



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 18th May 2017

Subject: 16/07714/FU – Hybrid planning application for the restoration and reuse of Monk Bridge viaduct for A1, A2, A3, A4, A5 and D1 uses (up to 4380 sqm); erection of three blocks of 307 apartments (storey heights between 11-13), creation of open space, landscaping and car parking; outline application for two blocks of residential developments 13-21 storeys.

16/07734/LI - Listed Building Application for the repair and refurbishment of viaduct for A1, A2, A3, A4, A5 and D1 uses and connections to associated residential buildings, open space, landscaping and parking areas

At Doncaster Monk Bridge Whitehall Road, Lower Wortley Leeds LS12 1BE

APPLICANT

ART PRS Leeds GP Ltd

DATE VALID

9th Dec 2016

TARGET DATE

30th June 2017

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

16/07714/FU

In respect of the Full application DEFER and DELEGATE to the Chief Planning Officer for approval of the full details and the future reserved matters application subject to the specified conditions set out below and any others which he might consider appropriate, and also the completion of a Section 106 agreement to include the following obligations:

In respect of Affordable Housing:

- **To provide a 3 month window to discuss with the Local Planning Authority the cost of the viaduct works balanced against cost of the provision of the Social**

Rented element of the Affordable Housing provision.

- **If justified, to accept 5% on site affordable housing provision at intermediate rental levels only to be managed directly by the PRS provider as detailed in Para 9.33 of the report**
- **The provide the agreed Affordable Housing requirement for the whole development within the first phase**

In addition to the above, to provide:

- **£129,064 Sustainable Travel Fund;**
- **£20,000 car club trial;**
- **£5,035 Travel Plan Monitoring fee.**
- **Access to public open space areas**
- **Access to route through to Inner Ring Rd footbridge**
- **Employment and Training for Local People**

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

16/07734/LI

In respect of the Listed Building application - to approve this application subject to the conditions set out below

Full Application conditions 16/07714/FU

CONDITIONS:

1. **Standard time limit.**
2. **Matters reserved.**
3. **Vehicular and pedestrian access to be provided to Whitehall road prior to occupation and retained in perpetuity.**
4. **Development to be carried out in accordance with approved plans.**
5. **Control of phasing plan**
6. **Materials to be submitted and approved.**
7. **Sample Panel of materials to be agreed**
8. **1:20 section of junctions and window reveals to be submitted**
9. **Vehicle areas laid out prior to occupation.**
10. **Details of Cycle parking.**
11. **Construction and Environmental Management Plan (CEMP) to be submitted and approved**
12. **Provision for contractors during construction.**
13. **Analysis of drainage system**
14. **Details of drainage.**
15. **Finished floor levels to be no lower than 30.34 AOD**
16. **Full Landscaping (including tree, planting, surfacing and boundary treatments).**
17. **Landscape management plan.**
18. **Details of extraction ventilations systems.**
19. **Details of any physical excrescences for extraction from units within listed arches.**
20. **Details of bin storage areas and enclosures.**
21. **Deliveries hours to be agreed.**
22. **Hours of commercial uses to be agreed.**
23. **Sound insulation from any entertainment premises**

24. **Sound insulation of residential units**
25. **Odour and fumes from bio-mass boiler**
26. **Amended remediation statement in the event of unexpected contamination.**
27. **Verification reports following remediation.**
28. **Network Rail report regarding potential for any reflection toward the railway line.**
29. **Details of external lighting including support columns and fittings**
30. **No change of use from A2, A3, A4, A5 to A1 by permitted development**
31. **Control of amount of A1 floor space**
32. **Phase II site investigation required**
33. **Requirement for an amended remediation statement**
34. **Remediation works shall be carried out in accordance with the approved Remediation Statement**
35. **Archaeological and architectural recording to take place**
36. **Details of support structure and material to be used in the canopy over the public courtyard area**
37. **Reserved matters building D and E to be built in accordance with the parameter plans submitted to**
38. **Details of bird and bat roosting**

Listed Building Application Conditions 16/07734/LI

1. **Standard time limit.**
2. **Development to be carried out in accordance with approved plans.**
3. **Materials to be agreed including full details of the stone coursing and mortar mix.**
4. **Materials to be submitted and approved.**
5. **Sample Panel of materials to be agreed**
6. **1:20 section of junctions and window reveals to be submitted**
7. **Details of any physical excrescences for extraction from units within listed arches**
8. **Details of support structure and material to be used in the canopy over the public courtyard area**
9. **Details of external lighting including support columns and fittings**
10. **Archaeological and architectural recording to take place**

1.0 INTRODUCTION:

- 1.1 This is a joint report to cover both the hybrid planning permission and listed building consent application referenced above. Pre-application proposals were previously presented to Members of the City Panel on 27th October 2016, to gain Members views on the emerging plans.
- 1.2 The site benefits from extant permissions for a major residential development on the site with four towers up to 33 storeys in height providing a total of 720 apartments along with the repair and refurbishment of the viaduct and provision of commercial uses within the viaduct arches. Furthermore, the adjacent site to the south of the viaduct that formed part of the original outline approval also has extant permissions for additional office buildings.
- 1.3 The applicant has a signed contract with a contractor to commence works in August 2017 on the repair and restoration of the viaduct with the construction of the first three buildings that form part of the full application to take place shortly after. Therefore the applicant is fully committed to delivering this scheme.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site measures approximately 1.7 hectares and contains the Grade II listed former railway viaduct along the southern boundary with the land to the north being cleared.
- 2.2 The site is located to the southwest of the commercial core of the city centre but within the defined city centre boundary. The Leeds Liverpool Canal is to the east of the site with the railway line is to the west. There is a mix of residential, commercial and industrial activities in the surrounding area.
- 2.3 The viaduct was constructed in 1846 for the Leeds and Thirsk Railway Company. The viaduct has not been in use since the 1960s when the former Wellington train station closed and was subsequently demolished.
- 2.4 The access roads to the commercial plots south of the viaduct have also been constructed and connected to Whitehall Road, one of the main distributor roads serving Leeds City Centre.

3.0 PROPOSAL

- 3.1 The proposed development is for up to 607 no. apartments in five buildings. The three western buildings (A,B and C) will provide 307 no. apartments intended to be made available to the Private Rented Sector (PRS) with the other two buildings (D and E) providing up to 300 units for open market sale. The 307 PRS units are applied for in full along with the commercial elements mainly contained within the railway arches with outline permission being sought for the open market dwellings.
- 3.2 Buildings A, B and C would be between 12 and 14 storeys in height. The 307 dwellings sought via the full application are split as follows;
- 1 bed - 150 - 49%
 - 2 bed - 141 - 46%
 - 3 bed - 16 - 5%
- 3.3 Building D and E are proposed in outline with maximum heights and footprint to be agreed at this stage. Building E is closest to the canal and is proposed to range in height between 18 and 21 storeys, with Building D ranging in height between 12 and 14 storeys. The CGIs to be presented to Panel will also show the design of blocks D and E. Whereas the design of these buildings will be subject to a reserved matters submission following approval of the hybrid application, the applicant has progressed the design to allow for an immediate submission therefore the design presented to Members is at an advanced stage and would be as per the future reserved matters submission. This consists of gridded brick elevations with glazed infill panels containing balcony details. This is expressed at the corners with angular projections and at the upper floors with a vertically emphasised rib detail with runs over the top of the building to create an open 'crown' to the top floor. On that basis, Members are also requested to consider the design of buildings D and E and confirm whether they are happy for the reserved matters application to be considered under delegated powers. The mix of residential unit types is not yet known and will be the subject of a reserved matters application.

- 3.4 The buildings follow the gently curving path of the northern side of the viaduct. Buildings A, D and E align with the viaduct. However, B and C are set perpendicular to the curve. Each of the buildings is set 20m away from its neighbour.
- 3.5 Buildings A, B and C all stand on a deep base of dark and textured materials designed to harmonise with the mass and surface of the gritstone viaduct. At the lower levels the buildings are wrapped in a series of 'ribbed' columns made from dark grey ceramics, with in-fill dark grey metallic brickwork, glazing and vertical fins where required, which is designed to appear like the ironwork once produced on the site. The main facades are predominantly brickwork, with recessed windows in a carefully ordered arrangement.
- 3.6 The full-height windows and inset Juliet balconies are designed to add depth and layering to the elevations as well as amenity to the future occupiers. The upper floors of each building are set back significantly at the front and rear and a lightweight vertically-ribbed metal clad treatment to the flank elevations included to provide sufficient contrast to provide an appropriate 'top' to the composition. Buildings A-C have been shaped with angled balcony projections at their southern and western ends to reflect their setting and guide views towards their listed neighbours. The resultant balconies in these locations create amenity space and provide solar shading.
- 3.7 Where buildings sit adjacent to the viaduct, a 3 metre standoff zone has been maintained to create 'breathing space' around the listed structure. This also allows for the service corridor to the arch units to be discreetly located
- 3.8 The lower level of the PRS blocks A B and C are given over to a variety of functional uses. The clearance beneath Buildings B and C is over 8.0m falling to 4.6m and under Building A it is 2.2m clear (cars only) These heights allow for the following to be accommodated:
- Delivery and Drop-off of goods
 - Removal Vehicles (up to 4.2m clear)
 - 56 car parking spaces (including 2 no. car pool/car share spaces and 4 no. Disabled bays)
 - Refuse storage facilities
 - Small plant rooms associated with incoming services.
 - Fire Escape Stair
- 3.9 Given the restricted space within the site the provision of a cycle parking space for each resident is not possible. In this case the applicant is proposing a cycle hub which would provide residents of the development the opportunity to use one of 60 cycles free of charge. These could be booked in advance or at short notice via the management company. In addition to the cycle hub it is proposed to initially provide 60 long stay, secure cycle parking spaces for the residents which will be located in the cycle hub itself, with the intention of providing further spaces if it is seen that there is demand.
- 3.10 The accommodation in Blocks B and C one level above the parking is to be given over to PRS common spaces shared by all the residents of the PRS units containing touchdown work spaces, lounges, a cinema and café/bar. The facilities are aimed at providing amenity for all residents, as well as being home to the on-site concierge
- 3.11 Located in Arch no. 1 nearest to the railway and adjacent to the access road for servicing is an Energy Centre. This houses a "whole development" CHP unit with

plant space on a newly constructed mezzanine level; the centre will contain the following:

- Boiler plant
- CHP plant
- Mechanical control equipment
- Circulation pumps
- Switch gear and Transformer

- 3.12 The listed viaduct will be repaired and will be enhanced to provide a new elevated landscaped public park that will connect to the Wellington Place development to the east. There is a S106 legal agreement in place with the neighbouring land owner at Wellington Place, to either provide this connection or to provide a financial contribution of £500,000 to the Council in 2018. In addition to this, 2 no. further connections to ground will be provided as part of this current application.
- 3.13 The viaduct park is over 300m long, with a typical width of 16m, but this increases to 30m at the point where the curved spur branches off. It would link all the blocks, with bridge links from the existing viaduct to the entrances for each individual building, created by the removal of small sections of the original parapet walling. This would provide approximately 6,000 sqm of public open space within the site consisting of a majority of the top of the viaduct with a further 1,650 sqm of private communal space for the residents of the PRS apartments.
- 3.14 This park would give views across the city and over the canal and river, whilst providing the primary pedestrian access into the Residential PRS buildings. Along the length of the viaduct will be key viewpoints adjacent to the river and canal with connective pathways through trees and ground flora. At the western end of the viaduct will be a fitness area/ball court for the use of the PRS residents screened from the south by taller planting. At the widest point where the 2 viaducts meet is to be located a large hard surfaced area which can be used as an event space (the applicant is suggesting music, drama, food festivals and other social gatherings).
- 3.15 The top surface of the stone viaduct structure will be sealed with an impervious membrane to prevent water penetration through to the arches beneath. This allows the installation of a drainage board which can also act as storage of water for the planting, ensuring successful establishment and longevity. The result of this is to enable the stone within each arch to be left exposed to view within each of the units as they will not require to be dry-lined. The arches will be repaired and refurbished to provide new commercial space including retail units, cafes, bars and restaurants. The units are tall enough to allow mezzanine floors to be inserted if the individual occupier requires it.
- 3.16 The focal point of the public areas of the scheme would be the triangular area between the 2 viaduct limbs proposed to provide a triangular shaped covered space containing a physical connection between the viaduct level and the lower, general site level via a feature lift/staircase tower. At this point a further arch would be left open to provide a strong north/south pedestrian connection.
- 3.17 Within the outline part of the application, the site would give access to the canal side via a terraced landscape space. This would be linked to adjoining sites to both north and south and also vertically via a staircase.
- 3.18 The lighting strategy is developed on the basis that the development will provide a safe, secure space to pass through and spend time within. The lighting will aim to

unify the development with adjacent links and will highlight key features and compliment the building and viaduct structures. The key design features are:

- Lighting incorporated along the length of the viaduct, with the intention that the key gathering spaces are emphasized with feature lighting.
- Low level lighting along the key pedestrian east west axis, which are likely to take the form of bollards to link the spaces together to ensure a continuous safe route is available to users.
- The minimization of any light pollution at viaduct level.
- To complement the historic architecture of the viaduct and the proposed buildings, whilst providing continuity and consistency across the site.

3.19 A suite of ecological surveys have been undertaken to inform the application. These included; a phase 1 habitat survey, suite of bat surveys (summer roosting and hibernation) and reptile surveys. The Leeds-Liverpool Canal is designated as a SSSI (1.7km north of the site) and the site is within the Leeds Habitat Network. Habitats on site were considered to be of no more than local ecological value and do not comprise habitats of principal importance. One non-native species (giant hogweed) which is listed on Schedule 9 of the Wildlife and Countryside Act (as amended) 1981 has been identified

3.20 In respect of the connections Whitehall Rd, the applicant has submitted details of a Development Agreement with the adjoining site owner which would secure connectivity through the adjoining site to the south to Whitehall Rd and briefly covers the following:

1. The proposed access roads must be constructed to access the proposed development.
2. The applicant has a right of way over and along the two roads.
3. The applicant has the benefit of the obligations to construct the road on the adjoining land.

3.21 Car parking is to be provided beneath each of the buildings with the total number of spaces proposed across the whole scheme being 106, with 10% of these having Electric Vehicle Charge Points. Servicing will take place from a single loop road and 2 spurs off this, which would pass beneath the buildings. This would utilise 2 of the arches for access points, which is the same arrangement approved as part of the previous permission.

3.22 A pathway has been included within the development which links through to the foot-bridge over the inner ring road close to Armley Gyratory. This represents an entirely new at grade link from Whitehall Rd.

4.0 RELEVANT PLANNING HISTORY

4.1 The site has a complex planning history and the key applications are outlined below with a brief summary provided for each.

4.2 06/02880/OT: Outline application to layout access and erect multi-level mixed use development for residential and office uses up to 33 storeys high, with ancillary class A1, A2, A3, A4, A5, D1 and D2 uses and associated car parking and landscaped areas, approved 10th September 2007.

This is the main application that relates to the wider Doncaster Monkbridge site (i.e. that to the north and south of the viaduct and the viaduct itself). This outline consent granted permission for five office buildings to the south of the viaduct (up to

12 storeys), works to the viaduct to introduce commercial uses in the arches and a landscaped area on top plus four residential towers of 16, 23, 29 and 33 storeys providing a total of 720 apartments. The principle of development, means of access and siting of the buildings were agreed and a detailed design code set the design principles and scale of the buildings. Both the residential and commercial office elements of this remain extant. Car parking for the residential development was to be provided in a multi-storey car park located under the fourth residential building to the west ('Phase Brown', 33 storeys).

- 4.3 14/04913/LI: Listed Building application to carry out alterations, repairs and restoration to disused railway viaduct to form new public realm and links to adjoining proposed residential development, approved 24th October 2014. This permission renewed the historic listed building consents that allowed the repair and refurbishment works to the viaduct.
- 4.4 12/05448/LI & 12/05444/FU: Use of disused viaduct as an outdoor architecture/art/sculpture platform, approved 15th February 2013. The council and local residents have sought to achieve a temporary use of, and art installation on, the viaduct. This permission permitted the installations of art work on top of the viaduct.
- 4.5 11/03759/RM: 29 storey block of 194 flats and use of 2 railway arches for commercial purposes, approved 6th December 2011. Reserved matters approval was granted for Phase Orange, the third residential tower.
- 4.6 11/03758/LI: Listed Building Application to carry out alterations, repairs and restoration to disused railway viaduct to form new public realm and links to adjoining proposed residential development, approved 28th November 2011.
- 4.7 08/03199/RM: Laying out of pocket park with landscaping, approved 28th October 2008. As required by the outline consent, the pocket park between the canal and river was approved and subsequently laid out.
- 4.8 07/04583/RM: 16 storey block of 103 flats and 23 storey block of 166 flats, with associated landscaping, approved 25th June 2008. Reserved matters approval was granted for Phase Pink, the first two residential towers.
- 4.9 07/06133/LI: Listed Building Application to carry out alterations, repairs and restoration to disused railway viaduct to form new public realm and links to adjoining proposed residential development, approved 5th September 2008.
- 4.10 06/00463/LI: Listed Building Application for the removal of structures and associated works and equipment from railway viaduct arches. Removal of brickwork attached to the viaduct and opening up of all arches by removal of retaining walls, approved 13th June 2006

5.0 HISTORY OF NEGOTIATION AND ENGAGEMENT

- 5.1 Pre-application discussions regarding the current proposals commenced in July 2016. Design meetings were held involving both the developer's team and officers from Planning, Design and Highways.
- 5.2 The scheme proposals were presented to the City Plans Panel on the 27th October 2016. The Panel minutes concluded that:

- Members were of the view that the heights and footprint of the building generally achieved all of the objectives, as set out in the submitted report, including the relationship to the existing units at City Island
- Members were supportive of the approach to connect to the footbridge over the Inner Ring Road
- Members were supportive of the approach to housing mix, subject to clear justification for the number of family sized apartments being created
- Members required more information as to how residents would get to work/school, further information was required on the level of car parking provision

5.3 The applicant has also presented the scheme to Leeds Civic Trust and local residents on Wednesday 2nd November 2016. Invite letters were sent to those residents within close proximity to the site and 12 people attended in addition to members of the Civic trust. The local residents in attendance were generally from City Island. BAM, the owner/developer of the adjacent site also attended. The Statement of Community Involvement states that the scheme was well received by those in attendance

6.0 RELEVANT PLANNING POLICIES

6.1 The Development Plan

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

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

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

The policy guidance in Annex 1 to the National Planning Policy Framework (NPPF) is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight they may be given.

6.2 National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so. It identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes....and thriving local places. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area.
- Plans should take account of market signals, such as land prices and housing affordability
- Recognize that residential development can play an important role in ensuring the vitality of centres

- Seek high quality design and a good standard of amenity for existing and future occupants.
- Conserve and enhance the natural environment
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land)
- Promote mixed use developments and encourage multiple benefits from the use of land in urban areas.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are, or can be, made sustainable.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

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

The Government attaches great importance to the design of the built environment. Section 7 (paras 56-66) 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;
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

Paras 131- 134 set out the requirements in respect of determining listed building applications. Para 131 states that in determining planning applications, Local Planning Authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality
- the desirability of new development making a positive contribution to local character and distinctiveness

Para 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

6.3 National Planning Practice Guidance (NPPG)

This provides Central Government Guidance on a range of planning matters and provides the following advice:

The private rented sector

Some privately rented homes can come from purpose built schemes held in single ownership which are intended for long term rental. The economics of such schemes differ from build to sale and should be determined on a case by case basis. To help ensure these schemes remain viable while improving the diversity of housing to meet local needs, local planning authorities should consider the appropriate level of planning obligations, including for affordable housing, and when these payments are required. So these homes remain available to rent only, Local Planning Authorities may choose to explore using planning obligations to secure these schemes for a minimum period of time. Local Planning Authorities should enforce these planning obligations in the usual way.

6.4 The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

Section 16. In considering whether to grant listed building consent for any works the local planning authority.....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

Section 66. In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority.....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

.....the local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.

6.5 Leeds Core Strategy

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

Spatial Policy 1 prioritises the redevelopment of previously developed land within Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods.

Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space; enhancing streets and creating a network of open and green spaces to make the City Centre more attractive and improving connections between the City Centre and adjoining neighbourhoods.

Spatial Policy 7 sets out the spatial distribution of the district wide housing requirement between Housing Market Characteristic Areas. The site is in the City Centre with a requirement to provide 10,200 units (2012-28)

Spatial Policy 11 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 CC1 outlines the planned growth within the City Centre for 10,200 new dwellings, supporting services and open spaces. Part (b) encourages residential

development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.

H2 refers to new housing development. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure and the development should accord with accessibility standards.

H4 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location.

H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site.

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.

P11 Conservation - heritage assets will be conserved and enhanced including any nationally significant industrial heritage. Innovative and sustainable construction which integrates with and enhances the historic environment will be encouraged. Enabling development may be supported in the vicinity of historic assets where linked to the refurbishment or repair of heritage assets.

T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development.

G9 There will be an overall net gain for bio-diversity commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement. There is no significant adverse impact on the integrity and connectivity of the Leeds Habitat network.

Other relevant Core Strategy policies include:

Policy EN4 district heating

Policy EN5 Managing flood risk

Policy ID2 Planning obligations and developer contributions

Policy G1 Enhancing and extending green infrastructure

Policy G2 Creation of new tree cover

Policy G3 Standards for open space, sport and recreation

Policy G5 Open space provision in the City Centre

6.6 Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies

Relevant Saved Policies include:

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

BD5 - A satisfactory level of amenity for occupants and surroundings should be provided.

LD1 - Sets out criteria for landscape schemes.

The eastern part of the site is within the Waterfront Strategy Area as designated by the UDPR (2006). This strategy seeks to enhance the waterfront.

6.7 Leeds Natural Resources and Waste DPD 2013

The plan sets out where land is needed to enable the City to manage resources, e.g. 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.

6.8 Site Allocations Plan (SAP)

In May 2017 the Council submitted the Site Allocations Plan (SAP) for Examination. The Aire Valley Area Action Plan (delivering circa. 7,000 homes) has also been subject of Examination in Public in January 2017 and consultation on Main Modifications in May 2017. All documents form part of the Council's up to date Local Plan.

This site is identified in the Publication Draft of the Site Allocations Plan as part of a larger site that also includes the land to the south of the viaduct. This site is identified as being able to deliver 463 units & 50,380 sqm of offices in Phase 1 (MX1-11).

6.9 Relevant Supplementary Planning Guidance includes:

SPD Tall Buildings Design Guide – States that this site is within a 'string' of sites that would be suitable locations for tall buildings (evidenced by the City Island).

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Street Design Guide

City Centre Urban Design Strategy

Leeds Waterfront Strategy

6.10 Residential Amenity Standards – Nationally Described Space Standards:

The Council's aspirations for good standards of amenity and living conditions responds to guidance within the NPPF which states that a good standard of amenity for future occupants is one of the core planning principles. The Council's Executive Board (September 2014) agreed to bring forward the Leeds Standard for Council schemes which sets out the importance of excellent quality housing in supporting the economic growth ambitions of the Council. 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. This sets out that a 1 bedroom should be no smaller than 37 sqm in area and a 2 bedroom apartment should be a minimum of 63 sqm. The SPD is being progressed and can therefore only be given limited weight.

7.0 CONSULTATION RESPONSES

7.1 Full Application

7.1.1 Statutory:

Environment Agency: No objection subject to conditions controlling drainage

Yorkshire Water: No objection subject to conditions controlling surface water discharge

Canals and Rivers Trust: The elements of the proposal which will impact on the Trust's interests are those within the outline element of the application which front the canal apart from the viaduct arch which spans the canal. Their comments can be summarized as follows:

- They welcome the retention of the masonry bridge abutment adjacent the canal.
- Vertical circulation from the viaduct down to the canal side is welcomed
- the height of Building E could impose itself on the canal and impact negatively on the setting through over shadowing. This depends on the amount of set back and the way that the canal-side is treated – it is acknowledged that the canal-side terracing could create interesting spaces.
- Support bringing the viaduct back into use. Warn of the use of chemicals on this refurbishment spilling down into the canal
- The Trust has no specialist expertise to consider the contents of the wind assessment but request that the Local Planning Authority take into account any impacts on the canal corridor and its users, both on the water and the towpath, as well as on the surrounding land, as increases in wind speed and/or direction can have negative impacts on the usability of pedestrian areas and affect the ability to navigate and handle a boat.
- In respect of ecology, they would expect a condition requiring a Construction and Environmental Management Plan (CEMP)
- Any bat roost provision would be best incorporated into the bridge structure and/or bat boxes
- Advise that the bridge should be inspected regularly to ensure it does not create a problem for boaters.
- Fender provision around the base of the bridge is advised
- In the event of permission being granted the Trust request an informative requiring the applicant to contact them.

Network Rail: No objection but has requirements which must be met given the proximity of an electrified railway line:

- Needs security fencing along the western boundary particularly on the viaduct. Maintenance and cleaning would have to take place from the operational side. The fence needs to be trespass-proof
- Needs to ensure the sports box on the viaduct does not result in equipment ending up on the line (tennis/basket balls etc)
- Have concerns that glazing from the residential blocks could generate glint and glare issues from reflections of the sun at various times during the day. Therefore request that a monitoring condition be placed on any permission in order that any subsequent issues may be appropriately addressed by the developer.
- The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

- Lighting should be erected so as not to dazzle train drivers and the location and colour of any lighting scheme must be erected in order not to confuse drivers when they are approaching signals.

Advise that in particular the boundary fencing, glint and glare monitoring, drainage, method statements, soundproofing, lighting and landscaping should be the subject of conditions, for the reason of safety, operational needs and integrity of the railway. For the other matters mentioned above they request an informative be attached to the decision notice.

Historic England (HE):

HE consider that the application is supported by a thorough Heritage Statement which correctly identifies the different heritage values attached to the heritage assets affected and the impact that the development will have upon these values. The supporting information explains how paragraphs 131 - 134 of the National Planning Policy Framework (NPPF) (March 2012) have been addressed and they agree with this assessment.

They state that the proposed mixed use development will affect the setting of several listed buildings, including the Grade II* listed Round House and involve alterations to the Grade II listed Railway Viaduct. Historic England recognises the public benefits that would derive from the redevelopment of this vacant site in terms of housing, employment and public engagement with the historic structures.

They go on to state that the works proposed to the viaduct are relatively modest, considering its bold and robust character. The main physical changes will be the introduction to glazed screens into some of the arches to create the commercial units and minor works to the parapet. The viaduct will be repaired and will be enhanced to provide a new elevated landscaped public park that will connect to the Wellington Place development to the east. They consider that the creation of 6,040 sqm of public open space within the site, consisting of a majority of the top of the viaduct, will be a major public benefit of the scheme.

They consider that the works will reveal and celebrate the southern façade of the viaduct, now visible as a result of the clearance of the Monk Bridge Iron and Steel Works. Four of the sixteen arches will be left open to serve as pedestrian and vehicular access. The introduction of five new residential blocks will result in a major change to the setting of the listed structures. However, they consider that given the existing context, following the erosion of the ability to appreciate the relationship between these assets, the proposed development offers the opportunity to open up this underused area to public involvement and interaction with the listed viaduct and views across and into the Round House and Half Roundhouse site. The slight curve of Block D is a positive response to the northern spur of the viaduct due to the way it reflects and expresses its shape.

HE appreciate that this is shown for illustrative purposes only and that Blocks D and E will form part of Phase 2, however they urge that it will be important to retain this feature of the design in the next phase.

Therefore HE have no objection to the development in principle.

They then go on to draw attention to the following:

- The angled corner balcony feature they consider to be positive and could be a recurrent theme across the scheme

- Materials for the new building should be carefully controlled to be of high quality
- The glazing of the arches should be set deeper into the reveal (approximately 1m) to add emphasis to the original stone structure
- The signage zone for the new commercial units should be carefully controlled as well as the materials and design for any hanging signs, if it is deemed that these are necessary.
- The internal fit outs for the commercial units, including the proposal to introduce a mezzanine floor level, should be considered in more detail. The original fabric should be left exposed as much as possible to allow the character of the spaces to be appreciated.
- The locations for the ventilation and extraction for the new commercial units should be identified and carefully controlled to avoid harmful visual and physical impacts resulting from pipework.
- The detail of the Stainless Steel and glass balustrade to the viaduct should be controlled
- Any surviving historic metal-work on the viaduct should be retained and made a feature of rather than removed
- Support the requirement for archeological recording of the site

7.1.2 Non-Statutory:

Highways Services:

Access is proposed off two existing private accesses serving the site immediately to the south off Whitehall Road. For access to extend to adopted highway these private accesses need to be built to adoptable standard and adopted by the Council. Access geometry should accord to requirements in the Street Design Guide SPD, with 2m wide footways provided according to standard.

A Development Agreement between the applicant and the owner of the development adjacent to the site ensures that access can be provided for pedestrian, cyclists and vehicles. However, the access needs to be built to adoptable standard and offered up for adoption by the Council.

As such a S38 adoption agreement is required to ensure an adoptable access is provided with the development

At the time of writing this report matters which remain to be resolved;

- Provision of adoptable turning heads,
- Adequately dimensioned car parking spaces
- provision of EV charge points,
- level of long stay cycle parking provision (required to be in accordance with Parking SPD)
- Motorcycle parking;
- Need for a widened pathway link to the Armley Gyrotory bridge.

- Need for off-site highway works: the review/extension of TROs along Whitehall Rd and Graingers Way; the link to the Armley Gyrotory path network; contribution for pedestrian and cyclist improvements along Whitehall Road including improvement of the pedestrian crossing at Whitehall Road to a toucan crossing

Progress on these matters will be reported to Members verbally at Plans Panel

Environmental Protection: No objection subject to conditions controlling construction practice; opening hours; delivery and loading hours; lighting scheme; extract ventilation and air-conditioning plant; odour and fumes from food related uses; sound insulation of specified plant and machinery and entertainment premises; odour and fumes from the bio-mass boiler

Environmental Studies (Transportation): Consider that the matter of acoustic attenuation to protect future residents from noise emitted from both road and rail sources can be conditioned, along with the method of ventilating the units if the windows are to remain closed. There are no issues in respect of air quality and support the use of Electric Vehicle Charging Points

Flood Risk Management: No objection subject to conditions regarding drainage details.

Contaminated Land Team: No objection subject to conditions.

Sustainability - Nature Conservation: The works to the viaduct will allow commuting and foraging bat activity along the viaduct. Standard conditions recommended.

LCC Travelwise: Revisions required to the Travel Plan being undertaken at the time of writing this report, the measures and targets set out are acceptable. A review fee of £5,035, sustainable travel fund of £129,064 and car club trial membership and usage package of £20,000 should be secured in the S106.

Wind Peer Review by BRE: At the time of writing this report the revised wind Assessment Report was being peer reviewed by BRE, the wind consultant acting on behalf of the Council.

Public Rights of Way: Note that the canal Tow Path exists along the northern side of the site and would welcome any connections to it.

West Yorkshire Archaeology Advisory Service: No objection subject to a condition to ensure the carrying out of architectural and archeological recording prior to commencement of development.

7.2 Listed Building Application

7.2.1 Statutory:

Historic England – No objection in principle. See comments set out above

The Victorian Society - The proposed treatment of the listed viaduct is commended. Design and siting of the new buildings are carefully related to the alignment of the viaduct, the accompanying slope to the north and the listed former roundhouse (also by Grainger), are supported. Works to restore the viaduct should be linked to the construction of phase one of the scheme.

7.2.2 Non-Statutory
None requested or received

8.0 RESPONSES FROM PUBLIC

8.1 No responses have been received from members of the public in respect of either of these applications.

9.0 APPRAISAL

9.1 Principle of the Uses

9.2 The site benefits from an extant consent for residential development that is still implementable. Furthermore the site is proposed to be allocated for a major housing led mixed use development in the Leeds SAP.

9.3 This brownfield site is in a highly sustainable location and would result in the repair and refurbishment of the listed viaduct and the creation of a new significant public open space with connections into the MEPC/city and inner city communities to the west of the city centre.

9.4 The proposed commercial uses will ensure the long term use, management and maintenance of the listed viaduct and will complement the residential use proposed plus the commercial uses occupied and proposed to the south of the viaduct and at adjacent sites.

9.5 Members were fully supportive of the principle of development at the pre-application presentation. Therefore, it is considered that the range of uses proposed as part of this application are acceptable.

9.6 Retail use is included within the mixed use element of the proposal. Whilst it is not considered likely that the site will prove to be attractive for anything other than convenience retailing and cold food/sandwich/delicatessen outlets, it is considered reasonable to restrict the amount of A1 uses in total floor space to that which is set out in policy CC1 of the Core Strategy, which does not require a Sequential Test to be undertaken.

9.7 Heritage

9.8 The proposed development is based on a thorough understanding of the significance of the heritage assets, which are described in detail in the submitted Heritage Statement as required by NPPF paragraph 128. Historic England have stated that the application is supported by a thorough Heritage Statement which correctly identifies the different heritage values attached to the heritage assets affected and the impact that the development will have upon these values.

9.9 This scheme would assist in the refurbishment and re-purposing of this structure which is currently disused. The proposed alterations to create the commercial floorspace within the arches would allow the scale and character of the original sixteen arch viaduct to be fully appreciated, while the creative approach to designing a high level public space on the deck of the viaduct would allow public access to the structure for the first time so that the character of the structure, as well as the waterways beneath, can be appreciated.

- 9.10 In addition the circulation cores at nodal points along the viaduct will connect pedestrians to the ground and allow the public realm to flow into the wider city. The space created where the two elements of the viaduct come together will become the focal heart of the scheme, with active frontages on all sides and covered with a lightweight and transparent canopy structure to create an open but protected courtyard, useable at all times of the year. This is a totally unique feature and one which officers fully support.
- 9.11 The proposed development would secure a programme of repair and include the reinstatement of damaged features, such as the copings and balustrade to the parapet. Secondary features, such as the brick piers that supported the bridge link to the northern platform of Holbeck High Level Station would be removed. However, they are secondary to the special interest of the structure and their removal would not harm the special architectural and historic interest of the original viaduct. It is clear that the heritage assets on the site will be conserved and enhanced. The scheme includes innovative elements which integrate with and enhance the historic environment. The proposal enables the refurbishment and repair of heritage assets on the site which is in line with Core Strategy Policy P11
- 9.12 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings. The proposed development would cause considerable change within the setting of the viaduct as well as the Grade II listed Round House complex to the north. However, the subsequent clearance of adjoining industrial sites means that the setting of these heritage assets is in need of improvement. It is considered that the composition and design of the new buildings would consequently enhance the special architectural and historic interest of the Monk Bridge Viaduct and Roundhouse complex and would be in accordance with the objectives of NPPF paras 131-134 and are acceptable.
- 9.13 Design
As set out above, the historic structure of the viaduct is visually and physically the dominant element in this area. The proposals use the viaduct to set the building lines creating building footprints which would follow its radial curve. The massing is considered to be broken down successfully by the turning of Buildings B and C perpendicular to the viaduct. The gaps between the buildings are constant, which is the mechanism by which the run of buildings is visually tied together. The buildings are lowest adjacent the adjacent listed former Railway Round-house and 'step up' towards the city and City Island residential scheme, which provides logic to the direction of rise and is considered to be appropriate here.
- 9.14 Within the detailed element of the application, the creation of a deep base and the use of materials which relate to either the existing structures on site, or the past history of the site, are considered to be an appropriate architectural response. The full-height windows and inset Juliet balconies add to the quality and interest of the elevations. The upper floors of each building are set back significantly at the front and rear and the lightweight vertically-ribbed treatment to the flank elevations is considered to provide sufficient contrast to provide an appropriate 'top' to the composition.
- 9.15 As highlighted in the proposals section above, the design of buildings D and E is provided to allow for an immediate reserved matters submission following the approval of the hybrid application. Officers consider that this follows through and is complementary to the high quality approach of the full application. On that basis, Members are also requested to consider the design of buildings D and E and confirm

whether they are happy for the reserved matters application to be considered under delegated powers.

9.16 Overall the buildings and works to the listed viaduct are of high quality and will greatly enhance the character and appearance of this part of the city centre and are acceptable.

9.17 Landscaping

9.18 The landscape design for the scheme would provide attractive, safe and pleasant external spaces for residents' amenity and comfort and integrate the new built elements into their urban context through the use of high quality Public Realm. It is considered that both of these aims would be delivered through the creation of new spaces and the re-use of existing site infrastructure. Through the proposed interventions at deck level, as well as new connecting structures, it would be transformed into an accessible green route with key public spaces designed for quiet sitting, viewing surroundings, recreational activity and entertainment. This would be supported by an extensive lighting system which would provide a safe night-time environment as well as emphasising key gathering areas and highlighting certain key elements of both the historic and the new architecture.

9.19 The landscape design incorporates soft landscaping in the form of trees, planted shrubs and grassed areas as well as pathways and hard surfaces, which add linear elements reminiscent of the previous railway lines which used to run along the viaduct. The rhythm of the arches also informs the paving and planting arrangements through repeating patterns and elements throughout. Adjacent to the hard spaces sits a key habitat corridor which links the surrounding green infrastructure as well as the larger planting areas elsewhere on the site. Planting species will be controlled by condition with consideration given to local ecology, biodiversity value and the importance of native species. The landscaping is therefore considered to be acceptable.

9.20 Ecology

9.21 The Leeds-Liverpool Canal is designated as a Site of Special Scientific Interest (1.7km north of the site) and the site is within the Leeds Habitat Network. Potential effects on this designation are considered to be acceptable given the levels of planting and the creation of a continuous linear park from one end of the viaduct to the other. It is concluded that the scheme will not adversely affect the Leeds Habitat Network.

9.22 A series of surveys confirmed the presence of a small occasionally-used common pipistrelle roost beneath a single span. This will be retained within the scheme with a series of protection measures which will be incorporated to ensure no impacts to its viability. Surveys found no evidence of hibernating bats, although it was not possible to fully survey a number of features. In respect of summer roosting and hibernating bats, works will be undertaken following precautionary working methods. The loss of potential roosting and hibernation potential will be compensated for through the provision of replacement roosting opportunities contained within the bridge abutments and former workers shelter sites.

9.23 Amenity/Mix of Units/National Space Standards

9.24 Within the PRS element of this scheme there are to be provided communal facilities such as touch-down workspaces, a cafe and a cinema. There is also the private

outside space and fitness court. These facilities provide the residents with the ability to use space that is not included within each individual unit.

9.25 The units proposed range from 42 sqm one bedroom units; 64-68 sqm 2 bedroom units and 86 sqm 3 bedroom units. They would all be open-plan to maximize natural light, flexible use and ease of movement. There is the ability to carry out all the functions within each apartment that would be expected of a self-contained unit of accommodation. Generous glazing and access to either full or Juliet balconies will provide additional levels of amenity. Therefore, it is considered that the proposed units are of sufficient size to provide an acceptable standard of accommodation, with the added advantage of having access to the range of ancillary PRS functions within the building, and are supported by officers.

9.26 It is proposed to provide 307 dwellings under the full application and 280-300 under the outline application. The 307 dwellings sought via the full application are split as follows:

- 1 bed - 150 - 49%
- 2 bed - 141 - 46%
- 3 bed - 16 - 5%

The outline mix is not yet known and as necessary, this will be assessed at reserved matters stage.

9.27 The percentages of one and two bed apartments are all within the minimum and maximum ranges identified by Policy H4 of the adopted Core strategy. Whereas the number of three bed apartments is below the specified minimum quoted in policy H4, the scale of development still allows for a significant number of new family-sized units to be delivered in this city centre location. The provision of three bed dwellings in the city centre currently stands at 1% therefore this proposal greatly exceeds this. A 5% provision of three bed units is also consistent with all other city centre developments approved since the adoption of the Core Strategy. Based on the above the development is considered to be in accordance with the aims and objectives of Policy H4 and it is considered the proposed housing mix is acceptable.

9.28 Policies H4 and H8 also require that Independent Living be considered on larger residential development sites. In this case the units being provided as part of the first phase are all accessible by lift from the basement parking area and therefore may be accessed by wheel chair. Each unit could be constructed in a manner which would make it available for independent living. In the outline phase these units have not yet been submitted for approval in detail and again a number of these units could be designed to accommodate independent living. The objectives of policies H4 and H8 are considered to have been met in this case.

9.29 The outline part of the application, Block E is approximately 26m away from the nearest development at City Island to the north across the canal which itself occupies an elevated position on top of the canal side stone wall. There will be some impact in terms of loss of light at certain times of the day. However, the distance away and the orientation of the blocks means that this will only occur for limited time periods and there would not be expected to be any loss of amenity through overlooking. In this city centre environment where City Island itself is constructed with similar distances between its buildings, this proposal is considered to be consistent with the character of the area and is considered to be acceptable.

9.30 Affordable Housing

The developer has been in discussions with officers in respect of the affordable Housing provision to be made and has confirmed their commitment to providing this on site. This would be rented by them as this is a PRS scheme. However, they have stated that the costs of the works to refurbish the viaduct to a high standard are significantly in excess of the costs of the extant scheme by circa £1.5m. Therefore, they would like to off-set the additional cost of the works by not providing the social rent element of the Council's Affordable Housing policy (see para 9.33). Cost information in respect of this trade-off is being considered at the time of writing this report.

9.31 The National Guidance set out above makes a distinction for PRS provision which states that:

'The economics of such schemes differ from build to sale and should be determined on a case by case basis. To help ensure these schemes remain viable while improving the diversity of housing to meet local needs, local planning authorities should consider the appropriate level of planning obligations, including for affordable housing, and when these payments are required'.

9.32 Members will be aware that different approaches to the provision of affordable housing have been taken on other PRS sites and this demonstrates that the Council is adopting an approach in line with National Guidance. It is accepted that PRS housing has specific characteristics, brought about through its funding model, which makes it unsuitable for the delivery of on-site Affordable Housing provision through an Registered Provider (RP). In some PRS schemes it has been possible to secure on site provision of affordable units to be managed directly by the PRS provider with compliance to a Local Lettings Policy, although none of these schemes have yet been built on site. It is this model which is being proposed here.

9.33 The applicant is committed to carrying out this development. As stated previously the applicant has a signed contract with a contractor to commence works in August 2017 on the repair and restoration of the viaduct with the construction of the first three buildings that form part of the full application to take place shortly after.

There are clearly wider benefits to the city through the use of the listed viaduct. The applicant is not seeking to step around the provision of affordable housing but, because of the cost of the viaduct works, is seeking to balance these costs against the planning policy requirement to provide a social rent element of affordable housing within the scheme. It is proposed to provide all the affordable units at the intermediate rent levels only (which are normally capped at 80% of the market rent levels). Given the lack of ability to involve an RP, the PRS provider will manage these units in accordance with the requirements set out below in the S106.

- 5% of the total numbers of units are to be provided on site
- The rents charged shall be at intermediate rent levels (80% of market rent)
- The units are to be provided in perpetuity
- There shall be a Local Lettings Policy (LLP)

The units would be provided in a pro-rata mix of one and two bed units.

9.34 It is proposed to provide both the PRS Affordable Housing provision and the open market Affordable Housing provision from the outline part of the scheme within the first phase (Buildings A, B and C). As the contract is in place to start work on Buildings A, B and C in August 2017, the Affordable Housing units would be

delivered early in the process. The total provision would be approximately 30 affordable units (subject to the exact number provided in the reserved matters phase). This will be controlled through the S106 agreement.

- 9.35 Subject to verifying the costs for the trade-off between the viaduct works and the provision of social rented units officers are of the view that the considerable public benefits of providing a unique, high quality, piece of public realm would justify relaxation of the affordable housing policy. In addition, this proposal has the benefit of achieving all of the affordable units in the first phase of development as well as their on-site provision.
- 9.36 Car parking provision and accessibility
- 9.37 Highway Services have accepted the level of car parking on the site which is 106 no. car parking spaces to service the residential elements of the scheme subject to the provision of TRO funding to prevent off-site parking. This equates to 17.4% of the units which would have a car parking space. The site also includes provision for electric vehicle charging points at 10% of the car parking spaces and 2 Car Share spaces. No parking for the commercial uses is provided which may limit the attractiveness of these uses to passing trade.
- 9.38 However, it is considered that future occupiers of this site are likely to choose this development because of its close proximity to the city centre and the general facilities within easy access without requiring access to a car. The site is located in a very sustainable location with very good access to public transport on Whitehall Road and Leeds City Train Station. The facilities of the City Centre are also within a comfortable walking distance and there are also shops, restaurants, bars, gyms etc. along Whitehall Road and as part of the Wellington Place site and environs with further facilities proposed within the site utilising the former railway viaduct arches. In addition, Highways Services are seeking funding to extend Traffic Regulation Orders to further restrict on-street parking in this area. It is not considered that the site would lead to on-street parking issues subject to ensuring there are no opportunities for residents to park on-street and create parking issues through any necessary extension to the TROs in the vicinity of the site.
- 9.39 Cycle parking has been provided through a cycle hub located within the scheme, managed by the site management committee providing residents with access to a pool of maintained cycles of assorted types and sizes. There would also be an area for the parking of residents own cycles as well as short stay provision for those visiting the area. The Trans-Pennine cycle route passes close to the site along the canal tow path and cycle routes are proposed to be installed along Whitehall Rd. In this situation, subject to agreeing the level of cycle provision, it is considered that, along with the other measures contained within the Travel Plan, the proposal is an acceptable response to the issue of reducing reliance on the private motor vehicle.
- 9.40 There is a development agreement between the developer of this site and developer of the adjacent site to the south of the viaduct through which the vehicle and pedestrian links would pass to the adopted highway. The development agreement requires the provision of two highway access roads and associated footpaths between Whitehall Road and the application site. The roads have already been completed (although Highways Services state that these may not be to an adoptable standard) and the footpaths are close to completion. The development agreement requires these pieces of infrastructure to be retained and for access to be granted in perpetuity.

- 9.41 The Planning Practice Guidance confirms that a condition that requires access over Third Party land is acceptable provided there is a reasonable prospect of that access being achieved. On the basis of there being a Development Agreement between landowners a condition will be added to the application that requires details of the access to be fully agreed with the Council before development commences and for the access to be fully provided to the Council before the development commences and for the access to be provided prior to first occupation of the development and in perpetuity.
- 9.42 In summary, the following matters are still to be resolved and Members will be updated on the position reached verbally at Panel:
- Provision of adoptable turning heads,
 - Adequately dimensioned car parking spaces
 - provision of EV charge points,
 - level of long stay cycle parking provision (required to be in accordance with Parking SPD)
 - Motorcycle parking;
 - Need for a widened pathway link to the Armley Gyratory bridge.
 - Need for off-site highway works: the review/extension of TROs along Whitehall Rd and Graingers Way; the link to the Armley Gyratory path network; contribution for pedestrian and cyclist improvements along Whitehall Road including improvement of the pedestrian crossing at Whitehall Road to a toucan crossing

Progress on these matters will be reported to Members at Panel

9.43 Flood Risk

9.44 The Environment Agency (EA) Flood Map indicates that approximately 55% of the site is in Flood Zone 1, 40% in Flood Zone 2 and less than 5% in Flood Zone 3. The Flood Risk Assessment (FRA) for the site concludes that the risk of flooding to the development is assessed to be low. Notwithstanding this, measures have been proposed to mitigate flood risk from all identified sources. The EA in its response to the planning application has no objection to the proposed development subject to a condition that finished floor levels shall be set no lower than 30.46m AOD which aligns with the submitted FRA.

9.45 The applicant has also undertaken, in consultation with Leeds City Council, a Sequential Assessment to address the Sequential Test requirements under national planning policy. This uses the Inner City HMCA as its defined area of search for alternative sites which may be less vulnerable to flooding. Of the 8 sites identified within the test 3 were not less vulnerable to flooding and the others were either: too small; works had already started on site; were unavailable; were in an area where the scale of development suitable in the area would not permit the number of units proposed by the scheme. As such the Sequential Test is considered to have been passed.

9.46 Wind

9.47 The application for the new Monk Bridge development at Whitehall Road, Leeds, has been supported by a full wind study. The purpose of the study is to consider the impact of the proposed development upon local wind patterns within and around the site, to determine if wind comfort and safety conditions are suitable to carry out the

planned pedestrian activities at the proposed development site and surroundings. Four scenarios were modelled in the CFD (Computational Fluid Dynamics) simulations:

- Existing site with existing surroundings;
- Proposed development with existing surroundings;
- Proposed development with existing surroundings and mitigation (i.e. trees and bushes); and
- Proposed development with future surroundings and mitigation (i.e. trees and bushes).

9.48 The report was independently reviewed for the Council by BRE, comments have been addressed by the applicant and the report has been resubmitted for comment.

The executive summary of the report states that:

- The introduction of the Proposed Development within the context of the existing surrounding buildings shows that the development improves conditions at the north of the site but increases wind acceleration in other areas within and around the development.
- Mitigation is required to avoid wind funnelling through the opening in Building B. The effects of a 4-metre-long screen to the north and south edge of the concourse and overhead only were simulated. The screens were modelled at 50% porosity. The addition of these wind screens improved conditions, such that the area under Block B became suitable for pedestrian walking through.
- The addition of landscaping improved conditions over the Viaduct. The area will be suitable for sitting during the summer and sitting/ people walking through during the winter.
- The areas under the canopy will be suitable for sitting in summer and winter.
- The doors for the commercial units show acceptable comfort criteria after the addition of mitigation on the south facade. The entrance services doors located to the south of Blocks D and W comfort conditions will have to be reviewed at the time the planning application for Phase 2 is put forward.
- The Proposed Development with future phases was studied; comments are included within the report
- Wind velocities are below Beaufort 7, therefore, there are no safety concerns.

The Council's wind consultant's comments on the revised report and adequacy of the proposed mitigation measures is awaited and Members will be updated verbally at plans Panel.

9.49 S106 provisions and CIL

9.50 The scheme will deliver the following:

In respect of Affordable Housing:

- To provide a 3 month window to discuss with the Local Planning Authority the cost of the viaduct works balanced against cost of the provision of the Social Rented element of the Affordable Housing provision
- If justified, to accept 5% on site affordable housing provision at intermediate rental levels only to be managed directly by the PRS provider as detailed in Para X of the report
- To provide the Affordable Housing requirement for the whole development within the first phase

In addition, to provide:

- £129,064 Sustainable Travel Fund;
- £20,000 car club trial;
- £5,035 Travel Plan Monitoring fee.
- Access to public open space areas
- Access to route through to Inner Ring Rd footbridge
- Employment and Training for Local People

9.51 The development would generate a CIL payment in the region of £115,000 for the development sought in full with a further payment once the floor area of the two buildings sought under the outline application have been determined via a reserved matters application.

9.52 Conclusion

9.53 This scheme is a significant regeneration opportunity that will contribute positively to the regeneration of this part of the City and provide striking, landmark buildings to the Whitehall Road corridor and the western part of the city centre. The development will bring significant new investment and job opportunities and also enhance connections to the nearby inner city communities and provide a major new piece of public realm whilst refurbishing the Grade II listed viaduct, in accordance with Section 66 of the Planning (Listed Buildings and Conservations Areas) Act 1990. The proposal will provide quality new residential accommodation on a brownfield site, contributing towards housing delivery. The proposal also offers a substantial CIL contribution and will deliver a significant amount of affordable housing.

9.54 As stated previously the applicant has a signed contract with a contractor to commence works in August 2017 on the repair and restoration of the viaduct with the construction of the first three buildings that form part of the full application to take place shortly after. Therefore the applicant is fully committed to delivering this scheme

9.55 The Planning and Listed Building Consent applications are therefore recommended for approval in accordance with the Development Plan namely Leeds Core Strategy Policies principally Spatial Policies 1, 3, 7 & 11, CC1, H2, H4, H5, P10, P11, T1, T2, EN1, EN2 & G9 and Leeds Saved UDPR policies BD2, BD5, LD1. The proposal is recommended for approval subject to conditions set out in this report

BACKGROUND PAPERS:

Pre-application file: PREAPP/16/00421

06/02880/OT: Outline application

14/04913/LI: Listed Building application to viaduct

12/05448/LI & 12/05444/FU: Use of disused viaduct as an outdoor architecture/art/sculpture

11/03759/RM: 29 storey block of 194 flats and 2 commercial units to arches

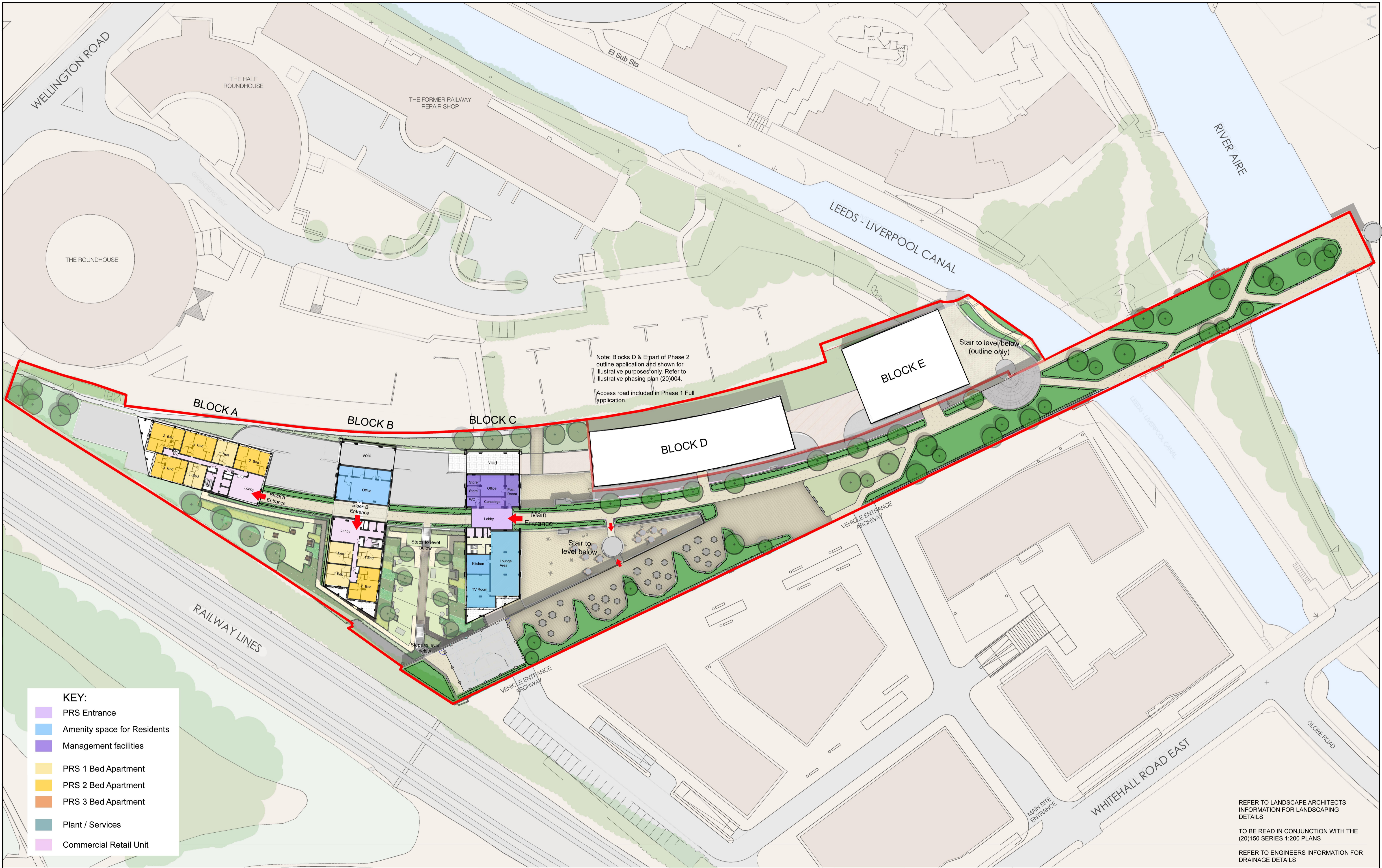
11/03758/LI: Listed Building Application to carry out alterations to viaduct

08/03199/RM: Laying out of pocket park with landscaping,

07/04583/RM: 16 storey block of 103 flats and 23 storey block of 166 flats

07/06133/LI: Listed Building Application to carry out alterations, to viaduct

06/00463/LI: Listed Building Application for the removal of structures and associated works and equipment from railway viaduct arches.



Note: Blocks D & E part of Phase 2 outline application and shown for illustrative purposes only. Refer to illustrative phasing plan (20)004.
 Access road included in Phase 1 Full application.

- KEY:**
- PRS Entrance
 - Amenity space for Residents
 - Management facilities
 - PRS 1 Bed Apartment
 - PRS 2 Bed Apartment
 - PRS 3 Bed Apartment
 - Plant / Services
 - Commercial Retail Unit



Contractor must verify all dimensions on site before commencing any work or shop drawings. If this drawing exceeds the quantities taken in any way the Architects are to be informed before the work is initiated. Only figured dimensions to be taken from this drawing. Do not scale off this drawing. Drawings based on Ordnance Survey and / or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals. Authorised reproduction from Ordnance Survey Map with permission of the Controller of Her Majesty's Stationary Office. Crown Copyright reserved. CJCT Copyright.

Project:	Monk Bridge, Leeds	Job No:	16001
Title:	Proposed Level 1 Floor Plan		
Scale:	1 : 500 @ A1	Drawn By:	MK
Date:	30/11/2016	Checked By:	SPC
Drawing No:	(20)-101	Revision:	P1

REFER TO LANDSCAPE ARCHITECTS INFORMATION FOR LANDSCAPING DETAILS

TO BE READ IN CONJUNCTION WITH THE (20)150 SERIES 1:200 PLANS

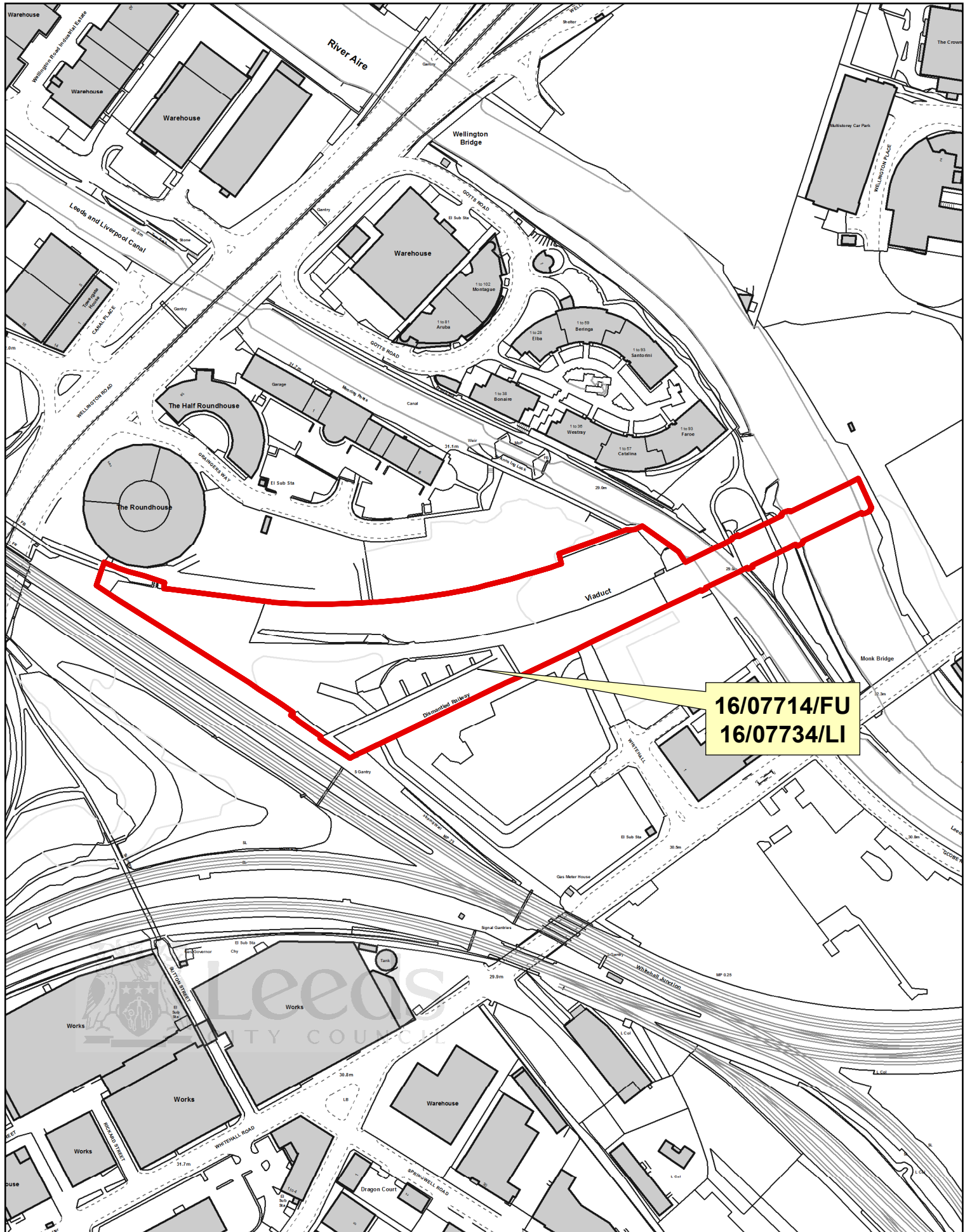
REFER TO ENGINEERS INFORMATION FOR DRAINAGE DETAILS



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PLANNING



16/07714/FU
16/07734/LI

CITY PLANS PANEL

