

Report of the Chief Planning Officer

Consultative Meeting of Members of the City Plans Panel

21st December 2021

Pre-application consultation on the proposed development comprising demolition of existing building and construction of mixed-use scheme comprising retail floorspace at basement and ground floor, and purpose-built student accommodation on floors 1-9 of the new building at 140-142 Briggate, Leeds LS1 6LS (PREAPP/21/00279)

Applicant – Manner by Dukelease

Electoral Wards Affected:

Little London and Woodhouse

Yes Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought in support of a consultative meeting with City Plans Panel Members. The Developer will present the details of the proposed development to allow Members to consider and comment on the proposals at this stage.

1.0 Introduction

1.1 This report is intended to inform and consult Members regarding the emerging proposals for the redevelopment of 140-142 Briggate, currently occupied by the House of Fraser department store. The new building, to be built on a similar footprint to the existing, would comprise retail floorspace (3,272sqm) at basement and ground floor level and would provide 368 bedspaces in purpose-built student accommodation (PBSA) in the floors above.

1.2 It is understood that the current tenants will not be renewing their lease on the building such that the current proposal provides an opportunity to maintain a retail frontage along Briggate whilst introducing a new use which will help to support the vitality and viability of the retail core.

2.0 Site and surroundings

- 2.1 The site is located on the east side of Briggate, midway between Duncan Street to the south and Kirkgate to the north. The rear, eastern, elevation of the existing premises fronts Central Road which curves gently in towards the building. The building was constructed in 1959 for Woolworths to replace their earlier store on the site. The principal elevation fronting Briggate comprises a simple Portland Stone facade with a large expanse of opaque glazing and inset ribbon windows in the elevation above the ground floor entrance and shopfront. The rear elevation takes a similar form. The building is four storeys in height, plus basement.
- 2.2 The attached building to the north on Briggate was last occupied by Gap clothing but is currently vacant. The southern elevation abuts a café and retail units located on the north side of the Central Arcade. The northern limit of the building on Central Road abuts the service area to Zara clothes. Briggate is Leeds' principal pedestrianised shopping street and retail outlets such as M&S and the entrance to the Trinity Leeds shopping centre are located on the opposite side of the street from the site. Central Road, which branches off towards New Market Street, is quieter although contains several commercial units, primarily located on the east side of the street. A mature tree is located on Central Road close to the south-east corner of the building.
- 2.3 Whereas Leeds City Centre - Central Area Conservation Area is extensive it excludes much of the urban block in which the site is located. The eastern boundary of the site abuts the conservation area which runs north-south along Central Road. The area contains several listed buildings including 133-137 Briggate, a Grade II listed building attached to the north of the site. That building, constructed in red brick and pink terracotta, presents an ornate façade onto Briggate with round-headed windows of reducing scale and a central canted bay. The building, although shallower in depth than the subject premises, is approximately a storey taller whereas the diminutive scale of the building attached to the south is inconsistent with the scale of most buildings in the locality. There are additional listed buildings on Briggate, including the Yorkshire Building Society at 148-150 Briggate to the south (Grade II) and 14-34 Central Road (Grade II) to the east. Further east, across New Market Street and Vicar Lane, listed buildings include the Corn Exchange (Grade I) and Leeds City Market (Grade I).

3.0 Proposals

- 3.1 The existing building would be demolished in its entirety. A new basement and ground floor would be formed on a similar footprint to the existing. Most of this area would be used for retail with the sole public access to this use from Briggate. The southern end of the Briggate frontage would also incorporate a fire exit from the PBSA bedrooms in the levels above. The eastern third of the ground floor, fronting Central Road, would contain the primary entrance to the PBSA, student communal amenity space, cycle storage and refuse areas.
- 3.2 The massing of the building would reduce progressively with increased height above ground floor level. Levels 1-5 would have a common footplate, comprising two wings fronting Briggate and Central Road linked by a centrally positioned spine set back from neighbouring properties. Level 6 would have a similar arrangement, albeit the west elevation would be set back Briggate frontage below, whilst the southern end of the Central Road wing would be set in from the levels below. The west elevation of Level 7 would step further back from both Briggate and from the southern boundary. The east wing of Level 7, the highest level of accommodation on this side of the building, would step back from Central Road. Level 8 would have a similar format to level 7,

with an external amenity space forming the rooftop on the eastern side. Level 9 would comprise the now solitary central spine.

- 3.3 The PBSA would contain 238 bedspaces in a mix of 3-8 bedroom clusters, each cluster served by its own dedicated kitchen/living space. In addition, 130 self-contained studio rooms are proposed, distributed around the building. The communal facilities would be focused at ground level and first floor (471sqm), in addition to the Level 8 external amenity space (381sqm).
- 3.4 Externally, the proposed Briggate elevation would reference elements of the attached listed building. The main body of the building would be divided into 7 equal bays by vertical piers which would become more slender and modelled with increasing height. The ground floor would contain extensive glazing to the proposed shopfronts, the fascia above a signage zone aligned with the fascia at 133-137 Briggate. The head of the first floor windows would be formed by a round-headed arch, this detail repeated between Levels 4 and 5 to balance the lower component of the façade. Each of the bays above ground floor would contain a pair of windows, each with steel balustrades. Level 5 would continue the use of paired windows but would be detailed with narrow fins and a chamfered cornice to mark the termination of the primary façade and in response to the change in format at the extended top level of 133-137 Briggate. This main element of the frontage would be faced in a stone material coloured to match its neighbour.
- 3.5 Level 6, set back from the frontage, would contain a series of window openings whilst purposively diverting from rhythm of windows below. The façade would be lighter in colour, with a lightweight, glazed balustrade to the front. Stepping in and back, Levels 7 and 8 would be faced in zinc with a standing seam. Further back still, Level 9 would be faced in large panels of glazing and opaque glazing.
- 3.6 The Central Road elevation would also have a distinct base, middle and top. The lowest level would be faced in a bronze anodised aluminium panel system with regularly dimensioned bays separated by a series of piers. Vertically proportioned glazing units would enable activity in the communal areas to be viewed from the street. The main body of the building would be divided by the piers, extruded vertically from ground level, and by string courses at the top of Levels 2 and 3 creating a strong rhythm to the façade. This part of the frontage would be faced in a stone material matching the Briggate frontage. The materials and architectural approach used above level 5 would be similar to those proposed on the Briggate frontage.
- 3.7 Levels 1-6 of the south elevation connecting the east and west wings, would utilise a regular pattern of vertically proportioned, black-framed, single windows set within an off-white coloured metal panel system. Those levels above would be consistent with those on the principal frontages. The same approach to architecture and materiality is proposed within the inner courtyard.

4.0 Relevant planning history

- 4.1 A series of applications for the display of signage on the building reflects the various tenants of the existing building on the site: Woolworths, Schofields and House of Fraser.
- 4.2 115-126 Briggate (Debenhams). Redevelopment of the existing buildings to include rooftop extension and conversion of upper floors to student residential use with ground floor reception entrance (21/02996/FU). Approved 20.8.21.

5.0 Consultation responses

- 5.1 LCC Highways – No objection to the principle of development. The developer must provide a Transport Statement, Travel Plan, and Management Plan for the start and end of term.

This site is located in Leeds city centre which is a highly accessible location. The site is within a 10-minute walk of both Leeds bus and train station offering a variety of services to all parts of Leeds and neighbouring towns and cities. Furthermore, amenities such as shops, restaurants, employment opportunities and medical services are all within walking distance of the site.

The residential element will cater for students. The flats are located within walking distance of both Leeds Beckett University and the University of Leeds (within a 20-minute walk of both). This site meets the accessibility standards set out in the Core Strategy.

There should be level access to the building with doors opening inwards away from the highway. There is a door shown to open outwards onto Central Road, this should be amended. A bin store has been shown on the ground floor. As bins for the student accommodation block and retail unit will be collected separately they should be stored in separate stores. The developer must also confirm where bins will be stored on collection day. Cycle parking provision should be in accordance with the emerging Transport SPD.

- 5.2 LCC Flood Risk Management (FRM) – the site is located within Flood Risk Zone 1 and there have been no records of any recent flooding within the property or adjacent areas. An initial review has also identified that there are no other known flood risks which require mitigation and would impact on the proposed development.

Green roofs which would reduce the future surface water discharge are supported. Rainwater harvesting should be considered from hard surfaced roofs for use in the external amenity space.

For a full planning application, the exact details and extent of SuDS elements should be defined. The drainage of the development should be based on the general guidance as set out within the Leeds City Council - Minimum Development Control Standards in relation to Flood Risk. Other information to be provided with the application should include: A drawing showing the existing and proposed impermeable areas; Calculations and any supporting survey/record drawings and investigations to justify and demonstrate the existing and proposed discharge rate; a Drainage Plan and Summary Drainage Report; a plan showing overland exceedance routes in the event of a failure of the drainage system or storm event in excess of the 1 in 100 + 40% CC storm event; a plan showing pipework model numbering and network details; summary of results showing all the modelling criteria and summary network results; details of how and by whom the common non adopted drainage system elements will be maintained; and details of the proposed construction phase drainage control measures.

- 5.3 LCC Contaminated Land Team - the proposed development includes uses that may be vulnerable to contamination and potentially contaminative former uses have been identified in the vicinity of the site. Therefore, the minimum of a Phase 1 Desk Study Report will be required in support of the application. Depending on the outcome of the Phase 1 Desk Study, a Phase 2 Report and Remediation Statement may also be required.

- 5.4 LCC Access – all shared areas and external area / approaches should be designed in line with BS8300-1:2018 to be inclusive as per Accessible Leeds SPD.
- 5.5 LCC Conservation – The proposed development affects the setting of several listed buildings, including the setting of the Corn Exchange (grade I), and also the setting of Leeds City Centre Conservation Area. The existing building should be considered as a non-designated heritage asset.

The existing building is an example of “civic modernism” which is characteristic of post-war new towns and comprehensive redevelopment schemes. Its defining features are a simple geometric boxy form, horizontal banded windows and the use of Portland stone cladding. There are other examples of this generic type on Briggate and they collectively represent a phase of Leeds post-war renewal of the city centre. This historic value gives the building sufficient significance to be considered as a non-designated heritage asset and as such “a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset” (NPPF para 203).

The existing building was designed with little regard to its historical context and has a weak visual relationship with the adjacent listed building and other listed late Victorian and Edwardian listed buildings. The proposed Briggate elevation has been developed with an explicit reference of 133, 135 and 137 Briggate (grade II) and achieves a successful synthesis of its main features which are analogous to other buildings on Briggate. Similarly, the proposed elevation to Central Road is an improvement on the rear of the existing building which has a giant scale worthy of a principal facade but is unsympathetic to proportions of the street and the domestically-scaled 14-34, Central Road (grade listed II).

The massing of the proposal has been studied using key views and show that the increased height with the important set back of the top three storeys will be acceptable in views along Briggate. The views from the Corn Exchange show that the increased height will not impose on its setting.

The proposal will enhance the setting of listed buildings on Briggate and preserve the setting of listed buildings in a wider array, including the Corn Exchange. It will enhance views into and out of the adjacent conservation area. Taking a “balanced judgement” required by paragraph 203 of the NPPF, it is considered that the harm to the significance of the existing building is outweighed by the enhancement of designated assets.

- 5.6 Leeds Civic Trust (LCT) – the Trust received a presentation of the proposals from the developer’s team and made the following comments:

- It is accepted that the days of the large department store are over and that new uses are required for sites if they are not to have an adverse effect on prime shopping frontages. At upper levels, student accommodation, being more seasonal in operation, may not offer the same year-round benefit as previously proposed co-living.
- Questions remain regarding the long-term demand for PBSA. Given this scenario, it should be demonstrated that the development would be convertible to permanent accommodation.
- The general form and massing, in particular the lower floors, are well considered whereas the set-back floors at roof level are rather unrefined by comparison.

Some Members thought the Central Road elevation was a little bland in comparison with the buildings on the east side of the road.

- Wholly internal corridors should be avoided as they require ongoing ventilation and lighting and are not conducive to social gathering or social distancing.
- The construction process must consider the impact upon existing occupiers and users, including disabled parking, on Central Road. The existing tree must also be properly protected throughout this process.

6.0 Policy

6.1 Development Plan

6.1.1 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 within the City Centre boundary, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy 2014 (as amended by the Core Strategy Selective Review 2019)
- 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 Allocations Plan (Adopted July 2019)

6.2 Leeds Core Strategy (CS)

6.2.1 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. (iv) Prioritises new office, retail, service, leisure and cultural facilities in Leeds City Centre.
- 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 (i) promoting the City Centre's role as the regional capital for major new retail, leisure, hotel, culture and office development.
- Spatial Policy 8 supports a competitive local economy through (ii) enterprise and innovation in...housing, leisure and tourism; and (vii) developing the City Centre as the core location for new retail, office and other town centre uses.
- 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 CC1 outlines the planned growth within the City Centre. Part B encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers. Part G supports town centre uses within the City Centre boundary. Part H states that a concentration of shops with ground floor frontages should be maintained in the Prime Shopping Quarter for reasons of vitality.
- Policy CC3 states new development will need to provide and improve walking and cycling routes connecting the City Centre with adjoining neighbourhoods and improve connections within the City Centre.

- 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.
- 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”.
- 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.
- 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 CO² reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.
- Policy EN4 states that where technically viable major developments should connect to district heating networks.
- Policy EN5 identifies requirements to manage flood risk.
- Policy ID2 outlines the Council’s approach to planning obligations and developer contributions.

6.3 **Saved Unitary Development Plan Review policies (UDPR)**

6.3.1 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 BD4 relates to provision for all mechanical plant on and servicing of new developments.
- Policy BD5 requires new buildings to consider both amenity for their own occupants and that of their surroundings including usable space, privacy and satisfactory daylight and sunlight.
- Policy LD1 sets out criteria for landscape schemes.
- Policy N19 requires new buildings adjacent to conservation areas to preserve or enhance the character or appearance of the relevant areas.

6.4 **Natural Resources & Waste Local Plan (NRWLP)**

6.4.1 The NRWLP sets out where land is needed to enable the City to manage resources, like trees, minerals, waste and water and identifies specific actions which will help use the natural resources in a more efficient way.

6.4.2 Relevant policies include:

- Air 1 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.
- Water 1 requires water efficiency, including incorporation of sustainable drainage
- Water 4 requires the consideration of flood risk issues
- Water 6 requires flood risk assessments.
- Water 7 requires development not to increase surface water run-off and to introduce SUDS where feasible.
- Land 1 requires consideration of land contamination issues.
- Land 2 requires that development conserves trees where possible.

6.5 **Site Allocations Plan (SAP)**

The site is not specifically identified in the SAP although Briggate and Central Road are identified as green space (G2369 – Central Leeds Pedestrian Shopping Precinct). The SAP reviewed the boundary of the Primary Shopping Quarter and the primary and secondary frontages within it. The frontage facing Briggate is identified as a Primary Shopping Frontage whereas the elevation facing Central Road is not identified as a shopping frontage. Relevant shopping frontages policies are RTC1, RTC2 and RTC 4.

Other material considerations

6.6 **National Planning Policy Framework (NPPF)**

- 6.6.1 The NPPF was updated in July 2021. Paragraph 11 states that decisions should apply a presumption in favour of sustainable development. Permission should be granted unless the application of policies in the Framework provides a clear reason for refusing the development; or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.
- 6.6.2 Chapter 5 identifies guidance for the delivery of a sufficient supply of homes including at paragraph 62, accommodation for students.
- 6.6.3 Chapter 6 references the benefits of a strong, competitive economy. Paragraph 81 states that significant weight should be placed on the need to support economic growth.
- 6.6.4 Chapter 7 relates to measures to ensure the vitality of town centres to promote their long-term vitality and viability allowing them to grow and diversify, allowing a suitable mix of uses (including housing) and reflecting their distinctive characters.
- 6.6.5 Chapter 8 promotes healthy and safe communities aiming to achieve healthy, inclusive and safe places. Decisions should promote public safety and take into account wider security requirements (paragraph 97).
- 6.6.6 Chapter 9 identifies measures to promote sustainable transport. Paragraph 112 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.

6.6.8 Chapter 11 states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

6.6.9 Chapter 12 identifies the importance of well-designed places and the need for a consistent and high quality, beautiful and sustainable buildings and places. Paragraph 126 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states that planning 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.

Paragraph 131 recognises that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

6.6.10 Chapter 14 identifies the approach to meeting the climate change challenge. New development should avoid increased vulnerability to the range of impacts arising from climate change and should be planned so as to help reduce greenhouse gas emissions, such as through its location, orientation and design (paragraph 154).

6.6.11 Chapter 15 identifies guidelines for conserving and enhancing the natural environment. Paragraph 174 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. Development should, wherever possible, help to improve local environmental conditions.

6.6.12 Chapter 16 refers to the historic environment. Paragraph 197 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 199 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 202 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.”

Paragraph 203 says that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.

6.7 **Supplementary planning guidance**

- Accessible Leeds SPD
- Travel Plans SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD
- Neighbourhoods for Living SPG
- City Centre Urban Design Strategy SPD
- Transport SPD (draft)
- Houses in Multiple Occupation (HMOs), Purpose Built Student Accommodation (PBSA) and Co-Living Amenity Standards SPD (draft)

7.0 **Issues**

Members are asked to comment on the proposals and to consider the following matters:

7.1 Principle of the development

- 7.1.1 Located in the centre of the Primary Shopping Quarter, the site has been used for retailing for nearly 100 years. At the same time it is recognised that changing shopping habits may mean that large, multi-level, department stores are less attractive as a retail model going forward. However, the ground floor retail frontage to Briggate remains important to the vitality of the street and the shopping frontage. The ground floor and basement retail areas proposed in the scheme would actively support this function, the Primary Shopping Frontage and the wider function of the City Centre as the regional capital for retailing. Consequently, subject to the retention of the retail use as proposed, the development would accord with CS policies SP1 and CC1 and SAP policies RTC1, RTC2 and RTC 4.
- 7.1.2 With regard to the proposed purpose-built student accommodation (PBSA) CS Policy CC1(b) encourages residential development in City Centre locations providing that the development does not prejudice the functions of the City Centre. In this case, rather than prejudicing other activities, the use would help to sustain the vitality and viability of existing businesses within the City Centre.
- 7.1.3 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. CS paragraph 5.2.26 states that growth in new PBSA is to be welcomed in order to meet need and to deflect

pressure away from private rented houses in areas of over-concentration. The applicant intends to provide up-to-date analysis of the position regarding the demand and supply for PBSA when submitting the planning application. Additionally, notwithstanding this position, it is intended to demonstrate how the building could be converted to another use should the demand for PBSA fall away at some point in the future, albeit such a change would be subject to a new planning permission.

7.1.4 The proposal is considered against the criteria set out below within the adopted policy H6B (identified in italics):

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

The provision of 368 student bedspaces would help to reduce the need to use private housing for student accommodation.

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

The existing building on the site currently remains in use as a department store and the new building would be used for the provision of PBSA and retail floorspace. The development would therefore 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 within 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 on foot, by bicycle or by public transport.

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

7.1.5 **Do Members consider that the proposed redevelopment of the site for retailing and student accommodation is acceptable in principle?**

7.2 Amenity considerations

7.2.1 Criteria (iii) of Core Strategy policy H6B aims to avoid excessive concentrations of student accommodation which would undermine the balance and wellbeing of communities.

7.2.2 Paragraph 5.1.14 of the CS states that the City Centre remains a good location for PBSA although excessive concentrations should be avoided. Whilst the area around the Merrion Centre has seen a significant increase in student residential use in recent years, that area also comprises significant numbers of private rental apartments and a wide mix of commercial uses such that, despite the concentration, the use has been successfully integrated with a beneficial effect in supporting City Centre businesses.

7.2.3 Briggate forms the heart of Leeds' pedestrianised City Centre with a focus on retail uses anchored by the Trinity and Victoria Gate shopping centres and ancillary supporting leisure and food and drink uses. There is some existing limited presence of residential uses mainly on upper floors within Briggate and adjoining streets. However, the overall character is predominately a mixture of retail and leisure uses, alongside office and limited residential uses. Whilst planning permission has recently been granted for 124 student bedspaces in PBSA at 115 - 125 Briggate (Debenhams),

to the north, in the context of Briggate and Central Road the development would not result in an excessive concentration of student accommodation.

- 7.2.4 It is not considered that existing local residents would be adversely affected by student accommodation in the proposed location in the context of a busy mixed use, City Centre environment and the manner in which purpose-built student accommodation is managed. It is more likely that the students would help to support the vitality of existing businesses within the City Centre. Whereas the intended letting period for the PBSA in the development is currently unknown there is potential for the accommodation to be occupied by other users during the summer recess thereby maintaining activity when upper floors may otherwise be vacant.
- 7.2.5 CS policy CC1(b) requires that residential development provides a reasonable level of amenity for its occupiers. CS policy P10 and Saved UDPR policies BD5 and GP5 identify general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. More specifically, criteria (v) of CS policy H6B requires that student accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms. Further, a footnote to CS 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". Members will be aware of a draft SPD which includes minimum requirements for room sizes and supporting spaces although, due to its 'draft' status the SPD currently can only be afforded limited weight.
- 7.2.6 In addition to room sizes 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, daylighting, outlook, privacy and external amenity space.
- 7.2.7 Officers and Members have visited several student housing schemes to review the level of amenity provided for occupiers. These include Fresh Student Living at Darley Bank in Derby (April 2014) where the studio was 22m²; Downing's Cityside, Calverley Street, Leeds (May 2016) where the student showflat was also 22m²; Vita Student's Telephone House, Sheffield (September 2016) where the average studio size was 20m²; and in March 2018 Unite's development at Angel Lane, Stratford where Members viewed a 10 bedroom cluster flat where the cluster bedrooms of 11m² were supported by 23m² kitchen/living spaces, together with other internal and external amenity space located around the building. Most recently, Members visited the Vita St Alban's Place development in October 2019. Members viewed the communal facilities located at the lower levels of the building and two student studios, the smallest of which had a floor area of 20m².
- 7.2.8 City Plans Panel has previously approved the following student accommodation developments in the wider area:
- Vita St Alban's Place, in which the smallest studios is 20m² (78% of the total provision). In approving the scheme it was recognised that the size of the majority of the studios would be restricted, providing little or no opportunity for socialising. However, each studio was found to benefit from a good outlook, natural daylighting and a suitable noise environment. In order to provide acceptable levels of amenity and communal living the studios are supplemented by 653m² of communal amenity space for 376 studios.

- Symons House, Belgrave Street (17/06605/FU) where the smallest studio is 21.3m². 2 to 5 bedroom clusters in that development have 14m² bedrooms with kitchen/living spaces increasing in size from 21-43m². 748m² of additional communal amenity space was provided.
- Hume (Altus) House, Wade Lane (18/01819/FU) comprises a mixture of studios (22m²) and 4, 5 and 6 bedroom clusters with 21-35m² kitchen/amenity space, the area depending upon the size of the cluster. 546m² of communal amenity space was provided.
- Unite, Merrion Way (18/05738/FU) scheme comprises 4, 5 and 7 bedroom clusters with 23-40m² kitchen/amenity space, and 30m² studios. 1,344m² of additional internal communal amenity space was provided for the 976 bedspaces.
- 44 Merrion Street (20/01965/FU) comprises 5 bedroom cluster flats, the smallest bedroom of which would be 12.8m² with a kitchen/diner (15.2m²) and have shared access with an adjacent cluster to a lounge (18.4m²); and studios the smallest of which would be 20m² albeit a range of sizes is proposed dependent upon location within the development. A total of 660 bedrooms would be supported by 1,073m² of internal communal space, in addition to external space.
- 115 - 125 Briggate (Debenhams) where the studio flats would range from 20-36m², whilst double sized-duel occupancy studios would range from 32-50m². A total of 124 bedrooms would be supported by internal communal space (384m²) and external space (370m²).

In each of these purpose-built student schemes, the dedicated additional amenity spaces within the building were considered critical in providing overall acceptable levels of amenity for the occupiers of the development.

- 7.2.9 The format of the proposed student accommodation is comparable to the PBSA schemes referred to above. The studios (130) would range in size from 20m² – 26.9m², with accessible studios ranging in size from 26.1m² – 28.3m². The studios would typically have a conventional layout with washing facilities positioned closest to the door, a sleeping area in the centre, and living facilities nearest to full height windows. The en-suite cluster bedrooms would range in size from 12.1m² – 17.4m², with accessible en-suite cluster bedrooms ranging from 17.0m² - 17.6m². 3 bedroom clusters would be supported by 26m² kitchen/dining rooms; 4 bedroom clusters would be supported by 28.1m² - 28.4m² kitchen/dining rooms; 5 bedroom clusters would be supported by 29.8m² - 30m² kitchen/dining rooms; 7 bedroom clusters would be supported by 34.1m² kitchen/dining rooms; and 8 bedroom clusters would be supported by 36.2m² – 48.0m² kitchen/dining rooms. Each of the bedrooms and supporting spaces would meet or exceed the thresholds identified in the draft SPD.
- 7.2.10 Areas of dedicated amenity space for communal use by students would be provided at ground level and first floor (471sqm), in addition to the Level 8 external amenity space (381sqm).
- 7.2.11 Student bedrooms would be located throughout the upper floors of the building described at paragraph 3.2 above. The floorplan has been carefully arranged so as to maximise views and daylighting and, in particular, to minimise direct views from bedrooms towards 133-137 Briggate so as to provide acceptable outlook, daylighting and juxtaposition of rooms.

7.2.12 Leeds Civic Trust has commented that wholly internal corridors should be avoided. Typically, proposed corridors are terminated by bedrooms or cluster kitchens. To extrude the corridors through these spaces would result in the spaces being compromised and, on balance, it is considered that maximising internal room dimensions is preferable to improving the conditions within the corridors. Notwithstanding, the developer is reviewing options for improving the corridor spaces.

7.2.13 **Subject to confirmation of detailed proposals do Members support the approach towards living conditions for the student accommodation?**

7.3 Townscape and heritage considerations

7.3.1 As described at paragraph 2.3, the premises is located in the setting of several listed buildings and the setting of the City Centre conservation area. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Listed Buildings Act 1990') provides:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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."

Further, in accordance with paragraph 199 of the NPPF great weight should be given to the conservation of heritage assets. Any new development must also provide good design that is appropriate to its location, scale and function (CS Policy P10). Part (i) of the policy states that the size, scale, design and layout should be appropriate to its context and that (Part ii) the development should protect and enhance skylines and views. 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.

7.3.2 The existing building is an example of "civic modernism" which is characteristic of post war new towns and comprehensive redevelopment schemes. Its defining features are a simple geometric boxy form, horizontal banded windows and the use of concrete or Portland stone cladding. There other examples of this generic type on Briggate and they collectively represent a phase of Leeds post war renewal of the city centre. This historic value gives the building sufficient significance to be considered as a non-designated heritage asset and as such "a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset" (NPPF paragraph 203).

7.3.3 Whereas the front and rear building lines of the building are important in maintaining the strength of the frontage, the existing building was designed with little regard to its historical context and has a weak visual relationship with the adjacent listed building and other listed late Victorian and Edwardian listed buildings nearby. As such, subject to a suitably designed replacement, the demolition of the existing building would not be resisted. Taking the "balanced judgement" required by paragraph 203 of the NPPF, it is considered that the harm to the significance of the existing building would be outweighed by the enhancement of designated assets.

7.3.4 The massing of the main body of the proposed building (paragraph 3.2) references 133-137 Briggate directly to the north. Levels 6 and above would be progressively set

back from the frontage and would utilise a lighter and reflective material so as to further reduce the visual weight of the upper levels. The massing has been studied using key views which illustrate that the increased height, with the important set back of the top three storeys, would not be overdominant in views north and south along Briggate. As such, the scale of the proposed building would be successfully integrated into the townscape and the setting of listed buildings such as 148-150 Briggate and the wider conservation area would not be harmed. In a similar respect, whereas properties on the east side of Central Road, including 14-34 Central Road, are more diminutive in scale than the proposed development, the set-back at upper floors combined with the lighter material which would be utilised would be such that the massing of the new building would not have a significantly greater impact upon the buildings on Central Road than the existing development. Further, the views from the Corn Exchange (grade I listed) 85m to the south-east show that the increased height of the building would not impose on its setting.

7.3.5 The proposed Briggate elevation design has been developed with an explicit reference to 133-137 Briggate (grade II listed) and achieves a successful synthesis of its main features, including round-headed arches, which are analogous to other buildings on Briggate. The existing elevation to Central Road has a giant scale worthy of a principal facade but is unsympathetic to proportions of the street and the domestically scaled 14-34, Central Road (grade listed II). The proposed elevation to Central Road, would introduce a distinct base, middle and top, cleverly arranged and articulated to create a strong rhythm to the façade which would be a significant improvement on the existing façade.

7.3.6 Subject to the selection of appropriate high-quality facing materials and detailed design, the development would enhance the setting of listed buildings on Briggate and preserve the setting of listed buildings in a wider context, including the Corn Exchange. The development would also enhance views into and out of the adjacent conservation area. As a consequence, the development would also accord with CS policies P10 and P11, saved UDPR policies BD2 and N19 and the NPPF.

7.3.10 **Do Members support the proposed scale and form of development?**

7.4 Transportation and accessibility

7.4.1 The site is located in a highly sustainable position close to the many amenities offered by the City Centre. It is situated in a pedestrianised area midway between the central bus station and the railway station and is readily accessible by a range of modes of transport. The development would be car-free, supporting the sustainable approach to parking provision advocated in the City Centre in the Parking SPD.

7.4.2 A full range of cycling facilities are required for both the retail and student elements of the scheme to accord with the draft Transport SPD. Two long-stay bike storage areas are proposed at ground level which would be accessed from Central Road. These facilities would form a key element of the Travel Plan to be submitted with the planning application.

7.4.3 It is intended that servicing of both the PBSA and retail floorspace would be from Central Road. Servicing and refuse collection for the building would take place from the marked bays on Central Road during the specified loading hours. A servicing strategy, Transport Statement and also a Management Plan for student drop off and pick up at start and end of term time will accompany the planning application.

7.4.4 There would be level access into the retail floorspace directly from Briggate and level access into the PBSA from Central Road. Lifts running throughout the building would provide access to all floors from the main student entrance lobby, whilst lifts located towards the west end of the building would provide access between levels 1-8. 18 (5%) of the rooms would be provided as accessible rooms. Subject to the receipt of satisfactory detailed proposals the development would accord with CS policies T2 and P10 and the Accessible Leeds SPD.

7.4.5 **Do Members consider that the development's proposed provisions for transportation and accessibility are acceptable?**

7.5 Sustainability and Climate Change

7.5.1 The CS environmental policies are designed so that new development contributes to carbon reduction targets and incorporates measures to address climate change concerns following the Council's declaration of a climate emergency in 2019. Policy EN1 is flexible, allowing developers to choose the most appropriate and cost-effective carbon reduction solution for their site. Major developments also need to meet the BREEAM Excellent standard if feasible (EN2). Where technically viable, appropriate for the development, and in areas with sufficient existing or potential heat density, major developments should propose heating systems, potentially connecting to the emerging district heating network (EN4(i)).

7.5.2 Due to its age and extensive floorplate the existing building is not readily adaptable for any form of residential accommodation. Conversely, it is intended that the new development will achieve a BREEAM rating of Excellent and pre-assessment reports have been provided to illustrate this is feasible. Further, the applicant has confirmed that the proposed development will demonstrate 20% improvement in emissions reduction against Part L of the Building Regulations (2013), and that a minimum of 10% of the building's energy demand would be met by low carbon energy options. The Energy Strategy will look to achieve these targets by a combination of enhanced building fabric specification (significantly beyond the regulatory compliance standard), efficient mechanical and electrical systems and the provision of renewable energy technology. Whilst the detailed designs are developing, presently, the following features are being considered:

- Incorporation of passive design measures such as natural ventilation, good daylighting levels throughout, and efficient building fabric into the design to reduce heating and cooling energy demands;
- Use of highly efficient LED lighting and energy efficient equipment within the development to reduce overall energy consumption;
- Provision of a fully electric heating, hot water, and cooling system, and low and zero carbon technologies in the form of potential Air Source Heat Pumps and Solar PV into the design to reduce CO2 emissions;
- Use of highly efficient water consuming systems to reduce total water usage.

7.5.3 Whilst the development is close to the extensive amenities provided within the City Centre, and the universities are also located within walking distance of the student accommodation, the development would also be supported by a Travel Plan which will provide measures to reduce reliance on single-occupancy vehicle trips and encourage sustainable travel options.

7.5.4 **Subject to confirmation of details do Members support the approach to sustainable development?**

7.6 Safety and security

- 7.6.1 CS policy P10(v) identifies that developments should create safe and secure environments that reduce the opportunities for crime and the NPPF states that developments should be safe and accessible so that crime and disorder, and the fear of crime, do not undermine quality of life.
- 7.6.2 The site is located in a highly visible location with pedestrianised streets to the east and west. The existing retail use provides activity and surveillance during the day but the building is vacant during evening periods and overnight. The proposed development incorporates a fully glazed retail frontage along Briggate that would help to maintain activity and intervisibility between the unit and the street. There would also be additional passive surveillance from the student rooms overlooking Briggate both at daytime and during the evening when retail units have closed.
- 7.6.3 The east elevation of the premises currently comprises service and staff access points, shopfront displays and extensive opaque upper level glazing. The proposed east elevation would be the principal access to the student accommodation. It would incorporate large areas of glazing at lower levels serving the communal amenity areas and windows to each of the student rooms. Consequently, the arrangement would ensure regular activity and passive surveillance whilst the accommodation is occupied. Whereas the intended letting period for the PBSA is currently unknown there is potential for the accommodation to be occupied by other users during the summer recess thereby maintaining activity and passive surveillance of Central Road. The PBSA would also have a 24-hour manned front desk, with CCTV providing additional surveillance of both the internal and external spaces at all times.

7.7 Conclusion

- 7.7.1 Members are asked to note the contents of the report and the presentation, and are invited to provide feedback, in particular, on the issues outlined below:

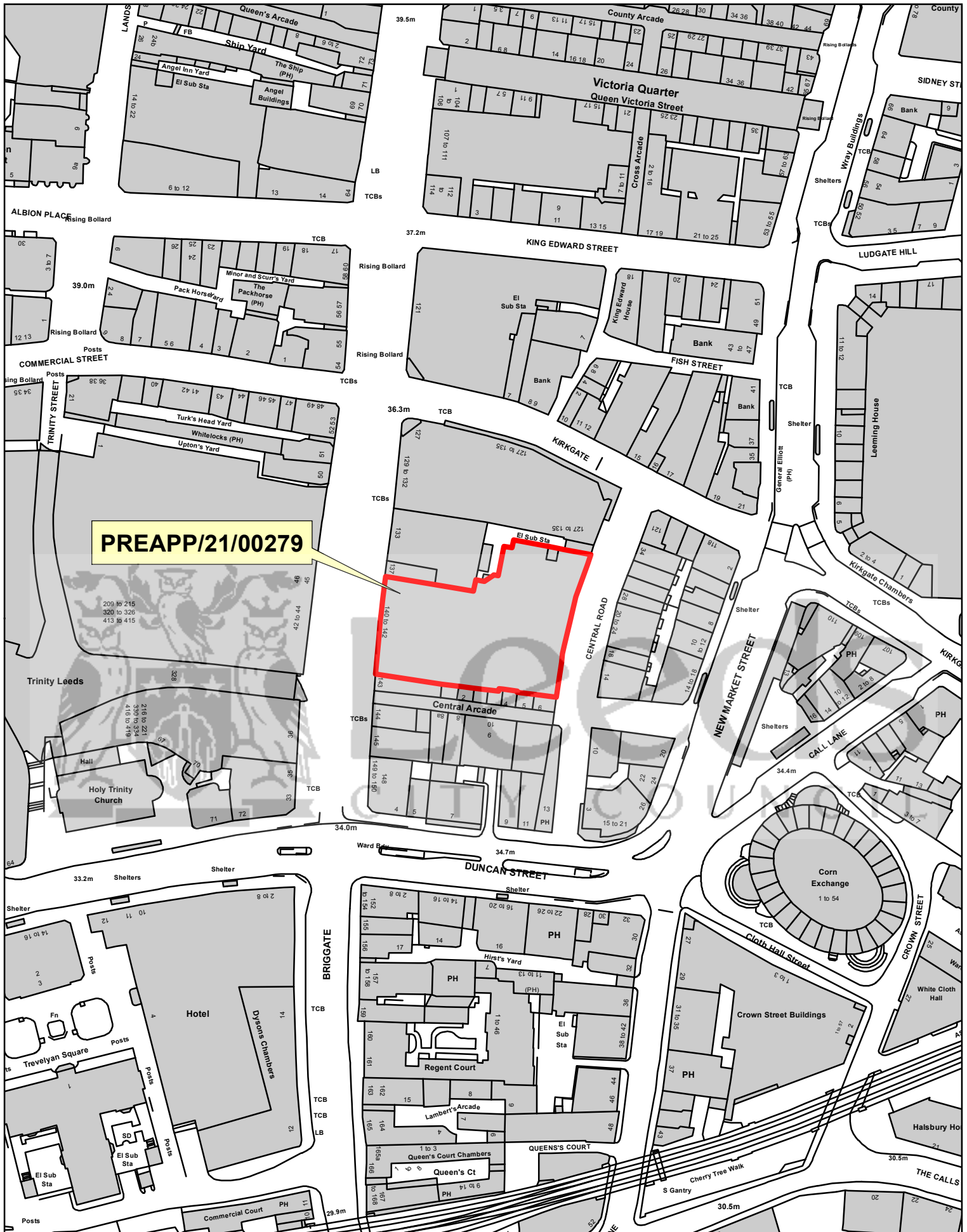
Do Members consider that the proposed redevelopment of the site for retailing and student accommodation is acceptable in principle? (7.1.5)

Subject to confirmation of detailed proposals do Members support the approach towards living conditions for the student accommodation? (7.2.13)

Do Members support the proposed scale and form of development? (7.3.10)

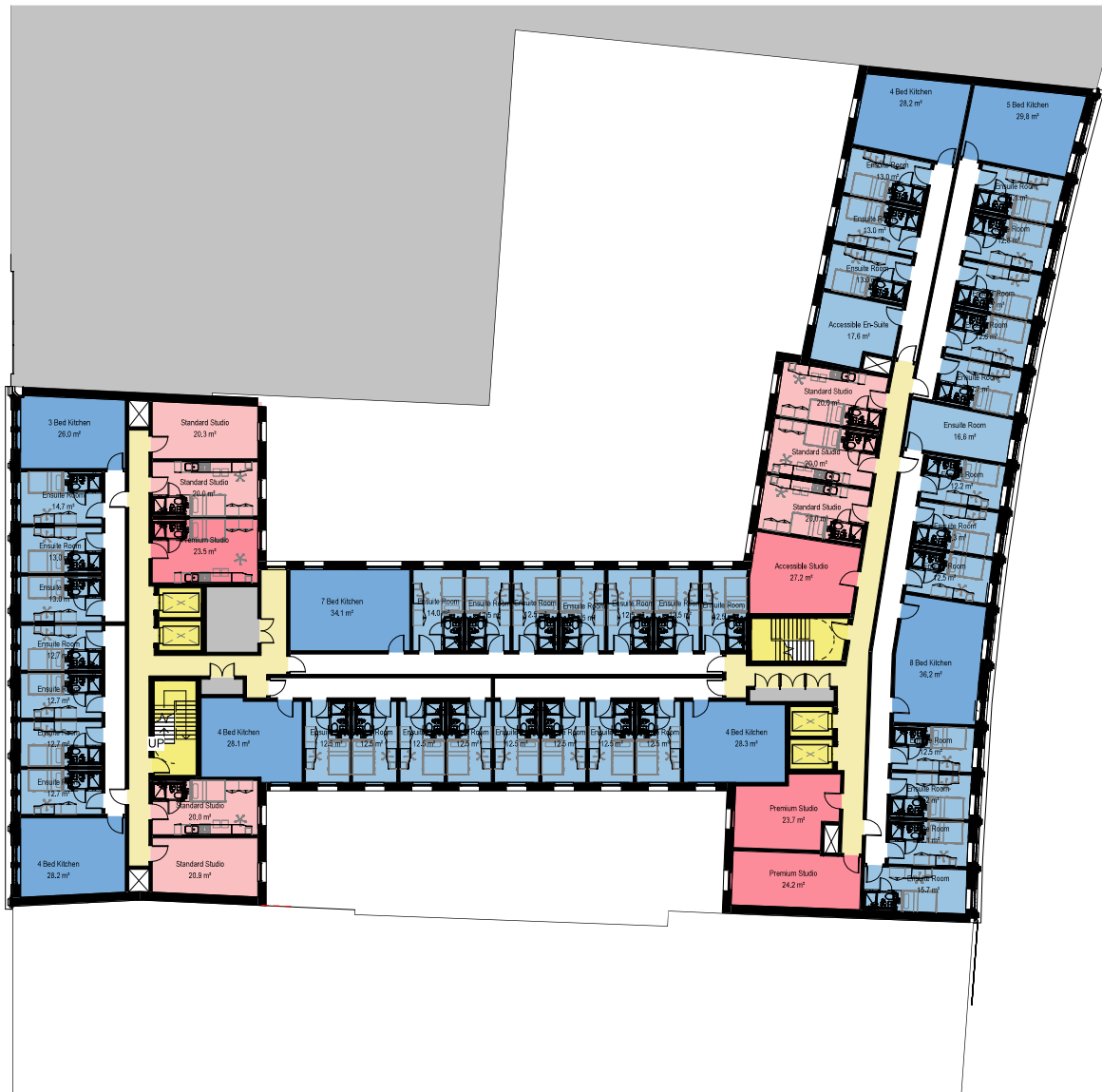
Do Members consider that the development's proposed provisions for transportation and accessibility are acceptable? (7.4.5)

Subject to confirmation of details do Members support the approach to sustainable development? (7.5.4)



CITY PLANS PANEL





Key

- General Circulation
- Large Studio Apartment
- Plant/Cycles/Refuse
- Standard Apartment Kitchen
- Standard En-Suite
- Studio Apartment
- Vertical Circulation



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Rev.	Description	Date	Drawn	Chk.
02	Information Issue	25.11.21	DC	DC
01	Information Issue	19.11.21	KT	DC
00	Information Issue	17.11.21	KT	DC

Client:
Manner
Project:
Briggate, Leeds

Drawing Title
Proposed PBSA Second to Fifth

Drawing Status
INFORMATION

Corstorphine & Wright

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Drawing No.				Revision
21230-0133				02
Drawn	Checked	Paper Size	Scale	Date
KT	DC	A2	1 : 200	17.11.21



Key

- Communal Amenity
- General Circulation
- Plant/Cycles/Refuse
- Retail
- Vertical Circulation

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01	Information Issue	19.11.21	ND	DC
00	Information Issue	17.11.21	KT	DC
Rev.	Description	Date	Drawn	Chk.

<p>Client: Manner</p> <p>Project: Briggate, Leeds</p> <p>Drawing Title: Proposed PBSA Ground Floor</p> <p>Drawing Status: INFORMATION</p>	<p>Corstorphine & Wright</p> <p style="font-size: 8px;">Warwick Studio Brook Hall, Brook Street, Warwick, CV34 4BL 01926 658 444 corstorphine-wright.com</p>	<p>Drawing No. 21230-0131</p> <p>Scale 1 : 200</p> <p>Date 17.11.21</p>												
		<table border="1" style="border-collapse: collapse; width: 100%;"> <tr> <td style="width: 15%;">Drawn</td> <td style="width: 15%;">Checked</td> <td style="width: 15%;">Paper Size</td> <td style="width: 15%;">Scale</td> <td style="width: 15%;">Date</td> <td style="width: 15%;">Revision</td> </tr> <tr> <td style="text-align: center;">KT</td> <td style="text-align: center;">DC</td> <td style="text-align: center;">A2</td> <td style="text-align: center;">1 : 200</td> <td style="text-align: center;">17.11.21</td> <td style="text-align: center;">01</td> </tr> </table>	Drawn	Checked	Paper Size	Scale	Date	Revision	KT	DC	A2	1 : 200	17.11.21	01
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