CONCLUSION**

Members will be advised of the details of this scheme as they are emerging from the ongoing discussions between officers and the applicant and are asked to provide responses to the following:

1. **Do Members agree that this site is acceptable for use as an educational establishment for Leeds City College?**
2. **Do Members agree that the form of the building and the architectural treatment are acceptable?**
3. **What is Members opinion on the proposal to provide no car parking on this site (subject to on-going discussions and the development of this aspect of the proposal which would be explained at Panel)?**
4. **What are Members views on officer's approach to the issues of connectivity and public realm provision?**

BACKGROUND PAPERS:

Pre-application file: PREAPP/16/00172



PREAPP/16/00172



CITY PLANS PANEL



