



**Report of the Chief Planning Officer**

***CITY PLANS PANEL***

**Date: 17th JULY 2014**

**Subject: PROPOSAL FOR 106 NO. APARTMENTS, B1 OFFICE SPACE WITH 30 CAR PARKING SPACES AND REAR AMENITY DECK ON LAND AT 2 SKINNER LANE (14/01008/FU)**

**Electoral Wards Affected:**

**City and Hunslet**

Yes

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

- **Provision of 5% (5no.) affordable housing units**
- **£6,000 to make a number of existing TRO's in the area 'No Waiting At Any Time'**
- **£23,259 Public Transport Infrastructure contribution**
- **£2,635 Travel Plan Review Fee and travel plan measures including Travel Plan Co-ordinator**
- **£7,360 Provision of free trial membership of the city car club**
- **£11,200 Car Club parking bay works**
- **Local Employment Initiatives**
- **Any other obligations which arise as part of the application process.**

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

## Conditions

1. Standard 3 year permission
2. Development to be carried out in accordance with approved plans
3. Walling, roofing and surfacing materials to be submitted and approved
4. Submission and implementation of a landscaping plan to include edge treatment of amenity deck
5. Landscape maintenance schedule
6. Planting replacement if landscaping fails
7. Submission and approval of surface water drainage details
8. Details of bin and cycle storage enclosures to be submitted
9. Details of boundary treatments
10. Details of security barriers and shutter to vehicles entrance and exit
11. Areas to be used by vehicles to be laid out, surfaced and drained
12. Details of acoustic attenuation of residential units
13. Method of ventilation for residential units
14. Details of lighting within and around the external areas of the site
15. Amendment of remediation statement if unexpected contamination is discovered during development
16. Submission of contaminated land verification reports
17. Hours of construction to avoid impact on residents
18. Provision for contractors during construction
19. Means to prevent mud and grit on the highway
20. Maximum 2 car spaces to be allocated to the office units
21. Vehicle entry gate to be no less than 5m from the public highway
22. Retention of obscure glazing to the side boundary windows.
23. Details of reduction in terrace size to western roof top to prevent over-looking

### 1.0 INTRODUCTION:

The site is located on Skinner Lane and currently contains a temporary surface car park. It sits within a defined block of development bounded by Skinner Lane, North St, Concord St and Leylands Rd and is the last remaining part of the block to be developed. The other buildings are largely residential, some with office content, and were constructed in 3 separate developments approximately 10 years ago. A previous consent existed on this site, for a larger residential building than is proposed by the current application, but clearly this was never constructed. The surrounding residential developments have been constructed in a way which accounts for a building to be located across the Skinner Lane frontage, leaving the area to the rear open to allow daylight penetration. Analysis of the previous permissions and the evidence on site supports this position.

### 2.0 PROPOSAL:

- 2.1 The proposal is to construct a mixed use development providing 106 apartments with 2 no. B1 office units at ground floor level, fronting Skinner Lane. The proposed building is nine storeys including a recessed top floor and has car parking to the rear, accessed via an in/out one-way system at either end of the Skinner Lane frontage. A deck is proposed to be built over the top of the parking to provide visual screening to the vehicles beneath and amenity space for the residents on top.
- 2.2 The building has been designed in response to a site which is bounded by residential neighbours on 3 sides - although these neighbours have been designed utilizing architectural devices which will help to protect the amenity of their occupiers as well as the amenity of the potential future occupiers of the proposed building. They have

open access walkways, high-level windows, translucent screening or glazed circulation zones already in place around the perimeter of the site. The proposed building has been located across the Skinner Lane frontage leaving an important open area to the rear to allow light to penetrate the proposed and surrounding buildings.

- 2.3 To the Skinner Lane frontage, the ground and first floor of the building are set back to provide an area for planting and incorporated seating at ground level around the centrally located front entrance. The 2<sup>nd</sup> to 8<sup>th</sup> floors are contained within a double-height, brick framework which oversails the ground and first floor. Set within this framework is an aluminium framed curtain-walling system containing full height glazing and timber cladding to add depth and visual interest to the main façade. The rear elevation is a simplified version of the front elevation, retaining a brick framework but without the depth of projection and the double height emphasis.
- 2.4 The apartments are single aspect and arranged in two parallel blocks served by a central core. The apartments are then oriented to face either northwards to Skinner Lane or southwards over the amenity deck. The upper apartments are replicated over seven identical floor plates which provide 9 no. 1 bedroom apartments, 4 no. 2 bedroom apartments and 1 no. studio apartment per floor. The top floor would provide 8 no. 2 bedroom apartments all utilizing the recessed building line to provide external terraces to each unit, although the extent of this would be reduced along the western boundary to prevent looking down into the lounge and terrace of the neighbouring unit. All of the upper floor apartments have full height sliding glazed doors over 2.2m high and, for the first to seventh floor units, a glazed Juliette balcony to provide increased levels of natural lighting and the ability to interface with the outside environment. The main access to the building is centrally located on Skinner Lane although access can also be gained through the car park to the rear.
- 2.5 The unit sizes range from 46 - 53 sqm for the 2 bed units, 36 - 43 sqm for the one bed units and the studios are 30 sqm. All of the rooms have full height windows, facing either north or south as described above, with the exception of the bedrooms to the 2 bed units located at either end of the building. These particular bedroom windows would be located in the end gable walls, in close proximity with the end gables of the neighbouring buildings. These windows will be obscure glazed, as clearly there would be little in the way of a view out whilst still allowing natural light to penetrate these particular rooms.
- 2.6 In line with the interim Affordable Housing Policy the applicant is proposing to provide 5 no. units for affordable housing, 2 no. 2 bed units and 3 no. 1 bed units.
- 2.7 To the rear of the building will be the amenity space for the residents. The area is of considerable size, 38m x 13m (approx. 500 sqm), and this is set within the overall rear space between the buildings of dimensions 40m x 23m. It is proposed to landscape its surface, although this will be restricted because of the elevated nature of the construction. Walkways, seating areas and feature lighting would be included in addition to some low level planting which would offer the possibility for habitat creation. The deck located above the car park level and is at the same height as the lowest deck access of the neighbouring building to the east (Cypress Point). There would also be a perimeter treatment to prevent users from falling off the edge of the deck and this would take the form of a barrier running around the perimeter which could itself incorporate landscaping. The deck will also help to screen from view a considerable proportion of the car parking to the benefit of the amenity of all of the residents who will have cause to interface with the rear area. The areas which are not covered by the deck will have planting growing along steel wires to provide some level

of screening and visual interest. In addition the main frontage to Skinner Lane will incorporate feature low level planting and also low level walling.

- 2.8 As the north facing flats front on to Skinner Lane, the applicant is to provide a level of acoustic attenuation which enables the internal spaces to meet the relevant standards for internal rooms. The building is to be artificially ventilated in order that, if there is a requirement to keep the windows closed to maintain the appropriate level of acoustic attenuation, then the rooms can still be ventilated.
- 2.9 Access to the site parking areas is proposed by a one way system entering the site from the eastern end with the exit being through the upper, western end, of the site. The entrance and exit points will be controlled by a security barrier with a nighttime shutter protecting the recessed entrance area in the evening and overnight. There will be 30 car parking spaces provided on site including electric vehicle charging points. 28 spaces will be provided for the residential units and 2 for the offices, including spaces dimensioned to accommodate disabled users. In addition 4 motorcycle spaces and 27 cycle spaces are to be provided.
- 2.10 The scheme will be designed to meet a minimum of Code for Sustainable Homes Level 4 and will provide the following energy saving items:
- Low energy light fittings
  - Water saving flush and shower fittings
  - Energy efficient heating system
  - Reduced thermal loss wall construction

The proposed amenity deck will also help to manage the partial dispersment of rainwater. This development is well located and in the city centre defined boundary set out in the Unitary Development Plan Review. A Travel Plan has been submitted (see Travelwise comments below). Whilst the scheme is inherently sustainable due to its location and restricted number of parking spaces, the submitted Travel Plan sets out details including a trial scheme for a car club space to be located on Leylands Rd (cost £11,200) including a free trial membership period for residents (£7,360). Remedial measures will be employed if, after regular review, it is considered that targets are not being met. These range from competitions and incentives for residents to additional financial support and free bike use.

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

- 3.1 The site is located on Skinner Lane and is vacant and cleared. It currently contains a temporary surface car park approved under the capped long stay car parking initiative brought forward in 2012. The area is mixed in character comprising residential, offices, light industry, warehousing and an army barracks to the north.
- 3.2 Immediately adjacent the site to the west is Lovell House which contains apartments and a currently vacant office element. There is a full height vertical communal stair window, some deck access to storage and plant areas, corridor windows and a top floor (6<sup>th</sup> floor) residential unit with windows and a terrace/balcony area which face both north and east towards the site. At ground floor level there is an access route to the front door of 12 apartments which runs along the common boundary, albeit that this is elevated above the application site due to the underlying topography of the area. 3 external light fittings are located on Lovell House immediately above the walkway. Just to the west of this is the access point to Lovell House's lower level car park.

- 3.3 To the east is Cypress Point residential scheme which contains apartments in the upper floors above ground floor office space and a car park. There is a vertical section of blank gable-end wall which gives way to open deck access walkways to the upper floor flats which have doors and both bathroom and high level bedroom windows facing out over them. The pedestrian access to the scheme is recessed beneath the building close to the common boundary with the application site. It is supported on a single column and there is a wooden boundary fence which provides physical separation from the application site. Cypress Point has a car park access and this is located on Leylands Rd.
- 3.4 To the south, Concord St apartments have a series of deck access corridors with doors and windows oriented towards the application site, although these are screened from view by a large obscure glazed screen located along the common boundary to protect the amenity of the existing residents. The car park access for this scheme is also located on Leylands Rd.

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

- 4.1 This site received approval for 104 residential units in a 9 storey building fronting Skinner Lane, with ground floor offices and basement car parking for 48 vehicles accessed via car lifts. This application was approved under delegated powers app. ref. 20/518/05/FU dated 24<sup>th</sup> April 2006. (For information, the current proposal is 3.6m lower and has a reduction in depth of nearly 5m when compared to the original approval).
- 4.2 Concord St residential development, approved by app. ref. 20/101/01/FU dated 18<sup>th</sup> Dec 2001
- 4.3 Lovell House approved app. ref. 20/275/03/FU dated 17<sup>th</sup> Oct 2003
- 4.4 To the east Cypress Point, originally approved for 37 units by app ref 20/325/05/FU dated 30<sup>th</sup> Sept 2005. Subsequent approval for 10 additional units approved by app. ref. 06/02231/FU dated 28<sup>th</sup> June 2006
- 4.5 On the current application site - 75 no. space temporary surface car park, app. ref. 11/05310 approved 19<sup>th</sup> March 2012. Permission terminates 15<sup>th</sup> March 2017.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 This application has been the subject of pre-application discussions with officers concerning a range of relevant planning matters.

#### **6.0 PUBLIC/LOCAL RESPONSE**

- 6.1 The proposal was the subject of a pre-application exhibition for which 250 local properties were notified by letter. During the four hour event on 5<sup>th</sup> February, two persons attended. No negative comments were raised about the scheme itself with the points raised being:

- What the impact would be on trying to sell a property in the area
- Disruption during construction on residents of Lovell House
- Security of people using the passage between the application site and Lovell House. (N.B. the agent discussed hours of working and external lighting).

- 6.2 One letter of representation has been received from the owner of the neighbouring Cypress Point office and residential scheme. This states that the proximity of the eastern elevation of the proposed development may affect the open gallery accesses to the flats at Cypress Point. It is considered that the new building should not extend beyond the solid brick portion of the west elevation of Cypress Point. Similarly, the base level of the rear garden "deck" should be at the same level as the first floor deck of Cypress Point without a solid wall adjoining the Cypress Point access walkway. Concern is also expressed over the proximity of the proposed vehicle access to the site, immediately adjacent to the pedestrian access to Cypress Point.
- 6.3 It should be noted that these comments were made to the original submission. Since this time the applicant has reduced the depth of the building on the boundary to Cypress Point by 0.3m and therefore the building now extends past the end of Cypress Point by 1.85m with the window being 2.875m from this flank wall. The owner of Cypress point has been informed of this revision and has responded that they have no further comments to make.

## 7.0 RESPONSE FROM CONSULTEES

### 7.1 Statutory:

None requested or received

### 7.2 Non Statutory:

**Highways Services:** The level of parking provision on site is acceptable in this sustainable location. Funding is required for the strengthening of the TRO's on Skinner Lane and possibly Leylands Rd to avoid uncontrolled parking in the area at evenings and weekends (£6,000 – to be paid by the applicant). Cycle parking and location of refuse storage areas are both acceptable. The position of the access and egress are acceptable as is the method of securing the access with a daytime barrier and night-time security shutter.

**Travelwise:** This development is in the city centre. A Travel Plan Coordinator will be appointed. They will promote car sharing, the use of sustainable modes of transport, cycling & the use of the secure cycle parking facilities and issue travel packs on first occupation. It is considered that a car club trial is the most appropriate method of trying to impact modal shift here and therefore, in preference to a Metrocard scheme, a car club space is to be trialed on Leylands Rd (cost £11,200 if retained or if the space is ultimately not required if the trial is considered to be unsuccessful). Free trial membership period of the car club to the value of £7,360. Electric vehicle charging points will be included in the private parking area.

**NGT:** £23,259 has been agreed as a contribution to public transport and infrastructure improvements in the area.

**Environmental Protection:** The units can receive acoustic attenuation which will reduce noise levels to that required in the internal rooms. This will also require artificial ventilation in order that the rooms can be ventilated without the requirement to open the window. The details of both of these elements will be controlled by condition.

**Sustainability – Contamination:** All pathways will be broken to any potential contamination. No objections subject to conditions.

**Police Architectural Liaison Officer:** Advice offered on methods of ensuring the levels of security achieved on site are the best possible.

**Flood Risk Management:** No objections subject to condition requiring drainage details to be submitted.

**L.C.C. Education:** No contribution required, No objection

**Coal Authority:** No objection

**Metro:** Have requested an upgrade to an out-bound route bus stop on North St and a Metrocard scheme for the residents.

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

### **8.2 National Planning Policy Framework (NPPF)**

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

### **8.3 Leeds Unitary Development Plan (Review) 2006**

The development plan comprises the Unitary Development Plan Review 2006 (UDPR) and the National Resources and Waste Local Plan 2013 (NRWLP). The site lies within The City Centre boundary but is not allocated for any particular use.

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

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

- 8.6 Policy GP5 states proposals should resolve detailed planning considerations; seek to avoid loss of amenity; avoid highway congestion and maximise highway safety and resolve access issues. Policy T2 amplifies these requirements and subsequent policies T2B-D set out the need for transport assessments, travel plans, and public transport contributions. Policy T6 states that satisfactory access for disabled people and others with mobility problems is required. Car parking, cycling, and motorcycle parking requirements are also set out.
- 8.7 In addition the following policies are relevant to this site:  
SA9 - Promote City Centre aspirations to become one of principal cities of Europe.  
CC3 - Character of City Centre maintained by protecting built fabric and style, good innovative design for new buildings/spaces, upgrading the environment to increase vitality of the Centre.  
GP3 - Proposed uses to be compatible with existing  
GP5 - Development should resolve detailed planning considerations.  
GP7 - Use of Planning Agreements to achieve a satisfactory form of development.  
N12 - Development to respect fundamentals of urban design; linked and appropriate spaces, high quality new build, respect grain.  
N13 - New build should be attractive, normally of contemporary design.  
H7 - New housing encouraged in City Centre.  
H9 - Balanced provision in terms of size/type of housing.  
H11 - Need to provide appropriate proportion of affordable housing.  
BD1-5 - Quality design, materials for new buildings, disabled access, location of plant, amenity space, daylight.  
Appendices 9A, 9B and 9C lay down vehicle and cycle parking guidelines for the City Centre (the site lies within the City Centre Fringe for these purposes).
- 8.8 Natural Resources and Waste Local Plan 2013 (NRWLP)  
The NRWLP was adopted by Leeds City Council on 16th January 2013. The NRWLP is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. One of the strategic objectives of the NRWLP is the efficient use of previously developed land. General Policy 1 ensures that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy Air 1 requires that low emission sources of transportation be included in developments.
- 8.9 Draft Core Strategy (DCS)  
The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The Inspector examined the Strategy during October 2013 and May 2014. Some weight can now be attached to the document and its contents recognizing that the weight to be attached may be limited by outstanding representations which have been considered at the examinations.
- 8.10 Policy H2 refers to new housing development on unallocated land. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure and the development should accord with accessibility standards.
- 8.11 DCS Policy H4 says that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location. Policy H5 states that the



Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site.

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

8.13 Supplementary Planning Documents

SPG3 - Affordable Housing: The Interim Affordable Housing policy states that 5 per cent of dwellings should be provided as affordable housing if the development is implemented in two years.

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

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

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

## 9.0 ISSUES

9.1 Principle of Residential and Office Uses proposed  
Building Design  
Amenity Considerations  
Highway Considerations

9.2 Principle of Residential and Office Use

The site is currently vacant, with the former commercial building having been demolished a number of years ago. The site lies within the City Centre boundary but is unallocated in the UDPR. The proposed use therefore has to be assessed on its merits taking into account all material planning considerations.

9.3 This proposal represents the reuse of previously developed land and satisfies the requirements of UDPR policy H4. Policy H7 also encourages the provision of City Centre Housing and therefore the application is considered to comply with the UDPR as well as Central Government guidance contained in the NPPF. The scheme proposes a range of unit sizes with the majority being 1 or 2 bedroom apartments and the level of provision of affordable housing is in accordance with the guidance set out in the relevant SPD, which is clearly welcomed by officers.

9.4 The scheme also provides ground floor office use and this means that the objective of providing local employment opportunities will also be met. The proposed uses on the site are therefore considered to be acceptable.

## 9.5 Building Design

The building has been designed to reflect the scale and massing of the two schemes to either side on Skinner Lane and it is considered that it fits well into this context. The set-back top floor will act to top the building off with a light-weight glazed structure and this also assists in reducing the perceived height of the building whilst providing a meaningful level of accommodation. The proposed scale is therefore considered to be both appropriate and acceptable.

9.6 The use of a brick framework containing full-height glazing and timber is designed to provide a robust and distinct outer edge to the main body of the building whilst also offering a lightness and depth created by the use of large areas of glass and timber. This is an unusual format but it is considered to respond well to the brickwork of its neighbour at Cypress Point and the façade of Lovell House, with its projecting glass balconies and stair towers. This will provide a unifying element which will complete this frontage and help to tie the diverse architectural styles of the street together. The rear elevation is a simplified version of the front elevation and in this context, where it is not visible from the street, is an acceptable elevational treatment.

9.7 The building is being designed to include what are now becoming a standard range of sustainable features in new-build apartments, from the construction methods and materials to the fit-out of the lighting, water and heating systems. This will result in less energy used and reduced running costs with the achievement of a minimum of Code for Sustainable Homes Level 4. This approach is clearly welcomed by officers and is acceptable.

## 9.8 Amenity Considerations

The apartments sit above the ground floor office which extends across a substantial part of the building frontage. This means that residential uses are not immediately fronting the footway which could cause potential disturbance to residents, a loss of privacy and security issues. The neighbouring Cypress Point has also used this device to good effect and this is considered to be acceptable.

9.9 The rear apartments face out over the amenity deck and towards the obscured face of the Concord St residential units, which is a distance of 24m away and is considered an acceptable relationship. Given that the elevations of the neighbouring schemes have been designed to allow light penetration but prevent overlooking from primary living space windows, there would be no overlooking into the rear area from the windows of any surrounding residential units other than from the high level bedroom windows of Cypress Point. This arrangement is considered to be acceptable in this city centre context where higher density development is more likely to occur.

9.10 The majority of the residential units have one and two bedrooms. The applicant wishes to provide 7 studios, one to each floor. These are 30 sqm being 4m wide and 7.5m deep. The double bedroom is fully sectioned off from the remainder of the unit by a sliding door and has space along 2 sides of the bed. This is comparable in size with the smaller double bedrooms in the 2 bedroom units. The kitchen is provided as part of the lounge area and has full height glazing with a Juliet balcony, which is the same arrangement as exists in the larger units. There is a bathroom, with bath, as well as built in storage and wardrobes. This is considered to be a well-proportioned arrangement with ample natural light. In this case, where studios account for just under 7% of the total number of units on the site, it is considered that this is an acceptable level of studio provision.

9.11 The owner of Cypress Point has raised the issue of the relative position of the rear of the proposal in respect of the windows of his own development. This has a set of high

level bedroom windows which face out towards the southern end of the proposed eastern flank wall. The northern-most bedroom windows of Cypress Point are set away from the boundary by the width of the access deck (approx. 1.7m) and are also at a slight angle, facing in the direction of the amenity deck. The proposal is also built away from the common boundary by 1.15m which adds further distance between the bedroom windows and the proposed flank wall. The applicant has reduced the depth of the building at this point and the flank wall now sits across approximately half of the high level bedroom window. These have been designed at high level due to their location adjacent a communal walkway. It is also noted that, at the southern end of the Cypress Point access decks, there are high level bedroom windows which are located in close proximity to their own communal access staircase and a solid boundary wall. These have a much poorer level of amenity than those to the north would have if the current scheme were to be constructed in its proposed location.

- 9.12 It is noted from the site history that the Cypress Point scheme was submitted at the same time that the previous larger building on the current application site was approved. The Cypress Point scheme retained its deck access along the common boundary and was approved with this relationship being fully considered and understood, even though the original proposal on the current application site was almost 5m deeper and therefore had a much greater impact on this part of Cypress Point. It is clear that the current proposal has a far better relationship to its neighbour than the original approval would have had, although it is recognized that the previous permission has now lapsed.
- 9.13 On balance, in this tight urban area, where buildings are in close proximity to each other and existing windows have been located close to common boundaries, it is considered that the relative position of the new building to these high level bedroom windows is a reasonable relationship and therefore acceptable.
- 9.14 It must not be over-looked that the feature which has enabled the neighbouring buildings to be constructed very close to their respective boundaries is the open space at the rear of the application property. Without this the neighbouring sites would clearly not be able to provide the existing levels of light and amenity for their own occupiers, which in most cases have relied on architectural devices to achieve this. The current proposal is slimmer and lower than the previous permission on this site, which is an indication of how much the current proposal has endeavoured to protect the amenity of its neighbours. A more accurate assessment of the relationships between the existing buildings and the proposal has been made easier due to the fact that all of the surrounding buildings have now been constructed.
- 9.15 To the west, Lovell House residential units have been designed to avoid windows facing out over the application site as they face in to their own courtyard, although one single unit located on the roof at 6<sup>th</sup> floor level has a corner lounge window which faces both north and east. This has been recessed from the edge of the building by 1.5m to create a wrap-around terrace on both elevations and Lovell House itself is set away from the boundary by approx. 2.0m at this point to create some breathing space between the two developments. The current proposal is a further 1.5m away from the common boundary at this point due to a slight splay in the site boundary. This gives a total distance of approximately 5.0 m between the eastern facing window in Lovell House and the flank wall of the proposal. This unit has been designed to make the most of its corner aspect but it also has a fully glazed elevation facing north, which is the same orientation as the other units in Lovell House on the Skinner Lane elevation. The current proposal is taller than Lovell House at this point by one and a half stories and is 5m away.

- 9.16 On balance, it is considered that the relationship between Lovell House and the proposal at this point is acceptable, given that the residential unit has a full height window facing north and there is physical separation between the two buildings. The location of the proposal relative to the vertical stair window, the deck access areas and the access walkway along the boundary is also considered to be acceptable. A condition will be placed on the permission to control any external lighting and boundary treatments.
- 9.17 The rear courtyard will be the amenity space for the residents. Whilst the level of planting is restricted it will nevertheless provide a valuable area where the residents can sit out and enjoy a relatively peaceful environment away from passing vehicle noise. Its height respects that of the Cypress Point access walkway and will be surrounded by a protective perimeter treatment which is also set just away from the boundary by 1.5m. This will maintain an acceptable level of separation from the nearest residents and this relationship is considered to be acceptable. The area is of considerable size and would also help to screen from view a substantial amount of the car parking, to the benefit of the amenity of all of the residents who look out over it.
- 9.18 Highway Considerations  
The total numbers of spaces are considered to be acceptable for the uses they support in this accessible city centre location and these two factors in themselves will help to reduce the number of vehicle based trips associated with the site. The agreed Travel Plan contains a range of measures designed to promote more sustainable forms of transport and the Car Club trial is intended to make people aware that they can still use a car without actually owning one themselves. This initiative will be funded by the applicant and this is acceptable. As the site is close to the city centre a Metrocard scheme and improvement to a bus stop on the outbound carriageway are not considered to be either necessary or appropriate for this site.
- 9.19 With reference to the point raised in the letter of representation regarding the pedestrian entrance to Cypress Point, the pedestrian entrance is well recessed here and the building is also set back from the back edge of footpath with a robust wooden fence located along the common boundary. The proposal has its own secondary pedestrian access point located on the other side of this common boundary which has the effect of moving the vehicle access further away from Cypress Point. There is considered to be adequate pedestrian circulation space provided by this arrangement, thereby avoiding vehicles turning in to the proposal creating a hazard on the footway. Skinner Lane is one way at this point so vehicles will only approach the site from one direction (westbound). The access point is in an appropriate location and is considered to be acceptable by Highways Services.
- 9.20 Servicing is controlled by the existing Traffic Regulation Orders on Skinner Lane and the applicant has agreed to fund the strengthening of the current TROs on Skinner Lane and Leylands Rd as required by Highways Services. Details of the proposed design and location of entrance barriers to the basement car park will be controlled by condition to ensure no blocking of the public highway will occur when vehicles are waiting for the security barrier to open.

## **10.0 CONCLUSION**

- 10.1 It is considered that the scheme is of good contemporary design and is sympathetic to the character of the area. The area is characterised by apartment buildings which are built close to their boundaries and require the openness afforded them by the rear space of the application site and the proposal duly provides this. The relative locations of the proposal to its neighbours described above are the product of this tight urban

form. The proposal has been designed in order to protect the amenity of the neighbouring occupiers and it is considered that this has been maintained to an acceptable level, whilst still allowing a meaningful and reasonable development to come forward on the application site.

- 10.2 There have been very few residential developments in the city in the last few years. It is possible that this scheme may act as a catalyst for not only this area but also, if successful, other sites which are on the periphery of the city centre. The new development will revitalise the street to the benefit of the regeneration of the area providing further homes within the city centre, including affordable housing.

**Background Papers:**

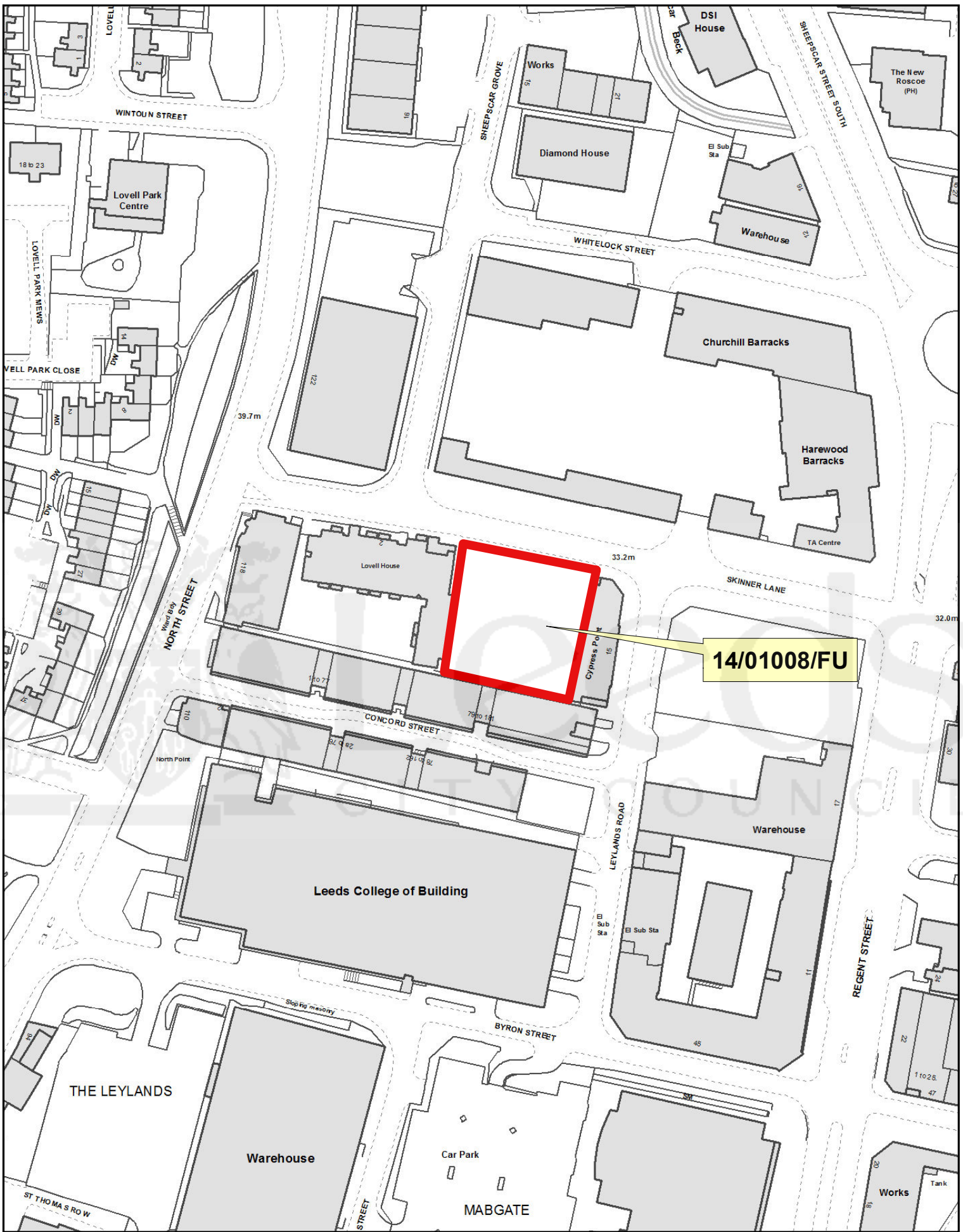
Original application on this site app. ref. 20/518/05/FU

Concordia St residential development to the south app. ref. 20/101/01/FU

Lovell House app. ref. 20/275/03/FU

Cypress Point approved by app. ref. 20/325/05/FU and app. ref. 06/02231/FU

75 no. space temporary surface car park, app. ref. 11/05310/FU



# CITY PLANS PANEL

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