



## Report of the Chief Planning Officer

### SOUTH AND WEST PLANS PANEL

**19/01489/FU - Demolition of Index House and the construction of student residential accommodation and ground floor commercial units – Index House, 70 Burley Road, Burley, Leeds, LS3 1JX**

**Applicant – Torsion Developments Ltd**

#### Electoral Wards Affected:

**Little London and Woodhouse**

Yes Ward Members consulted

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**DEFER and DELEGATE to the Chief Planning Officer for approval subject to the conditions and the completion of a Section 106 agreement to include the following obligations:**

- **Greenspace off site contribution (£39,426.08)**
- **Employment & Skills co-operation / initiatives (construction)**

1. Time limit condition
2. Plans to be approved;
3. Materials details and samples of all external walling, roofing and surfacing
4. Details of cycle parking
5. Details of access, storage, parking, loading/unloading of contractors plant, equipment materials, vehicles
6. Details of bin stores
7. Specified operating hours (construction) of 08.00-18.00 weekdays, 09.00-14.00 Saturdays; no Sunday / Bank Holiday operations;
8. Construction delivery hours to avoid school drop off and pick up times
9. Submission of Statement of Construction Practice;
10. Submission of Building Management Plan to be submitted.
11. Submission of Servicing Management Plan
12. Submission of details of offsite highway works

13. Submission of drainage details
14. Submission of contamination details
15. Details of obscure glazed window
16. Occupants ineligible for on-street parking permits
17. Details of nesting and roosting features to be submitted

## **1.0 Introduction**

- 1.1 The application is brought to Plans Panel at the request of Councillor Kayleigh Brooks due to the impact the development will have on the adjacent Rosebank Primary School and the impact further student development will have on the balance of the local community in Little London and Woodhouse.

## **2.0 Site and surroundings**

- 2.1 The proposed site is located at the junction of Burley Road and Hollis Place on the western edge of the city centre.
- 2.2 To the north of the site there is a former church which is used for community use and is considered a non-designated heritage asset. Beyond this Leeds Federated Housing Association residential accommodation block. This sits at a raised level compared to the application site. To the east is a mix of commercial uses and the Park Lane Triangle Student Accommodation. To the West is Hollis Place and Rosebank Primary School. To the south is Burley Road with a mix of commercial and Industrial uses. Planning permission has recently been granted for the redevelopment of the neighbouring site to create a development of 9 apartments.
- 2.3 The site is currently occupied by two commercial units currently used as a convenience store and takeaway. The building is predominantly constructed from brick with cladding. The character of the wider street is a mix of traditional brick built buildings, such as Rosebank Primary School together with more modern commercial buildings. The scale of buildings immediately surrounding the site are predominantly one, two and three storeys, the scale and height of buildings increases along Burley Road towards the City Centre.

## **3.0 Proposals**

- 3.1 The proposal is for a 7 storey student accommodation building creating a total of 57 bedspaces. The building's footprint largely fills the site at ground and first floor level with an "L" shaped block from 2<sup>nd</sup> –4<sup>th</sup> floors with floors 5 and 6 stepping back from the front and side elevations.
- 3.2 The Ground Floor accommodates commercial units and plant room, the first floor accommodates a cluster apartment, reception area, cycle store, bin store and communal area.
- 3.3 Floors 2 to 7 accommodates a mix of Cluster Apartments and Studios. To the cluster accommodation a total of ensuite bedrooms are proposed across 14 separate 5 or 6 bedroom clusters with on 3 bed cluster at the 7<sup>th</sup> floor. Within each cluster is a communal lounge providing kitchen facilities.

3.4 The buildings is contemporary in terms of design with active frontages to both Burley Road and Hollis Place. The elevational treatment is red brickwork providing horizontal/vertical 'frame' of the building visually recessed grey brickwork layer and recessed grey window panelling.

3.5 No landscaping or outdoor amenity is proposed.

#### **4.0 History of negotiations**

4.1 Following the submission of the application significant concern was raised by the Rosebank Primary School about the potential adverse impact the development could have on the school. Local Ward Members and Hilary Benn MP reiterated these concerns in their comments. Given the level of concern and the specific issues raised by the school around pupil safeguarding it was considered beneficial to meet the school, governors and parents at Rosebank Primary School. A public meeting took place in May 2019. The meeting allowed the applicant to present the scheme and for comments and questions to be raised. A wide range of concerns were raised particularly relating to safeguarding and the scale of the building proposed.

4.4 Following the meeting in May 2019 and given the concerns raised, the application was taken to Chair's Brief in order to seek the view of the Chair and Senior Officers on the application. From this discussion it was deemed that the height and scale of the development was excessive and that the height of the building should be reduced by two storeys to improve how it sits within the street and to reduce the potential impact on the adjacent on Rosebank Primary School

4.5 Following further discussion with the applicant regards the required amendments the application was paused whilst consideration was given regarding the viability of reducing the building. Amended plans were subsequently submitted in December 2020 with these being re-advertised in January 2021. The amended plans reduced the height of the building by two storeys which reduces the proposed bed spaces from the original 83 to 57.

4.6 At the request of Rosebank Primary School a further meeting was set up with the Headteacher, governors and parents to present the amendments and allow further comments and questions. Through this meeting it was proposed that windows which potentially overlooked the school would be obscure glazed and a management plan would be agreed to ensure clear dialogue between the school and management of the building would be created and mechanism established to enable any issues arising that caused problems and concerns for the school could be addressed.

#### **5.0 Relevant planning history**

PREAPP/18/00116 - Student accommodation, 3 commercial units to ground floor

PREAPP/18/00665 - Student accommodation and ground floor commercial units

5.1 Prior to the application being submitted two pre-application enquiries were submitted seeking officer comments on the redevelopment of the site for student accommodation. Officers advised that student accommodation would likely be acceptable in principle though consideration would need to be given to the scale and design of the building and the potential impact additional students would have on the balance of the local community.

#### **6.0 Consultation responses**

Contamination: No objection subject to conditions.

Highway Services: No objection subject to conditions to cover the following issues:

1. Management of Student arrivals/departures Plan
2. Service Management Plan
3. Construction Management Plan
4. Off-site Highway Works ( amendment to TRO's)
5. Crossing points and reinstatement of existing crossings/footway
6. Details of Cycle Parking

Travel Wise: No objections subject to appropriate cycle facilities

Flood Risk Management: No objections subject to conditions to cover the detailed drainage scheme.

Flood Risk Management: Following discussion and additional information relating to the Travel Plan and Car Park Management Plan being submitted there are no objections subject to conditions.

Environmental Studies: No objections

Yorkshire Water: No objections subject to drainage conditions

West Yorkshire Police: Comments provided. No objections

Local Plans: Following discussion relating to greenspace contribution no objections have been raised.

## 7.0 **Representations**

7.1 Councillors Kaleigh Brooks and Abigail Marshall-Katung have objected to the application raising the following concerns:

1. The massing. Although the proposed building is two storeys smaller than its previous iteration, it is still out of proportion with the surrounding buildings and streetscape, including Rosebank Primary School.
2. The proposed use. This development is wholly inappropriate for the site location. There is already an over saturation of purpose built student accommodation in this area.
3. The density for proposed use. Burley Road is already a very busy road. I have concerns about deliveries, taxis and other traffic adding to this issue, and this having a particular negative impact on the school's pickup and drop off time.
4. Overlooking. The school and parents of pupils raised a potential safeguarding concern in the previous application. I am not satisfied that this concern has been addressed.
5. Overshadowing. If built, the school's playground will be partly shadowed. The school doesn't have a lot of outside space for the children to play in. In winter especially, it's very important to the children's health to get enough vitamin D.

6. Proposing to build very close to the site boundary. This will further exaggerate the aforementioned negative impacts on the school, and also exaggerates the massing of the proposed build on the streetscene.

7.2 Councillor Javaid Akhtar has objected to the proposal reiterating the concerns raised by Rosebank Primary School.

7.3 Councillor Jonathan Pryor has objected to the proposals on the grounds of the proximity of the proposed development to the school. The bedrooms will be directly overlooking the school playground and classrooms and all natural light to the school will be lost.

I don't believe that allowing a development such as this, that would have a detrimental impact on a child's experience while at school, is in the best interest of the children or indeed fits with our ambition to be a child friendly city.

7.4 Hilary Benn MP has commented on the originally and amended proposals. Commented that "I have seen the detailed objection submitted by the Governing Body of Rosebank Primary School and I endorse the grounds for refusal of this application that they have put forward. In particular, I believe that the height of this proposed development is excessive and will have a detrimental impact on the school and its pupils."

On the amended proposal he has commented that "I would like to express my support for the objections that have been submitted to this revised planning application on behalf of the Little Woodhouse Community Association and Rosebank Primary School. Despite the revisions that have been made, I still think it is inappropriate for the site and overlooks the school to an unacceptable extent."

7.5 Leeds Civic Trust have raised concerns about the impact further student development will have on the balance of community, the impact the movement of additional students will have on the amenity of local residents and the scale of building being excessive in this location.

7.6 Rosebank Primary School have provided a number of objections from the headteacher, board of governors, teachers, parents and pupils. The concerns raised can be summarised as follows:

1. Congestion from taxis and deliveries exacerbating the existing problems at times at drop off and pick up times.
2. The development will result in additional demand for parking locally competing for parking spaces currently used by teaches of Rosebank Primary School.
3. Disruption for demolition and construction will result in disruption to children's learning for the third year in a row.
4. The development may result in a creating a wind tunnel within Hollis Place.
5. There is a lack of social housing in the local area and influx in student accommodation – this is resulting in an imbalance in the local community.
6. There are issues around safeguarding and the potential that the development will allow overlooking of the Primary School.
7. Litter and anti-social behaviour from the development would be detrimental to the school environment.
8. The development does not appear to provide a good quality of living for the prospective students.

- 7.7 In total 38 letters of representation raising concerns with the proposal have been received.
- 7.8 107 pupils of Rosebank Primary School have provided comments on the scheme reiterating the concerns raised by the school.
- 7.9 Little Woodhouse Neighbourhood Plan Forum have provided detailed comments on the application raising the following objections:
1. The development of student housing should not be considered new housing under Policy H2 for development on unallocated sites.
  2. The application fails on every criteria in Policy H6 in that the construction of this PBSA is not taking the pressure of residential accommodation (the evidence suggests that in this area it is having no impact at all) it will exacerbate the already excessive concentration students in the area, and it will have a direct impact on the local community.
  3. The proposal does not provide any onsite greenspace.
  4. The development is for a tall building outside of the preferred areas for a tall building as defined in the Tall Buildings SPD.
  5. The lack of any off street parking will not meet the needs of disabled residents or the servicing of the commercial units.

## **8.0 Policy**

### **8.1 Development Plan**

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

- The Leeds Core Strategy (Adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Site Allocation Plan (adopted 2019)

### **8.2 Leeds Core Strategy (CS)**

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

- Spatial Policy 1 prioritises the redevelopment of previously developed land in a way that respects and enhances the local character and identity of places and neighbourhoods.
- Spatial Policy 8 supports training/skills and job creation initiatives via planning agreements.
- Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility and provision for people with impaired mobility.

- Policy H6B refers to proposals for purpose built student accommodation. Development will be controlled to take the pressure off the need to use private housing; to avoid the loss of existing housing suitable for families; to avoid excessive concentrations of student accommodation; to avoid locations that would lead to detrimental impacts on residential amenity; and to provide satisfactory living accommodation for the students.
- EC3 Safeguards existing employment land.
- Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhance the district's historic assets in particular, historically and locally important buildings, skylines and views.
- Policy P11 states that the historic environment and its settings will be conserved, particularly those elements which help to give Leeds its distinct identity.
- Policy P12 states that landscapes, including their historical and cultural significance, will be conserved and enhanced.
- Policies 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.
- Policy G9 states that development will need to demonstrate biodiversity improvements.
- Policies EN1 and EN2 set targets for CO<sup>2</sup> reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.

### 8.3 **Saved Unitary Development Plan Review policies (UDPR)**

#### 8.3.1 Relevant Saved Policies include:

- Policy GP5 states that all relevant planning considerations are to be resolved.
- Policy BD2 requires that new buildings complement and enhance existing skylines, vistas and landmarks.
- Policy BD5 requires new buildings to consider both their own amenity and that of their surroundings including usable space, privacy and satisfactory daylight and sunlight.
- LD1 sets out criteria for landscape schemes.

### 8.4 **Natural Resources & Waste Local Plan**

8.4.1 The Natural Resources and Waste Local Plan sets out where land is needed to enable the City to manage resources, like minerals, waste and water and identifies specific actions which will help use the natural resources in a more efficient way.

#### 8.4.2 Relevant policies include:

WATER 1 requires development to include measures to improve their overall water efficiency. WATER 2 seeks protection of water quality in areas adjacent to sensitive water bodies. WATER 4 requires the consideration of flood risk issues and WATER 6 requires flood risk assessments. WATER 7 requires development not to increase surface water run-off. LAND 1 requires consideration of land contamination issues. LAND 2 seeks new tree planting as part of an enhanced public realm. AIR1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated.

### 8.5 **National Planning Policy Framework (NPPF) February 2019**

8.5.1 Paragraph 108 states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access provided for all users; and any significant impacts on the highway mitigated. Paragraph 110 states that priority should be given to pedestrian and cycle movements; the needs of people with disabilities and reduced mobility addressed; creation of safe, secure and attractive spaces; allow for the efficient delivery of goods; and be designed to enable use by sustainable vehicles.

8.5.2 Chapter 12 identifies the importance of well-designed places and the need for a consistent and high quality standard of design. Paragraph 127 states that decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

8.5.3 Paragraph 170 states that new and existing development should not be put at unacceptable risk or be adversely affected by unacceptable levels of soil, air, water or noise pollution.

8.5.4 Chapter 16 refers to the historic environment. Paragraph 192 states that local planning authorities should take account of:

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

Paragraph 193 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 (and the more important the asset, the greater the weight should be).” Paragraph 196 states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

## 8.6 **Supplementary planning guidance**

- Accessible Leeds SPD



- Travel Plans SPD
- Tall Buildings SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD
- Neighbourhoods for Living SPG
- Little London and Woodhouse Neighbourhood Plan (Draft)

### Other material considerations

## **8.7 Core Strategy Selective Review (CSSR)**

- 8.7.1 Paragraph 48 of the NPPF makes clear that the amount of weight given to relevant policies in emerging plans relates to a) how advanced the emerging plan is, b) the extent to which there are unresolved objections to relevant policies and c) the degree of consistency of those policies with the NPPF.
- 8.7.2 A selective review of the Leeds Core Strategy has been undertaken. Policy H9 in the CSSR expressly excludes purpose built student accommodation from the space standard a footnote to the policy states such development should reflect the NDSS with appropriate adjustments to address the particular characteristics of these types of development. They should also meet reasonable standards of general amenity for occupiers to include adequate space, light and ventilation. Further guidance will be provided through a Supplementary Planning Document in due course.
- 8.7.3 Paragraph 5.2.46 of the supporting text to policy H9 states that “Provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis, and via the application of any national standards that might be created in the future”.

### **Climate Emergency**

- 8.7.4 The Council declared a climate emergency on the 27th March 2019 in response to the UN’s report on Climate Change. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making.
- 8.7.5 The NPPF makes clear at paragraph 148 and footnote 48 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
- 8.7.6 As part of the Council’s Best Council Plan 2019/20 to 2020/21, the Council seeks to promote a less wasteful, low carbon economy. The Council’s Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.
- 8.7.7 The application positively contributes to the Climate Change agenda through the re-development of an underutilised brownfield land for student housing purposes in a highly sustainable location and through the use of sustainable construction and low carbon energy to provide a 20 percent reduction on CO2 emissions over Part L Building Regulations requirements.

## **8.0 Assessment:**

## 9.1 Principle of the development

9.1.1 Policy H2 of the Core Strategy states that windfall sites will be acceptable in principle providing the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development.

9.1.2 Policy H6B relates specifically to the provision of student housing. It has been established that there are approximately 38,000 university students in the city presently without access to purpose-built student accommodation suggesting that additional provision of such accommodation is unlikely to result in an over-supply of purpose-built student accommodation in the near future. Leeds Core Strategy paragraph 5.2.26 states that growth in new purpose built student accommodation is to be welcomed in order to meet need and to deflect pressure away from private rented houses in areas of over-concentration.

9.1.3 The proposal is considered against the criteria set out below within the adopted policy H6B:

*(i) To help extend the supply of student accommodation taking pressure off the need for private housing to be used.*

The provision of 57 student bedspaces would help to take reduce the need to use private housing for student accommodation.

*(ii) To avoid the loss of existing housing suitable for family accommodation.*

The existing site is an under-utilised commercial building and therefore its redevelopment would not involve any loss of existing housing and would avoid the loss of residential family accommodation.

*(iv) To avoid locations which are not easily accessible to the universities.*

The site is located adjacent to the City Centre and is well-placed with regard to access to Leeds Beckett University, the Leeds University of Arts and the University of Leeds along Burley Road. As such the site easily accessible to the various University campuses.

Criteria (iii) and (v) of policy H6B are considered in the amenity section, at paragraph 7.2 below.

9.1.3 The ground floor commercial units replace the existing commercial units. The site is located within a highly sustainable area of a mix of commercial and retail units. As such, the principle of replacement commercial units is acceptable.

9.1.4 Overall, it is considered that sustainable location of the development is such that the development accords with the requirements of Policies H2 and H6B of the Leeds Core Strategy.

## 9.2 Amenity considerations

- 9.2.1 Criteria (iii) of Core Strategy policy H6B aims *to avoid excessive concentrations of student accommodation which would undermine the balance and wellbeing of communities.*
- 9.2.2 It is clear that a high concentration of purpose built student accommodation does exist in this area with a number of large Purpose Built Student Accommodation located close to the site and within the wider Little London and Woodhouse ward. However, a high concentration is not itself harmful with regard to the satisfaction of the third part of this Policy is whether there is harm to the 'health and wellbeing of the community'. To some extent this overlaps with the criteria (iv) regarding movement through residential area.
- 9.2.3 With regards to criteria (iii) the proposal is on a main route into the City Centre. To the South West is a large industrial/commercial estate. To the North West is a school followed by some housing interspersed with commercial units. There is further student housing to the south east with a block of 'Leeds Federated' housing to the north of Westfield Road. All of this is separated from the much larger block of residential in the area to the North East by the Green Area. Furthermore, the proposal is for 57 student bedspaces, which in this context is not considered itself to be a significant increase above the existing student numbers in this part of the Little London and Woodhouse. Therefore, the local community directly related to the site is unlikely to be substantial enough to demonstrate direct local harm.
- 9.2.4 With regards to the issues of travel patterns (iv). It is not anticipated that trips during the day will cause harm to local residents. The sporadic times of student travel to the main campus and the size of the Campus will mean that students will take various routes. Most of these will use the path/steps linking the corner of Westfield Road and Belle View Road as the start of their main Journey to the University. From this point it the use of Belle Vue Road and Clarendon Road are the most likely. As this route is narrow and not well lit it is likely to be avoided. Also evening venues likely to attract students are likely to be accessed by the main roads.
- 9.2.5 Overall, it is not considered that existing local residents would be adversely affected by student accommodation in the proposed location given the area's use, levels of student accommodation already present in the area, and the manner in which purpose-built student accommodation is managed. Similarly, it is not considered that the number of students proposed would result in an excessive concentration of students that would undermine the wellbeing of the area within the context of a busy mixed use, edge of city centre environment. Further, the development's close proximity to both the main university campuses is such that the development will not result in high levels of students using routes through established residential areas to access the Universities or City Centre.
- 9.2.6 Criteria (v) of policy H6B requires that *the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.*
- 9.2.7 Policy H9 in the CSSR expressly excludes purpose built student accommodation from the space standard a footnote to the policy states such development should reflect the Nationally Described Space Standard with appropriate adjustments to address the particular characteristics of these types of development. They should also meet reasonable standards of general amenity for occupiers to include adequate space, light and ventilation. Paragraph 5.2.46 of the supporting text to policy H9 states that

“Provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis, and via the application of any national standards that might be created in the future”.

- 9.2.8 The Leeds Standard set a minimum target of 37sqm for a self-contained studio flat. This standard closely reflects the NDSS which seeks to promote a good standard of internal amenity for all housing types and tenures. No distinction is drawn within these documents between open market and student accommodation.
- 9.2.9 In addition, Core Strategy Policy P10 and Saved UDPR Policies BD5 and GP5 also provide more general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. The assessment of amenity is also a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space.
- 9.2.10 The format of the proposed scheme is one of cluster flats with each flat having a communal kitchen and living area and self-contained studio flats. The typical ensuite bedroom will be at least 12.5 metres square and communal living space being between 21 and 30 metres square. All rooms will have an appropriate level of outlook and the layout of the scheme will ensure all rooms will also have an appropriate level of privacy. It is considered that this level of private and communal space for students will provide a good quality living environment.
- 9.2.11 The constrained nature of the site is such that no onsite outdoor private or communal amenity space can be provided. The use of roof terraces has been considered however this is not considered appropriate in this location, not least given the proximity of the adjacent Rosebank Primary School.
- 9.2.12 Core Strategy Policy G4 requires 18sqm of greenspace per student bedspace. As such, in addition to the proposed onsite provision a commuted sum will be required for additional offsite provision to ensure the requirements of G4 are satisfied. An off-site commuted sum of has been agreed – which is the full policy requirement. This is to be spent on improvement schemes immediately surrounding the site. It is suggested that Rosebank Primary School together with Ward Members are involved with identifying improvement projects for this money to ensure that greenspace is upgraded which benefits both occupants of the student accommodation, nearby residents and pupils at Rosebank Primary School.

#### Impact on Rosebank Primary School

- 9.3.1 Throughout the planning application process representatives of Rosebank Primary School have raised a number of concerns about the development with the potential impact the development would have on the operation and safety of the school – both in the short and long term. Discussions have taken place with the school to fully consider these concerns with a public meeting being held in May 2019 to allow the parents and representatives of the school to raise concerns with a further online meeting being held in March 2021. Concerns raised can be summarised as follows:
- Impact on the safeguarding of pupils from overlooking of the school.
  - Potential conflict between the lifestyle patterns of students and the school day.

- The height and scale of the building could overshadow the school and outdoor play areas.
- The development would exacerbate parking and drop off issues experienced by the school.
- Significant disturbance could result from the demolition and construction process further disrupting the school.

9.3.2 Given the level and nature of these issues have been considered at length as part of the application discussions. With regards to the issue of safeguarding and the potential conflict that could result from a student development being located immediately adjacent a primary school. Advice has been sought from the Council's Children Safeguarding Officer. They have advised that the location of residential development next to a primary school is not in itself an unacceptable relationship and there are numerous examples of development taking place in close proximity to schools. Furthermore, the Safeguarding Officer considers that student development is preferable to residential development as issues regarding behaviour of residents can be strictly controlled through tenancy agreements and issues arising quickly and effectively dealt with. In this regards, the applicant has provided the heads of terms management plan offering the following in order to maintain efficient management of the student accommodation:

1. All leases to have good behaviour clauses inserted, which can be enforced, with any serious issues resulting in students being removed from the property under the terms of their lease. This is to avoid any issues with tenants of the building;
2. Students will be informed as to the lack of any available, secure parking when making an enquiry to secure a place at the property;
3. The intake of students each year, will be managed over a staggered 7 day period, with each student being given a specific time slot. Students and their parents will be supplied with details of how to access the property in a sustainable manner, either by bus, train or taxi, and all public car parks in the area will be identified and students will be encouraged to send items to the property ahead of their arrival.
4. Quarterly meetings will be held between the School and the Management company of the Building where any issues can be discussed in person;
5. A direct line of communication to the Management Company, (email, contact name, phone number), will be provided to the school to ensure that any issues will be identified and dealt with as soon as possible;
6. The Management Company will ensure that the immediate environs of the building will be maintained in an appropriate and tidy manner; and
7. Students will be encouraged to form a group which can then engage with the school and the Management Company, in order to foster a good neighbour relationship.

9.3.3 With regards to issues of overlooking of the school, the development has been amended to seek to address potential overlooking. The reduction of the height of the building by two storeys has reduced the level of overlooking and the number of rooms with the potential to overlook. Further analysis of the extent of overlooking showed that the school building abutting Hollis Place provides screening of many of the windows facing the school from the proposed building. However, there remained a number of windows that allowed views, albeit relatively long distance, into the play area to the front of the site. To address this, obscure glazing is proposed to these windows, wither in entirety where there are additional windows and up to 1.7 metres where rooms do not

have an alternative window. This requires 9 windows in total to be obscure glazed and is considered to address overlooking whilst not unreasonably impacting upon the living conditions of occupants.

- 9.3.4 With regards to overshadowing of the school, the orientation of the site is such that any additional overshadowing is limited to the early part of the day. A shadow analysis undertaken by the applicant demonstrates the level of additional overshadowing at different times of day throughout the year. This demonstrates that additional overshadowing from the development is minimal. The reduction in height of the building by two storeys has further reduced the impact.
- 9.3.5 With regards to any conflict with the different patterns of movements from the school and the student development, it is considered that any conflict will be limited to the start of the day where school drop off and students making their way to morning lectures may take place at similar times. However, it is anticipated that the majority of students would make their journey on foot. In the event of taxis being used, it is not considered that this in itself would lead to a significant exacerbation of the congestion issues experienced by the school at drop off times. No on street parking is provided within the development though a Traffic Regulation Order is proposed to provide a space for taxis to pick up and drop off. A large public car park is located opposite the site.
- 9.3.6 Concern has been raised about the level of disturbance, both acute and ongoing, that will result from the construction process to the detriment of the teaching environment of the school. With regards to demolition, it is accepted that this could result in disturbance to the school, as a result it is agreed that this will take place during school holidays to ensure the disturbance is kept to a minimum. With regards to the construction process, as with any development, there will inevitably be a degree of disturbance. However, this can be mitigated by appropriate by a construction management plan to ensure that the construction process impacts on the operation of the school as little as is possible. A construction management plan will be agreed by condition prior to commencement of development.
- 9.3.7 Overall, it is fully appreciated that Rosebank Primary School has significant concerns regarding the potential impact the proposed development will have on the operation of the school and the teaching environment for the pupils. These issues have been fully considered as part the application process with amendments being made to the scheme in order to address or minimise the impact. These changes together with appropriate operation and construction management plans are considered sufficient to address these concerns to an extent where the impact on the school will not of a level of significance such that would warrant the refusing of planning permission.

#### 9.4 Townscape considerations

- 9.4.1 Any new development must also provide good design that is appropriate to its location, scale and function (Core Strategy Policy P10). Part (i) of the policy states that the size, scale, design and layout should be appropriate to its context and the development should protect and enhance skylines and views (ii). These policies accord with guidance in the NPPF which requires that development establishes a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; to respond to local character and history; and to reflect the identity of local surroundings.
- 9.4.2 The existing site comprises a brick built commercial building which is considered to have a detrimental impact on the character on the appearance of the existing street

scene. As such, the redevelopment of the site provides the opportunity to enhance the character and appearance of the area.

9.4.3 Taking in isolation, the proposed design of the building is considered to respond well to this prominent corner site. The building provides active frontages to both Burley Road and Hollis Place with commercial units at ground floor level further enhancing the active frontage to Burley Road. The design and fenestration detailing, with the predominant use of brick with contrasting recessed grey brick and window panels creates a strong elevations and helps break up the overall mass of the building.

9.4.4 However, it is important to carefully consider how the proposed building will sit within the immediate and wider street scene. This part of Burley Road is characterised by large student buildings on the edge of the City Centre with the scale of buildings diminishing as they extend out from the Centre. The stretch of Burley Road between the site and the student buildings are low level one and two storey commercial units. During discussions on the design and scale of the building, it was considered that the redevelopment of the site provided the opportunity to provide a strong 'book-end' building to this part of the Burley Road and also to inform the scale of development in the likely event of further proposals for the redevelopment of sites along Burley Road. In this regard, it is considered that there should be a diminishing height and scale of buildings as development extends from the City Centre with the broad concept that development should reduce in height from 12 storey student and hotel accommodation to the height of Rosebank Primary School. The proposed building 7 storeys with 5 storeys fronting Burley Road and the upper two storeys set back from both Burley Road and Hollis Place. Clearly, the building is of greater height and scale to Rosebank Primary School and other surrounding buildings, however, the proposal does respond to this broad design brief providing a strong 'bookend' building on this prominent corner gateway site and will result in an improvement to the overall character and appearance of the street scene.

9.4.5 The site is located immediately adjacent a former red brick church. The building is a positive feature of the immediate area and is deemed to be a non-designated heritage asset. The proposed building is of a greater scale than the church and will largely screen views of the building when viewed from Burley Road. However, the existing building significantly detracts from the setting of the building. As such, it is considered that, whilst the development will reduce the prominence of the church, the overall improvement that will result to the appearance of this part of the Burley Road will outweigh this reduction in prominence of the church.

9.4.6 The development therefore accords with Policies P10 of the Leeds Core Strategy

## 9.5 Transportation and accessibility

9.5.1 With regards to issues relating to highway safety and parking. The site is located in a highly sustainable location close to the many amenities offered near the site and within the nearby City Centre and is readily accessible by a range of modes of transport.

9.5.2 With regards to parking, the development does not provide any off-street car parking. Consideration has been given to providing a small amount of service parking on site however the constrained nature of the site and the levels are such that this is difficult to achieve. However, given the sites location in terms of access to public transport, the extensive waiting restrictions in place on the adjacent highway network and that

future occupants would not be eligible for access to permits in any existing or future permit parking zones, a highway objection on parking grounds could not be sustained.

- 9.5.3 The applicant will provide funding for amendment to the existing Traffic Regulation Order to provide a service bay and to provide a disabled user parking space on Westfield Road close to Hollis Place.
- 9.5.4 Bike store areas for the development are proposed within the ground floor of the development.
- 9.5.5 With regards to the proposals for the managing student arrival and departures at the beginning and end of term this will involve the temporary suspension of several parking spaces within the Burley Road Car Park, located opposite the site. Half hourly (booked) time slots would be allocated to the students who would reside in the proposed building to allow them to move their possessions in and out of the building at the beginning and end of term. This arrangement is acceptable in principle and the details of the management plan should be agreed through condition.
- 9.5.6 The development accords with Policy T2 of the Leeds Core Strategy and Policy T24 of the saved UDPR (2006)

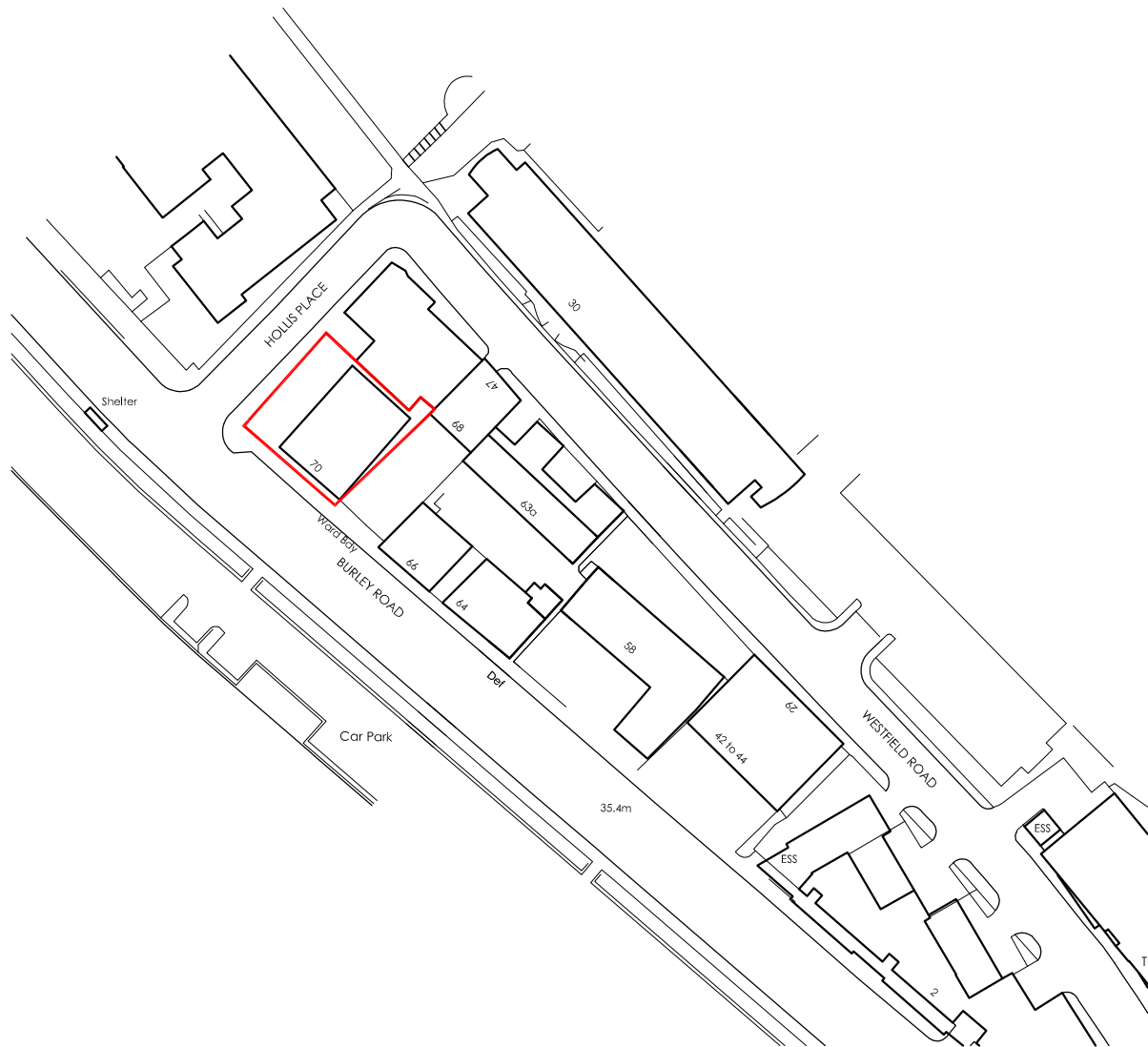
#### Sustainability

- 9.5.7 The Core Strategy climate change policies are designed so that new development contributes to carbon reduction targets. Policy EN1 is flexible, allowing developers to choose the most appropriate and cost effective carbon reduction solution for their site. The development also adopts a 'fabric-first' to carbon with low U-value construction elements and improved air permeability being specified to reduce heat loss from the building, due to the focus on energy efficiency in sustainable building design. The applicant's sustainability appraisal has recommended that a mix of energy sources are compatible with the building and should be utilised. This mix will be Gas Fired CHP, Photovoltaics and an Air Source Heat Pump.
- 9.5.8 The proposed student accommodation will comply with Leeds City Council Planning Requirements, Core Strategy Policy EN1, Criteria (i) & (ii). The applicant has demonstrated that the development provides a 20% reduction in CO2 emissions over Part L Building Regulations requirements (2013) in accordance with Core Strategy Policy EN1, Criteria (i). Furthermore, and has determined that an excess of 10% of the predicted energy consumption of the proposed Index House development can be obtained through the incorporation of low and zero carbon technologies in accordance with Core Strategy Policy EN1, Criteria (ii).
- 9.5.9 With regards to bio-diversity improvements, the existing site comprises a building and sealed surfaces and as such has a very low ecological value. Consideration has been given to using the bio-diversity metric requiring an uplift of 10 percent of the current bio-diversity of the site. However, given the low ecological value of the site not recommend using the Metric as this would not result in any net gain to bio-diversity. The development offers limited scope for bio-diversity enhancements, however it has been agreed that bird nesting and bat roosting features to be including within the fabric of the building. It is recommended that a condition requiring the detail of these features is included as part of permission.



## 10.0 Conclusion

- 10.1 In reaching a recommendation to approve the proposed development it is important to acknowledge that the recommendation is on balance. The development will result in additional and further concentration of students within this part of Little London and Woodhouse which already has a high concentration of students. This weighs against the development.
- 10.2 However, weighing in favour of the development is that it is considered a high quality redevelopment of an under-utilised site which will result in an improvement to the local character of the area. Furthermore, the use of the site for PBSA will further take the pressure off the use of private housing for student accommodation which will help the rebalancing of communities going forward in the Little London and Woodhouse and neighbouring Wards.
- 10.3 In reaching the recommendation it is also important to fully consider the concerns of Rosebank Primary School. These concerns have been central to consideration on the proposal and where possible the scheme has been amended in response to concerns raised. The height of the building has been reduced and windows details changed to reduce the physical impact on the school. A robust Management Plan is proposed to ensure the building is well managed and channels for discussions between the manager of the student building and the school are in place to allow any issues arising to be addressed promptly and effectively.
- 10.4 In conclusion, whilst it is acknowledge that there are significant local concerns with regards to the potential impact, it is considered that the proposal represents a high quality development that will enhance the character and appearance of the immediate and wider street scape, provide additional student accommodation and wider economic benefits. As such, a subject to robust conditions and the completion of the S106 agreement it is recommended that planning permission is granted.



File				
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Rev	Date	Amendment	By	Chk
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Project: Proposed Student Accommodation, Index House, Burley Road, Leeds				
Client: Torsion Developments				
Title: Location Plan				
Date:	Scale:	Size:	Drawn:	Checked:
Mar 19	1/1250	A4	ST	ADP
Project No:	Dwg No:	Rev:	Status:	
3087	001	0	Planning	