



**Leeds**  
CITY COUNCIL

Originator: Amanda Stone

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**Report of the Chief Planning Officer**

**PLANS PANEL (SOUTH & WEST)**

**Date: 6<sup>TH</sup> March 2014**

**Subject:**

**APPLICATION 13/05650/FU: APPLICATION FOR CHANGE OF USE FROM RESIDENTIAL CARE TAKERS HOME (USE CLASS C3) TO A MIXED USE OF OFFICE USE AND COUNSELLING EDUCATIONAL/TRAINING SUPPORT SERVICES (USE CLASSES B1A AND D1) AT 1 SYDENHAM STREET, HOLBECK, LEEDS, LS11 9RR .**

**APPLICANT**  
JOANNA 'PROJECT'

**DATE VALID**  
13 DECEMBER 2013

**TARGET DATE**  
07 FERUARY 2014

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**Electoral Wards Affected:**

**Beeston Holbeck**

Yes

Ward Members consulted  
(Referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION**

**APPROVE, subject to the specified conditions.**

1. Time Limit on Permission.
2. Plans to be approved.
3. Restrict use to as specified on application form.
4. Restriction of hours of use.

**1.0 INTRODUCTION:**

- 1.1 This application is brought to Plans Panel (West and South) at the request of Councillor Congreve due to the amount of local interest generated.

**2.0 PROPOSAL:**

- 2.1 The applicants are a Leeds based charity (Joanna) that are an outreach and support project that work with vulnerable and hard to reach women who are trapped in street prostitution. They are 1 of 50 agencies across the UK who shares resources and

good practice. They are part of the 'Safer Leeds Prostitution Case Conference' (multi agency joint working forum) and liaise with WYP, Probation Services, Crime and Reduction Services and community drugs services

- 2.2 The centre would provide practical and emotional support by befriending and mentoring vulnerable women, the aim being to empower them to exit prostitution and sustain a new life. As well as offering services such as housing and harm reduction, they provide long term (6-12 months) holistic support and refer clients onto specialist agencies for specific support needs.
- 2.3 The operation will employ seven part-time employees (equivalent of three full time positions).

Opening hours are as follows:

Office: 09.00 – 18.00 Monday to Friday, and drop-in service: 11.00 - 15.00 Monday to Friday. Five parking spaces are shown to be provided on-site.

- 2.4 External alterations consist of the replacement of the existing back door with a new door compliant with building regulations and the disability act. It is also proposed to replace two wooden windows with UPVC windows. The garden is also proposed to be cleared of the overgrown bushes and rubbish to provide an attractive garden space.
- 2.5 Internal alterations consist of upgrading the existing ground floor toilets and kitchen. Ground floor accommodation consists of two offices bathroom, kitchen, garage and lobby. First floor accommodation would consist of two further offices, lobby, bathroom and meeting room.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is located on the edge of Domestic Street Industrial Estate on the corner of Sydenham Street and Domestic Street. Its current use is a care takers accommodation for the Industrial Estate. The two storey building is a Council owned property which is currently vacant and has been for some time. The site is served by a wide forecourt to the front which borders Domestic Street and a garden area to the south which is bound by a 2m high wall. Five parking spaces are provided to the south west side of the site which are accessed off Croyden Street.
- 3.2 The Industrial Estate is located approximately 1m from Leeds City Centre and close to the M61/M621 (M62) junction. The immediate area is predominantly industrial in character. To the west is a raised section of the A58 and a disused railway viaduct which separates the predominantly residential area of Holbeck from the more commercial area of Holbeck.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 None

### **5.0 CONSULTATION RESPONSES:**

- 5.1 Statutory Consultations: None
- 5.2 Non Statutory Consultations:

Local Plans – No objections raised to the principle of the change of use

Highways – No objections

ALO - No detrimental comments received, recommendations given with the intention of reducing opportunities for future criminal and anti-social activity.

**6.0 PUBLIC/LOCAL RESPONSE:**

6.1 The application was advertised by site notice on 24 December 2013. Overall 13 letters of objection and 7 letters of support have been received to the development.

6.2 Three representations were made by the Neighbourhood Planning Steering Group and Residents Groups, from Anne Hopper – Gaitskills Residents Group; Ian Pickup, Dennis Kitchen – Voice of Holbeck; and Steve Peacock – Cross Ingram Residents Association, objecting to the proposal on the following grounds:

- Centre too close to residential properties;
- local residents subjected to anti-social behaviour and abuse;
- hypodermic needles and used condoms littering streets;
- provision of free hand-outs and other services is likely to attract more prostitutes into the area rather than the reverse;
- the centre would service the whole of Leeds, therefore should be situated in the city centre;
- no consultation with local people likely to be affected by the proposal;
- timing of submission of application at Christmas – deemed to be deliberate to reduce consultation response time for residents;
- concerns raised about the handling of the application by council officers prior to submission of application;
- general consensus from local residents is no to prostitution and/or related services.

6.3 9 letters of objection received from local residents expressing the following concerns:

- centre would increase prostitution and invite prostitutes to the area;
- drop-in centre will make the residents more vulnerable and it is unfair;
- the centre would highlight that the area is notorious for this type of activity and would become unsafe for women to walk out on the streets;
- would encourage prostitutes rather than discourage them;
- lack of consideration for law abiding people;
- Centre would portray Holbeck as an urban ghetto opposed to an urban village and undo all the positive steps made through the development of new houses, and refurbishment of the tower blocks;
- Nearby bus stop used by children.

6.4 Overall six letters of support have been received to the scheme – 3 from local residents and the others from Superintendent Hussain from West Yorkshire Police, Rev Mitton from St Luke's Church, Holbeck, John Walsh representing Leeds Community Healthcare NHS Trust and Dr R Flint local GP.

6.5 Supportive comments received from West Yorkshire Police are as follows:

- The Joanna project is a key third sector partner in the multi-agency approach to the issues of street prostitution in the area;
- Law enforcement alone has not and will not result in diverting vulnerable women away from prostitution;
- The key to success is for law enforcement to be used in conjunction with partnership interventions and for that to succeed the women need access to the welfare and support services that would be provided at this drop in centre;
- WYP are not aware of any evidence that similar centres have resulted in an increase in the number of women working as prostitutes in the areas covered;
- The drop in centre would be a valuable asset and key part of the strategy to tackle street prostitution.

6.6 Supportive comments received from Rev Mitton of St Luke's Church in Beeston are as follows:

- The Joanna project has consistently provided an outstanding ministry among women working in the sex industry in Leeds;
- They endeavour to build relationships with these ladies, providing support, mentoring and friendship with the direct hope of helping them exit prostitution;
- Their work in no way condones prostitution, rather recognises the complex social and economic factors that contribute to decisions to enter this lifestyle;
- They give individual long term holistic support which is built on a lot of experience;
- Their work should be lauded rather than opposed;
- The proposed premises will provide an accessible base within the local area which will aid deliver an efficient consistent service;
- The centre aims to provide experienced workers which will help women leave the sex industry;
- These women are caricatured as perpetrators of social problems and law breakers by local opposition. These views may be understandable however are ill-informed and fail to recognise an element of victimhood and the complex reasons for entering the sex industry in the first place and the subsequent difficulty in leaving it;
- Blocking the application on the fear that it may increase prostitution in Holbeck is to misunderstand the experience of women in this industry and underestimate the track record of the Joanna project as well as over-estimating the facility this small scale building can afford and the lack of advertising;
- It would also block an organisation that has proven to effectively support women leave the sex industry.

6.7 Supporting comments received from Leeds Community HealthCare NHS Trust (York Street Health Practice) are as follows:

- The Joanna Project is a respected service in the city of Leeds which defines itself as an 'outreach and support agency working with women, at risk or involved in prostitution. They seek a small premise to offer support and care to those involved in prostitution which involves safeguarding and practical support.
- We as a service are interested in seeing what Health can do to develop this therapeutic presence in the area where those involved in prostitution operate. This would take the form of discussions of what already exists, is needed and can be provided.
- The 2013 Department of Health paper 'A Framework for Sexual Health Improvement in England' says, 'Some prostitutes are at higher risk of poor sexual health outcomes.'

- Prostitutes also experience vulnerabilities such as violence, rape and sexual assault, homelessness, and drug and alcohol problems that may impact on their sexual health needs.
- There is a strong need for specialist services to be available because of the barriers prostitutes face in accessing mainstream services'.
- The health inequalities and untreated health conditions of those involved in prostitution is a real challenge. The opening of this centre offers a real possibility for an answer.

6.8 Supporting comments received from Dr Flint local GP are as follows:

- The Joanna Project does important work supporting sex workers with the aim of exiting prostitution, find hope and rebuilding their lives;
- The building would help their scope and ability to help these women;
- I am a local inner city GP with an interest in treating addiction and know that social support and daytime activities are crucial in overcoming addiction.

6.9 3 letters of support received from local residents have made the following comments:

- The Joanna Project is a charity working to support and give value to women who are sex workers and to help those that wish to leave this work do so
- It is a detached property on a non-residential street, close enough to the city centre and public transport links to enable women to access this centre fairly easily. It is hard to imagine a better location for this project.
- The day centre will be a place of safety for women, where they can be treated with value and respect and where they can get counselling and support.
- You would never know that it was a day centre for vulnerable women in the sex industry.
- Sometimes people make objections based on fear of the unknown. I hope that if the objectors have an opportunity to hear and listen with compassion to what the Joanna project is hoping to achieve and if they meet some of the women who have been supported through the project they will find their fears diminish.
- the work that Joanna already does in this area is vitally important, and that opening such a sanctuary would significantly reduce the problem of street prostitution as well as providing much needed care and support for the women involved.
- Joanna project are tackling the problem head on by trying to bring the women out of prostitution rather than simply moving them on;
- this is exactly what Holbeck needs to address the challenges in our community rather ignore them;
- Fully support their initiative as they are seeking to aid women to find a way out by offering alternatives in a safe and warm environment. This drop-in will not draw more prostitutes into the area, rather it will draw women away from the streets near our homes as they choose to go here instead of 'work' on the streets.

## 7.0 PLANNING POLICIES:

7.1 The Development Plan includes the adopted Leeds Unitary Development Plan - Review 2006 (UDP), Natural Resources and Waste DPD, along with relevant supplementary planning guidance and documents. The emerging local plan will eventually replace the UDP.

7.2 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination. The provision of health care facilities is a key objective of the Core Strategy.

7.3 The following policies are considered to be of relevance:

GP5 requires development proposals to resolve detailed planning considerations, including access, drainage, contamination.... landscaping and design to avoid environmental intrusion, loss of amenity... highway congestion and safety...and prevention of crime.

T2 developments need to be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

T24 parking provision to reflect the guidelines set out in UDP Appendix 9.

BD6 requires all alterations and extensions to respect the scale, form, detailing and materials of the original building.

7.4 National Planning Policy Framework (2012)

The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

## 8.0 MAIN ISSUES:

1. The principle of development.
2. Impact on residential amenity.
3. Highways
4. Representations
5. Conclusion

## 9.0 APPRAISAL:

### The principle of development

- 9.1 The change of use of premises from C3 to B1a/D1 requires an assessment of the application in relation to planning principle. In reaching a view the following considerations have been taken into account:
- 9.2 Firstly, the site is not located in a Town Centre and B1a/D1 is a type of use encouraged to be located in Town Centres within the NPPF to ensure the vitality of town centres. That said, the NPPF also states that planning authorities should demonstrate flexibility on issues such as format and scale. In this instance the development is below the level at which the local authority would apply a sequential or impact assessment as its modest scale is considered unlikely to have a harmful impact on the vitality and/or viability of town centres.
- 9.3 Furthermore the site is located within a sustainable location which is provided with excellent pedestrian and public transport access links whilst also contributing to sustainability by providing economic, social and environmental benefits for the local area in accordance with the aims and objectives of the NPPF.
- 9.4 The economic benefit would bring back into use a building which has been vacant for a number of years, whilst also providing employment and volunteering opportunities in an identified employment zone.
- 9.5 The social benefits would be the provision of much needed support (counselling, health, education and training) for vulnerable woman in the local area to help them exit the sex industry. The centre aims are to educate and provide an accessible front line service which aims to break down the current barriers these women face in accessing mainstream services which is a factor believed to facilitate the growth of the sex industry. The centre also seeks to tackle health inequalities and untreated health conditions of these women which include violence, rape, sexual assault, homelessness, as well as drug and alcohol problems. Its aim is also to tackle the complex social and economic factors that contribute to women entering the sex industry and in doing so deter vulnerable women away from prostitution.
- 9.6 The social benefits to the community would be to reduce the anti-social problems linked to street prostitution in this area of Holbeck. Comments received from West Yorkshire Police recognise that law enforcement alone 'has and will not result in diverting vulnerable women away from prostitution'. They have advised that the key to success is for law enforcement to be used in conjunction with partnership

interventions that provide women access to welfare and support services in order to effectively tackle street prostitution.

- 9.7 The environmental benefits would be the refurbishment upgrade of existing facilities through both external and internal alterations, rejuvenating an existing vacant dilapidated building and the clean-up of the garden by the removal of rubbish and overgrown vegetation to create a more attractive space.
- 9.8 In summary the project would bring a vacant property back into use and provide an accessible counselling and educational facility for vulnerable women the aim being to help them exit the sex industry and in turn address identified local problems which is compatible with the aims and objectives of the NPPF. Accordingly, the merits of this development are considered to significantly outweigh any harm caused by it's out of centre location. The proposal is therefore supported in principle subject to satisfying other detailed planning considerations.

#### Impact on residential amenity

- 9.9 The property is situated on the south east edge of Domestic Street Industrial Estate, on the corner of the junction of Sydenham Street and Domestic Street, 1 mile south of Leeds City Centre. The immediate area is characterized predominantly by industrial/commercial buildings. Bordering the south side of the estate is the (A58) and a disused railway viaduct, beyond which approximately 150m away from the premises is a residential estate. The residential and commercial sectors are therefore afforded a degree of separation and isolation from each other both in terms of distance and physical barriers.
- 9.10 The proposed use will operate during the conventional working day (09.00 -18.00hrs Mon to Fri), with a drop-in service available between the hours of 11.00 and 15.00hrs Mon to Fri. Accordingly, it is anticipated that the proposed use will be low key considering the times in which it will be open. The site is also located within walking distance of the areas perceived to be affected by street prostitution and as such visitors to the unit would likely arrive on foot opposed to car thus it is considered unlikely that the use would cause detriment to nearby neighbour's in terms of noise associated with comings and goings. Distances involved and the surrounding infrastructure also make noise unlikely to pose a significant threat to residential amenity.
- 9.11 With regard to whether this would result in an increase in street solicitation, comments received from WYP suggest that such centres decrease street prostitution by helping women exit street prostitution rather than increasing it. In turn benefit's the local community by decreasing anti-social behaviour linked to the sex industry.

#### Highway Issues

- 9.12 No objections have been received from the Highways consultation. The site is accessible via alternative transport modes and has adequate parking provision for the proposed use. That said, the D1 class use is very broad and allows other uses such as Crèche, Day Nursery, School, College, Art Gallery, (Museum, Public Library or Reading Room, Church, Mosque etc. which if employed in the future may pose a threat to highway safety and as such needs to be controlled. The proposal is therefore considered unlikely to pose a threat to highway safety, subject to a condition restricting the use to that specified on the planning application.

#### Representations



- 9.13 Twenty letters of representation have been received to-date. Thirteen of which are letters of objection received from local residents and representatives of community groups. These letters object to the proposal on the grounds that the proposal should be located in the city centre, is too close to residential properties, and the services on offer would increase street prostitution in the area rather than deterring it and in turn increase the current anti-social issues linked to street prostitution in the area. All of the concerns have been addressed in the appraisal section of the report.
- 9.14 With regard to concerns raised in relation to lack of consultation with local people Pre-consultation by applicants with local people on sensitive schemes whilst not a statutory obligation is promoted as good practice by the LPA through the pre-application process which is a service offered to applicants. In this instance however, no pre-application advice was sought prior to the submission of the application.
- 9.15 Following the submission of the application the applicant was advised by officers to undertaken public consultation. Following this request the applicant has undertaken a number of consultations with various representatives of Area Management, Local Councillors and Holbeck representatives. The applicant has also recently spoken at Holbeck Christian Fellowship and invited other residents to attend.
- 9.16 Timing of submission of application at Christmas deemed to be deliberate to reduce consultation response time for residents\_– The timing of the submission of the application is the applicant’s decision. The consultation process allows 21 days for representations to be submitted. However, representations can be made and considered up to the date of decision.
- 9.17 The centre would highlight that the area is notorious for this type of activity and would become unsafe for women to walk out on the streets – there is no evidence to suggest that the proposed use would result in an increase in criminal activity of soliciting. The purpose of the unit is to reduce this type of activity by offering long term support by facilitating the women to exit prostitution and sustain a new life.

### Conclusion

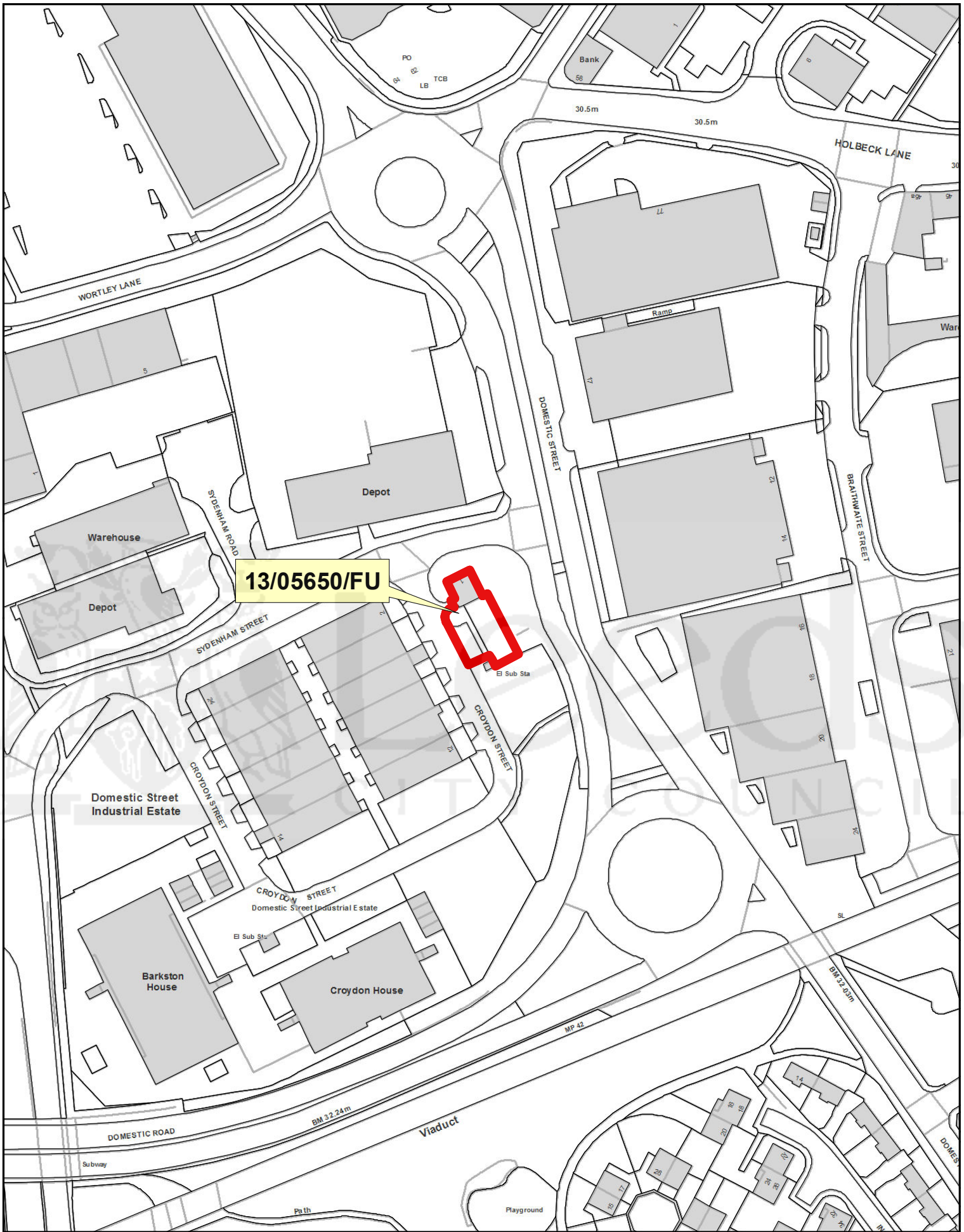
- 9.18 The development would bring a vacant property back into use and provide an accessible counselling and educational facility for vulnerable women the aim being to help them exit the sex industry and in turn address identified local problems which are compatible with the aims and objectives of the NPPF. Accordingly, the proposal is considered also to comply with relevant local policies GP5, BD6, T2 and T24 of the Leeds UDP. The merits of this development are considered to outweigh any material harm caused to residential amenity or highway safety subject to conditions restricting its use and hours of opening. The proposal is therefore recommended for approval.

### **Background Papers:**

Application files 13/05650/FU

### **Certificate of ownership:**

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# SOUTH AND WEST PLANS PANEL

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

SCALE : 1/1500

