

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 15th April 2010

Subject: APPLICATION 10/00779/EXT. Extension of time of planning application 06/02738/FU for 3 and 4 storey block of 3, 5 and 6 bed apartments (47 beds in 11 clusters) with 14 car parking spaces
Address: 45 St Michaels Lane, Headingley

APPLICANT
10/00779/EXT

DATE VALID
19.02.2010

TARGET DATE
21.05.2010

Electoral Wards Affected

Headingley

☐ Y

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION

DEFER AND DELEGATE the approval to the Chief Planning Officer subject to the conditions specified (and any others which he might consider appropriate) and completion of a legal agreement within 3 months from the date of resolution unless agreed otherwise in writing by the Chief Planning Officer to cover a financial contribution of £26,555.86 for Public Open Space provision off-site.

1. Development to commence within 3 years.
2. Samples of walling and roofing material to be approved prior to commencement of development
3. Samples of all surfacing materials to be approved prior to the commencement of development
4. Landscape scheme to be submitted and approved prior to the commencement of development
5. Car parking areas to be laid out and drained surfaced and sealed prior to first use.
6. Cycle and bin stores details to be provided and approved before first occupation.
7. Implementation of hard and soft landscaping scheme
8. Replacement tree provision
9. Landscape maintenance provisions to be approved before first occupation

10. Phase 1 site investigation report to be submitted and approved prior to the commencement of development
11. Phase 2 site investigation report to be submitted if phase 1 (condition above) demonstrates contamination on site.

In recommending the granting of planning permission for this development it is considered all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Leeds Unitary Development Plan 2006 Review (UDP).

UDP Policies H15, GP5, BD5, N2, N4, N12, N13, LD1, T2.

Neighbourhoods For Living SPG

On balance, it is considered the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel at the request of Councillor Monaghan and due to the scale and amount of development on the site and due to the planning history of the site. The paragraphs below provide Members with information on how to assess Extension of Time Planning Applications.
- 1.2 It is only possible to apply to replace a planning permission in order to extend the time limit for implementation if the permission is extant at the time of this application, was extant on 1 October 2009, and if the development has not already commenced. This scheme meets the eligibility criteria.
- 1.3 Planning permissions are granted subject to time limits for implementation, which are set out in a planning condition. This condition will specify that the development must be begun before a certain date. Under s. 91 of the Town and Country Planning Act 1990, there is a default time limit of three years for a full planning permission.
- 1.4 In current circumstances, LPAs are advised to take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date. While these applications should, of course, be determined in accordance with s.38(6) of the Planning and Compulsory Purchase Act 2004, LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission.
- 1.5 LPAs do not have to grant planning permission for an extension of time. This process is not a rubber stamp. LPAs may refuse applications to extend the time limit for permissions where changes in the development plan or other relevant material considerations indicate the proposal should no longer be treated favourably.

2.0 PROPOSAL:

- 2.1 This application relates to an Extension of the time limit for the implementation of application 06/02738/FU which was allowed on appeal in 2007. The scheme was for a student development comprising 47bedspace in a part 3 and 4 storey block of 3,5 and 6 bedroom apartments (47 bed= 11 cluster flats) The site is a small narrow piece of land adjacent to the cricket school. The previous application was broadly similar in its built form to that approved by Panel in 2005 the main difference between the scheme approved in 2005 and that allowed on appeal and the subject of this application is that the central section of the previously approved application was two storey and the current proposal is a three and four storey development. The scheme is also more intensively occupied comprising of 11 cluster flats for students/non students with a total of 47 bedroom spaces. This will be served by 14 parking spaces. The previous application proposed to utilise the internal space to create 14 two bedroom and 1 one bedroom flats (27 beds) served by 10 parking spaces. The scheme approved in 2005 had a condition attached restricting occupancy to exclude students. The Inspector however, did not support the retention of this condition when he allowed the appeal for the 2006 application which was granted approval on appeal in 2007.
- 2.2 This application has not be altered in design, layout, use or appearance from the scheme allowed on appeal. This application therefore seeks to extend the time limit for implementation of development by an additional 3 years. No other alterations are proposed.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located on the eastern side of St Michaels's Lane opposite the recently completed new stand to the Rugby Ground and the hotel facility which is part of a recent re-development of the Cricket Ground. The site has a narrow frontage onto both St Michael's Lane and Back Broomfield Crescent. The site is generally flat with no visually obvious slope and is bounded by semi-detached houses to the South and the Cricket School to the North. The location is in close proximity to Headingley Town centre which is well served by a regular bus service running to and from the city centre. The area is dominated by the two sports grounds and following recent redevelopment they present a contemporary alternative to the more traditional close-knit surrounding residential area. The site is vacant and has recently been cleared.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 06/02738/FU: Part three and four storey block of 11 student and non student cluster flats with 47 bedrooms and 14 parking spaces. (Allowed on appeal 2007)
26/578/04/FU, 45 St Michaels Lane, Part two storey part four storey block of 14 two bedroom and 1 one bedroom flats with 10 covered parking spaces (approved).
26/393/03/OT & 26/261/05/RM, 10 Broomfield Crescent located to the South of this site, Outline application to erect four storey block of 16 flats (approved).
26/405/03/FU, 10 Broomfield Crescent, Change of use involving three storey extension and new third floor of care home to 8 two bedroom flats (approved).
26/201/00/FU, YCCC Cricket School, Two storey front extension (approved).
26/119/03/FU, 47 St Michael's Lane, Two storey side and single storey rear extension (refused).
26/01/04/FU, 47 St Michael's Lane, Single storey side and single storey rear extension (refused).

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 There have been no negotiations since this application was allowed on appeal.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by means of site notice and Press advert. There have been 62 letters of representation received. There are 61 objections from local residents and local amenity groups, including the Leeds HMO lobby. A generic letter has been used which residents have signed to object to the planning application.
- 6.2 The following comments have been made:
Concerns over design and appearance
Impact on the mix and balance of the communities
Over supply of student accommodation
Noise disturbance, anti social behavior
Litter and pollution
Car parking and highway safety
Impact on Back Broomfield Street and St Michael's Lane
Only allowed on appeal, rejected by local community
- 6.23 Councillor Monaghan stated that ' He supports the views of the Leeds HMO lobby on this application and that due to this application being allowed on appeal that it should be brought back before Members for discussion, particularly in the light of the Glassworks appeal decision.

7.0 CONSULTATIONS RESPONSES:

Statutory: None

Non-statutory:

Highways: No objections to the proposal as the scheme is unchanged from that allowed on appeal.

Mains Drainage: No objection, subject to conditions attached remaining unchanged.

8.0 PLANNING POLICIES:

Development Plan

The land is unallocated in the Unitary Development Plan. There are a number of relevant policies as follows:

Policy GP5: Development should resolve detailed planning considerations.

Policy T2: Development to be capable of being served by highway network.

Policy T24: Parking provision.

Policy BD5: new buildings design consideration given to own amenity and surroundings

Policy N2: Refers to the provision of public open spaces within residential developments

Policy N4: establishes the hierarchy of public open space

Policy N12: refers to all development proposals should respect fundamental priorities for urban design.

Policy N13: refers to design of new buildings should be of high quality and have regard to character and appearance of surroundings.

Policy T2D: refers to proposals that would otherwise be unacceptable due to public transport accessibility issues being address through developer contributions or actions to make enhancements, the need for which arise form the proposal.

Policy LD1: refers to all landscape schemes should meet specific criteria

Policy H15: Relates to residential development likely to be occupied by students in the area of housing mix

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9.0 MAIN ISSUES

1. Principle of development
2. Assessment of the change in Planning Circumstances since the appeal scheme was allowed in 2007.

10 APPRAISAL

- 10.1 The guidance on determining applications for the extension of time to implement planning permission advises Local Planning Authorities that the 'principle' of the development has already been established by the original permission. Accordingly, as the proposal is unchanged in design, appearance, layout, scale and in all other regards, the principle of the development is considered acceptable and should not be the focus of the debate in determining this application. Rather it is the consideration of any change in material planning circumstances that have taken place since this application was allowed on appeal in 2007.
- 10.2 The Unitary Development Plan had been reviewed in 2006 prior to the determination by the Plans Panel of this application. Policy H15 was used in the assessment by the Members and was also used by the Planning Inspector in his consideration of the merits of the appeal. There have been no new planning policy developments that relate either to the Area of Housing Mix or to the particulars of this development since the appeal scheme was allowed. There have been several documents prepared by the Universities and Local amenity groups relating to the issues of student developments in the Area of Housing Mix and the over supply of student accommodation in the locality, such as the Unipol Report into student Housing. That report highlights that there are about 4,000 spare bedspaces in the locality. This surplus could be viewed as showing that the Area of Housing Mix policy is working and the combination of the growth in purpose built and open market apartments in and around the City Centre has attracted students away from the traditional housing stock in the Area of Housing Mix. It is considered that this current scheme was unlikely to have a serious impact on the objectives of the Area of Housing Mix and can also be considered to be contributing towards the easing of pressure on the existing housing stock in the Area by reason of providing purpose built accommodation at a scale and design that is compatible with the surrounding area and local character.

- 10.3 It is also noted that the 2006 application was refused by the Panel in line with officer recommendation before being allowed on appeal in 2007. Members may recall that in addition to the two reasons for refusal suggested by Officers, Members wished to add a third reason relating to the design of the scheme. It noted that the Planning Inspector who allowed the appeal in 2007 made a full assessment of the scheme against the criteria of Policy H15 and found that the development was in line with the policy approach and its overall objectives. The Inspector concluded that “ *In reaching my decision I have taken into account all of the matters raised. I acknowledge the concerns of local residents about the imbalance in the community with such a high proportion of student housing already being provided in the area and in this respect, that the Leeds HMO Lobby considers the proposals to be contrary to the spirit of Policy H15 of the UDP. I do not find this to be the case in the light of the changed emphasis of Policy H15 as adopted. Unlike its predecessor draft version of the adopted policy does not seek to prevent further student accommodation being provided in Headingley but sets out criteria that must be met if it is to take place within the Area of Housing Mix. I have found that, in this case, those criteria will not be offended. This may not be the case in respect of all other proposals for such accommodation*” (Page 6 Inspectors report APP/N4720/A/06/2028013)
- 10.4 The change in planning circumstances which seems most relevant to the determination of this planning application is that of the dismissed appeal at the former Glassworks site on Cardigan Road in 2008. Although it is noted that there have been other recent decision on student accommodation schemes in and around the Area of Housing Mix, the Glassworks decision is the most comparable in terms of location, though the scale of that scheme compared to this application is substantially different. That scheme was for a purpose built student scheme for about 250 student bedspaces. The Inspector dismissed that appeal on the grounds of design, over development and impact on the local community through a substantial increase in student numbers. Whilst this decision was positive in planning terms it is not considered sufficient to justify resisting this extension of time application given this scheme is for 47 bedspaces which is over 200 less than that at the Glassworks. In addition the design of the scheme is much more in keeping with the character and appearance of this street and area. The Glassworks proposal was a substantial form of development that was out of keeping with its locality. Furthermore given the nature of the application site and its constraints this parcel of land would not be suitable for many forms of development other than apartment based schemes. As such it is considered that this application is not as intensive or as prominent in the area than the Glassworks scheme was and in addition the scale is substantial less intensive.
- 10.5 The appeal at the Glassworks was made after this scheme at St Michael's Road was allowed on appeal. The Glassworks scheme was solely for students where as this application is for both student and non student occupiers. In addition the size and scale of the Glassworks development is considered substantially larger than this scheme. In addition The assessment of the impact of the Glassworks appeal decision had factored into account the impact of existing student development (both built and with planning permission). As such although the Glassworks appeal decision is considered a relevant material planning consideration due to the factors outlined above it is not considered reasonable to attach significant weight to this consideration such that a refusal of this application could be justified on this basis alone.

11.0 CONCLUSION

- 11.1 It is considered that there has not been a change in planning circumstances to justify refusing this development. The scale, design and intensity of the scheme were considered by the Planning Inspector to be acceptable when the appeal was allowed. It is also noted that this application is not exclusively for student occupiers and could be available for occupation by none students. The request for an extension of time for the implementation of this development is recommended to Members.

Background Papers:

Application file: 10/00779/EXT & 06/02738/FU, appeal decision 2007

Panel Resolution: 58. **Application 06/02738/FU - Part Three and Four Storey Block of 11 Student and Non Student Cluster Flats with 47 Bedrooms and 14 Parking Spaces, 45 St Michaels Lane, Headingley**

- [Find out more about item 58.](#)

Minutes:

Site plans and architects drawings of the proposals were displayed at the meeting. Additionally plans of a previously approved scheme for non student flats on the same site with undercroft car parking were displayed for reference

The report set out proposed reasons to refuse the application

Officers expressed concern at the intensive nature of the proposals and dominant impact on adjacent dwellings and requested an amendment to reason 3 of the proposed reasons to refuse

Members requested that the reasons be amended in order to express the Panel's concern about the density and intensity of the proposals

RESOLVED – That the application be refused for the following reasons (noting an amendment to Reason 3 which is underlined) together with the inclusion of some wording to cover the concerns of Panel about density and intensity:

- 1) The Local Planning Authority considers that the addition of a third floor to the central section of the scheme would result in the formation of an over-dominating feature overlooking and resulting in significant detriment to the amenity and outlook of the adjacent residential dwellings and in obstructing the mechanical air vent serving the cricket school detrimental to the users of that facility, contrary to Policies GP5, BD5 and H15 of the Unitary Development Plan.
- 2) The Local Planning Authority considers that the parking provision would not be adequate for the proposed mixed student and non-student scheme and would therefore result in additional on-street parking in an already congested location of significant detriment to the free and safe flow of traffic, contrary to Policies GP5, T2, T24 and H15 of the Unitary Development Plan.
- 3) The Local Planning Authority considers that the proposed scheme is likely to be occupied by students to the significant detriment of the housing mix in this locality and given the designation of this site within the defined Area of Housing Mix that the proposal would be detrimental to the balance and sustainability of the local community, contrary to Policy H15 of the Unitary Development Plan and national guidance contained within Planning Policy Statement 1.



Originator: Gareth Jones

Tel No: 3952108

PLANS PANEL WEST 10 AUGUST 2006

REPORT OF THE CHIEF PLANNING AND DEVELOPMENT SERVICES OFFICER

WARD:	Headingley	Application:	06/02738/FU
Address:	45 St Michaels Lane Headingley, Leeds LS6 3BR	Applicant:	R M P Properties (Headingley) Ltd
Proposal:	<u>Part three and four storey block of 11 student and non student cluster flats with 47 bedrooms and 14 parking spaces</u>		

RECOMMENDATION: **REFUSE permission for the following reasons:**

The Local Planning Authority considers that the addition of a third floor to the central section of the scheme would result in the formation of an overdominating feature overlooking and resulting in significant detriment to the amenity and outlook of the adjacent residential dwellings and in obstructing the mechanical air vent serving the cricket school detrimental to the users of that facility, contrary to Policies GP5, BD5 and H15 of the Unitary Development Plan.

The Local Planning Authority considers that the parking provision would not be adequate for the proposed mixed student and non-student scheme and would therefore result in additional on-street parking in an already congested location of significant detriment to the free and safe flow of traffic, contrary to Policies GP5, T2, T24 and H15 of the Unitary Development Plan.

The Local Planning Authority considers that the proposed scheme will be occupied by students to the significant detriment of the housing mix in this locality and given the designation of this site within the defined Area of Housing Mix that the proposal would be detrimental to the balance and sustainability of the local community, contrary to Policy H15 of the Unitary Development Plan and national guidance contained within Planning Policy Statement 1.

Introduction:

The application has been brought before the plans panel due to the large volume of objections received from member of the public, concerns expressed by local ward Councillors and due to the planning history of the site.

Proposal:

The proposal development has been based on a previous application (26/578/04/FU) approved by the Plans Panel in 2005 following a site visit. The site is a small narrow piece of land adjacent to the cricket school. The previous application was broadly similar in its built form, however there are several important differences between the two applications. The central section of the previously approved application was two storey and this is now proposed to be three storey. The scheme is now proposed to be more intensively occupied comprising of 11 cluster flats for students/non students with a total of 47 bedroom spaces. This will be served by 14 parking spaces. The previous application proposed to utilise the internal space to create 14 two bedroom and 1 one bedroom flats (27 beds) served by 10 parking spaces. A condition was attached to the previously approved application restricting the occupation of the flats to non-students. However, the policy guidance of H15 (relating to student accommodation) has changed since the previous refusal, and the application is now assessed against the Inspectors amended H15 policy in the adopted UDP review.

Site and Surroundings:

The site is located on the eastern side of St Michaels's Lane opposite the almost complete new stand to the Rugby Ground and the hotel facility which is part of a recent re-development of the Cricket Ground. The site has a narrow frontage onto both St Michael's Lane and Back Broomfield Crescent. The site is generally flat with no visually obvious slope and is bounded by semi-detached houses to the South and the Cricket School to the North. The location is in close proximity to Headingley Town centre which is well served by a regular bus service running to and from the city centre. The area is dominated by the two sports grounds and following recent redevelopment they present a contemporary alternative to the more traditional close-knit surrounding residential area. The site is vacant and has recently been cleared.

Relevant Planning History:

26/578/04/FU, 45 St Michaels Lane, Part two storey part four storey block of 14 two bedroom and 1 one bedroom flats with 10 covered parking spaces (approved).
26/393/03/OT & 26/261/05/RM, 10 Broomfield Crescent located to the South of this site and currently under construction, Outline application to erect four storey block of 16 flats (approved).
26/405/03/FU, 10 Broomfield Crescent, Change of use involving three storey extension and new third floor of care home to 8 two bedroom flats (approved).
26/201/00/FU, YCCC Cricket School, Two storey front extension (approved).
26/119/03/FU, 47 St Michael's Lane, Two storey side and single storey rear extension (refused).
26/01/04/FU, 47 St Michael's Lane, Single storey side and single storey rear extension (refused).
26/188/04/FU, 47 St Michael's Lane, Single storey side and single storey rear extension (approved).

Statutory Consultations:

None.

Non Statutory Consultations:

Highways: On balance no objection subject to: Cycle parking provision increased from 8 to 25, restriction to prevent non-student occupation due to parking provision and standard conditions regarding surfacing and sightlines.

Environmental Health: The proposal will block off the mechanical air vent serving the cricket school, which is considered unacceptable unless the vent is relocated or that the activities are relocated.

Minerals & Waste: Clarification required as to the validity of the site investigation report and its conclusions as the report was prepared in relation to the previously approved application.

Learning & Leisure: No known claimed public rights of way are affected.

Architectural Liason Officer: Very high crime rate in this area and given the type of occupation the proposal should be built without compromise to security.

Public/Local Response:

There has been a large volume of objections from local residents (28) and concerns expressed from local ward members (3) in relation to this application.

Cllr Morton is concerned regarding the student occupation of this building and the precedent a decision to approve this application would set for future developments of this type in the northwest Leeds area.

Cllr Illingworth considers that the scheme would exacerbate the over-concentration of transient tenancies in this area contrary to the Inspectors recent recommendations regarding the Area of Housing Mix and the diversity of the local population.

Cllr Atha supports the comments of both the above Ward members.

The concerns raised by members of the public centre around the following main points:-

- The proposal will further unbalance the local population leading to an impact on the amenity of local residents and detrimental to the sustainability of the area.
- The proposal does not provide sufficient off-street parking.
- The proposal is too intensive for the site.
- It is out of character with the prevailing streetscene.
- It will be detrimental to the amenity of local residents due to its proximity to other dwellings.

Planning Policies:National Planning Policy

Planning Policy Statement 1: Sustainable Communities and 'good' design.

Planning Policy Guidance 3: Housing.

Unitary Development Plan –

Policy GP5: Refers to development proposals should seek to avoid loss of amenity.

Policy H15: Student housing will only be allowed within a defined area of northwest Leeds subject to meeting strict criteria with the aim of addressing the unbalanced nature of the community in this area.

Policy BD5: In the design of new buildings consideration should be given to own amenity and surroundings.

Policy N19: Refers to all new buildings and extensions within or adjacent to Conservation Areas should preserve or enhance the character or appearance of that area.

Policy T2: refers to development capable of being served by highway network and not adding to or creating problems of safety.

Policy T24: refers to parking guidelines for new developments.

MAIN ISSUES

Impact on the amenity of local residents.

Impact on the Area of Housing Mix.

Design.

APPRAISALDesign

The proposed scheme in essence represents an expansion upon a previously approved scheme (26/578/04/FU). The material differences between the two applications relate to the addition of a third floor along the central section and a re-arrangement of the internal layout providing cluster flats as opposed to two bedroom apartments. The central section has also been altered in its external design and the fenestration has been altered such that with the exception of the high level windows to the concave communal areas the rest of the windows present angled views in relation to the rear gardens of the adjacent dwellings. The alterations to the central section are considered to have resulted in a more aesthetically pleasing design.

Amenity

The alterations to the fenestration are intrinsic to the distinctiveness of the façade, however the increase in the number of windows with views of the properties and gardens of the adjacent dwellings is considered to result in an unacceptable increase in the levels of overlooking.

The intensification of the proposal through the addition of the third floor to the central section and through alterations to the internal layout are considered to have brought the scheme into conflict with local and national planning policies and guidance.

The site is very narrow which is symptomatic of its previous industrial use. The residential properties which border the site are also in close proximity to the shared boundary due to their main garden areas being located to the front rather than the rear. The addition of the central concave feature and the angled fenestration does bring the built form in closer proximity to the boundary shared with the properties of St Michael's Lane. The impact of this is accentuated by the addition of a further floor resulting in a three storey high structure with two floors above an under-croft parking area. This will significantly reduce the outlook available to the occupiers of the dwellings facing the site as it cuts across the valleys of the cricket school roof to the rear of the proposal. The outlook from all the rooms on the rear elevation of the dwellings opposite the site will effectively have their entire outlook obscured by the built form of the proposed scheme where as the previous scheme would have only exerted significant effects on the ground floor rooms. The garden areas of the adjoining properties will be dominated by the proposed three storey element, a situation which is exacerbated by the narrow nature of the application site and the shallow nature of the gardens. The addition of a third floor to the central section is therefore considered to result in the formation of an overdominating feature of significant detriment to the amenity and outlook of the adjacent residential dwellings.

Area of Housing Mix

The site lies within the boundaries of the Area of Housing Mix as recommended by the Inspector of the recently adopted UDP review, and as such for the development to be considered acceptable in principle, it has to be demonstrated that the proposal meets with criteria of policy H15. This policy is highlighted in full below.

WITHIN THE AREA OF HOUSING MIX PLANNING PERMISSION WILL BE GRANTED FOR HOUSING INTENDED FOR OCCUPATION BY STUDENTS, OR FOR THE ALTERATION, EXTENSION OR REDEVELOPMENT OF ACCOMMODATION CURRENTLY SO OCCUPIED WHERE

- I The stock of housing accommodation including that available for family occupation is not reduced in terms of quantity and variety*
- II there would be no unacceptable effects on neighbours living conditions through increased activity, either from the proposal itself or combined with existing similar accommodation*
- III The scale and character of the proposal would be compatible with the surrounding area*
- IV satisfactory provision made for parking provision, and*
- V The proposed would improve the quality or variety of the stock of student housing*

It is stated by the applicants that the scheme will provided student and non-student accommodation in the form of cluster flats. The proportions are not specified and will therefore be subject to the vagaries of market forces unless controlled by condition or legal agreement.

In Highways terms the parking provision would only be acceptable were the entire development to be occupied by students. The lack of objection to the application from the Highways Department is dependent on a condition/legal agreement to this effect being attached or entered into as part of this application. It is considered highly likely (considering the type of accommodation being provided) and in fact necessary in terms of the parking provision, for this scheme to be entirely occupied by students.

The cycle store and bin store are considered inadequate for the number of bed spaces and would need to be enlarged further adding to the built forms on this already intensively occupied site. The access points are considered appropriate subject to the maintenance of appropriate sightlines.

The Area of Housing Mix policy objective is to manage the provision of student housing (as far as the development control powers allow). Purpose built student housing will be encouraged so long as it is specifically reserved and managed for that purpose, improves the stock of student housing, relieves pressure on conventional housing and would assist in regenerating areas in decline or at risk from decline.

The proposal is not purpose built as indicated by the applicants suggestions of a mixed student/non student use and as a result it will not be a managed student site.

The area is not in decline or considered at risk as evidenced by the works to the adjacent sports grounds and surrounding area other than through further imbalances in the locality brought about by its 'studentification' to which this scheme will contribute. Whilst not resulting in the removal of family housing the scheme is likely to result in the conventional dwellings located in closest proximity to the site remaining or becoming student occupied dwellings as families are unlikely to occupy such dwellings in close proximity to an intensely occupied student scheme.

The stock of housing accommodation, both in the replacement of the existing apartment scheme of predominantly two bed flats and the pressure the scheme as now proposed is likely to put on the adjacent dwellings regarding student occupation, is considered to reduce the quantity and variety.

The confines of the site, the scale and intensity of development and proximity to the neighbouring dwellings both the immediate neighbours and those to the south and will result in unacceptable effects on the living conditions of the neighbouring dwellings due to the increased activity, noise and disturbance which will inevitably result from such an intensively occupied scheme.

Although the contemporary form of the scheme has been accepted, the introduction of the third floor element of the proposal is considered to take the proposal out of scale with its immediate surroundings.

On the positive side of the assessment of student accommodation, the site is in close proximity to the new Leeds Metropolitan University teaching facilities that will be located within the almost complete Rugby Stand. It could well be (however no guarantee) that the students occupying this scheme could attend lectures and use the student facilities within the new stand. The site is also in close proximity to the town centre and facilities there and close to bus links to both the university and city centre.

The recommendation in relation to H15 is therefore balanced but Officers consider that the intensity of the proposed use on a very small site is such as to 'tip the balance' against the proposals.

Other Issues

The obstruction of the mechanical air vent serving the cricket school is unacceptable and could be severely detrimental to the continued use of this valuable regional sporting facility.

The other comments received from internal consultees present issues which are considered to be able to be overcome to the satisfaction of the Local Planning Authority following submission of further details or addition of appropriate conditions were the application to be approved. These were not considered to materially effect the final recommendation on this application.

Conclusion:

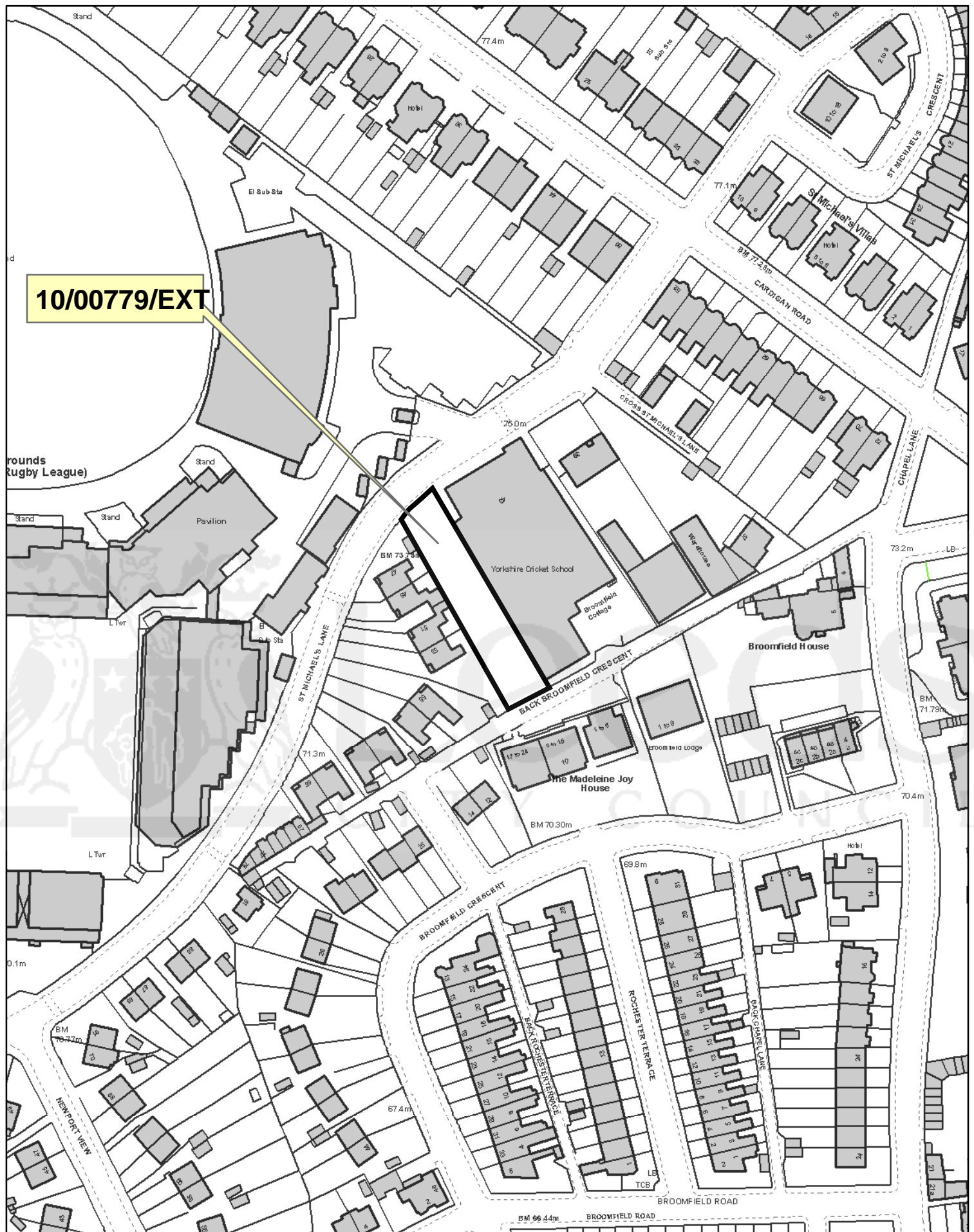
The scheme is considered to represent an over intensive use of this narrow confined site to the detriment of the amenity of both the adjacent dwellings and the users of the cricket school which adjoins the site. It is considered overbearing and overdominant affecting the outlook of the properties on St Michael's Lane and will obstruct an air-vent serving the adjacent cricket school. Its built form is therefore considered inappropriate.

The intensity of the use and the substantial occupation of the accommodation by students is considered detrimental to the balance and sustainability of the local community and given the proximity to other dwellings the noise and disturbance likely to be generated is considered detrimental to residential amenity.

The positive improvements to the visual appearance of the scheme and the sustainability of the location are not considered sufficient to outweigh the detrimental effects resulting from the over-intensive nature of the scheme and therefore on balance the officer recommendation is that the application be refused.

Background Papers:

Application file & 26/578/04/FU.



WEST PLANS PANEL

Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL

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