



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 6th October 2016

Subject: Planning application reference 16/02420/FU for a multi-level development comprising 204 dwellings and two commercial units, car parking, landscaping and public realm at Clarence Road, Hunslet, Leeds LS10 1ND

| APPLICANT | DATE VALID | TARGET DATE |
|------------------------------|-------------------|-----------------------|
| Citu (Low Fold Phase 2) Ltd. | 22.04.2016 | 22.10.2016 (Extended) |

Electoral Wards Affected:

City and Hunslet

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

- 5% on-site affordable housing in accordance with policy for the area (10 units of a pro-rata mix, split 60:40 lower decile:lower quartile income)
- On-site public realm accessibility
- Travel plan measures (sustainable travel fund - car club trial provision) £16,500
- Travel Plan monitoring fee £3010
- Cooperation with local jobs and skills initiatives
- Management fee £750
- Future maintenance of the Internal Access Road.

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

1.0 Introduction:

1.1 This application is brought to City Plans Panel because it is significant major mixed use housing development on the edge of the City Centre in the Aire Valley

regeneration area. Leeds developer Citu are proposing a “Climate Innovation District” in the area around their 312 dwelling sustainable housing scheme at Low Fold on South Accommodation Road (now under construction planning ref. 15/00415/FU), this site on the east side of Clarence Road, and their approved housing research, production and office facility on the west side of Clarence Road, as a low carbon, low emission area of the City, resilient to climate change, which promotes walkability, health and a family friendly environment underpinned by good design and smart technology. The scheme has potential to contribute to the planned new housing provision and place-making opportunities for the South Bank and Aire Valley (over 6500 homes).

2.0 Site and Surroundings:

2.1 The 1.6 hectare vacant brownfield site is located on the southern edge of Leeds City Centre, within the South Bank sub-area of the emerging Aire Valley Leeds Area Action Plan. The site has been vacant since 2005 when the foundry closed, and the buildings have subsequently been demolished. The site is currently unallocated in the saved LDF Proposals Map, and allocated for mixed use/residential in the emerging Aire Valley Area Action Plan.

2.2 The site is bounded by the River Aire and Transpennine Trail to the east, and Clarence Road to the west. To the north is the Liberty Dock student flats, and to the south, industrial premises at Vickers Oils. Allied Glass is located to the south west. The applicant is aware that they need to take account of local industrial and road noise, odour and air quality in their scheme design proposal, in order to protect the amenities of future residents without adversely affecting the operation of existing local businesses.

2.3 The remaining part of the former Hydro Aluminium foundry site, to the west on the opposite side of Clarence Road/Sayner Lane, is the subject of a planning permission for a 2 storey office extension to the existing vacant industrial warehouse. Citu will be converting the premises to use as a housing research and development, manufacturing and exhibition facility for their new housing developments. The proposal would bring a long term vacant and unsightly building and site back into active use, and bring new jobs and skills to the area, to develop the houses that would be built at this site (subject to planning) and at Low Fold on the opposite side of the river.

2.4 The site also has potential to connect to East Street, Cross Green and Richmond Hill for pedestrians and cyclists by linking over the River Aire to the Low Fold site. The nearest primary school is Richmond Hill and the closest secondary schools are Mount St. Mary’s, the Ruth Gorse Academy on Black Bull Street and the University Technical College at Braime’s Pressings on Hunslet Road. Further education facilities nearby include Leeds City College Printworks Campus, and Leeds College of Building, also on Hunslet Road. Local shops and services include the Tesco foodstore, gym and food and drink uses within a 5 minute walk at Leeds Dock. Sandwich shops, pharmacy and medical centre (Richmond Hill Medical Centre) are located at the junction of Ellerby Lane/Dial Street. These can be walked to within 10 minutes. The City Centre retail core is 20-30 minute walk away. Crown Point Retail Park is approximately 10-15 minutes walk away.

2.5 The site lies in flood risk zone 3. The site did flood in the Boxing Day 2015 floods, the assessment of flood risk is set out in the appraisal section of this report.

3.0 Proposal

- 3.1 The proposal is for 204 dwellings, arranged in 12 blocks (see attached plan at Appendix 2), made up of a mixture of flats and houses, built to high sustainability Passivhaus principles, and mainly with dual aspect. The site would have approximately a 130m long riverside frontage. A 12m wide tree-lined public space would link Clarence Road to the future bridge connection, and there would be public access between the scheme and the riverside at various points along its frontage. The proposal includes associated private, shared communal (including glazed winter gardens in Block 3), and public open greenspace next to the River Aire. 121 car parking spaces are proposed, with car share and electric car charging points on-site, and 230 secure cycle parking spaces. Vehicle access is from the northern and southern ends of the site, with cars driving under the landscaped decks.
- 3.2 There would be 990sqm of flexible commercial floorspace at ground floor facing Clarence Road, and at the base of Block 12b facing the riverside greenspace. It is envisaged the scheme is most likely to include some of the following, retail/bakery (A1), café/restaurant (A3), pub (A4), offices (B1), doctors/dentist (D1) and community use (D2).
- 3.3 The development proposes a mix of 33 x 1-bed, 91 x 2-bed, 58 x 3-bed and 22 x 4-bed dwellings. The scheme would be arranged into 12 principle blocks. All the ground floors to the dwellings would be built above the modelled flood level as they would either be above the basement car park, a commercial unit or a raised ground floor slab.
- 3.4 Block 1 (12 dwellings) would face Clarence Road on a north-south orientation, accessed via a ramp and steps from footway level. It would be a part 3/4 story terrace clad in a mix of profiled metal cladding to main walls and roof, fibre cement cladding, metal mesh panels, timber board cladding and aluminium framed windows. The dwellings would be dual aspect. The accommodation would be arranged with the bedrooms at ground and first floor, with the kitchen, dining and living rooms, and external balconies at second and third floor. Eight of the nine houses in the terrace would be four-bed dwellings. The northern gable end house would be a one-bed dwelling at lower level, with a 2-bed dwelling stacked above it. The pitched roof would be angled and solar PV's would be mounted on the south facing slopes.
- 3.5 Block 2 (11 dwellings) would be a part 3/4 story terrace, sited on an east-west orientation, facing two landscaped decks enclosed by Blocks 1 and 3. The building would be finished in profiled metal cladding to the wall and roof, with timber board cladding at first floor level around the windows and at ground floor level around the windows. The terrace would be made up of 4-bed dwellings with kitchen, dining and utility rooms at the ground floor, living room at the first floor, and bedrooms above. There would be a two storey void through the centre of the house between the kitchen/dining and living room above. The kitchen would be at ground floor facing the access road on the northern elevation whilst the living room would face the green space in the courtyard. Each dwelling would have a private 1.5 metre wide ground floor terrace in the courtyard, and the kitchens would be elevated 1.5 metres from the access road and separated by the access ramp from the public pedestrian route.
- 3.6 Block 3a would be orientated east-west and together with Block 3b (40 dwellings combined), would form a mill-like 4 storey north-light inspired building. In between the blocks would be a glazed roof to form an indoor amenity space for residents. Dual aspect dwellings would face into a winter garden providing covered amenity for

use all year round. There would be a high level terrace and walkway which would offer a private street frontage for the higher level flats timber front doors of a typical apartment block enclosed corridor. The upper level dwellings would have a semi private terrace to their 'front door' from the 3rd floor walkway and a private balcony on the other side of the block. The buildings would be faced in profiled metal cladding with inset fibre cement panels, and vertical timber fins at high level to the third floor dwellings facing the timber terrace. The building would feature a mix of 2-bed and 3-bed dwellings stacked above each other.

- 3.7 Block 4 is a part 1, part 2 storey commercial unit facing Clarence Road. This would offer activity and natural surveillance to Clarence Road. The building would feature double height frameless glazing, and anodised aluminium roof and column framework, with recessed fibre cement panels, and metal balustrading.
- 3.8 Block 5 (22 dwellings) would be a 4 storey terrace made up of 1-bed stacked above 3-bed dual aspect dwellings. At ground floor there would be a 4m deep cantilever above the commercial unit. The upper floor dwellings would be accessed by an entrance with stairs leading up to a private external corridor with front doors to each 'stacked' house. The lower dwellings would benefit from two private ground floor terraces and the upper dwellings would each have a balcony. Lift access would be provided from Block 6 via 2nd floor metal mesh bridge links.
- 3.9 Block 6 (20 dwellings) would consist of 3-bed dwellings in a 4 story terrace, stacked vertically so that each dwelling would be dual aspect. There would be full height windows to the end gables, which would be cantilevered out by 4m to add visual interest and natural surveillance. At ground floor the lower house would be expressed with a recessed double height terrace, and clad in timber with aluminium windows. The upper house would be clad in profiled metal and feature a projecting rectangular dormer. At the western end of the terrace the upper homes would feature private balconies above an external 'street' corridor. To the eastern end this would flip with balconies and terraces along the south side, a recurrence of the double height structural grid that would be across most of the buildings across the site. There would be kitchens and dining rooms at the ground floor to the south elevation and bedrooms to the north. The gable to block 6 would feature double height recessed window with a recessed timber panel below.
- 3.10 Block 7 (22 dwellings) would follow the same form as block 5 linked via a bridge link to the lift in Block 6. It would consist of stacked dual aspect town houses (3A and 1B) 3A at ground level and 1B above at terrace level. The distance to the boundary with Vicars Oils would be 10.3m.
- 3.11 Blocks 8, 9 and 10 (eight dwellings in each) would be of a lower scale, at right angles to the river, and arranged in a staggered pattern to contrast with the formal linear terraces in the western half of the site. The dwellings would be predominantly 1-2 storeys in height with large oversized windows, profiled metal and timber cladding. Due to the close arrangement of the dwellings, the window pattern would be offset and/or angled to minimise overlooking and loss of privacy. Each dwelling would be dual aspect, and the house types would be a mix of 2-bed and 3-bed accommodation. Each dwelling would benefit from a ground floor decked terrace.
- 3.12 Block 11 would be a part 3, part 4 storey terrace positioned at right angles to the river, and facing the public greenspace. The terrace would be clad in profiled metal cladding to walls and roofs, a brickwork base, metal balustrading, aluminium windows and timber doors. The eight 3-bed dwellings would have a kitchen and

living room at ground floor, a private ground floor terrace, and a roof terrace for each house at 2nd floor level.

- 3.13 Block 12a and 12b (45 flats) would be a part-16/part 15/part 11/part 9 storey pair of buildings. The building would be clad with an anodised aluminium cladding framework with light coloured fibre cement inset panels and glazing. Block 12a south side would have double height voids to form a deeply recessed framework, with inset fibre cement panels and windows, with a private balcony in each. The vertical circulation of the taller element Block 12b north elevation would be housed in a metal mesh screen. Either side of this would be two elements clad in anodised aluminium laid in a vertical pattern and glazing above a brick work plinth. The two buildings would be link by metal mesh bridges at alternate floor levels. There would be a commercial unit in the ground floor at the base of Block 12a facing the riverside public square. Cycle and storage and refuse storage would be housed in the base of Block 12b.
- 3.14 As at the Low Fold scheme, the homes at Clarence Road would be owned, managed and operated by the residential occupiers within a development using a purpose formed community interest company (CIC). The scheme would feature a unique digital platform that allows the homeowner the ability to control energy remotely via a desktop, laptop, tablet or smartphone. The proposed dwellings would be constructed to a zero-carbon standard which means that they would not require conventional heating. The ambient heat given off in the house would be retained through a highly insulated air tight structure. Whilst the Passivhaus standards are predominantly concerned with the goal of lowering energy consumption there are several components of the approach that also improve acoustic insulation and the internal air quality of dwellings. To achieve the thermal and acoustic performance criteria it is likely that windows would be triple glazed as well. Ventilation to a dwelling would not rely on opening windows, instead a Mechanical Ventilation Heat Recovery (MVHR) system is installed within each dwelling. The system has a ventilation unit with two fans, one draws outside air in and supplies it to bedrooms and living rooms, the other extracts air from kitchens and bathrooms to exhaust to the outside. Inside the unit is a heat exchanger which transfers the heat from the outgoing air to the incoming air without any recirculation of the air itself. Also housed within this unit are air filters to clean the incoming air. In tandem the units work to ensure that less heat is lost than by opening a window and that the supply air continuously delivered into the dwelling is clean. Rainwater and storm water collection would form part of a sustainable integrated urban drainage system. Solar panels would deliver on-site renewable energy via a community owned company utility company with a private wire network for electricity and energy storage.
- 3.15 A number of documents were submitted in support of the application:
- Scaled Plans
 - Design and Access Statement
 - Sustainability Statement
 - Transport Statement
 - Travel Plan
 - Planning Statement
 - Affordable housing statement
 - Town Centre Uses Sequential Test
 - Noise Assessment
 - Air Quality Report
 - Wind Report
 - Flood Risk Assessment and additional technical note
 - Flood Risk Sequential and Exceptions Test

- Statement of Community Involvement
- Land Contamination Report
- Archaeological assessment
- Computer Generated Images of the proposed buildings (CGIs)

4.0 History of Negotiations and Planning History

4.1 Officers had pre-application meetings with Citu and their professional team in early 2016, and Members received a pre-application presentation from Citu at City Plans Panel on 11 February 2016. There was also a visit by Members to Citu's development at Little Kelham in Sheffield on 26th September 2016.

4.2 In February 2016 Members comments on the applicant's presentation can be summarised as follows:

- The relationship of the site with neighbouring operations including Allied Glass and Vickers Oils was considered. Members highlighted the possible impact on the development that these two factories might have including; the smells, noise, the boundary fencing and walls. The developer confirmed that more work would be done to address these issues;
- The possibility of flooding in the area was discussed, and Members sought assurances that this had been fully considered and could be managed. It was also noted that the car parking area would potentially act as a flood plain. However Members were assured that the car parking area would not be flooded;
- Members expressed views on the layout of the development, commenting that they would expect all four of the proposed blocks to form one community and not become isolated buildings;
- Concern was raised about the lack of provision for public health and education especially as the proposal included large family homes;
- Members felt the designs needed further work. In particular the visual of the buildings fronting Clarence Road appeared to show stark elevations with little relief and an unduly industrial aesthetic. They need to appear more like "homes."
- The proposed public deck access to the tower block needed further consideration to ensure provision of adequate privacy and amenity to the residents and Members wished to see evidence of where this kind of development had been successful elsewhere;
- The rubbish deposited on the river banks following the recent flooding event was noted and Members sought assurance that work would be done to address this; and
- The amount and nature of the public space on the site was considered with much of it given over to movement rather than spaces to sit and relax and Members asked that attention be given to this in order to make it a suitable place for people to live.
- The approach to providing employment and skills training opportunities as part of the redevelopment of the site, particularly for students at the local College of Building

- The Chief Planning Officer commented that education provision was being discussed as part of the wider South Bank regeneration work with the possible use of Council land to provide primary school provision to augment the secondary school and further education provision that was already being delivered in the area.
- The Head of Planning Services commented on the layout of the development particularly in relation to the footprint of blocks 2 and 7 to the adjacent site boundaries. He questioned whether enough room was available to enable internal circulation of vehicles and provide an adequate amenity buffer for residents.

Members responded to the questions featured at paragraph 7 of the submitted report as follows:

- a) Members felt that presently the scheme needed more work to ensure adequate mitigation was provided against potential nuisance from the nearby industrial uses in order to make it an appropriate site for a predominately residential scheme;
- b) Members commented that they were not convinced by the emerging appearance of the homes but that they welcomed the energy efficiency of the homes, the size of the accommodation and the approach to sustainable construction;
- c) Members had concerns over some of the general siting of the buildings and the spaces between them, particularly adjacent to the Vickers Oil site;
- d) Members considered that that amount of public amenity space was not enough and more information was required on its potential character and quality;
- e) Members were generally happy with the scale and form of the proposed development but requested further information on the scale and design of the tower block
- f) Members commented that proposed level of car parking and approach to accessibility was acceptable. However sufficient space needs to be provided for vehicle circulation and provision of public and private amenity space on the site;
- g) Subject to the satisfactory resolution of detailed planning matters the [then] current application 15/07175/FU by Citu for a two storey office extension to the existing warehouse and associated works to create housing research and development, manufacturing and exhibition facility on the opposite side of Clarence Road could be determined under delegated powers.

4.3 Planning application 15/07175/FU for a two storey office extension to existing warehouse and associated works to create a housing research and development, manufacturing and exhibition facility for Citu on the west side of Clarence Road, known as Citu Works, was approved in August 2016. This application secured a pedestrian/cycle route running east-west across the site, which would connect to Sayner Lane and Carlisle Road in the event of the adjoining Council owned land being developed in the future, in accordance with the connectivity aspirations in the Aire Valley Area Action Plan.

4.4 Planning application 15/00415/FU for 312 dwellings including new open space and associated works at Low Fold, South Accommodation Road was approved in 2015

by City Plans Panel, and works are now underway on-site by Citu. The requirement for a new pedestrian/cycle bridge is secured by this planning permission.

- 4.5 Planning application 06/02364/FU for a multi-level development in 14 blocks up to 10 storeys comprising 625 residential units, hotel, and offices with ancillary retail, restaurants, bars, gallery space, public space and car parking, was approved at Plans Panel (City Centre) in January 2008 and subsequently granted permission in October 2009. The permission has now expired. This proposal related to both former Hydro Aluminium foundry sites to the east and west of Clarence Road.

5.0 Public/Local Response

5.1 Planning application publicity consisted of:

5.1.1 Site Notice posted 22.04.2016 & 20.07.2016

5.1.2 Press Notice published 29.04.2016

5.1.3 City and Hunslet Ward Members consulted by email on 22.04.2016

5.2 Leeds Civic Trust have written in support of the proposed development, their comments can be summarised as follows:

- it is very refreshing to see a scheme that prioritises a sense of place in high-density, low-medium rise, sustainable housing.
- the proposal is innovative in many ways: housing mix, sustainability and energy efficiency, local pre-fabrication
- the variety of dwelling configurations adds interest to the scheme and provides a number of options for households of various sizes and make-up.
- the connections to the rest of the city are important and support a reconfiguration of Clarence Road
- it is important that the bridge from Low Fold is implemented as early as possible in the development process
- support the inclusion of a high percentage of homes which could be occupied by families and hope that this will lead the way for similar schemes coming forward in the South Bank area.
- it is an exemplary scheme which demonstrates that high-density housing does not have to be in tall buildings, can have distinctiveness and identity, and can be fully sustainable both in environmental and social terms.

6.0 Consultation Responses

Statutory

6.1 LCC Transport Development Services

No objection subject to conditions regarding the treatment of the service access road, cycle parking, electric vehicle charging points, car park, refuse strategy and servicing management plan, off-site highways works including works Clarence Road, car club bays and all associated Traffic Regulation orders, and towpath works, and Section 106 obligations regarding Travel Plan Monitoring, car club trial provision and the maintenance of the private access road.

6.2 Coal Authority

No objection

6.3 Environment Agency

No objection subject to a condition that the development is carried out in accordance with the approved Flood Risk Assessment (FRA) by Weetwood dated

April 2015, reference 3205 and the approved Technical Note by Weetwood dated 5 September 2016, Flood Risk, reference 3205 – Clarence Road, Leeds and the following mitigation measures:

- a. Finished floor levels for residential blocks shall be set no lower than as per the list in the 'Residential Blocks' section of the Technical Note:

| | |
|---------------------------------|------------|
| Block 8A, 8B, 9A, 9B, 10A, 10B: | 26.34m AOD |
| Block 11: | 26.43m AOD |
| Block 1 and 2: | 26.50m AOD |
| Block 5C, 7C: | 27.00m AOD |
| Block 3A, 3B, 5B, 6B, 7B: | 28.00m AOD |
| Block 5A, 6A, 7A, 12A, 12B: | 29.50m AOD |

- b. Finished floor levels for commercial units shall be set no lower than 25.92m above Ordnance Datum (AOD).

6.4 **Canal and River Trust**

In summary, Canal and River Trust consider that the proposed scheme will create an interesting and attractive waterfront development to help regenerate this former industrial site. The design quality, mix of building types and landscaping will help to ensure that the scheme adds to the waterway corridor. The scheme also offers a level of permeability that will improve links to the river as well as creating an interesting new riverside area. The scheme will also provide a new access to the river and towpath and we would recommend that such a route is accessible to all to ensure that all members of the community can enjoy the many benefits that the river and towpath can offer. They have concerns regarding the scale of the tower block adjacent to the river. They recommend conditions regarding landscaping, and the potential impact on the structural integrity of the Aire & Calder Navigation riverbank/washwall, including excavations for foundations or vibrations from plant and machinery.

Non-Statutory

6.3 **LCC Environmental Studies**

No objection regarding air quality and road noise issues.

6.4 **LCC Environmental Protection**

No objection in principle subject to conditions regarding details of the sound insulation scheme of the dwellings, construction practice, details of sound insulation and noise limits on mechanical plant and equipment, details of sound insulation for any entertainment or bar use, restrictions on commercial unit opening (0700-2300 hours) and delivery hours (0730-1900 hours), and external lighting.

The predicted annual average nitrogen dioxide concentrations do not give cause for concern and the maximum hourly values are predicted to be well below objectives contained in the UK air quality regulations.

The stack emissions from the furnaces of the glass works have reduced over the last 10 years. In addition, use of lubricating oils has been reduced, which has had the effect of reducing the lower level fugitive emissions from the factory process. Although this means there has been an improvement, some odours from the factory are still noticeable on occasions in the streets close to the factory. The submitted odour assessment concludes that there will be no exceedances of the EA odour exposure level of 3.0 ou/m³ within the proposed development site. In addition, the

report predicts the odour impact to be negligible, except at blocks 6 and 7 where it would be slightly above the odour level of 1.5ou/m³. This would suggest that while odour from Allied Glass may be noticeable on occasions in part of the proposed site, it should be a faint odour and not classed as a significant odour impact. Therefore, Environmental Health Services would accept the conclusion from the submitted report, that the potential for adverse odour impact at the proposed development site is considered to be low.

The Noise Impact Assessment Report dated 11th March 2016 submitted in support of the above-mentioned application is satisfactory and any noise mitigation measures as specified in the report shall be taken into account should the planning application be granted. The noise consultant has proposed sound insulation scheme which will achieve internal noise levels as recommended in the World Health Organisation guidelines and the BS8233. The residual noise levels in the area are high and it is considered that the developer may not be able to achieve the required levels (WHO guidelines) for the external areas/gardens.

6.5 LCC Flood Risk Management

No objection subject to the implementation of the development in accordance with the submitted flood risk assessment, and a condition regarding details of surface water drainage.

6.6 West Yorkshire Combined Authority

The accessibility of the site is to an acceptable standard. The site is located on the edge of the city centre therefore benefits from a number of public transport services to a range of destinations. Other active modes (walking and cycling) will be a viable option to access the site. The main bus service that operates past the site frontage is the 70 service operated by First. This service is not a commercial service and is heavily subsidised by Allied London and Leeds City Council including a low fare initiative. The development site directly benefits from this service. This development should be required to contribute to the operation of the service to ensure that it can continue to operate as other sites have done in the area at a sum of £100,000. It is recommended that the developer contributes towards sustainable travel incentives to encourage the use of public transport and other sustainable travel modes through a sustainable travel fund. The fund could be used to purchase discounted MetroCards for all or part of the site. Based on our current RMC scheme, there is an option for the developer to purchase (in bulk) heavily discounted Residential MetroCards (circa 40% discount) as part of a wider sustainable travel package. Other uses could include personalised travel planning, car club use, cycle purchase schemes, car sharing promotion, walking / cycling promotion and or further infrastructure enhancements. The payment schedule, mechanism and administration of the fund and RMC scheme would be agreed. The contribution appropriate for this development (based on the cost of a bus only MetroCard) would be £98,175. The emphasis to ensure that the site is sustainable should also be placed on sustainable car use as well as other active modes such as walking and cycling. We would support the council in ensuring that provision for electric vehicle charging point be provided as well as provisions for cycle storage.

6.7 LCC Nature Conservation Officer

There should be no significant nature conservation concerns with this application.

6.8 LCC Public Rights of Way

The scheme should not adversely affect the Transpennine Trail.

6.9 Yorkshire Water

Yorkshire Water promote the surface water disposal hierarchy. The developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before even considering disposal to a public sewer. Alternatively, and 'only' upon receipt of satisfactory evidence to confirm the reasons for rejection of other methods of surface water disposal i.e. proof of watercourse investigation etc. the developer will be required to provide evidence of existing positive drainage to a public sewer from the site to the satisfaction of YWS/the LPA by means of physical investigation. On-site attenuation, taking into account climate change, will be required before any discharge to the public sewer network is permitted. Surface water discharges to the public sewer must have a minimum of 30% reduction based on the existing peak discharge rate during a 1 in 1 year storm event. If planning permission is granted, conditions regarding separate systems of drainage for foul and surface water are required. Details of surface water drainage are also required.

6.10 West Yorkshire Police

No objection

7.0 Relevant Planning Policies

7.1 Development Plan

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

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

7.2 Leeds Core Strategy 2014

The adopted Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. Relevant policies include:

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

Spatial Policy 2 – Spatial approach to retailing

Policy P8 – sequential and impact assessments for main town centre uses – sets out a centres first approach to the location of main town centre uses and the requirements for sequential and impact assessment. The proposals include a number of small-scale town centre uses (café, and bakery). These will require a sequential assessment to be carried out in accordance with Policy P8. As the site is located in an edge of centre location, the assessment would only needs to consider sites within centres in the relevant catchment area.

Spatial Policy 4 – Identifies the Aire Valley Leeds as a Regeneration Priority Programme Area. Priority will be given to developments that include housing quality, affordability and choice, improve access to employment and skills development, enhance green infrastructure and greenspace, upgrade the local business environment and improve local facilities and services. The AVAAP proposes the site as a housing allocation which could make a significant contribution towards meeting the area's requirement to provide 6,500 dwellings. Issues relating to the loss of employment land (based on the existing allocation) are discussed in the appraisal section of this report.

Spatial Policy 5 – Sets out the broad principles for development in the Aire Valley Regeneration Priority Programme Area including targets for housing (6,500 units) and employment land (250 ha) specific to the area.

Spatial Policy 7 – Sets out the spatial distribution of the district wide housing requirement between Housing Market Characteristic Area.

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

Spatial Policy 11 – Transport Investment Priorities – includes a priority related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre itself.

Policy EC3 – Safeguards existing employment land and industrial areas unless specific criteria are met.

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

Spatial Policy 13 – Strategic Green Infrastructure – The River Aire corridor is part of the GI network described in the policy.

Policy H2 – New housing development on non-allocated sites & Policy T2 accessibility requirements – refers the capacity of infrastructure and accessibility standards in Appendix 3. Links to local shops, primary schools, secondary schools, parks and employment locations are important.

Policy H3 – Density of development. A minimum density target of 65 dwellings per hectare is set for edge of centre locations.

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 – Affordable Housing. The affordable housing requirement would be 5% of the total number of units, with 40% for households on lower quartile earnings and 60% for households on lower decile earnings

Policy EC3 Safeguarding existing employment land and industrial areas.

Policy G4 – Open space requirements. Outside the City Centre the normal requirement is 80 sqm per dwelling. The delivery of a proportionate amount of

open space per dwelling, both private and shared communal, and the provision of public realm, is important and is currently being discussed with the developer. Contribution to specific off-site greenspace enhancements to mitigate a shortfall on-site may be required.

Policy G9 Biodiversity

Policies EN1 & EN2 set targets for CO2 reduction and sustainable design & construction, including meeting the energy and carbon emissions reduction targets of the former Code for Sustainable Homes Level 4 (20% better than Part L Building Regulations), and at least 10% low or zero carbon energy production on-site.

Policies EN4 District Heating. This site lies within the area identified as having potential in the Aire Valley & City Centre Energy Masterplan (Map 6 of the draft AVAAP).

Policy EN5 – flood risk. A flood risk assessment and sequential test would be required as the site lies in Flood Zone 3. Housing is proposed in Zone 3 and therefore the exceptions test would also be required. The applicant would need to consider the layout of site and potential for locating green space in the in higher flood risk zones in accordance with NPPG advice.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.

Policy P12 states that landscapes will be conserved and enhanced.

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

7.3 **Saved Policies Leeds Unitary Development Plan Review 2006**

GP5 all relevant planning considerations

BD2 new buildings

LD1 landscaping

BD4 all mechanical plant

BD5 Residential amenity

E3C seeks to protect employment sites unless specific criteria can be met

7.4 **Natural Resources & Waste Plan**

The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding flood risk, drainage, air quality, trees, and land contamination are relevant to this proposal. The site is within the Minerals Safeguarding Area for Coal (Minerals 3) and Sand and Gravel (Minerals 2).

7.5 **Emerging Aire Valley Area Action Plan**

The site is located within the Aire Valley Leeds Regeneration Programme Area for which an Area Action Plan is being prepared. This will form part of the development plan when adopted and make allocations within the area (replacing or renewing existing UDP land use allocations). The AAP has been the subject of public consultation, and it signals the Council's aspirations and priorities for the future development of the area. There were no objections to this proposed allocation

through the consultation and the Council are proposing to retain this allocation for the draft plan to be submitted to the Secretary of State for examination. The site is allocated for mixed use residential development under site reference AV14, to provide 105 dwellings, with office and leisure development. Para 3.3.9 of the draft AVLAAP makes clear that housing should form a significant proportion of the total development area and the capacity should therefore be treated as a minimum figure. The office capacity assumes that half the site is developed for that use but should not be treated as a minimum in the same way because other uses (including leisure) may be appropriate. In principle therefore the housing use (as the main use proposed) is consistent with emerging policy in the area. The AVAAP also has relevant policies regarding strategic transport infrastructure for the area, green infrastructure, pedestrian connectivity, and specific guidance for the Clarence Road sub-area of the South Bank.

7.6 Relevant Supplementary Planning Guidance includes:

SPD Street Design Guide
SPD Travel Plans
SPD Building for Tomorrow Today: Sustainable Design and Construction
SPD Biodiversity and Waterfront Development
SPG Neighbourhoods for Living
SPG Leeds Waterfront Strategy
SPD Parking
SPD Tall Buildings

7.7 National Planning Policy Framework (NPPF)

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

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

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

The NPPF states that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres (para 23).

Housing applications should be considered in the context of the presumption in favour of sustainable development (para 49).

The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50).

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

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

7.8 Other material considerations

7.8.1 The Leeds Standard 2014 and the Nationally Described Housing Standards

The Leeds Standard was adopted by the Council's Executive Board on 17th September 2014 to ensure excellent quality in the delivery of new council homes. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council's Neighbourhoods for Living guidance. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has been adopted as formal planning policy and only limited weight can be attached to them, given their evidence base in determining the minimum space requirements, they are currently used to help inform decisions on the acceptability of development proposals.

8.0 MAIN ISSUES

- 8.1 Principle of use
- 8.2 Urban design
- 8.3 Greenspace and public realm
- 8.4 Residential quality and sustainability
- 8.5 Highways and transportation
- 8.6 Flood risk
- 8.7 Wind
- 8.8 Jobs and skills training
- 8.9 Section 106 obligations and CIL

9.0 APPRAISAL

9.1 Principle of the scheme

- 9.1.1 The National Planning Policy Framework, Leeds Core Strategy, and the emerging Aire Valley Area Action Plan would support a major residential development in this edge of City Centre location, as a major contribution to the Aire Valley Urban Eco-Settlement. The site is allocated for mixed residential use in the emerging site allocations process under the draft Aire Valley Area Action Plan. The site is proposed as a mixed use allocation (Site AV14) suitable for housing (with an estimated capacity of 105 dwellings), offices (estimated capacity 12,000 sq m) and leisure uses in Class D2 in the draft Aire Valley Leeds Area Action Plan (AVLAAP). The draft AVLAAP makes an assumption that some employment development could

be delivered at the site (0.8 ha of offices under Policy AVL3) to contribute to the overall employment land target of 250 ha. However paragraph 3.2.24 states that there is an overall oversupply of 6.2 hectares in the document which provides some flexibility. The site is not in an area of employment shortfall so part B of the policy does not apply. There is a small amount of commercial floorspace for office, café or community use. Policy EC3 safeguards existing employment land and industrial areas unless specific criteria are met. As the site was last used for employment, the criteria set out in Part A of the policy has been addressed in the context of the broad development requirements set out above. The contribution the proposal makes to the area's housing targets, place-making and regeneration objectives is considered to outweigh this small loss of potential employment land.

9.1.2 The site is immediately adjacent to the City Centre boundary and less than 300m from the proposed local centre at Leeds Dock and is therefore considered to be an edge of centre site under Core Strategy Policies SP2 and P8. With regard to the need for a sequential test for the ground floor commercial units, whether any vacant units could represent a suitable and available site, there is not a site within the identified catchment in the City Centre, the Leeds Dock Local Convenience Centre, and the Hunslet centre, that could be said to provide a 'suitable' site for the proposed development even having regard to the need for flexibility. The Dundee High Court case determined that for the purposes of the sequential test it was not reasonable for the Local Planning Authority to require the developer to disaggregate the proposals, and that an alternative site would need to be capable of accommodating the whole development.

9.1.3 The proposal is for a mix of 1, 2, 3, and 4 bedroom dwellings, to meet the objectives of Policy H4 for a balanced provision of house types. The proposal meets the percentage ranges set out in the policy:

| Unit Size | 1 bed | 2 bed | 3 bed | 4 bed |
|---------------------|--------------|--------------|--------------|--------------|
| Proposed No. | 33 | 91 | 58 | 22 |
| % | 16 | 45 | 28 | 11 |
| H4 Min-Max % | 0-50 | 30-80 | 20-70 | 0-50 |

9.1.4 The applicant has committed to meeting the affordable housing Core Strategy Policy H5 for this area, with 5% of dwellings in a pro-rata mix, split 60:40 lower decile:lower quartile incomes. This would be delivered by Leeds Community Homes at this site, and secured in perpetuity in the Section 106 agreement.

9.2 Urban Design

9.2.1 The varied housing types within the proposal present a range of building forms varying from 2 storeys to 16 storeys. It is considered that the range of building heights would be appropriate in the context of the varied scales of development around the site – from 3-4 storeys proposed at Low Fold, and present at the neighbouring student housing to the north, 14 storeys at Echo on East Street, 8 storeys generally at Leeds Dock (with a 20 storey tower) to large scale industrial premises at Allied Glass and Vickers Oils. The tallest building on the site is a stepped pair of towers at part-16/part 15/part 11/part 9 storeys, where the façade treatment would rotate in different manners as they go up the building. This would offer different elevational treatments to the north and south sides. The northernmost tower would display a more repetitive elevation to accentuate its height, while

the southern tower rotates at the upper levels to express a lighter elevational treatment with more glazing.

- 9.2.2 The buildings and spaces between have been designed to deliver a reference to the historical industrial and character throughout, combined with a modern domestic aesthetic. Passivhaus principles including maximising solar gain and natural light would lead to the modern form and appearance of the proposed buildings. Angled north-light inspired roof-forms would make use of a south-facing slope to mount solar panels on, and make reference to the historic character of the area. The buildings would feature a simple and ordered architecture, with crisp detailing, such as large historic mill-scale windows with deep reveals and detailing, inset panels and timber vertical fins which provide shade and add visual interest. The proposed buildings would feature a range of materials with a variety of different textures from brickwork plinths, profiled metal cladding to walls and roofs, solid anodised, perforated and powder coated metal cladding systems, fibre cement cladding, and treated timber products. It is considered that the proposed building design and materials would complement the changing industrial character of the area, with the brickwork and timber elements providing a contrast to the profiled and anodised metal and fibre cement cladding. Overall, it is considered that the proposed buildings would create a unique sense of place and identity for the site, and offers a distinctive new character to the area.
- 9.2.3 The proposed layout would feature pedestrian permeability throughout, with either at grade routes or via ramps and steps which are necessary due to the raised flood risk mitigation levels, would connect Clarence Road to the waterfront, and beyond subject to the future bridge link to Low Fold. Front doors, habitable windows, terraces and balconies would offer natural surveillance and activity to the proposed new routes and spaces. Commercial units to Clarence Road and the new riverside public space would provide further activity and variety, which would contribute positively towards a new sense of community, and the delivery of the place-making and regeneration objectives for the South Bank and Aire valley. The proposal would provide and improve routes connecting the city centre with adjoining neighbourhoods to improve access and make walking and cycling easier. The scheme would provide linkages through the site to Clarence Road to allow links through to Leeds Dock and the South Bank of the City Centre. This reflects the indicative routes referred to in Policy SB1 and shown on Map 7 of the draft AVLAAP and the site requirements under Policy AVL7, Site AV14. The scheme indicates a landing area to be provided to the proposed bridge to link the site with the Low Fold housing development proposed on the site on the opposite bank of the river. It is considered that the scheme would make the required contribution to improving connectivity between the city centre and neighbouring communities and in particular would help deliver the new bridge and route to provide better connection between the East Bank/Richmond Hill and South Bank areas.
- 9.2.4 In terms of accessibility, the need to meet flood risk requirements and accommodating car parking under cover means that the entrances to the residential accommodation are raised above the street level. The majority of the site has been designed to accord with BS8300 for ramps and steps, and ramped access would meet the recommended 1.5m width with gradients, handrails and landings as recommended. Exceptions would be the access to the dwellings in Blocks 1 and 2. The space constraints are such that it is not possible to meet BS 8300 with ramps at 1.2m wide, however there is also level access afforded to these dwellings from the car parking beneath the landscape. The majority of ramp gradients would be shallower than 1:20. In some instances, steeper gradients (such as the approach to Blocks 2 and 3 from the public square) are proposed. However, in these instances

the ramp distances have been minimised and level landings and handrails introduced in accordance with best practice in BS8300 and Inclusive Mobility guidance. On balance, taking account of the need to work to flood risk levels, and the wider sustainability and place-making benefits of the proposal, this is considered acceptable.

9.3 Greenspace and Public Realm

9.3.1 The scheme has been designed with a hierarchy of hard and soft amenity space for private space, shared private communal space, and publicly accessible space. Core Strategy Policy G4 requires that 80 square metres of greenspace is provided per dwelling in this location. Due to the high density of the proposal, which may be appropriate in principle in this edge of city centre location, there is likely to be a shortfall in on-site provision. In this case the open space requirement for 204 dwellings would be 16,400sqm, which exceeds the total site area in this case (approx. 16,000sqm). As a result, in this area, an off-site greenspace contribution would normally be required in accordance with Policy G4 of £517, 706.76.

9.3.2 However, this scheme would make provision for:

- 3045 square metres of private amenity space in the form of gardens, terraces and balconies, including a glazed winter garden-style atrium for the flats in Block 3 - the winter gardens would be 10 m wide by 40 m long approx.
- 2493 square metres of shared resident-only communal space between the townhouses at blocks 5, 6, and 7 – for example the soft landscaped space between blocks 5 and 6 would be approximately 15 m wide, and the space between block 6 and 7 would be approximately 13 m wide
- 6007 square metres of publicly accessible space across the whole site, including hard-surfaced space, footpaths and the shared deliveries/emergency vehicle route. This would include a 25m x 25m riverside public space.
- Improvements to the river towpath (see Highways and Transportation section)
- Improvements to Clarence Road (see Highways and Transportation section)

9.3.3 The scheme would deliver 5,715 sqm open space, which would equate to 32% of the site area or 28sqm per dwelling. The site lies on the boundary with the designated City Centre, where Policy G5 would apply. The provision at this site would significantly exceed the Policy G5 requirement of 20% if the site was within the City Centre. The high quality open space would be closely linked in terms of character between the two schemes by the future provision of the bridge. On balance, in the context of this edge of City Centre location, its urban characteristics, and the density and nature of the proposed housing types, a 32% open space provision combined with the additional off-site towpath improvement works and works to calm and enhance Clarence Road, means that it would not be reasonable or proportionate to seek a further commuted sum for off-site greenspace in this case.

9.3.4 In summary, it is considered that the dwellings would benefit from a good level of private and shared communal green amenity space for residents to enjoy, have ownership over, and feel secure in. Citu have responded to Members' concerns at pre-application stage regarding the lack of useable public open space along the riverside by proposing an additional large greenspace to the south of Block 12 at the future bridge landing point, which has been created by removing a block and incorporating the accommodation into a slightly taller Block 12. The overall approach to landscaping, amenity space and public realm would offer a good standard of landscape amenity for residents, make use of sustainable drainage

techniques, enhance the biodiversity value of the River Aire corridor, provide an appropriate level of landscaped publicly accessible open space, and contribute positively to the overall distinctive sense of place at the site.

9.4 Residential quality and sustainability

9.4.1 Internal space

In the context of the Executive Board adoption of the “Leeds Standard” for the Council’s own housing schemes, and the emergence of the Government’s Nationally Described Space Standard, it is strongly encouraged that private developers also meet our aspirations for high quality, liveable homes in the City, particularly in relation to design quality, space standards and energy efficiency standards. This scheme would exceed the minimum Leeds Standard and Nationally Described Space Standard internal space requirements for all house types in the development.

9.4.2 Sustainable construction and energy

Although the applicant does not intend to seek accreditation under Code for Sustainable Homes, this scheme would be designed to Passivhaus principles, and would exceed the minimum space and energy/efficiency sustainability standards encouraged by the Council under the Leeds Standard, and Core Strategy Policies EN1 and EN2. The dwellings would be built to exceed Part L Building Regulations by at least 20%, and on average 15m² of solar panels will be installed per dwelling, which would provide at least 10% of its annual energy requirements. All dwellings would use Mechanical Ventilation with Heat Recovery (MVHR), which due to high levels of insulation, would mean that the houses would require very little heating even in winter months. The proposal would incorporate sustainable urban drainage (SUDS) techniques. Surface profiles and porous paving would slow down the rate of surface water run-off from parts of the site. An investigation into the filtration rate of the site is underway and may present further opportunities. Exact details of the SUDS would be sought by planning condition. The applicant would not be seeking formal Code for Sustainable Homes or Passivhaus accreditation, however, an appropriately worded condition would control key headline indicators to ensure that the sustainability benefits are delivered. In addition, the overall development would also enable the delivery of new dwellings on a longstanding brownfield cleared site, representing efficient use of urban land in a sustainable location, make use of grey-water recycling and sustainable urban drainage systems (SUDS), and employ measures to reduce reliance on the private car.

9.4.3 Industrial noise, odour and air quality

The application site is close to Allied Glass, where historically concerns regarding industrial noise and odour have been raised by Environmental Health officers. Air quality, odour and noise assessments have been submitted by the applicant, and assessed by Environmental Health officers. The air quality report confirms that air quality and odour would fall within acceptable standards for safety and amenity of residents. The mechanical ventilation system proposed would also filter air intakes to reduce the risk of outside odour coming into the dwellings. Regarding noise, the noise consultant has proposed sound insulation scheme which will achieve internal noise levels as recommended in the World Health Organisation guidelines and the BS8233. The residual noise levels in the area are high and the developer may not be able to achieve the required levels (WHO guidelines) for the external areas/gardens. Residents would not be subject to these higher noise levels in the dwellings, so noise can be avoided if necessary. The houses themselves would be designed with a sound insulation scheme, and because the houses are designed to keep a regular temperature throughout the year in line with Passivhaus principles, the need for rapid heating/cooling and the need to open windows would be reduced.

In the event that specific 'rapid cooling' would be required the whole house ventilation/extract will have a boost function to accommodate rapid air changes, in addition to the openable windows if preferred. Exact details of the sound insulation would be agreed by planning condition. On balance, weighing the nature of the surrounding area, and wider sustainability benefits of the scheme, noting the ability to provide mechanical ventilation and high levels of insulation, and in principle an appropriate sound insulation scheme within the dwellings, residential amenities are considered to be acceptable.

9.4.4 **Privacy, overlooking and outlook**

Distances between habitable room windows are generally considered acceptable where they exceed 15-20m in an urban context, unless it can be demonstrated that the internal configuration of the dwellings are such that overlooking and loss of privacy can be avoided through good internal space standards, internal room configurations and locations and angles of windows. It is considered that with these arrangements in place, and given the relatively medium to low scale of buildings in this case, 10-15m gaps may provide acceptable amenities for future occupiers. The relationships between Blocks 1, 2, 3, 4, 5, 6, 11 and 12 are considered appropriate in this case. Where the scale and proximity of dwellings has a tighter urban grain, the proposal is analysed in more detail below:

9.4.5 **Blocks 7, 8 and 9 relationships**

The gaps between Blocks 7, 8 and 9 would be closer than normally expected, however, taking Block 8a as an example, main windows would be on the corners of buildings to offer an expansive outlook in more than one direction, the windows offer an outlook to the south and would therefore gain maximum sunlight, and the living space would be open plan therefore there is more than one window offering light and outlook to this space. Between Block 8B and 9A, at ground floor, only entrance/lobby windows would face each other across the shortest, approx. 5m separation. Main windows would be staggered to ensure no main windows face each other, distances significantly greater than 10m would be offered to all main living areas due to dual aspect windows. Where the secondary element of a dual aspect main window would face towards a kitchen window, the kitchen window would be obscure glazed. In the single instance where a bedroom window would be 5m from the adjacent block, this window would only look toward a lobby in the adjacent apartment has a second window offering clear views to the river, and is therefore not solely reliant on this outlook. Between Block 9A and 10A, all main windows would face east-west with clear views. Only the shorter side of the dual aspect main window would face towards block 10A, and only lobby/entrance windows would face directly toward each other. An angled window in the first floor bedroom in Block 10A would direct the outlook westward across the internal access road toward the raised public realm to avoid directly looking toward Block 9A. A ground floor kitchen window in Block 9A would be obscure glazed to prevent overlooking from the first floor of 10A. This kitchen would feature an additional westward facing window to help protect amenity. Between Block 9B and 10B, the dwellings would be dual aspect with no main windows facing each other. Plot 9B would be angled to further prevent overlooking. The two first floor bedroom windows to Block 10B would have angled windows to offer views toward the river and space in between the blocks rather than directly at Block 9B. With regard to the space between Blocks 12a and 12b, the blocks would be between 5m and 10m, apart, however the apartments would face in opposite directions so avoid any direct overlooking.

9.4.6 Taking account of the above detailed design and amenity matters, it is considered that overall, given the edge of City Centre urban context, and the unique type of

high density family housing being provided, it is considered that the accommodation would have appropriate size, outlook, level of privacy and natural light.

9.5 Highways, transportation and accessibility

9.5.1 The site is located in a sustainable edge of City Centre location. The scheme proposal includes 121 undercroft car parking spaces, which would equate to 59% parking provision. Car parking spaces would be rented rather than purchased and is considered adequate for the development in this location, an informative will be put on any consent to inform future residents that they would not be eligible for permits in any existing or future resident parking scheme.

9.5.2 In terms of servicing, loading and circulation within the site, access to the service road for deliveries and refuse vehicles would be controlled by the on-site caretaker. The access road would be a shared usage environment, with features provided to give a design speed of 15mph, it will be designed so that partially sighted users can navigate a demarcated safe pedestrian route. Throughout the site, pedestrians and cyclists are prioritised over occasional use vehicles and this would be reinforced through kerb and pavement design within the site, along with changes in materials palette and levels to signify to vehicles where the loading bays and vehicle alignments are. The only exception to this is the public square, where kerbs would be deliberately removed to cause vehicles and cyclists to move slowly and cautiously in this area. The access road would not be adopted as a public highway, and a Section 106 obligation would require the developer to maintain the road in perpetuity.

9.5.3 The developer also proposes travel plan measures in order to encourage future residents to rely less on private car use, such as

- providing real-time public transport information and car sharing apps for each household to access
- Secure cycle storage would be provided for each dwelling and the commercial units. The applicant would also provide two car club bays at the site, and free trial membership for residents and businesses as part of their travel plan measures.
- Travel Plan Co-ordinator role;
- 230 cycle parking spaces – plus visitor provision;
- 26 covered motorcycle spaces; and
- 12 electric charging bays – the remainder of spaces are to be provided with cabling to enable easy upgrade if required in the future.

The value of a Sustainable Travel Fund (STF) in this out-of-city centre location would be based on the cost of providing an annual metrocard for each dwelling. In this case given the good pedestrian and cycle connectivity to the City Centre, and its location adjacent to the designated boundary, alternative measures are justified in this case. The Travel Plan makes provision for a sustainable travel fund for the following measures:

| STF measure | Details | Cost (£) | per unit (£) |
|-------------|---------|----------|--------------|
|-------------|---------|----------|--------------|

| | | | |
|--|---|----------------|-----|
| Public transport tickets: 1 Monthly Bus and Rail Mcard , or 1 Monthly Bus-only Mcard | Either a bike voucher or a monthly ticket for each unit | £30,600 | 150 |
| Bicycle Purchase Vouchers | | | |
| Towpath Improvements along frontage | | £14,000 | |
| Cycle Toolbox and spares | | £1000 | |
| Provision of Maps and Public Transport information | | £500 | |
| TPC annual Budget £500 | | £2500 | |
| TRO cost for 2No Car Club Spaces | | £7,500 | |
| Sustainable Travel Leaflet | | £5000 | |
| Car club trial provision | | £16,500 | |
| Total | | £76,600 | |

The developer would be required to provide evidence about how the Sustainable Travel Fund is being administered. The content and delivery mechanism must be set out in the travel plan, including a commitment to manage and audit the delivery of the measures Any unspent STF monies shall be re-invested in sustainable travel measures by the site Travel Plan Coordinator within five years following final occupation. The TPC shall submit an Annual Action Plan(s) to show how the monies will be allocated.

- 9.5.4 Regarding accessibility to local bus services, WYCA have requested monies to fund the No 70 South Bank bus. It is not considered necessary or appropriate to fund this bus service as the Core Strategy accessibility guidance to bus services is broadly met even without access to bus service No.70 :

Existing Bus Services – Clarence Road

| Service Number | Route | One Way Service Frequency per hour | | |
|--|---|------------------------------------|-----|-----|
| | | Mon-Fri | Sat | Sun |
| Bus Stops (References – 45023970) approx. 100m | | | | |
| 28 | Adel – Leeds – Liberty Dock | 3 | 3 | 2 |
| 70 | Leeds Dock - Leeds Train Station Circular | 5 | 5 | 3 |

| Service | Route | One Way Service Frequency |
|---------|-------|---------------------------|
|---------|-------|---------------------------|

| Number | | per hour | | |
|---|---|----------|-----|-----|
| | | Mon-Fri | Sat | Sun |
| Bus Stops (References – 45023373 & 45023374) approx. 350m | | | | |
| 61 | Leeds – Cross Green – Hunslet - South Leeds Stadium | 1 | 1 | 0 |
| 63 | Leeds – Cross Green - Leeds | 1 | 0 | 0 |

Existing Bus Services – South Accommodation Road (South of Site)

Existing Bus Services – South Accommodation Road (East of Site via bridge)

| Service Number | Route | One Way Service Frequency per hour | | |
|---|---|------------------------------------|-----|-----|
| | | Mon-Fri | Sat | Sun |
| Bus Stops (References – 45023373 & 45023374) approx. 170m | | | | |
| 61 | Leeds – Cross Green – Hunslet - South Leeds Stadium | 1 | 1 | 0 |

Existing Bus Services – Easy Road (East of Site via bridge)

| Service Number | Route | One Way Service Frequency per hour | | |
|---|---|------------------------------------|-----|-----|
| | | Mon-Fri | Sat | Sun |
| Bus Stops (References – 45023373 & 45023374) approx. 350m | | | | |
| 15 | East End Park – Leeds – Armley – Old Farnley | 2 | 2 | 1 |
| 59 | Leeds – East End Park – Richmond Hill - Leeds | 2 | 2 | 1 |
| 61 | Leeds – Cross Green – Hunslet - South Leeds Stadium | 1 | 1 | 0 |

All the above services are available within 400m of the Site. At least a 15 minute frequency is provided on both sides of the River Aire and as such the accessibility of the Site to bus stops is not reliant on the bridge. Furthermore with the implementation of the Bridge the Site is accessible to at least 8 services per hour even when discounting the No.70 service. The accessibility of the site is further enhanced from access to the Hunslet Road bus stops (600m from the site) where there is a very attractive service of over 62 buses per hour to a variety of destinations. As such the site is considered to be accessible to local bus services and within a sustainable location. Whilst the no. 70 bus is considered desirable to serve developments in the South Bank, it is not considered necessary to make this development acceptable.

- 9.5.5 The scheme would also deliver a traffic calming scheme on Clarence Road via a S278 agreement. This would include the calming and narrowing of Clarence Road from Armouries Drive to Sayner Lane through a series of build-outs, changes in materials, and speed tables commensurate with a 20mph zone and signed as such, maintaining some on-street parking and providing a car club bay on the site frontage. There may also be opportunities for street-tree planting subject to underground services. This would deliver a transformation of the setting of Clarence Road from industrial access road to residential street.

- 9.5.6 The scheme shows a landing area to be provided to the proposed pedestrian/cycle bridge to link the site with the Low Fold housing development proposed on the site on the opposite bank of the river. The drawings also show linkages through the site to Clarence Road allowing links through to Leeds Dock and the South Bank of the City Centre. This reflects the indicative routes referred to in emerging Policy SB1 and shown on Map 7 of the draft AVLAAP and the site requirements under Policy AVL7, Site AV14. It is considered that that the scheme would contribute to improving connectivity between the City Centre and neighbouring communities and in particular will help deliver the bridge and route to provide better connection between the East Bank / Richmond Hill and South Bank areas. Access would be provided from the towpath alongside the River Aire into the site for cyclists, pedestrians and disabled. The towpath is part of the National Cycle Network, route 67, and a series of ramps incorporated into the landscaped area adjacent to the footbridge would provide suitable access, by meeting guidance for cycling and disabled users.
- 9.5.7 In summary, the proposal would have an appropriate level of parking, make appropriate transportation provision, promote sustainable travel and improved connectivity, deliver highways and public realm improvements to Clarence Road, and would not be likely to give rise adverse parking, road safety or amenity concerns.

9.6 Flood Risk

- 9.6.1 A sequential assessment has been carried out in accordance with the National Planning Policy Framework using the approach set out in the Environment Agency's guidance note. The search area was limited to the Aire Valley Leeds area. The sequential assessment has been applied to 11 no. alternative sites located in the Aire Valley Area as identified from the Aire Valley Leeds Area Action Plan. These sites, including the application site, have been assessed with respect to deliverability in terms of site area, constraints, flood risk and availability. On the basis of the assessment provided, there are no alternative, deliverable, sequentially preferable sites with the Aire Valley Leeds area capable of accommodating the proposed development that are available and could achieve the mixed use community proposed, at a lower risk of flooding than the application site. On the basis of the above, the Flood Risk Sequential Test is considered to have been satisfactorily addressed for the application site. National policy then requires that the Exceptions Test be carried out. The applicant has provided information to demonstrate that the sustainability benefits of the site outweigh flood risk, addressing part 1 of the exception test. Part 2 of the exception test makes reference to the mitigation measures set out the Draft Aire Valley Leeds Area Action Plan exception test which supports the proposed housing allocation on the site. The FRA submitted by the applicant also sets out detailed mitigation measures and this is acceptable to the Environment Agency and Leeds City Council Flood Risk Management.
- 9.6.2 The flood risk assessment states that the Finished Floor Levels of the dwellings would be lifted to be a minimum of +26.28M i.e. to be 600mm above a 1:200 year level (+25.68M). Commercial spaces would either be +25.92M - to be 400mm above a 1:100 year level (+ 25.52M), or would be below that level but protected through technical design such as flood barriers at doorways and services at high level. Car parking would be below the 1:100 year level, but all entrances would be fitted with flood control measures (barriers) and have alternative means of escape. Implementation of the scheme in accordance with the submitted flood risk

assessment and technical note, and the preparation of a flood warning and evacuation plan would be controlled by condition.

9.7 Wind

The proposal is for a mix of medium-scale buildings with taller buildings at Blocks 12a and 12b, set within a generally low-rise area. The applicant has submitted a wind report in support their planning application. At the time of writing this is being assessed by an independent consultant on behalf of the Council. The findings of the assessment with regard to wind safety and comfort, in the new routes and spaces within and immediately around the development on Clarence Road and the Transpennine Trail, will be updated verbally by officers.

9.8 Jobs and Skills

9.8.1 Citu have committed to make reasonable endeavours to work closely with the Council's Jobs and Skills service at the Low Fold and Citu Works sites, and would make a similar commitment for this site to develop an Employment and Training Scheme. This would aim to benefit City and Hunslet and adjoining Ward residents from the start of the tendering stage for the construction of the development, throughout the period when the development is under construction, and once the development is occupied. This would include:

- making reasonable endeavours to use local contractors and sub-contractors and local people construction works;
- consulting with Employment Leeds with a view to identifying procedures to facilitate the appointment of contractors and sub-contractors and local people in the construction works;
- prior to the commencement of the construction works agree with Employment Leeds a method statement to facilitate the appointment of sub-contractors and local people in the said construction works;
- work with Employment Leeds and agree a method statement identifying the number and types of employment and training opportunities that can be accessed by local people within such part of the development and the resources needed to deliver the same;
- provide to Employment Leeds on a 6 monthly basis details of the recruitment and retention of local people as employees within such part of the development and the training in place for apprentices and the existing workforce by reference to national industry standards;
- provide Employment Leeds and partners identified by Employment Leeds with details of any employment vacancies that are created within such part of the development, to be provided by way of a monthly updated list of current vacancies.

9.8.2 The above measures would be secured through the Section 106 agreement. Employment Leeds are already in dialogue with Citu regarding their three construction sites in this area, including the likelihood of opportunities in the house construction workshop at Citu Works, and are currently identifying appropriate apprenticeship frameworks and providers.

9.9 Section 106 obligations and Community Infrastructure Levy (CIL)

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

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

Adopted Development Plan policies would result in the following necessary obligations which it is considered meet the legal tests:

- Affordable Housing 5% on-site in accordance with the policy for the area
- Specific travel plan measures (car club trial provision) contribution £16,500
- Travel plan and monitoring fee £3010
- Public access through the site
- Cooperation with local jobs and skills training initiatives
- Management fee £750
- Maintenance of the internal access road

9.9.2 The proposed development would be subject to a Community Infrastructure Levy (CIL) of £90, 590

10.0 Conclusion

10.1 In conclusion, it is considered that the applicants have addressed the comments raised by Members in February 2016 at pre-application stage (see section 4.1 of this report and the appraisal section above). The applicants have provided a balanced planning case whereby the following matters would outweigh other policy matters such as the provision of additional off-site greenspace generated by Core Strategy Policy G4 and additional sustainable travel support (No. 70 bus contribution) which are required because the site lies just outside the City Centre boundary:

- A significant contribution to regeneration of the surrounding area (especially when combined with Low Fold, Citu Works, and the bridge) based on sustainable housing with significant public realm provision, along with housing design innovation and jobs provision.
- 204 highly sustainable well-designed homes with a range of house sizes and types (including 5% policy compliant affordable housing with provider Leeds Community Homes)
- appropriate dwelling sizes which meet the national and Leeds standards
- the provision of ancillary active ground floor uses to Clarence Road and a new riverside greenspace
- an appropriate level of on-site resident amenity space and public greenspace, including a new riverside greenspace
- improved pedestrian connectivity, leading to a new pedestrian bridge to link to the separate approved scheme at Low Fold
- Significant traffic calming and enhancements to Clarence Road through off-site highways works to be delivered as part of the scheme

10.2 This scheme is a significant regeneration opportunity that will contribute to the delivery of the Council's sustainable housing and place-making vision for the South Bank and Aire Valley. The scheme would provide a range of house types and sizes suitable for residents of all ages, provide jobs, and reduce carbon emissions. The

proposed redevelopment of the site would also enhance the character of the surrounding area including the waterfront, by regenerating a derelict brownfield site that has been vacant for many years with modern innovative houses, provide new public greenspace, and play a major part in the transformation of the area into the Climate Innovation District. The principle of the development of the site for use as residential with small scale workspace and retail, food and drink units is acceptable in accordance with the Development Plan and national planning policy. Therefore, it is considered that the proposal is acceptable subject to a section 106 agreement and the specified conditions.

Appendix 1

Draft Conditions

Appendix 2

Proposed Block Plan Ground Level

Proposed Block Plan Upper Ground Level

Background Papers:

Application file 16/02420/FU

Appendix 1 Draft Conditions for 16/02420/FU

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

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

- 3) No works shall commence until details of a phasing plan have been submitted to and approved in writing by the Local Planning Authority. Details for each relevant condition shall then be submitted for each phase as per the phasing plan. Any subsequent changes to the phasing schedule shall be submitted in writing to and approved by the Local Planning Authority. The scheme shall be built out in accordance with the approved phasing plan.

In order that the Local Planning Authority is informed of the phasing so that the relevant sections of the conditions may be discharged.

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

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

- 5) Notwithstanding details shown on the plans hereby approved, no external walling or roofing shall be constructed within a phase until typical 1:20/1:50 scale elevations/section/plan working drawings showing the following details junctions between materials including rooftop parapets, soffits, shutters, framing, window and door openings and all junctions of materials, for that phase have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the details thereby approved and retained as such thereafter.

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

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

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

- 7) External surfacing or landscaping works shall not commence within a phase until full details of both hard and soft landscape works as shown on Rootstock drawing ref.. including an implementation programme for that phase, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include:
- (a) proposed finished levels and/or contours,
 - (b) boundary details and means of enclosure,
 - (c) car parking layouts,
 - (d) other vehicle and pedestrian access and circulation areas,
 - (e) hard surfacing areas,
 - (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
 - (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
 - (h) external lighting
 - (i) CCTV

Soft landscape works shall include:

- (j) planting plans
- (k) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- (l) schedules of plants noting species, planting sizes and proposed numbers/densities.
- (m) tree pits and soil volumes

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

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

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

To ensure maintenance of a healthy landscape scheme, in accordance with adopted Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, the Leeds Natural Resources and Waste DPD, and the NPPF.

- 9) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in

writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds Core Strategy policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, the Leeds Natural Resources and Waste DPD, and the NPPF.

- 10) No phase of the development shall be occupied until all areas shown on the approved plans to be used by vehicles (including relevant parking areas) for that phase have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

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

- 11) Prior to the installation of cycle/motorcycle facilities for each phase, full details of long and short stay cycle/motorcycle parking and facilities for that phase shall be submitted to and approved in writing by the Local Planning Authority. Each phase shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided for that phase. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Leeds UDP Review (2006) policies T7A, and T7B, Leeds Core Strategy Policy T1, the Travel Plans SPD and the NPPF.

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

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

- 13) Prior to the installation of car park access controls for each phase, details of the access controls to the basement car park for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to first occupation of the development and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

- 15) Prior to the commencement of 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..., including a change to a 20mph speed limit on Clarence Road 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. The works relevant to each phase shall be completed prior to occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 16) Prior to the commencement of building works hereby approved details of access from the River Aire towpath into the site for cyclists, pedestrians and disabled people shall be submitted and approved in writing by the local planning authority. The works shall be completed prior to occupation before occupation of buildings fronting the river, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of accessibility for all, and pedestrian and cycle safety

- 17) Prior to the first occupation of the development hereby approved, details of a car park, refuse and servicing management plan shall be submitted to and approved in writing by the Local Planning Authority. Car parking spaces shall only be allocated to and/or used by residents of this site or their visitors. The car park and servicing shall be operated in accordance with the approved management plan thereafter.

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

- 18) Building works within a phase shall not commence until a scheme detailing surface water drainage works, including hydraulic calculations, has been submitted to and approved in writing by the Local Planning Authority. The allowable rate of discharge shall be agreed with the Local Planning Authority. The developer shall provide details of the existing drainage network, including gully connections, pipe sizes, invert levels, gradients and connection points, as well as a plan showing the measured impermeable areas of the existing site. A surface water attenuation system shall be provided which ensures that the allowable discharge rate is not exceeded for the 1 in 100 year event including a 40% uplift for climate change. 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 Leeds UDP Review (2006) Policy GP5 the Council's Minimum Development Control Standards for Flood Risk, Leeds Core Strategy Policy EN5, the Leeds Natural Resources and Waste DPD and the NPPF.

- 19) Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works for each phase and no buildings shall be occupied or brought into use within a phase prior to completion of the approved foul drainage works for each phase. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

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

20) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Weetwood dated April 2015, reference 3205 and the approved Technical Note by Weetwood dated 5 September 2016, Flood Risk, reference 3205 – Clarence Road, Leeds and the following mitigation measures detailed therein:

a. Finished floor levels for residential blocks shall be set no lower than as per the list in the 'Residential Blocks' section of the Technical Note:

| | |
|---------------------------------|------------|
| Block 8A, 8B, 9A, 9B, 10A, 10B: | 26.34m AOD |
| Block 11: | 26.43m AOD |
| Block 1 and 2: | 26.50m AOD |
| Block 5C, 7C: | 27.00m AOD |
| Block 3A, 3B, 5B, 6B, 7B: | 28.00m AOD |
| Block 5A, 6A, 7A, 12A, 12B: | 29.50m AOD |

b. Finished floor levels for commercial units shall be set no lower than 25.92m above Ordnance Datum (AOD).

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

To reduce the risk of flooding to the proposed development and future occupants.

21) Prior to the first occupation of the development, a flood warning and evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented thereafter.

In the interests of safety in the event of a flood, in accordance with the NPPF.

22) No works shall take place until details of the proposed foundations, excavations and works method statement are submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and maintained as such thereafter.

To ensure that the development does not adversely affect the Aire & Calder Navigation riverbank and wash wall, in accordance with the advice and guidance contained in paragraphs 120-121 of the National Planning Policy Framework.

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

Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development within a phase shall not commence until a Remediation Statement for that phase demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. In the event that the site investigations confirm the need for remedial works to treat areas of unrecorded shallow coal mine

workings to ensure the safety and stability of the proposed development, any necessary remedial works shall be undertaken prior to commencement of the development of the relevant phase.

The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

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

- 24) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to protect controlled waters and make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006, and the NPPF.

- 25) Remediation works shall be carried out in accordance with the approved Remediation Statement for each phase. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme for each phase. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed, so that it can be demonstrated that risks to controlled waters, including the River Aire, have been reduced to an acceptable level and that the site has been demonstrated to be suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006, and the NPPF.

- 26) Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use. A methodology for testing these soils shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto site within each phase. The methodology shall include information on the source of the materials, sampling frequency, testing schedules and criteria against which the analytical results will be assessed (as determined by risk assessment). Testing shall then be carried out in accordance with the approved methodology. Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site for each phase.

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use with respect to land contamination in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006, and the NPPF.

- 27) Prior to the commencement of building works for each phase an updated Sustainability Statement shall be 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;
 - (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
 - (v) details that demonstrate a minimum of 20% reduction against Part L Building Regulations;
 - (vi) Implementation of the low water usage target

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

(a) Within 3 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 NPPF.

- 28) No building works shall take place until details of a sound insulation scheme designed to protect the amenities of the future occupants of the proposed dwellings / apartments from noise emitted from nearby industrial premises has been submitted to and approved in writing by the planning authority. The use hereby approved shall not commence until the works have been completed, and such noise insulation scheme as may be approved shall be retained thereafter.

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

- 29) No installation of externally mounted plant or equipment shall take place until details of the installation and/or erection of any air conditioning or extract ventilation system, flue pipes, chiller units, window cleaning equipment or other excrescences proposed to be located on the roof or sides of the building, including details of their siting, design, noise attenuation, and external appearance have been submitted to and approved in writing by the Local Planning Authority. The noise rating level from fixed plant items shall not exceed the prevailing background (LA90) noise level minus 5 dB at nearby noise sensitive receptors, when assessed in accordance with BS 4142:1997. Works shall be carried out in accordance with the approved details and retained as such thereafter.

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

- 30) Delivery and loading/unloading hours shall be restricted to 7:30 hours – 19:00 hours Monday to Sunday.

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

- 31) The opening hours of the new commercial units shall be restricted to 7:00 hours – 23:00 hours Monday to Sunday.

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

- 32) The entertainment or bar use hereby approved shall not commence unless a scheme to control noise emitted from the premises has been approved in writing by the Local Planning Authority and installed as approved. The scheme shall provide that the LAeq of entertainment noise does not exceed the representative background noise level LA90 (without entertainment noise), and the LAeq of entertainment noise will be at least 3dB below the background noise level LA90 (without entertainment noise) in octaves between 63 and 125Hz when measured at the nearest noise sensitive premises. The approved scheme shall be retained thereafter.

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

- 33) No works shall begin on the relevant phase of development until a Statement of Construction Practice for that phase has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

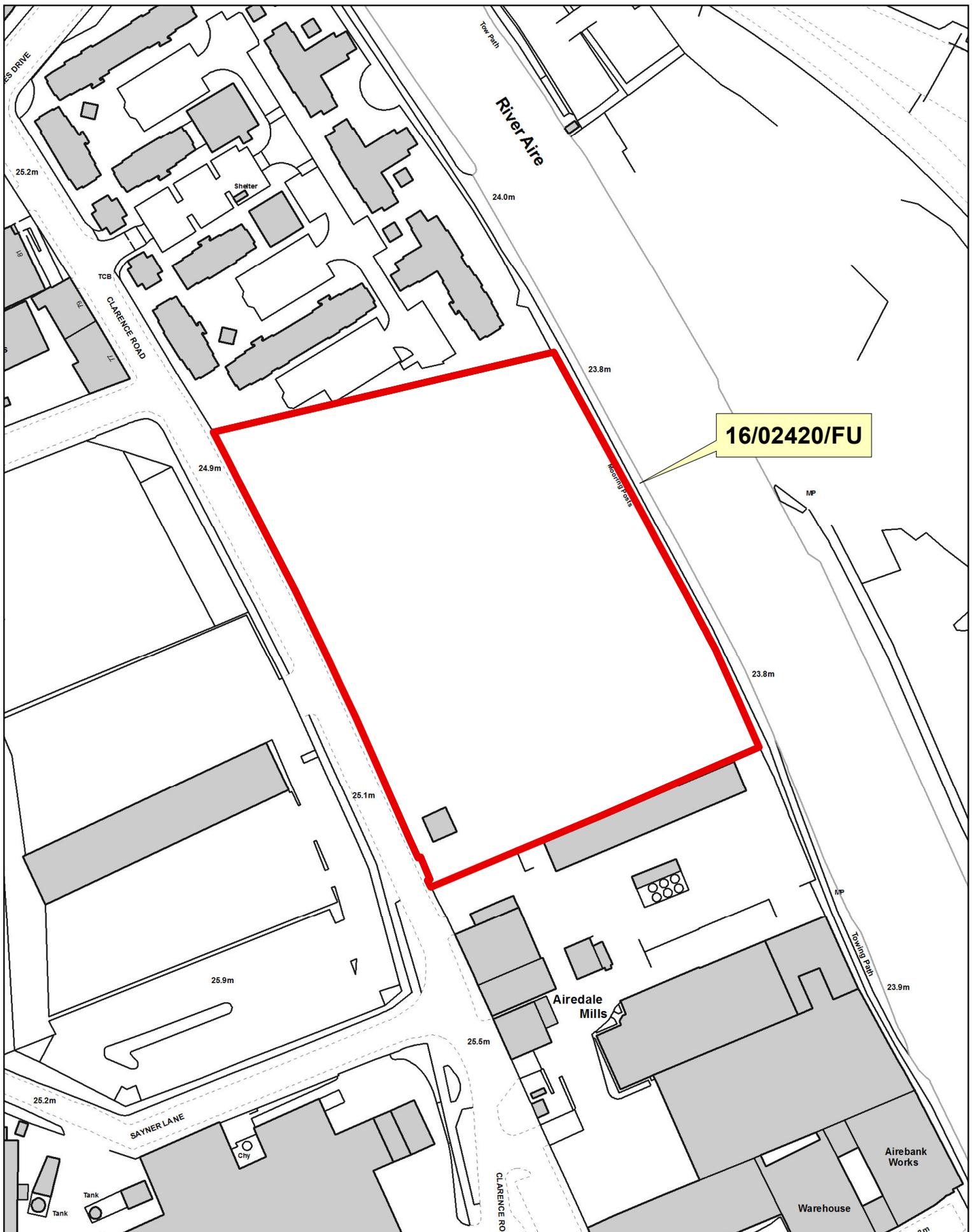
- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage;
- d) details and location of contractor and sub-contractor parking
- e) a local resident 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 UDP Review (2006) policy GP5 and the National Planning Policy Framework.

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

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



CITY PLANS PANEL

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

SCALE : 1/1500



Notes

1. All level differences greater than 600mm to be edged by 1100mm high railing
2. Do not scale from this drawing
3. Contractors must check all dimensions on site
4. All plants to be set out on site by Landscape Architect
5. Any discrepancies must be reported to the Landscape Architect before proceeding
6. See Landscape Design Strategy for materials and plant specifications
7. This drawing is copyright © Rootstock 2016

Key

-  Proposed street tree, ultimate size 12-16m tall, with rounded habit
-  Proposed boundary tree, ultimate size 10-12m tall, with columnar habit
-  Proposed specimen tree, ultimate size 10-12m tall, with rounded habit
-  Proposed orchard tree, ultimate size 6-8m tall, with rounded habit
-  Layered shrub and herbaceous planting, 600-1500mm tall
-  Layered herbaceous planting: 600-1200mm tall
-  Mixed groundcover planting: 400-600mm tall
-  Mixed swale planting: 600- 1200mm tall
-  Proposed lawn, from sustainable turf
-  Permeable paving for shared private areas: 3 sizes of 240x80mm flags. Type: Lismore by Hardscape, colour: Natural, laid in herringbone bond.
-  Permeable paving for shared private areas: 3 sizes of 240x80mm flags. Type: Lismore by Hardscape, colour: Natural, laid in Half bond bond.
-  Permeable paving: 200x100x80 blocks. Type: Clima-pave Slane blocks by Hardscape, colour: Charcoal.
-  Permeable paving for public areas: 3 sizes of 260x80mm flags. Type: Killeen Flags by Hardscape, colour: Silver Granite, laid in herringbone bond. Delineation to identify safe zone for pedestrians
-  Bespoke hardwood timber seating
-  Raised edge for planter
-  Gabion retaining baskets
-  Cantilevered timber deck
-  SUDS rainwater pool
-  1.1m high stainless steel railing
-  Bike rail in steps
-  Climbing plants

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| Dwg | Status | Date |
|-----|----------------|----------|
| 01 | Planning | 15.04.16 |
| 01A | Layout amended | 27.06.16 |
| 01B | Layout amended | 09.08.16 |
| 01C | Layout amended | 19.08.16 |
| 01D | Layout amended | 09.09.16 |

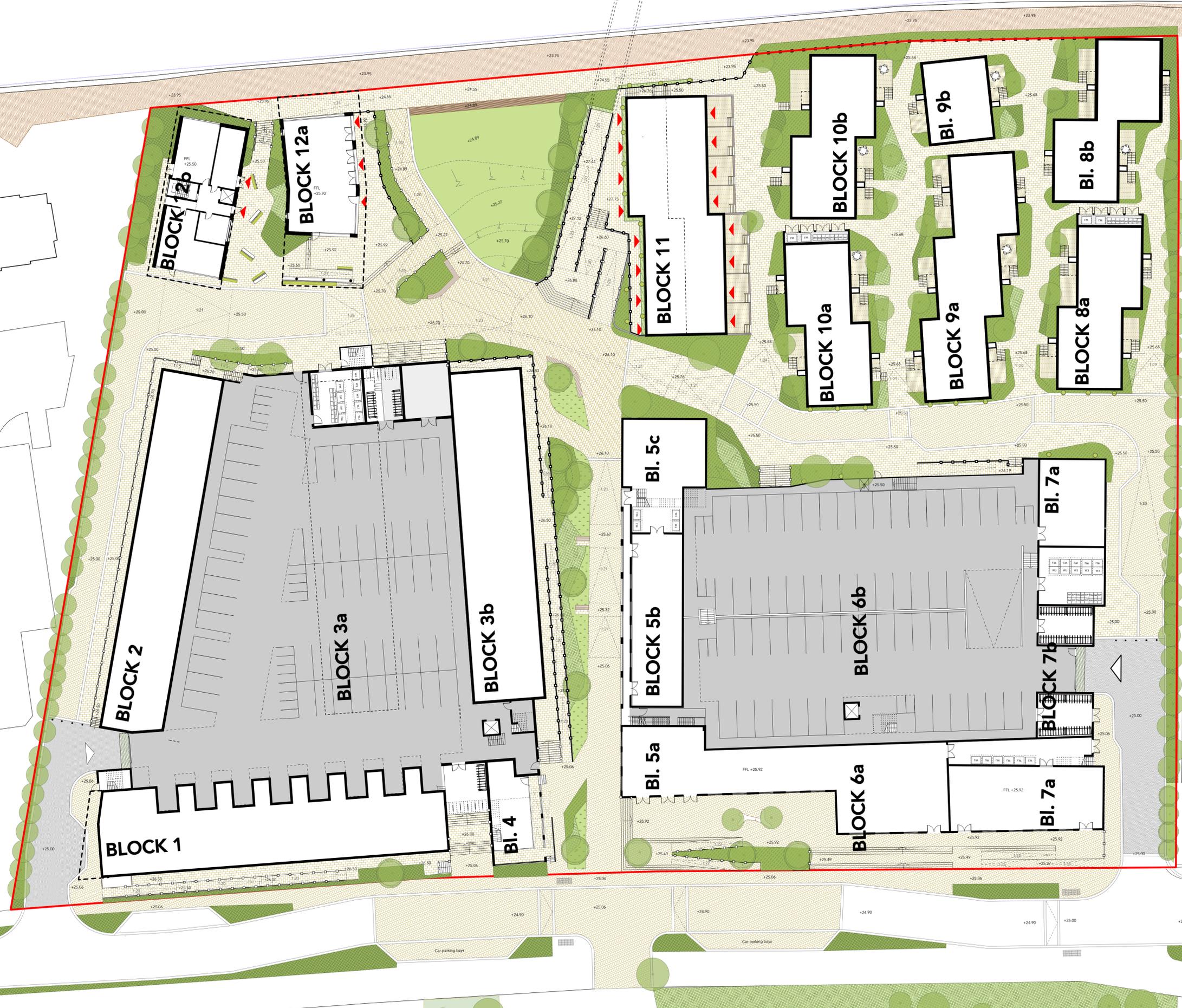
Stage of Work **RIBA 2** Project Number **048**

Date **08.02.16** Drawing number **048-01D**

Drawn **HW** Scale **1:250 @ A1**

Client **Citu** Project **Left Bank**

Drawing Title
**Lower Ground Level,
General Arrangement**



- Notes**
1. All level differences greater than 600mm to be edged by 1100mm high railing
 2. Do not scale from this drawing
 3. Contractors must check all dimensions on site
 4. All plants to be set out on site by Landscape Architect
 5. Any discrepancies must be reported to the Landscape Architect before proceeding
 6. This drawing is copyright © Rootstock 2016

- Key**
- Proposed street tree, ultimate size 12-16m tall, with rounded habit
 - Proposed boundary tree, ultimate size 10-12m tall, with columnar habit
 - Proposed specimen tree, ultimate size 10-12m tall, with rounded habit
 - Proposed orchard tree, ultimate size 6-8m tall, with rounded habit
 - Layered shrub and herbaceous planting, 600-1500mm tall
 - Layered herbaceous planting: 600-1200mm tall
 - Mixed groundcover planting: 400-600mm tall
 - Mixed swale planting: 600- 1200mm tall
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 - Bespoke hardwood timber seating
 - Raised edge for planter
 - Gabion retaining baskets
 - Cantilevered timber deck
 - SUDS rainwater pool
 - 1.1m high stainless steel railing
 - Bike rail in steps
 - Climbing plants

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| Dwg | Status | Date |
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| 02 | Planning | 15.04.16 |
| 02A | Layout amended | 27.06.16 |
| 02B | Layout amended | 09.08.16 |
| 02C | Layout amended | 19.08.16 |
| 02D | Layout amended | 09.09.16 |

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|--|-------------------|
| Stage of Work | Project Number |
| RIBA 2 | 048 |
| Date | Drawing number |
| 08.02.16 | 048-02D |
| Drawn | Scale |
| HW | 1:250 @ A1 |
| Client | Project |
| Citu | Left Bank |
| Drawing Title | |
| Upper Ground Level, General Arrangement | |

