



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 15 October 2015

Subject: 15/03167/FU Major Planning Application for a residential and commercial development comprising 72 dwellings, A1/A2/B1 flexible space at ground floor, associated covered parking area and landscaping on Land at David Street, Holbeck Urban Village, Leeds.

APPLICANT

Igloo Regeneration
Partnership

DATE VALID

9 June 2015

TARGET DATE

23 October 2015 (extended)

Electoral Wards Affected:

City & Hunslet

YES

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

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

- 1. Affordable Housing provision of 3 units 1 of which should be disposed of two households on lower quartile earnings and 2 to households on lower decile earnings.**
- 2. Access and maintenance of publicly accessible public realm areas.**
- 3. A Travel Plan monitoring and evaluation fee of £2500.00.**
- 4. A contribution to the sustainable travel fund of £36,500.00 as detailed in the Travel Plan.**
- 5. Employment and training opportunities for local people.**

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

A full list of all planning conditions can be found in the Appendix to this report.

1.0 INTRODUCTION:

- 1.1 The application is brought to Plans Panel to allow Members to consider a major mixed use, residential led proposal within the setting of a number of listed buildings, the Holbeck Urban Village and the Holbeck Conservation Area. The proposal would involve the reuse of brownfield land, which is currently occupied in part by car parking, and aims to continue the regeneration of the Round Foundry site and the wider Holbeck Urban Village.
- 1.2 The Applicant has submitted a financial viability appraisal to inform the discussions on the S106 obligations which is referred to in paragraph 10.31 below.

2.0 PROPOSAL:

- 2.1 The proposal seeks to provide the following development;
- 57 apartments of which 21 would be one bedroom units and 36 would be two bedroom units.
 - 15 townhouses of which 3 would be two bedroomed and 12 would be 3 bedroomed.
 - Two ground floor commercial / retail units to house A1 retail, A2 financial and professional uses and B1 office space totalling 173 sq metres in floor space.
- 2.2 The scheme would also provide 46 car parking spaces within a covered internal courtyard parking area that would sit beneath a raised decked landscaped private amenity space. Of those 46 parking spaces 17 are required to be retained on contract for existing tenants of adjacent offices in Holbeck Urban Village (and in particular The Media Centre) The remaining spaces will be unallocated for individual units but for use by any of the occupants of the townhouses and the apartments. 5 of these unallocated spaces will be laid out for use by disabled car drivers. All townhouses will include an internal cycle parking space and 57 secure cycle spaces are provided for the apartments.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site measures approximately 0.37ha and is located in the heart of Holbeck Urban Village, opposite the entrance to the Round Foundry Media Centre and comprises two distinct parcels of land; a surface car park and an enclosed former development site that is presently unused and overgrown, as well as part of a small green landscaped scheme (Wonderwood). The car park is presently used by occupants and visitors to the Round Foundry. The two sites are separated by an existing private access road which takes vehicular and pedestrian traffic into and out of The Round Foundry.
- 3.2 The Round Foundry complex comprises a number of historical former industrial foundry buildings set within Holbeck Conservation Area, and Holbeck Urban Village which have been converted into residential scheme and commercial space with upgraded public courtyards and routes. In addition, the nearby Green Sand Foundry (99 Water Lane) and 14 Foundry Street which are Grade II* Listed Buildings, and the Grade II 97 Water Lane, 101 Water Lane and 105 Water Lane have been renovated and reused as offices, a café and a pub.

3.3 Holbeck Urban Village is considered to be an area of local, national, and international importance in respect of the historical significance and architectural merits of its buildings, as well as for the potential archaeological discoveries that the area could elicit. The Village is considered to be the foundation of the Industrial Revolution in Leeds

4.0 RELEVANT PLANNING HISTORY:

4.1 Approval was granted for a four storey office block on part of the current proposal site, on 1 December 2006, planning reference 06/02694/FU.

4.2 The above application was amended and alterations to its proposed roof-mounted plantrooms were granted approval on 19 May 2008, under planning reference 08/00134/FU. These applications were not implemented and have now expired.

5.0 HISTORY OF NEGOTIATIONS:

5.1 The proposals have been the subject of pre-application discussions between the Developers, their Architects, and Local Authority Officers since 20 February 2015. These discussions have focused on scale massing and design, flood risk, car and cycle parking levels and access, connectivity and routes, heritage designation in Holbeck Urban Village, a landscape scheme, affordable housing, room size standards, land contamination and archaeological implications.

5.2 The proposals were presented to Members at pre-application stage at the Plans Panel meeting of 16 April 2015. Members made the following comments:

- that the heritage references within the design of the scheme were welcomed that the principle of proposed uses were considered to be appropriate to Holbeck Urban Village and that Members were comfortable with a mixed use
- to note there were mixed views on the emerging design and scale of the proposals
- that Members were broadly satisfied with the emerging mix and standard of residential accommodation proposed
- that the proposed car and cycle parking provision and access arrangements were acceptable, however the Panel noted the comments of the Transport Development Services Manager who raised concerns about the provision of two access points off David Street and that further work should be carried out to establish the possibility of not using David Street to directly access the car park
- that the landscaped proposals were considered to be appropriate and to note that the elements of Wonderwood which required removal in order to develop the site, would be re-sited close by
- that the approach to sustainability was acceptable.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The Leeds Civic Trust state that they consider this to be an excellent scheme, which brings residential dwellings which show, in the scheme's design, a reference to the location's industrial characteristic. As such they do generally support the proposed scheme. However, they do express concern regarding the level of thought that has gone into creating the external spaces, and that the scheme is one large block. They also express concerns about how the ownership of the units will be retained by The Developer in perpetuity.

Response: The matters of scale of the proposal and the landscape scheme are addressed in the appraisal below.

The matter of the Developer maintaining ownership of the non-affordable units is a matter that cannot be controlled via the planning application.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory

7.2 The Environment Agency state that they have no objections to the proposal.

7.3 Historic England state that the proposal is a thoughtful response to the character, form and appearance of the Conservation Area and the setting of the surrounding Listed Buildings. They consider the form, massing and materiality of the proposed scheme respond sympathetically to the character of the area. As a result they state they are supportive of the proposed development.

7.4 Non-statutory:

7.5 Highways have stated that they consider the level of car and cycle parking provision to be acceptable and that off site highways works will be required to David Street and Front Row (see appraisals section for details).

7.6 TravelWise state that there is a requirement for a Travel Plan monitoring and evaluation fee of £2500 and a sustainable travel fund figure of £36,500 in accordance with paragraph 1.1.5 of the Travel Plan.
Response: These obligations will be addressed as part of a S106 legal agreement.

7.7 The Housing Growth Team state that there is a requirement for 5% affordable housing provision.
Response: This obligation is addressed in the appraisal section.

7.8 West Yorkshire Archaeological Advisory Service state that due to the site's significance to Leeds and the history of engineering, a programme of archaeological recording is required.
Response: This requirement will be addressed via a Planning Condition.

8.0 RELEVANT PLANNING POLICIES:

8.1 National Planning Policy Framework (NPPF)

8.2 The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied.

8.3 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and paragraph 14 goes on to state that there should be a presumption in favour of sustainable development.

8.4 Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 4th principle listed states that planning should always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

8.5 The 6th principle listed states that planning should support the transition to a low carbon future and encourage the use of renewable resources, including the development of renewable energy.

- 8.6 The 8th principle listed states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 8.7 Paragraph 126 states that it is desirable to sustain and enhance the significance of heritage assets and that new development should make a positive contribution to local character and distinctiveness.
- 8.8 The Government statement on Energy Efficiency in Buildings of 25 March 2015 states that the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4.
- 8.9 The Development Plan for Leeds currently comprises the following documents:
1. The Leeds Core Strategy (Adopted November 2014)
 2. Saved Leeds Unitary Development Plan Policies (Reviewed 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
- 8.10 **Core Strategy**
- 8.11 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district.
- 8.12 Policy CC1: City Centre Development
The City Centre will be planned to accommodate at least the following:
(iii) 10,200 dwellings.
b) Encouraging residential development including new buildings and changes of use of existing providing that it does not prejudice the town centre
e) Considering proposals for convenience retailing and convenience facilities (such as dry cleaners, off-licenses, small branch banks, cafés, and pubs) as follows:
i) Up to 200 sqm acceptable anywhere within the city centre,
ii) 372 sqm sequential test to include the Prime Shopping Quarter and any Local Convenience Centres if they fall within 300m walking distance, or if the proposal is not complementary to the function of office areas or entertainment or cultural destinations, including the waterfront
- 8.13 Policy EN1: Climate Change – Carbon Dioxide Reduction states that all developments of over 1,000 square metres of floorspace,(including conversion where feasible) whether new-build or conversion, will be required to:
(i) Reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate until 2016 when all development should be zero carbon; and,
(ii) Provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.
- 8.14 Policy EN2: Sustainable Design and Construction states that to require developments of 1,000 or more square metres or 10 or more dwellings (including conversion) where feasible) to meet at least the standard set by BREEAM or Code for Sustainable Homes Level 4. A post construction review certificate will be required prior to occupation.

- 8.15 Policy EN5: Managing Flood Risk states that the Council will manage and mitigate flood risk
- 8.16 Policy H4: requires an appropriate Housing Mix on residential sites.
- 8.17 Policy H5 which incorporates Targets and Thresholds for the provision of affordable housing.
- 8.18 Policy P10: Design states that:
New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.
New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.
- 8.19 Policy P11: Conservation states that development proposals will be expected to demonstrate a full understanding of historic assets affected. Heritage statements assessing the significance of assets, the impact of proposals and mitigation measures will be required to be submitted by developers to accompany development proposals.
- 8.20 Policy T1: Transport Management states that support will be given to the following management priorities:
c) To support wider transport strategy objectives for sustainable travel and to minimise congestion during peak periods.
- 8.21 **Leeds Unitary Development Plan Review Retained Policies**
- 8.22 Policy BD2 (Design and siting of new buildings)
Policy BD5 (All new buildings and amenity)
Policy GP5 (All planning considerations)
The Proposal Area 31A – Holbeck Urban Village Strategic Housing and Mixed Use Site.
- 8.23 **Leeds Natural Resources and Waste DPD 2013**
- 8.24 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 land use, energy, coal recovery, drainage, and waste will be relevant to this proposal.
- 8.25 **Supplementary Planning Guidance**
- 8.26 Holbeck Urban Village Revised Planning Framework adopted February 2006.
- 8.27 Sustainable Design and Construction Supplementary Planning Document (August 2011).

8.28 Adopted Supplementary Planning Document 'Travel Plans' (February 2015)

8.29 **Other Material Considerations**

8.30 DCLG – Technical Housing Standards 2015 – Sets out internal space standards within new dwellings and is suitable for applications across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the city council is currently developing the Leeds Space Standard. However, as the Leeds Standard is at an early stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached at this stage.

9.0 **MAIN ISSUES**

- 1 The principal of the mix of uses.
2. The impact on the character and visual amenity of the host site, nearby listed buildings, the wider Round Foundry site, Holbeck Urban Village and the Holbeck Conservation Area.
3. Residential amenity
4. The proposed landscape scheme
5. Vehicle parking and sustainable transport
6. Sustainability measures
7. Section 106 Legal Agreement

10.0 **APPRAISAL**

10.1 Principle of the mix of uses

10.2 The proposal is for a predominantly residential scheme with two small scale commercial retail units, for which the applicant seeks a flexible A1/A2/B1 Uses consent, set within the boundary of Holbeck Urban Village. Core Strategy Policy CC1 states that convenience retailing shall be limited to up to 200 sq metres acceptable anywhere within the city centre and 372 sq metres for any centre within 300m walking distance of the City Centre. The proposals two units would amount to 173 sq metres. As such the level of these units would be compliant with Policy CC1.

10.3 The development would involve the regeneration of a brownfield site, which is partially in use as a surface car park, and partly hoarded off and cleared. The National Planning Policy Framework, Core Strategy, Leeds Unitary Development Plan Review retained policies, and the Holbeck Urban Village Revised Planning Framework all support the principle of residential and small scale commercial use development within this defined area. These policies encourage a mix of uses in Holbeck Urban Village to ensure a wide range of activities are present at all times of the day. The proposed mix of uses would contribute to the ongoing creation of a vibrant and lively community in Holbeck Urban Village.

10.4 The impact on the character and visual amenity of the host site, nearby listed buildings, the wider Round Foundry site, Holbeck Urban Village and the Holbeck Conservation Area

- 10.5 Holbeck Urban Village and the Round Foundry site within it, are heritage rich areas with a number of Listed Buildings and are set within the Holbeck Conservation Area. Due to the historical industrial activity in the area the site has not only local but national heritage significance. Therefore, any new development within the Urban Village needs to take account of the special character of the area.
- 10.6 The scheme concept is to create two joined contemporary blocks that reference historic mill and forge buildings in their detailing and form. Thus the development is a 'mill' block which houses the apartments, attached across an area of raised private gardens, to a 'forge' block in which the townhouses are to be located. The attached blocks are linked by a ground floor which spans the full site, concealing a central car parking area. The wider area is historically characterised by a series of linear buildings and courtyards, with the more recent media centre building being a larger block set at right angles to these. The proposed scheme, although somewhat large in footprint in comparison to the linear blocks, would add a further level of appropriate diversity in the built form of the Round Foundry site. Although the base of the proposed scheme is linked the upper portions of the two blocks are very clearly distinct from each other. Therefore, the scheme would add to the mix of meandering buildings and spaces across the wider Round Foundry site and is considered to respond to its historic setting in a sensitive, contextual manner, whilst being a contemporary addition.
- 10.7 The townhouses would rise in height to 3 storeys plus the roof, whilst the apartments would have full floor plates for 6 storeys with a setback 7th storey. The Round Foundry is typified by buildings of two and three storeys, whilst there is more diversity in the wider Holbeck Urban Village area with building heights rising to 6 storey at Marshalls Mills. Further out from this immediate area building heights diversify greatly from the two storey Lockkeeper's Cottage near the Leeds to Liverpool Canal, up to the 32 storey Bridgewater Place tower. As a result the key views both from the edges of the site and much wider have been tested.
- 10.8 Generally the development, is considered to sit comfortable within the skyline, where it is either not visible, or blends with long vistas of other buildings in the surrounding area. From Water Lane, due to the proximity of buildings, views of the proposal are screened by the existing Matthew Murray House and Midnight Bell public house. Along David Street the scheme would be viewed in the context of lower two and three storey buildings to the eastern side. The regeneration of the area as well as the majority of the historic buildings tend to be taller than these eastern edge buildings, meaning that it is these lower buildings that are out of step with the general heights of blocks in the wider area. At close quarters due to the proximity of the scheme with the other existing historic buildings in the Round Foundry complex, the views of the blocks adds visual interest to the skyline, whilst respecting the scale of these neighbouring heritage assets.
- 10.9 To the base of the apartments block a commercial unit and the entrances to the apartment's circulation cores are proposed, providing an active frontage to David Street. The facade to this side of the scheme is also colonnaded to add further visual interest at street level. The elevations of this block are predominantly red brick, with two 'chimney' feature circulation cores being clad in Corten. The apartments would have recessed timber clad balconies. To the base of the townhouses there would be habitable rooms creating activity at ground floor level. The townhouses would also be predominantly red brick to their facades, with feature Corten cladding at the corners of the block. The roofing to both blocks would be dark grey cement fibre tiles with large areas of glazing in the townhouse roofs to allow light to flood into a central courtyard in each dwelling. Photovoltaic panels

would all be integrated into the south facing pitch of each section of the roofing to the two blocks. The palette of materials has been kept relatively simple, with materials that whilst bringing a contemporary intervention, have references to the character of the surrounding former industrial heritage streetscape.

- 10.10 The overall design is of a high quality, contextual yet modern scheme that would not result in harm to the character of the host site, the adjacent listed buildings or the wider Round Foundry complex and Holbeck Conservation Area. The scheme would be a positive, aesthetically appropriate, addition to the area.
- 10.11 Residential amenity
- 10.12 The proposal provides a good mix of accommodation types, with there being 3 two bedrooms and 12 three bedrooms townhouses, and 4 one bedroom end maisonettes, plus 17 one bedroom end and 36 two bed roomed single level flats. All townhouses and apartments have generously sized habitable rooms that provide approximately 35% higher floor areas than the recommendations of the Leeds Standard (which is informed by the Homes and Communities Agency's Level 1 residential space standards).
- 10.13 It is the case that some of the apartments will be single aspect. However, windows are generously sized to ensure adequate light and natural ventilation levels can be achieved. The townhouses benefit from elevational windows and a central lightwell in each dwelling.
- 10.14 The proposal is to be sited in a location surrounded by buildings already in use. The scheme would be positioned a minimum of 14 metres from buildings across David Street, some 15 metres from the blank wall of the nearest building to the south, 9 metres from the blank wall of the nearest former foundry Building to the north and 10 metres from the former foundry buildings to the west. The uses in these surrounding buildings are predominantly office, commercial and industrial uses. The townhouses are also set some 11 metres across the proposed private garden areas from the apartments. The Round Foundry complex is typified by narrow streets and alleyways between long terraces of buildings. There are a number of other existing residential dwellings occupying buildings in the complex of similar distances to other dwellings and other uses already. Therefore, the proposal is considered to reflect the urban grain of the area. It is also the case that for this proposal, there are no other directly facing residential developments and the uses facing the scheme are business and industrial uses. This will help to reduce the potential for any conflict and loss of privacy from overlooking for the future occupants of this development, or for existing users and occupiers of adjacent businesses. On balance it is considered that the proposed amenity levels for future occupants will be acceptable.
- 10.15 The proposed landscape scheme
- 10.16 The proposed landscape scheme takes the form of a number of elements. The Round Foundry complex is a larger hard surfaced urban environment punctuated by small areas of green landscaping, often in the form of planters. The Developer proposes to continue this character in the approach taken to the external landscape areas. Around the outside of the development there remains a requirement to provide service vehicle access, as well as to allow vehicles access into the concealed car parking area. As a result the external landscape areas are to be largely paved in high quality Yorkstone flags. Feature Corten banding would be laid into the paving to add further visual interest and to tie into the feature material of the proposed building.

- 10.17 A number of trees exist across the current surface car park and the proposal includes the replacement of these with new trees around the edges of the development. In addition, planters housing shrubs and a grassed buffer strip are detailed around the edges of the dwellings to provide a level of defensible spaces. Flood risk requirements dictate that the scheme needs to be set into a plinth of some 600 mm in height. This too will be paved with Yorkstone and the planters and grassed strips are to be integrated into the edges of this plinth.
- 10.18 At present there is a smaller soft landscaped area known as Wonderwood, which houses not only planting but also artwork. Wonderwood was originally planned as a temporary feature however it has now been in place for some years and is a well established feature of the Round Foundry, and is valued by local users and occupiers of the complex. As such the Developer has agreed to create a replacement Wonderwood to the north of the proposed site. This would contain all the features of the current landscape piece, with a lawn area, planted beds, seating and a sculpture. The position of the new Wonderwood would have the added benefit of providing additional screening for the residents from nearby commercial uses.
- 10.19 As is detailed above in this appraisal there is proposed a central raised terrace, above the concealed car parking on which private garden areas are proposed. It is proposed that these areas are of a sufficient size and depth, with the structure having an adequate load bearing capacity to allow for planting on a residential scale. These gardens will not only benefit the residents of the townhouses and apartments that connect directly onto them, but could create a pleasant vista for residents of the apartments above.
- 10.20 A further opportunity for residents to create their own private landscape features would be addition of internal courtyards in the townhouses. These will be very well lit from roof mounted glazing, allowing residents to create indoor garden areas if they so desire.
- 10.21 Vehicle parking and sustainable transport
- 10.22 The scheme proposes ground floor car parking set within the heart of the development, behind active frontages to all sides and beneath the raised internal gardens. The site is very accessible with good public transport links nearby via bus and train and walking routes to and from the City Centre.,
- 10.23 The level of cycling storage space provision would be one per dwelling, with the townhouses each having an internal storage area within their demise. There would be a communal cycle storage building to the south of the site.
- 10.24 Due to the good sustainable transport mode options, the level of car parking for the full development amounts to 29 unallocated spaces. Five of these spaces are to be laid out for use by disabled drivers. In addition, a further 17 contract car parking spaces will be retained from the current provision on site. These spaces would also be positioned in the concealed central car parking area, inside the building block.
- 10.25 A number of off site highways works will be required to provide adequate pedestrian accessibility and ensure highways safety, a result of the proposal. These will include footway widening, dropped kerbs, tactile paving and a speed table to David Street and Front Row. These works will be controlled by planning condition.
- 10.26 Sustainability measures

- 10.27 The scheme as proposed aims to achieve a very high standard of sustainability. This will be done by a wide variety of measures including;
Level 4 Code for Sustainable Homes 20% reduction in carbon emissions above the levels required by Building Regulations.
20% of energy use to be from renewable sources
Use of a combined heat and power plant
Use of photovoltaic panels mounted at roof level
Use of energy efficient lighting and intelligent lighting controls
Use of a rainwater collection system.
Achieve Building For Life status (this is a tool used by Developers to assess the quality of developments in terms of longevity and adaptability to use for occupiers of all ages, which aims to promote design excellence).
Such measures would ensure the scheme's compliance with Core Strategy Policies EN1 and EN2.
- 10.28 Section 106 Legal Agreement
- 10.29 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
- 10.29 There is a requirement for the following obligations that sit outside the Community Infrastructure Levy regime:.
1. The Council's policies require 5% of the total units to provide on site affordable housing which equates to 4 of the apartments, However the Applicant has submitted a financial viability appraisal which the District Valuer advises would results in 3 rather than 4 affordable housing units.
2. Access and maintenance of publicly accessible public realm areas.
3. A Travel Plan monitoring and evaluation fee of £2500.00.
4. A contribution to the sustainable travel fund of £36,500.00 as detailed in the Travel Plan.
5. Employment and training opportunities for local people from the Leeds Wards Beeston & Holbeck, Middleton Park and City and Hunslet.
- 10.30 The proposed obligations have been considered against the legal tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. Accordingly this can be taken into account in any decision to grant planning permission for the proposals.
- 10.31 The Applicant has submitted a financial viability appraisal which states that the development is not viable based on the proposed scheme. Officers have instructed the District Valuer to independently assess the viability report, costs, returns and the S106 obligations, who has determined that 3 affordable housing units can be viably delivered by the scheme. Members should be aware that consideration of this application is to be accompanied by a separate paper. The findings are discussed at Confidential Appendix 2 of this report. This part of the report is classed as Exempt under Schedule 12A Local Government Act 1972 and Access to Information Procedure Rule 10.4 (3) which provides financial information concerning the business affairs of the applicant. It is considered that it is not in the public interest to

disclose this information as it would be likely to prejudice the applicant's commercial position.

- 10.32 The development is Community Infrastructure Levy (CIL) liable and is likely to generate a CIL charge of £40,105.00. CIL is generally payable on the commencement of development. The payment of CIL is non-negotiable, except in exceptional circumstances, and consequently is not material to the determination of the planning application. Accordingly, this information is presented simply for Members information.

11.0 CONCLUSION

- 11.1 The proposed development would complete the regeneration of the Round Foundry site, with a high quality, appropriate development. The scheme would add vibrancy and vitality to the area. Consequently, the development would make a significant contribution to the renaissance of the Round Foundry site and the wider Holbeck Urban Village. Therefore the proposal is considered to be acceptable and is recommended for approval.

Background Papers:

PREAPP/15/00157

15/03167/FU

APPENDIX 1

Planning Application 15/03167/FU Conditions

1) The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

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

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

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

3) The construction of external facing materials shall not commence until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. This shall include a large sample panel of all external facing materials and glazing types. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity in order to accord with Leeds Unitary Development Plan Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the National Planning Policy Framework.

4) The construction of external surfacing materials shall not take place until details and samples of all surfacing materials to the areas of hard standing 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.

In the interests of visual amenity in order to accord with Leeds Unitary Development Plan Review Policies GP5, Leeds Core Strategy Policy P10 and the National Planning Policy Framework.

5) No building works shall take place until detailed 1:20 scale working drawings of the following features shall be submitted to and approved in writing by the Local Planning Authority:

- a) all windows and doors,
- b) junctions of materials between the main building and the circulation cores
- c) balustrades

Works shall be carried out in accordance with the approved drawings and maintained as such thereafter.

In the interests of visual amenity in order to accord with Leeds Unitary Development Plan Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the National Planning Policy Framework.

6) During all construction phases of the development no operations shall take place

before 07.30 hours on weekdays and 08.30 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays, or at anytime on Sundays or Bank Holidays (unless agreed in writing with the Planning Local Authority).

The contractor must ensure compliance with current legislation on noise and dust control including the Environmental Protection Act 1990 and the control of Pollution Act 1974. Relevant Codes of Practice, setting out procedures for dealing with the control of noise on construction and demolition sites, are contained in BS5228-2: 2009 - Noise and Vibration Control on Construction and Open Sites.

In the interests of residential amenity of occupants of nearby property and in accordance with Leeds Unitary Development Plan Review Policies GP5 and the National Planning Policy Framework.

7) No works shall begin on the development 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) details and location of contractor and sub-contractor parking
- e) a local resident and business communications strategy for the duration of the works

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

In the interests of highways safety and residential amenity in accordance with Saved Leeds Unitary Development Plan Review (2006) policy GP5 and the National Planning Policy Framework.

- 8) Hard and soft landscape works shall not take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include
- (a) proposed finished levels and/or contours,
 - (b) 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 (eg, furniture, play equipment, refuse or other storage units, signs, lighting etc.),
 - (g) proposed and existing functional services above and below ground (eg. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
- Soft landscape works shall include
- (h) planting plans,
 - (i) written specifications (including cultivation and other operations associated with plant and grass establishment),
 - (j) schedules of plants noting species, planting sizes and proposed numbers/densities,
 - (k) soil volumes for tree pits and planted beds
 - (l) implementation programme.

Hard and soft landscaping works shall be carried out in accordance with the approved details

prior to the occupation of any part of the development in accordance with the programme agreed with the Local Planning Authority and to a reasonable standard in accordance with the relevant provisions of British Standard BS 4428:1989 Code of Practice for General Landscape Operations or other recognised codes of good practice.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds Core Strategy Policy P12, Saved Leeds Unitary Development Plan Review (2006) policies GP5 and LD1, Leeds Natural Resources and Waste DPD, and the National Planning Policy Framework.

9) No hard or soft landscape works shall take place until a plan, schedule and specification for long term landscape management has been submitted to, and approved in writing by, the Local Planning Authority. This shall include reference to planting and hard landscaped areas, including paving, fencing and other features. The schedule shall identify the frequency of operations for each type of landscape asset and reflect the enhanced maintenance requirement of planted areas during the establishment period. It shall provide for an annual inspection during late summer for any areas of failed tree or shrub planting, and the identification of the replacements required in the autumn planting season. If development is phased, maintenance shall commence when each phase of development is completed. Prior to planting, all landscaped areas shall be cultivated and maintained in a weed free condition by mechanical cultivation or chemical control. Maintenance shall be carried out thereafter in accordance with the approved management plan.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds Core Strategy Policy P12, Saved Leeds Unitary Development Plan Review (2006) policies GP5 and LD1, Leeds Natural Resources and Waste DPD, and the National Planning Policy Framework.

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

To ensure maintenance of a healthy landscape scheme, in accordance with adopted Leeds Core Strategy Policy P12, retained Leeds Unitary Development Plan Review (2006) policies GP5 and LD1, the Leeds Natural Resources and Waste DPD, and the National Planning Policy Framework.

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

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

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

To ensure the continuity of amenity afforded by existing vegetation in accordance with retained Leeds Unitary Development Plan Review (2006) policies GP5, N23 and LD1 and the National Planning Policy Framework.

12) No building works shall take place until plans of the site showing details of the existing and proposed ground levels, proposed floor levels, levels of any paths, parking areas and the height of any retaining walls within the development site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved and shall be retained thereafter as such.

To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways in the interests of visual amenity and in accordance with retained Leeds Unitary Development Plan Review (2006) Policy GP5 and the National Planning Policy Framework.

13) Development shall not commence until details of access, storage, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles (including workforce parking) have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided for the duration of construction works.

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

14) Notwithstanding the approved details, no building works shall take place until full details of cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Leeds Core Strategy policy T2.

15) Development shall not be occupied until a Car Park and Servicing Management Plan, including timescales for commencement of use of the car park, has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented and operated in accordance with the approved timescales.

To ensure the free and safe use of the highway in accordance with Leeds Core Strategy policy T2.

16) No building works shall take place within a phase until details for the provision of relevant off-site highways works for each phase as shown on Optima drawing no. 15012/GA/02 Revision A, as well as any footpath crossings 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 National Planning Policy Framework. and Core Strategy Policy T2.

17) No building works shall commence until details of the proposed method of closing off and making good all existing redundant accesses to the development site have been submitted to and approved in writing by the local planning authority. The approved works shall be completed before the development is occupied.

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

18) Notwithstanding the details on the hereby approved plans, and prior to commencement of the construction of the car park details of the number and locations of the electric car charging points within the car park shall be provided. The electric car charging points so approved shall be made available prior to first use of the car park and thereafter maintained.

In the interests of highway safety, sustainable transport and in accordance with the National Planning Policy Framework 2012 and Core Strategy Policy T2.

19) No building works shall take place until an updated Sustainability Statement has been submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme comprising (i) a recycle material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit); (ii) a Site Waste Management Plan (SWMP); (iii) Details of photovoltaic cells and (iv) an energy plan showing the percentage of on-site energy that will be produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand and a carbon reduction target and plan showing a minimum of 20% reduction against building regulations.

The development shall be carried out in accordance with the detailed scheme for that phase, and

(a) Within 6 months of the first occupation of each phase a post-construction review statement for that phase shall be submitted to and agreed in writing by the Local Planning Authority

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

To ensure the adoption of appropriate sustainable design principles in accordance with Leeds Core Strategy Policies EN1 and EN2, Leeds SPD Sustainable Design and Construction, and the National Planning Policy Framework.

20) Building works shall not commence until a scheme (ie drainage drawings, summary calculations and investigations) detailing the surface water drainage works and SuDS features 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 the retained Leeds Unitary Development Plan Policy GP5 and the National Planning Policy Framework.

21) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), by BDN, Rev 3 - 23 July 2015 and the following mitigation measures detailed within the FRA:

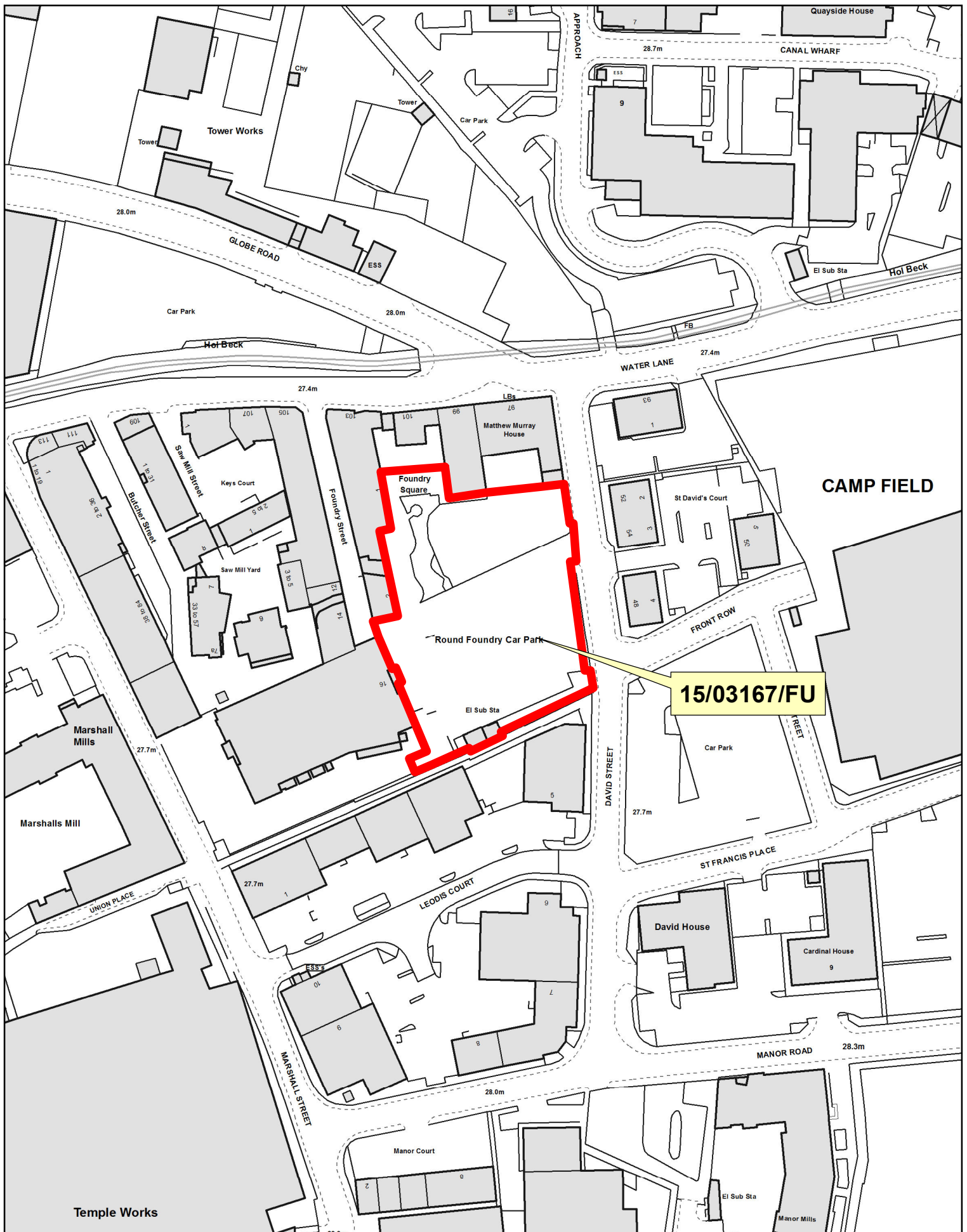
1. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
2. Finished floor levels of habitable accommodation are set no lower than 28.41m above Ordnance Datum (AOD).
3. Flood mitigation measures are included as detailed in Section 7 (Conclusions).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

To ensure safe access and egress from and to the site, to reduce the risk and impact of flooding to the proposed development and future occupants and in accordance with the retained Leeds Unitary Development Plan Policy GP5 and the National Planning Policy Framework.

22) No development to take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

To ensure appropriate archaeological recording and in accordance with the National Planning Policy Framework, and Core Strategy Policies P10 and P11.



CITY PLANS PANEL

