



CITY PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 30th November, 2023
at 1.30 pm

MEMBERSHIP

C Campbell
B Anderson
D Blackburn
K Brooks
P Carlill
D Cohen
K Dye
R Finnigan
C Gruen
A Khan
A Maloney
J McKenna (Chair)

Please do not attend the meeting in person if you have symptoms of Covid 19 and please follow current public health advice to avoid passing the virus onto other people.

We strive to ensure our public committee meetings are inclusive and accessible for all. If you are intending to observe a public meeting in person, please advise us in advance of any specific access requirements or if you have a Personal Emergency Evacuation Plan (PEEP) that we need to take into account by email (FacilitiesManagement@leeds.gov.uk). Please state the name, date and start time of the committee meeting you will be observing and include your full name and contact details.

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**Agenda compiled by:
Andy Booth, 0113 3788665
Governance Services,
Civic Hall**

Enquiries specific to
planning applications on
the agenda should be
directed to Panel Team;
Phone 0113 3786980
planspanel@leeds.gov.uk

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 2 NOVEMBER 2023</p> <p>To confirm as a correct record, the minutes of the meeting held on 2nd November 2023</p>	9 - 12
7	Little London and Woodhouse		<p>APPLICATION 23/04778/FU- SOYO, BLOCK A, QUARRY HILL, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a student residential development.</p>	13 - 56
8	Burmantofts and Richmond Hill		<p>APPLICATION 23/02725/FU - SITE ON THE NORTH EAST SIDE OF CROSS GREEN LANE TO THE WEST OF THE JUNCTION WITH EASY ROAD</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the demolition of existing buildings and the erection of 38 apartments and office space. This will represent a phased development to deliver 28 apartments as part of the western phase and 10 apartments with office space. Associated landscaping and car parking is also sought.</p>	57 - 98

Item No	Ward	Item Not Open		Page No
9	Little London and Woodhouse		<p>APPLICATIONS 23/05228/FU AND 23/05229/LI - 4-32 GEORGE STREET LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a Planning Application for demolition of existing buildings and construction of a hotel with ancillary restaurant/bar (Class C1) and ground floor commercial uses (Use Class E (a, b, c, d, e) and Sui Generis uses public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway) and access points to Kirkgate Market and associated works; infilling of vacant basement toilets and associated works and internal works to Butchers Row elevation at 4-32 George Street, Leeds and a Listed Building Consent application 23/05229/LI for demolition of existing buildings and construction of a hotel with ancillary restaurant/bar (Class C1) and ground floor commercial uses (Use Class E (a, b, c, d, e) and Sui Generis uses public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway) and access points to Kirkgate Market and associated works; infilling of vacant basement toilets and associated works and internal works to Butchers Row elevation at 4-32 George Street, Leeds</p>	99 - 126
10			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 18 January 2024 at 1.30 p.m.</p>	

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

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- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
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Planning Services

To all Members of City Plans Panel

Ninth Floor East
Merrion House
110 Merrion Centre
Leeds LS2 8BB

Contact: Daljit Singh
Tel: 0113 3787971
daljit.singh@leeds.gov.uk

Our ref: City Site Visits
Date: 20.11.2023

Dear Councillor

SITE VISITS – CITY PLANS PANEL – Thursday 30th November 2023

It has been agreed with the Chair of City Plans Panel to undertake site visits on the morning of the next City Plans Panel meeting.

A 16 seater minibus has been booked for the site visits. To check numbers please can Members contact PlansPanel@leeds.gov.uk as soon as possible if they wish to travel via the minibus.

For those travelling by mini-bus please meet in the **Ante-Chamber, Civic Hall at 9.55am for a prompt start at 10.00am.**

Time	Ward	Site
10.00 am	MINIBUS DEPARTS FROM OUTSIDE CIVIC HALL ENTRANCE	
10.10-10.40	Burmantofts & Richmond Hill	Application reference 23/02725/FU - Proposed residential accommodation at Cross Green Lane, Leeds LS9 8LJ
10.50-11.20	Little London & Woodhouse	Proposed hotel development and ground floor commercial uses at 32 George Street, Leeds LS2 7HY

Please notify PlansPanel@leeds.gov.uk if you will be attending.

Yours sincerely

Daljit Singh
Group Manager
Planning Services

CITY PLANS PANEL

THURSDAY, 2ND NOVEMBER, 2023

PRESENT: Councillor J McKenna in the Chair

Councillors C Campbell, B Anderson,
D Blackburn, K Brooks, P Carlill, D Cohen,
K Dye, C Gruen, A Maloney and R Jones

34 Appeals Against Refusal of Inspection of Documents

There were no appeals.

35 Exempt Information - Possible Exclusion of Press and Public

There was no exempt information.

36 Late Items

There were no late items.

37 Declaration of Interests

There were no declarations.

38 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor A Khan.

Councillor R Jones was in attendance as substitute.

39 Minutes - 5 October 2023

RESOLVED – That the minutes of the meeting held on 5 October 2023 be confirmed as a correct record.

40 Application 23/02335/FU - Land including 16-22 Burley Street, Leeds

The report of the Chief Planning Officer presented an application for the demolition of existing buildings and the erection of a purpose built student accommodation development of between 6 and 8 storeys in height, with associated amenity space, roof terraces, servicing, cycle parking and hard and soft landscaping.

The application had been deferred at the meeting held on 25th October 2023 to allow further consideration to the following:

- Design
- Health provision
- Burley Street/Park Lane Junction
- Landscaping
- Re-use of the York stone setts currently on site.

Members had visited the site prior to the meeting in October. Site plans, photographs and CGI images were displayed and referred to throughout discussion of the application.

Issues highlighted in relation to the application included the following:

- Health Provision – There were three GP Practices within a 900 metre walk and another that was 1.6 kilometres and well served by public transport. All these were accepting new patients. There had been further contact with health partners and it was considered that policy requirements were being met.
- Burley Street/Park Lane Junction – There were six options that had been summarised in the report. The preferred option would include the building out of the pavement and the introduction of a pedestrian refuge. This had been approved by highways subject to a road safety audit.
- Landscaping – levels of landscaping had been maximised due to the constraints of the site. It was intended to salvage the York stone setts and integrate these into the perimeter of the site. The roof terrace would have seating areas with planters, shrubs and small trees and there would be planters and small trees to the front of the site. There were proposals for a green roof with photovoltaic panels. There would be a biodiversity net gain of 7.31% and an additional off site financial contribution towards tree planting.
- It was not possible to close the gap between the neighbouring building due to the need to leave space for an escape route.
- Design – The design and scale was considered acceptable in the context of surrounding buildings. The detail of the elevation on Burley Street would use red brick with features including green tiles and art work. There would be lighter brick used towards the middle of the building. Detailing to the entrance, sills and windows was highlighted in the images. It was felt that the change in colour of brick broke down the massing and the revised design gave a positive and engaging proposal. Samples of the materials to be used were made available for Members to inspect. Members expressed a preference for the lighter “rustic brick”.
- The applicant had made various changes following the previous meeting and it was recommended that the application be deferred and delegated to the Chief Planning Officer for approval.

It was reported that the mural on the Burley Street side of the existing building could not be saved due to the proposed demolition, but the applicant was committed to recording it and including in future displays within the building.

There would also be opportunity for community engagement with community led artwork incorporated along the Burley Street frontage.

Members thanked officers and the applicant for their response to the Panel's comments and concerns following the previous meeting although there was still some concern regarding greenspace provision in the area.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the completion of a Stage 1 Road Safety Audit, the specified conditions set out in Appendix 2 (including those noted at section 7 of the report and any amendment to those and addition of others which might be considered appropriate) and the completion of a Section 111 agreement under the Local Government Act 1972 and a Section 106 agreement to include the following obligations:

- Leeds City Council Travel Plan Review fee of £4,293.00
- Contribution for offsite tree planting commuted sum £41,421.90
- Contribution towards the proposed Burley Street cycle scheme £74,000
- Control of student occupancy
- Retention and management of communal spaces for the lifetime of the development
- Section 106/111 management fee

In the circumstances where the Section 111 Agreement has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

41 Date and Time of Next Meeting

Thursday, 30 November at 1.30 p.m.

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Originator:
Matthew Walker
0113 3788033

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 30th November 2023

Subject: 23/04778/FU- Student residential development – SOYO, Block A, Quarry Hill, Leeds

Developer- Quarry Hill Developments Ltd, 9 York Place, Leeds, LS1 2DS

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 specified conditions at Appendix A, consideration of comments made by Active Travel England and the completion of a Section 106 agreement to include the following obligations:-

Travel Plan & Monitoring Fee (£4787)

Development to be occupied by full time students in perpetuity.

Local Employment and training initiatives.

Retention of public accessibility through the site

Contribution to eastern Gateway Highway Improvement Scheme (£84,000)

Contribution towards Leeds E-Bike scheme (£32,000)

Section 106 management fee

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

1.0 INTRODUCTION:

- 1.1 The scheme brought forward for determination is the latest and final programmed phase of the SOYO residential led development at Quarry Hill and seeks planning permission for a new student residential building and areas of public realm, departing from the approved matrix of uses determined under outline planning permission 14/06534/OT approved in 2017.
- 1.2 The application has been brought to City Plans Panel for determination under the terms of the officer/member delegation agreement due to the scale and significance of the proposals and at the request of members who were resolved to determine the application at City Plans Panel rather than allow a delegated decision as was decided at the pre application presentation of these proposals at the City Plans panel meeting of 13th July 2023. The proposals are therefore brought to members under subsection G of the exceptions list in the officer delegation agreement where the Chair considers that the application should be referred to the relevant Plans Panel for determination because of the significance, impact or sensitivity of the proposal)

2.0 SITE AND SURROUNDINGS:

- 2.1 The site is part of the previously approved outline consent for SOYO and is within the larger Quarry Hill development site which is the area of land which links Playhouse Square in the west, to Quarry House in the east. The SOYO development is partially built and occupied. Quarry Hill has vehicular access from the A64 York Road/Inner Ring Road to the north and from York Street to the south.
- 2.2 Adjacent to the site is Leeds Playhouse (LP), and to the south is the Leeds College of Music (LCM) with its associated student residential tower and the Northern Ballet HQ. SOYO residential blocks E and F have recently been completed whilst blocks B and C (also to be in C3 residential use) are under construction.
- 2.3 The SOYO site currently consists of a mix of hard and soft landscaped areas with a redeveloped central pathway containing steps and ramps leading from the junction with the Eastgate roundabout along the northern elevation of the Leeds Playhouse. The on-going development of blocks B & C currently dominates the immediate setting, with much of the southern edge of the SOYO portion of Quarry Hill taken up by the redevelopment of these plots and associated site welfare.
- 2.4 The Block D site is currently being used as a site compound during the construction of blocks B and C and has recently had a new planning application submitted for the development of a new Purpose Built Student Accommodation (PBSA) scheme providing 291 student bed spaces (following presentation of the proposals to City Plans Panel – see paragraph 4.4.1 / 4.4.2 below for further details).

3.0 PROPOSAL:

- 3.1 The proposals are for the development of Block A SOYO for student use – with the proposed accommodation as follows:

- 360 Bed Spaces
- 132 cluster rooms in 6 bedroomed clusters and 228 individual studios
- Studio room sizes ranging between 20-26 sqm
- Cluster room sizes ranging between 15-25sqm
- 21 Accessible Ready Bedrooms

- 2.2 sqm Internal Amenity (per bed space)
- 1.1 sqm External Amenity (per bed space)

The proposals involve the introduction of a 7-storey building – in essence in a mirror orientation and massing of the approved Block B, broadly recreating the presence and on the footprint of the previously approved Multi Storey Car Park (MSCP) scheme - however also including the introduction of a west facing courtyard. The courtyarded area would allow for a secure garden/terrace setting at ground level along St Cecilia St for residents. This 'C' shaped form mirrors the massing strategy established for Block B to the south and would provide relief to the St Celia streetscape and further breathing space with block E to the west.

- 3.2 The southern frontage/footprint of the building follows the masterplan requirements which also manifested in the design of the MSCP - with a stepped facade to mirror that of SOYO Block B, currently under construction. This 'symmetrical' arrangement would provide a framed view of the Quarry House entrance when approaching along SOYO's central street which acts as the termination of the important west-east axis from the Headrow/Eastgate.
- 3.3 The proposals also look to provide 8 accessible EV parking spaces. Level access would then be available from the parking spaces to the principle entrances of blocks A,B,C,D and E and to block F and the Leeds Playhouse via steps or the accessible ramped approaches already constructed. A new layby is proposed to the northern side of the new building's demise to provide two of the accessible spaces.
- 3.4 Materials would follow the established SOYO vernacular of brick, stone plinth, rainscreen cladding and aluminum glazed windows.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 **14/06534/OT** – *'Outline application for mixed use redevelopment including A1, A3, A4 and A5 uses, offices (B1), hotel (C1), residential (C3), medical centre (D1), college (D1), student residential accommodation, multi storey car park, basement car parking, access and open space'*. - Approved 02.11.2017.
- 4.1.1 14/06534/OT comprises 'the outline consent'. A S106 Agreement was signed on 1st November 2017. Access and layout were approved, and appearance, scale and landscaping were reserved matters to be addressed at each phase stage. The outline consent was accompanied by a Matrix of Accommodation (MOA) which was based on anticipated uses within each of the proposed development blocks identified i.e. Blocks A – E. It also proposed potential alternative uses in a number of blocks to maximise the opportunity to respond to market signals once the outline application had been approved.
- 4.2 **17/07206/RM** – Reserved Matters Application for appearance, scale and landscaping in relation to the Phase 1 development of Blocks E and F for 515 Private Rented Sector units and ancillary accommodation together with Class A3 use and the provision of public realm areas within the Phase 1 area of the Quarry Hill site pursuant to outline planning permission reference 14/06534/OT. The Reserved Matters application was approved on 14th May 2018 and the development has recently been completed.

- 4.3 **19/03175/RM** – Reserved Matters application for appearance, landscaping and scale for the proposed Multi Storey Car Park pursuant to outline approval 14/06534/OT (approved)
- 4.4 **20/06989/RM** – Reserved matters application for appearance, scale and landscaping for Phase 3 development of Blocks B and C for 331 build to rent units and ancillary accommodation together with Class A1 and A3 use and the provision of public realm areas with the Phase 3 area pursuant to Outline Planning Permission 14/06534/OT - Quarry Hill St Peters Street Leeds LS2 7UP' Approved September 2021 and currently under construction
- 4.4.2 **23/00747/FU** - Erection of 291 bedspace purpose-built student accommodation, SOYO Block D (under consideration, awaiting signature of Section 106 agreement). This was presented at pre-application stage to City Plans Panel on 3/11/22 and Members were supportive of the proposal and agreed for it to be determined under delegated powers

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The proposals were the subject of pre-application discussions between the Developer, their Architects, and Local Authority Officers since April 2023. These discussions focused on the detailed design and massing of the new building and highways / accessibility considerations.
- 5.2 In consideration of their important role as a key stakeholder at Quarry Hill, the case officer and representatives of the applicant met with representatives of Leeds Playhouse on 14th June 2023. The proposals were outlined and received positively and have been summarised in a letter of representation detailed at Appendix B of this report and reported to members as part of pre application proposals at the 13th July 2023 meeting of City Plans Panel (PREAPP/23/00134).
- 5.3 At the pre-application presentation to City Plans Panel and in response to Members comments and questions, the following was discussed:
- Security concerns regarding pick up and drop off points and access to the bicycle store – it was reported that all these areas would be well lit and the cycle storage could be accessed from within the building. The site would be managed round the clock and have a security presence.
 - The mix of studio and cluster flats had been based on industry standards.
 - The landscaped courtyard area would be private for student residents to create a level of security. This would be the only private landscaped area. This has been approved as part of a previous application.
 - There would be large areas of soft landscaping across the site.
 - Rain gardens and water run-off had been considered in the design.
 - There was not yet a confirmed date for the improvements to the footbridge.
 - There was an established management company for the estate which would manage all the common areas.
 - Public consultation had already started and will be expanded.
 - Further work would be carried out with regard to health provision.
 - There would be level access on the pedestrian routes.
 - There would be a full highways assessment prior to the full application which would consider issues such as deliveries and student drop off and pick up.

- There would be consultation with the police with regards to safety and security.
- CCTV and other security arrangements would be operating all year round and not just during term time. It was expected that there would be some occupation outside of term time.
- The disabled parking bays would be available for public use.
- A wind study had been carried out and this building would provide further mitigation.
- Fire safety evacuation points had yet to be determined.
- The proposed materials were similar to those in the surrounding buildings. It was requested that samples of materials be provided should the full application be brought to Panel.
- It was proposed to be a low energy sustainable building which was highly efficient whilst low on energy use. There would be 100% LED lighting, low water consumption and an intention to connect in to the District Heating Scheme.
- There would be management arrangements in place for student pickup and drop offs and other stakeholders on the site would be consulted.
- There was limited opportunity for the inclusion of green walls due to the active frontage at ground level. There would be further consideration to see if there could be more landscaping/greenspace.
- There would be opportunity to install electric bicycle charging points. It was hoped that there would be further information when the full application was submitted.
- Concern regarding the number of applications for student accommodation in the city centre and that students are only present for 30 weeks a year. It was reported that there was still a need to be met.
- There was an ongoing review of housing needs in the city. The wider part of this site also had other residential accommodation.
- The need for sufficient provision for delivery drivers.
- The requirement for student accommodation was discussed in more detail and Members requested an update on the review of the Strategic Homes Marketing Assessment and housing need across the district. A report is due to be sent to Development Plans Panel before the end of the year.
- There would be opportunity for students to stay in the accommodation all year round.
- More greenspace should be provided.

5.4 In response to questions outlined in the report, the following was discussed:

- Members were broadly supportive of the proposed use of Block A for student accommodation.
- Members agreed that the appearance and scale and setting of the proposed building was acceptable.
- Members asked if further consideration could be given to more greenspace as part of the student residential amenity.
- Members requested that the full application be brought back to Panel for consideration.

5.5 On the 14th June 2023 the Asset Management and Regeneration Team provided written confirmation that; following discussions with the applicant, Leeds City Council has completed a process of release between the council and applicant from the extant obligation to build a MSCP where formerly the applicant was bound to deliver one under the Development Agreement for the site.

6.0 CONSULTATION RESPONSES:

6.1 Statutory

6.1.1 Health and Safety Executive (HSE) (Planning Gateway One) Fire Safety

Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

6.1.2 Active Travel England

Active Travel England provided comments to officers on 11.09.2023. Whilst broadly supporting the applicant's proposed measures, some further clarifications have been requested relating to the following matters:

- Detailed quantification of active travel movements generated by the development is needed to supplement the ambitions of the Travel Plan
- Provision of further details on cycle parking and supporting provision
- Further details of how the development will improve (and contribute to) the surrounding active travel network to the north of the site.

A response / clarification document from the applicant on these points was received on 06.11.2023 and Active Travel England have been reconsulted accordingly. A response from Active Travel England is awaited at the time of this report.

6.1.3 Natural England

No comments received

6.1.4 Environment Agency

No comments received

6.1.5 Yorkshire Water

No objections subject to conditions related to wastewater provisions being undertaken in accordance with the submitted drainage report and control of landscaping features within an easement area identified.

6.1.6 Coal Authority

The Coal Authority considers that the content and conclusions of the information provided by the applicant is sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

6.2 Non Statutory

6.2.1 Flood Risk Management

No objections subject to the development being undertaken in accordance with the submitted drainage details.

6.2.2 Contaminated Land

No objections subject to conditions to control unexpected contamination and the importation of soil.

6.2.3 Highways

No objections subject to conditions controlling submission of wayfinding information, provision of accessible parking to be provided by occupation, construction management and a contribution of £32,000 and space on site required for provision of Leeds City Bikes e-bike docking station and contribution of £84,000 towards Eastern Gateway cycle infrastructure Improvements.

6.2.4 Access Officer

No objections, work has been undertaken in consultation with the access officer to ensure that a proportion of rooms are adaptable under the British Standard and a management regime can be conditioned to ensure adaptable rooms can be provided as demand requires.

6.2.5 Design Officer

The proposals have been the subject of a series of detailed design discussions since April 2023. The design officer considers that as a scheme to mirror the block B on the opposite side of the causeway to the Quarry House building; in height and scale it is appropriate as it matches the context. The aesthetics should also follow the building opposite particularly the 'tower' to the South elevation. This should match the tower to the North elevation of Block B. Any large plain areas of brickwork should be alleviated with features, details or indented panels to add visual interest.

6.2.6 Landscape Team

No objections subject to the control of details through conditions which confirm the finalised landscaping scheme, soil depths / volumes for all raised planters in the scheme and management regimen as well as controls on replacement planting should an element of the planting scheme fail and tree protection measures in relation to the build process.

6.2.7 West Yorkshire Police

A detailed discussion took place with the West Yorkshire Police Architectural Liaison Officer on 05.10.2023. The focus of the discussion centred on ensuring the adjacent public routes and spaces benefit from suitable natural surveillance, CCTV coverage, denying opportunities for hiding places and ensuring appropriate lighting is provided. A series of measures of appropriate technical capability have been recommended, advised as necessary in this situation to the applicant team and will be integrated into the landscaping scheme and controlled through the landscaping condition as has been the consistent method to control these details across the SOYO scheme.

6.2.8 Health Partnership

Information has been provided with regard to capacity at local surgeries and wider strategic aims. See appraisal at 8.1.9.

6.2.9 Public Health

No comments received

6.2.10 Environmental Health (Pollution Control)

No objections subject to conditions controlling the submission of details concerning ventilation, overheating mitigation and control of noise outputs from plant and machinery.

6.2.11 Environmental Studies

No objections subject to controls on glazing specifications to be in accordance with the submitted noise report.

6.2.12 Nature Team

No objections subject to conditions to control removal of trees and shrubs in respect of the nesting season and provision of full details of new integral nesting features to be provided as part of the building fabric.

6.2.13 District Heating

As noted in the application, it is the intention that this scheme will connect to the Leeds PIPES DH network. The team is working with the applicant on technical details at present, and supports this application.

6.2.14 Public Rights of Way

No objections

6.2.15 Local Plans

No objections to the principle of development – see appraisal at 8.1 of this report.

6.2.16 Climate Change Officer

The proposals meet the council's climate change / energy policies and is supported subject to the use of conditions to evidence post build compliance.

6.2.17 Influencing Travel behaviour

The submitted travel plan is acceptable. The Travel Plan should be included in the Section 106 Agreement along with the Leeds City Council Travel Plan Review fee of £4787 to be controlled via the legal agreement.

6.2.18 West Yorkshire Ecology

No comments received

6.2.19 Wind and Microclimate Peer Review (Arcero Consultants)

The conclusions of the submitted wind study are considered to be acceptable. A series of mitigation measures will be required and will be secured by condition. See appraisal.

6.3 Public Representations

6.3.1 The application was publicised by site notice on 05.09.2023 and in the Yorkshire Evening Post on 25.08.2023. In total 37 letters of representation (as checked on 14.11.2023) have been received with issues raised summarised as follows:

- 6.3.2
- (a) poor and pastiche architecture
 - (b) stepped frontage is not appropriate and does not help to define a public square
 - (c) Architecture should reflect Blomfield style of The Headrow and Eastgate.
 - (d) loss of privacy / light to workers in Quarry House
 - (e) Lack of affordable car parking spaces in the area / lack of proximity to parking for office users who may have limited mobility / proposal punishes motorists / loss of convenience of parking
 - (f) student accommodation would be detrimental to the area / noise and disturbance
 - (g) layout and density of buildings
 - (h) use of 'stealth' / disingenuous approach by the developer to change the proposed use
 - (i) lack of publicity of the proposed change
 - (j) the council does not have an integrated transport solution and constrains the ability of motorists to park in the city by reducing the availability of on street parking and surface car parks
 - (k) further student accommodation is not needed
 - (l) public transport in the city is poor in quality and until this is resolved parking should be provided
 - (m) over prevalence of food uses in the city centre

6.3.3 These comments are addressed in section 9 of the report.

6.3.4 Leeds Civic Trust have provided a general comment in relation to the proposals, again addressed at section 9 of this report:

'The Leeds Civic Trust Planning Committee has considered the above planning application for the erection of purpose built student accommodation (documents dated 21st August and 7th September 2023). We appreciate that there is no longer a requirement for a multi-story car park on this site, but have reservations that the alternative proposed, a student residence, could result in the SoYo area being devoid of life in the vacations, with a knock-on effect on the viability, and therefore the existence, of neighbouring commercial units. With regards to the design and layout of the building proposed, we make the following two observations: The 'gold' cladding to the west and east faces are becoming ubiquitous around the city and we feel more originality is needed; have the applicants considered the view from the windows of Quarry House? We welcome an outdoor amenity area, but are concerned that it will be predominantly in shade. The south elevation as seen from this area is mainly red brick, but perhaps this is a location where a light, i.e. the

'gold', cladding may be more appropriate, for its reflectivity. In any case, the planting will need very careful specification.

We are as desirous as the City in promoting active travel, and there is already the footbridge over the A64(M), which should encourage residents and workers in Mabgate to use the facilities and commercial units of SOYO if it is pleasant and convenient to do so. At this stage the route south from the footbridge to SOYO Square, through this site, has no designated crossing of the service road, and is dog-legged round the parking area. A formal shared space would allow the pedestrian desire lines to be followed, and decrease the highway-related clutter in this area'

7.0 RELEVANT PLANNING POLICIES:

7.1 Statutory Context

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 at this site, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014 and as amended by the Core Strategy Selective Review 2019)
- Saved Leeds Unitary Development Plan Policies (UDPR 2006)
- The Natural Resources & Waste Local Plan (NRWLP 2013) including revised policies Minerals 13 and 14 (2015).
- Leeds Site Allocations Plan (SAP 2019)

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

7.2 Leeds Core Strategy (CS)

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

7.2.1 Spatial Policy 1: Location of Development prioritises the redevelopment of previously developed land within the Main Urban Area, prioritising urban regeneration and taking advantage of existing services and high levels of accessibility.

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

7.2.3 Spatial Policy 8: Economic Development Priorities supports a competitive local economy through promoting the development of a strong local economy through enterprise and innovation, job retention and creation, promoting the need for a skilled workforce, educational attainment and reducing barriers to employment

opportunities, and by supporting training/skills and job creation initiatives via planning agreements.

- 7.2.4 **Spatial Policy 11:** Transport Infrastructure Investment Priorities sets out a series of spatial priorities for the delivery of an integrated transport strategy for Leeds. One priority is related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre.
- 7.2.5 **Policy CC1:** City Centre Development sets out the planned growth within the City Centre, including for 10,200 new dwellings, including office growth. Part (b) encourages residential development, provided that all other town centre uses are supported in the City Centre and the use does not negatively impact on the amenity of neighbouring users.
- 7.2.6 **Policy CC3:** Improving Connectivity between the City Centre and Neighbouring Communities sets out the requirement to improve routes connecting the City Centre with adjoining neighbourhoods and improve connections within the City Centre through developer contributions.
- 7.2.7 **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.
- 7.2.8 **Policy H9** 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”.
- 7.2.9 **Policy P10:** Design requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function. New development is also required to deliver high quality inclusive design. Policy P10 sets out a series of key design principles (i to vi) for new development, in relation to size, design, layout, existing assets, amenity and accessibility.
- 7.2.10 **Policies T1:** Transport Management and **T2:** Accessibility Requirements and New Development identify transport management measures and accessibility measures to ensure new development is adequately served by highways and public transport, and provides safe and secure access for pedestrians, cyclists and people with impaired mobility.
- 7.2.11 Policies **EN1** and **EN2** set out the sustainable construction and on-going sustainability measures for new development. It establishes targets for CO2 reduction and requires at least 10% low or zero carbon energy production on site.

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

The site lies within the designated City Centre. Saved policies that are relevant to this scheme are:

- 7.3.1 Policy **GP5** which states that all relevant planning considerations are to be resolved;

- 7.3.2 Policy **BD2** which requires that new buildings complement and enhance existing skylines, vistas and landmarks; and
- 7.3.3 Policy **BD5** which requires that new buildings consider both their own amenity and that of their surroundings, including usable space, privacy and satisfactory daylight and sunlight.

7.4 Site Allocations Plan (SAP)

With respect to the Site Allocation Plan (SAP) adopted in July 2019; following a statutory challenge, policy HG2, so far as it relates to sites which immediately before the allocation of the SAP were within the Green Belt has been remitted to the Secretary of State. The ongoing remittal is at a very advanced stage with Inspector's final conclusions expected imminently. However, it remains that policy HG2 is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight. The SOYO site has been identified as part of the larger Quarry Hill site, for mixed use development containing offices and residential (reference MX2-23) with the capacity to deliver 600 residential units and 11,000 sqm of office floor-space.

7.5 Relevant Supplementary Planning Guidance:

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

7.6 Leeds Natural Resources and Waste DPD

The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way.

Relevant policies include:

- Air 1 management of air quality through new development
- Water 1 water efficiency including sustainable drainage
- Water 7 surface water run-off
- Water 2 protection of water quality
- Water 4 development in flood risk areas
- Water 6 flood risk assessments
- Land 1 contaminated land
- Land 2 development and trees
- Minerals 3 coal safeguarding

7.7 National Planning Policy Framework (NPPF)

The Framework sets policies on the following issues which are relevant to this proposal:

Section 2 Achieving sustainable development

Section 4 Decision making

Section 5 Delivering a sufficient supply of homes

Section 6 Building a strong, competitive economy

Section 7 Ensuring the vitality of town centres

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

8.0 KEY ISSUES

- Principle of the proposed use
- Appearance, Scale and Design
- Residential Amenity
- Public safety
- Highways
- Climate Change and Energy
- Wind and Microclimate
- Section 106 & CIL
- Representations
- Planning balance and conclusion

Principle of the proposed use

- 8.1 The outline planning permission was accompanied by a Matrix of Accommodation (MOA) which was based on anticipated uses within each of the proposed development blocks identified. It also proposed potential alternative uses in a number of blocks to maximise the opportunity to respond to market signals once the outline application had been approved. These alternative uses included education use, medical and potentially office uses. The original outline permission originally envisaged Block A would be brought forward as a Multi Storey Car Park – indeed a reserved matters approval was granted for that use in 2020. Although student residential was noted in the approved matrix as an acceptable and compatible alternative use, this was predicated on the use of Blocks B and C for such purposes, which as noted above are buildings now consented for C3 residential purposes and currently are at the build out stage. As such, there is no scope to utilise the agreed ‘trade off’ for student uses as is contained within the masterplan/use matrix. By the same token, student use was considered acceptable by members with regard to Block D (PREAPP/22/00216, City Plans Panel of 5th August 2022) and that proposal is now nearing the end of its formal planning application process at the time of this report. The minutes of city plans panel meeting of 13th July 2023 (agreed on 10th August 2023) confirm that in principle members were broadly supportive of the use of Block A as student accommodation, however the full application should be brought back to City Plans Panel for determination (See Appendix D).

- 8.1.1 As was discussed and presented on 13th July 2023 City Plans Panel at the pre application presentation, the developer therefore again wishes to depart from the approved MOA and promote Block A for student accommodation. The scheme for Block A follows the building height parameters agreed as part of the Quarry Hill Masterplan, with the main change being the proposed use. This full standalone Application addresses all design and technical planning considerations and closely follows the scheme presented to members for comment in July 2023.
- 8.1.2 The application site falls within a larger area subject to SAP allocation MX2-23 (Quarry Hill/York Street), a mixed use allocation for residential use and offices. This was based on the potential proposals for the wider site advocated by the outline proposals. However following the flexible approach to potential uses established by the outline consent, no employment use has been delivered by the wider site or is proposed by this current scheme.
- 8.1.3 With regard to this allocation in the development plan, the outline consent is the extant consent for the site and (in effect) supersedes the potential office use figures for the site set out within the SAP, given that the outline consent does not impose a minimum threshold or quantum of office space to be delivered across the site. In short, the approved matrix of accommodation associated with the outline approval does not guarantee office delivery. Notwithstanding, as a standalone proposal and given that an office allocation exists in principle through the SAP, the provisions of CS Policy EC3 are a material consideration and need to be assessed. The current existing office supply in Leeds is as follows:

Type of supply - offices	Floorspace (sqm)
Allocated sites and/or sites with extant planning permission (not completed)	919,515
Completed sites (2012-22)	223,500
Total plan period supply (2012-2028)	1,143,000

- 8.1.4 The above represents a surplus of 143,000 sqm against the Core Strategy requirement (SP9) for office of 1 million sqm. Consequently, the provisions of EC3 are satisfied given the extent of available office supply and that in land allocation terms the proposals are acceptable.
- 8.1.5 With regard to the general principle of the site hosting Purpose Built Student Accommodation (PBSA), CS Policy H6 provides criteria to ensure locations, housing standards and concentrations of student accommodation are within acceptable levels.
- 8.1.6 Policy H6B relates specifically to the provision of student housing. CS paragraph 5.2.26 states that growth in new PBSA is to be welcomed in order to deflect pressure away from private rented houses in areas of over-concentration.

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.

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

8.1.7 The site is currently undeveloped albeit with an extant consent for car parking in place. With regard to the outline consent, the extent of residential use allowed within the approved MOA is exhausted and the proposals therefore do not come at the detriment of the provision of C3 accommodation as could potentially be delivered through the outline permission. The development would not therefore involve any loss of existing housing and would avoid the loss of residential family accommodation, satisfying parts (i) and (ii) of the policy.

(iii) to avoid excessive concentrations of student accommodation which would undermine the balance and wellbeing of communities.

8.1.8 It is considered that as a second student housing component of the SOYO scheme (whereby other surrounding uses within SOYO are more mainstream residential uses – Blocks B, C E and F all benefit from C3 consents) the proposals meet H6(iii). It is further considered that within this part of the city centre, whilst other elements of PBSA exist, as part of a diverse quarter of the city centre which includes shops, transportation, retail, car parking, cultural and educational uses, the introduction of a further element of PBSA would not over proliferate the level of student accommodation in the vicinity, would add to the diversity of uses and help support a mixed community and the other established uses set out above.

8.1.9 Relevant to H6 (b) - as part of the determination process (as noted at 6.2.8) Health Partnerships have been consulted on the application proposals. They advise via consultation with NHS West Yorkshire Integrated Care Board (ICB) that both the University of Leeds and Leeds Beckett University principally encourage their students to register at the Leeds Student Medical Practice (which is only open to members of a university or college for GP places). Health Partnerships and ICB have also identified local GP practices and have advised that the two closest surgeries (York Street and The Light) both currently have capacity, both are in close travelling distance to the application site and are accepting new patients. The need for students to register with the local health infrastructure is not absolute and it is established that demand arising from PBSA development is different to that from general residential accommodation. The demand for services does not introduce a cumulative year on year addition to the GP roll; many students retain their GP registration at their 'home' address; and, they have access to dedicated university supported healthcare facilities such as Leeds Student Medical Practice.

8.1.10 Healthcare Partnerships have drawn officers' attention to the strategic need to future proof healthcare provision and the need for a plan to be put in place to respond to growth. The Health Partnership Team have advised that NHS GP funding operates as a "post hoc" mechanism in the NHS and there is currently no NHS mechanism that local NHS officers have at hand to "front load" capital infrastructure. However it was also advised that the impact of 'e consultation, "telehealth' and enhanced pharmacy functions mitigate some of the square footage requirements in the traditional doctors surgery model. ICB have noted estate constraints emerging in local health infrastructure and it has been queried whether there is scope to secure capital support through this application to support extensions in clinical space, specifically highlighting LSMP seeking to support and improve their provision through investment where possible. This request was also made in the response to the recent application 23/02335/FU for PBSA accommodation at 16-22 Burley Street, determined by members at City Plans Panel on 2nd November 2023.

8.1.11 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 regulation 122 (as amended in

2011 and 2019). This provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

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

Notwithstanding that there may be benefits for individual patients associated with expanding GP surgery estate and student surgery provision to enable a wider range of primary care to be accommodated within a particular GP practice / service, no specific details have been provided of what is needed in the case of those practices wishing to expand their estate capacity and the likely costs involved.

8.1.12 It is also important to note that the identified local GP practices are taking on new patients and it is noted that patients can travel off site for treatments not available on site. In this context and taking into account the more transient nature of demand for GP services arising from student occupants and the availability of dedicated university supported healthcare facilities (the Leeds Student Medical Practice in this case), it is not considered that the proposed development would unacceptably impact the local healthcare infrastructure and the expansion of GP surgery estate is not necessary to make the development acceptable in planning terms. On the basis of the current evidence, a financial contribution to capital investment in GP surgery estate is not considered to meet the necessary tests for S106 contributions.

8.1.13 In addition to the use of mainstream healthcare infrastructure, the applicant has advised that via the operator (and consistent with the offer the Build to Rent operator provides in adjacent SOYO blocks), residents will be given access to a Lloyds subscription offer that provides a discounted service where residents get their first consultation free and then access to an annual discounted subscription. This will provide residents with:

- On demand GP Appointments
- Same day prescriptions
- Prescriptions delivered to their door
- Access to NHS experienced clinicians
- First consultation free
- Annual discounted subscription

8.1.14 In addition the following provisions will also be offered:

- Access to 'MYNDUP' (a health and well-being practitioner which includes monthly webinars for residents as well as a complimentary 1-1 sessions and then a 60% subsidised access).
- 'FIIT' providing online fitness classes where residents can benefit from a 6-month free access.
- Access to wellness providers 'Hero' who offer weekly in person classes at the resident gyms as well as quarterly wellness retreats and health checks.

8.1.15 On this basis it is considered the requirements of H6(iii) and Healthcare infrastructure requirements of Core Strategy Policy H2 are met.

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

The site is well-placed with regard to access to the core of the City Centre where in addition to the adjacent Leeds College of Music, the main buildings of Leeds Beckett University, the Leeds University of Arts and the University of Leeds are all based and in walkable distances. Furthermore, the site is adjacent to The Headrow where regular bus services also serve the main university campuses. The proposals are therefore considered to accord with Core Strategy policies SP11, CC3 and T2.

Criteria (v) of policy H6B is considered in the amenity section, at paragraph 8.3.5 below.

8.1.17 In terms of the principle of the proposed use, as noted above the intention as part of the outline consent was for this part of the site to host a Multi Storey Car Park. Indeed, a condition of the outline planning permission was that its delivery be timely and that the MSCP be delivered as an early phase. As part of the subsequent consideration of Blocks B&C, members were satisfied that the MSCP could arrive as a later phase given the lack of market viability for a MSCP following the Covid 19 Pandemic at that time and the need to give priority to new housing in the city centre to capitalise on market demand.

8.1.18 The MSCP previously approved through the outline and reserved matters is no longer proposed to be delivered on this site. The position evidenced as part of the applicant's release of its obligation to build a MSCP under the development agreement with Leeds City Council, is that there has been a significant shift in the need and demand for car parking on the site and in the wider locality. Since the outline approval the 805 space Victoria car park has opened and this car park, along with others nearby are considered to satisfy the local need – including that of Leeds Playhouse (see appendix A). It is noted that a number of objections from members of the general public (in the majority workers at the adjacent Quarry House office building) have been received on this point.

8.1.19 The feasibility work previously undertaken in 2021 and again in 2023 by the applicant was tested and accepted by Leeds City Council's Asset Management team. At that time the applicant had a valid planning consent for a 610-space MSCP but undertook further testing of the feasibility of the scheme prior to committing to its delivery. It was concluded and agreed by the Asset Management team that considering prevailing market conditions, the changes in supply / demand within the city and a period of significant build cost inflation, the development of the MSCP was not viable.

8.1.20 City-wide parking supply levels are relatively low however, the subject car park would have faced direct competition from two large, and now established car parks namely the 805 space Victoria Gate MSCP and the 605 space Markets MSCP. The impact of this on the demand for a new MSCP resulted in a predicted 30% drop in revenues from the 2021 figures which itself was a drop from pre-pandemic levels. Covid-19 has reduced the amount of work-related travel, which has had a negative effect on parking, impacting demand and revenue. In turn this has impacted the operator market, which is now highly risk averse and unwilling to enter new leases required to fund car park construction.

8.1.21 Furthermore, the SOYO development itself does not include any further office development that would generate long-stay parking requirements. Given the highly sustainable location of the application site and the LCC policy position to move towards a more sustainable, less car dependent city, it is considered SOYO

residents and the now proposed PBSA developments at SOYO do not require car parking. This is reflective of the post Covid 19 trend within the city centre to concentrate effort towards more sustainable and low parking / car free developments which promote the use of public transport, cycling /walking and the significant investments made by the city with regard to cycle infrastructure and public realm improvements.

Appearance, Scale and Design

8.2 Policy P10 requires the size, scale, design and layout of development to be appropriate to its context and to respect the character and quality of surrounding buildings: the streets and spaces that make up the public realm and the wider locality. Officers consider that whilst the proposed use has departed from the overall masterplan, in terms of the physical manifestation of development, the resulting design of Block A is in accordance with what would be expected as a Reserved Matters proposal pursuant to the outline scheme and affords a high quality and less functional typology of building than the approved MSCP with a greater opportunity for visual interest and natural surveillance delivered through it's detailed design.

8.2.1 The proposal has been through a variety of iterations during the pre-application process and officers consider that the resulting scheme which was presented to members in July and again here would sit comfortably within the formed vernacular of SOYO defined by earlier phases (either in a state of completion / being built out at the time of this report). It is considered the proposals fully accord with the massing, parameters and building characteristics agreed through the outline planning permission and (following detailed design advice bespoke to this proposal) is to follow these principles:

- Height to be defined by outline scheme parameters (as was the approach for the revisions to Block D)
- The height of Block A to be set by the established height of Block B to create visual symmetry along the central street and to the western elevation of Quarry House.
- The entrance to the building and the ground floor active frontages address the Central Street within SOYO
- Additional external amenity of the proposed courtyarded area to animate and give surveillance to the entrance area and adjacent pedestrian routes (the original car park did not feature the same format of building and in essence the courtyard space created through this proposal would provide a new element of visual interest and landscaping opportunity not envisaged under the outline consent)
- Variety in materials but consistency with Block B
- Deep window reveals to promote a sense of three dimensionality and create visual interest - a coordinated palette of materials be used

8.2.2 As was addressed by the design officer during the presentation of these proposals in July 2023, the importance of a deep window reveal depth is crucial to the visual success of this building. A consistent reveal depth of approximately 200mm is proposed which considering the scale of the building, window proportions and character of the locality and the modern buildings in SOYO has been assessed by the design officer and case officer and deemed appropriate. This matter will be reinforced by condition.

- 8.2.3 The ground floor level would incorporate the main entrance and reception areas along with amenity areas for students - grouped around and overlooking the landscaped amenity courtyard. The amenity provision would include lounge and workspace zones and further gym, dining and games rooms areas. the reception zone will also incorporate the main administrative, post and parcel accommodation along with general wc facilities. An external seating area is provided next to the student entrance area to maximise the southern landscaped aspect addressing SOYO square.
- 8.2.4 A small commercial unit is included which sits at the base of the 'tower' feature to the south and is adjacent to the main student entrance. It is of note that this is of a broadly similar location and scale to that approved as part of the earlier MSCP proposals.
- 8.2.5 The proposed studio/cluster accommodation would be formed in a 'C' shape arrangement around a west facing external landscape terrace area for residents. The two main stair/lift cores from below serve a simple central corridor circulation arrangement containing both the self-contained Studio rooms and the 'Cluster' rooms with shared kitchen/social spaces. This arrangement repeats up to level 7 with the studios and cluster rooms looking over SOYO Square and the external terrace below or the wider SOYO landscape.

Residential Amenity

- 8.3 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*. Although Policy H9 in the CS expressly excludes PBSA from the space standard a footnote 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".
- 8.3.1 CS Policy P10 and Saved UDPR Policies BD5 and GP5 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, daylighting, outlook, privacy and external amenity space. Members will also 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.
- 8.3.2 Notwithstanding the SPD's draft status, the applicant has provided internal layouts to inform the analytical process and the proposals are assessed against the draft SPD's suggested criteria. All proposals meet requirements on unit sizes, ratios between clusters and shared facilities along with provision of internal and external amenity spaces for resident use. All rooms would have adequate scale window openings for the receipt of light and would all be afforded a good standard of outlook. In terms of separation between buildings, the closest relationship is a 13 metre gap between the eastern elevation of Block F and the western elevation of Block A - however this relationship does not feature habitable room windows to the western elevation of the proposed building and would therefore not introduce overlooking concerns. With regard to the separation distance to Quarry House, this is scaled at 17 metres and achieves parity and symmetry with the approved Block B

and Quarry House's western face, it is also contextually consistent with the remainder of the SOYO scheme's separation distances.

Public safety

8.3.3 The applicant has been made aware of the important issue of public/student safety. As is the case with all proposals for residential and student accommodation, consultation with West Yorkshire Police has taken place. In order to meet the policy test of Core Strategy Policy H6 consideration must be given to the provision of a safe environment for the occupier – indeed there are clearly identified benefits in terms of natural surveillance (particularly relating to the north of the site and access from the adjacent A64 footbridge), increased footfall and activated public areas arising from the completion of the multi-phase SOYO site which a grant of planning permission would provide.

West Yorkshire Police do not object to the principle of the proposal however the following issues have been identified as requiring further consideration at condition discharge stage and these matters will be addressed through the condition discharge process (as part of the landscaping conditions which are considered to be the best opportunity to ensure built safety measures are properly considered and not treated as an afterthought to the design process).

- Provision of bollards to prevent unauthorised vehicle access
- Confirmed height of boundary treatments and planting heights to garden area to ensure visibility is maintained and prevents climbing
- There should be lighting covering all access doors around the building, with coverage of the outdoor garden area, footpaths and the public open spaces.
- Provision of a lighting plan which shows the uniformity levels for the development. (The minimum uniformity level should be to 25% to support natural surveillance).
- CCTV at 1080p resolution to cover all external areas and internal coverage of the communal entrance, parcel / post room, lifts, stairwell, inside of the bicycle storage and both doors, communal rooms within the building per floor.
- Doors and windows must comply with building regulation standards
- Access controls such as swipe card access or security encrypted key fob access must be applied on the communal entrance doors leading into the building, gym, bicycle storage doors, and lifts and the doors which lead off from the stairwell and also applied per floor.
- The main communal entrance into the building must include an external intercom on the entrance which is accessible and vandal resistant.
- Recommendation that there will be a security/ staff or capable guardian covering the building 24 hours per day, 7 days per week.

These requirements and recommendations have been provided to the applicant and confirmation that they will be actioned accordingly, incorporated into the detailed design stage is agreed and controlled through the proposed conditions.

8.4 Highways

8.4.1 The proposals promote a predominantly car free development which is considered acceptable given the aforementioned highly sustainable location of the application site and the provision of accessible electric enabled parking for the benefit of residents and Leeds Playhouse patrons. As part of the presentation of the pre application proposal at 13th July City Plans Panel, members raised the importance of

the management of pick up and drop offs, deliveries and suitable management of these matters.

- 8.4.2 In order to address the point raised regarding provision of suitable pick up and drop off, delivery space, the proposed parking layout has been revised since being presented at pre application stage. A wider turning head has been provided in the revised layout and the number of accessible bays reduced from 8 to 6 along the western edge of the building to allow for this and greater circulation space / less intensive use. The two parking spaces lost for accessible parking to the western edge of the building are instead to be provided along the northern edge of the building. The turning head also doubles as a drop off area allowing motorists to pause in the short term for fast drop offs such as takeaway/online delivery. A second delivery bay for larger deliveries or deliveries and servicing which requires a longer term pause of a vehicle is to be provided to the eastern side of the building. This arrangement has been assessed by officers and is considered to provide a superior provision in line with members expressed wishes.
- 8.4.3 In response to comments made by members concerning moving in times, details have been assessed at the application stage rather than being deferred to the use of conditions. Student pick up and drop offs are proposed to be undertaken from the lay-by located to the northeast of Block A and also the servicing area near the building entrance. The submitted Transport Assessment demonstrates that three parking spaces would be required to allow all students to move in within two weekend periods (9.00 to 19.00) with allocated 20 minute time slots for each student. This arrangement is considered acceptable to officers. The submitted operational management strategy states that 20 minute slots will be allocated to each student during move in and move out period. The management strategy will be controlled by condition.
- 8.4.4 Cycle storage will be comprised of Sheffield stands and two-tier racking. At least 5% of the total number of Sheffield stands require a 1.2m spacing for access and cargo bikes and it is considered this can be achieved in the space provided. A cycle maintenance zone and cycle charging point is also shown in the proposed plans as was noted as an important provision in members minds from the pre application presentation. Access routes to the proposed cycle parking achieve the required 3m width to make them accessible and not deter use.
- 8.4.5 Provision for the Leeds City Bikes scheme has been accommodated adjacent to Block A, as requested at the pre-application stage. Additional short stay cycle parking to that provided as part of the wider SOYO development public realm and the specific location and quantity of stands in the wider landscaping arrangement will be controlled through the conditions having regard to number and distribution across the wider site.

8.4.6 Multi modal trip generation has been provided including the total expected cycle trip generation for the development. Given there are identified gaps in segregated provision on routes to the universities, a contribution towards the proposed cycle improvements as part of the Eastern Gateway scheme is required. This has been calculated taking in consideration available count data on the route and the cycle trip generation from the development, a contribution of £84,000 is required towards the improvement works. This matter will be controlled via the section 106 agreement.

8.5 Climate Change and Energy

8.5.1 The applicant has submitted an energy strategy which demonstrates that through the implementation of passive design measures and a centralised hot water heating system from the Leeds Pipes network, the residential achieves a policy compliant 77% reduction and the non-residential a 5% reduction in building regulated CO2 emissions beyond the requirements of the Building Regulations Part L (2021) baseline. This is acceptable and will be verified through the prescribed conditions in accordance with the comments of the Climate Change Officer.

8.6 Landscaping

8.6.1 A landscape and public realm strategy for the Quarry Hill site was agreed at the time of outline planning for the SOYO site. This has been used as a basis for developing detailed proposals across the site for both Playhouse Gardens and Square for Leeds City Council as well as the SOYO Development. The individual sites have been coordinated and considered to create a single identity and strong destination for Quarry Hill and a prevailing typology. It is noted that maximising the level of soft landscaping treatment was noted by members during the presentation of proposals at the 13th July meeting of City Plans Panel regarding comments that the hard landscaping across the site looks sparse at the present time.

8.6.2 In response to members comments; there has been an increase in the areas of soft planting and seating within the landscape area to the south of Block A from that proposed to members in July. The lawned area within the resident amenity terrace has also been elongated since the original proposal. The terrace area is 400mm higher than the adjacent street land level and separated from the footway by a landscaped bed, retaining wall and railings above which treat and buffer the change in levels. The spatial area around the building is somewhat limited and constrained by the need to provide accessible pedestrian routes and sufficient space for the access road, parking spaces, electrical vehicle charging provision and external seating. In consultation with the landscape team the proposal as presented is considered to be the maximum improvement achievable over and above what was presented in July, further constrained by the need for the adjacent north-south footway by the parking bays to be of acceptable width. On balance, the arrangement is considered acceptable subject to final control of species to maximise density of the landscaped bed to be controlled by condition.

8.6.3 The landscape officer has also requested further information on soil depths / volumes for all raised planters in the scheme, particularly in reference to the residents terrace. The applicant has advised in writing that proposed trees at ground level will be designed with rooting volumes as per the 'LCC Guidance: Urban Tree Planting' guide. All planting details will be developed through the technical design stages and details provided while discharging conditions. In response, it is considered that these matters can be reasonably addressed through conditions and

on this basis, given the substantial improvements to the site in terms of greenery, biodiversity and well-lit routes, the proposals are considered acceptable in this regard, subject to conditions.

8.7 Wind and Microclimate

8.7.1 As is required by the Draft Wind and Microclimate toolkit, the application proposals have been the subject of a wind and microclimate study, which has been peer reviewed by Arcero Consultants on behalf of Leeds City Council. The proposals show there are no wind safety fails within the site arising from the construction of Block A in isolation (i.e. a scenario where Block D has not come forward). The study has identified some minor comfort issues along the central boulevard area of SOYO and the applicant proposes to mitigate these impacts through the use of screens and planters integrated into the landscaping scheme. The mitigation includes 30% porous screens (5) a 1.1m glass screen, a 2m high solid screen, a series of planters and soft landscaping in the form of 32 trees across the site. A condition will address the full detail and testing of these measures in the scenario that Block A comes forward in advance of Block D.

8.7.2 In the event that Block D comes forward in advance of Block A, the consent for Block D would include a condition requiring full details and testing of the same mitigation measures (again the above list of screens and planters) along the central SOYO boulevard.

8.7.3 In the event that both blocks are developed together (which is the developers intended course of action) the mitigation proposed for Block D is noted as being satisfactory to produce a safe wind environment where both blocks are to be built together and therefore the condition requiring full details and testing of those measures is considered satisfactory and will be triggered by the Block D consent commencement.

8.7.4 On this basis and subject to the condition, the proposals are considered acceptable with regard to wind safety.

8.8 Section 106 & CIL

8.8.1 This development is liable to the Community Infrastructure Levy (CIL) and is likely to generate a CIL charge of £83527.80. This figure is presented for information only and should not influence consideration of the application. The infrastructure requirements for this development are likely to relate to public transport and public space provision. Consideration of where any Strategic Fund CIL money is spent rests with the Council's Executive Board and will be decided with reference to the Regulation 123 List (or Infrastructure Funding Statement as the case may be) at the time that decision is made.

8.8.2 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 (as amended in 2019) regulation 122. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

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

8.8.3 The proposed scheme produces the need for the following obligations which it is considered meet the legal tests:

- Travel Plan & Monitoring Fee (£4787)
- Contribution to eastern Gateway Highway Improvement Scheme (£84,000)
- Contribution towards Leeds E-Bike scheme (£32,000)
- Control of student occupancy
- Retention of public accessibility through the site
- Section 106 management fee
- Local employment and training initiatives

9 Representations

9.1 37 letters of representation (as checked on 14.11.2023) have been received with issues raised summarised as follows:

- (a) poor and pastiche architecture
- (b) stepped frontage is not appropriate and does not help to define a public square
- (c) Architecture should reflect Blomfield style of The Headrow and Eastgate.
- (d) loss of privacy / light to workers in Quarry House
- (e) Lack of affordable car parking spaces in the area / lack of proximity to parking for office users who may have limited mobility / proposal punishes motorists / loss of convenience of parking
- (f) student accommodation would be detrimental to the area / noise and disturbance
- (g) layout and density of buildings
- (h) use of 'stealth' / disingenuous approach by the developer to change the proposed use
- (i) lack of publicity of the proposed change
- (j) the council does not have an integrated transport solution and constrains the ability of motorists to park in the city by reducing the availability of on street parking and surface car parks
- (k) further student accommodation is not needed
- (l) public transport in the city is poor in quality and until this is resolved parking should be provided
- (m) over prevalence of food uses in the city centre

9.2 In response:

- (a,b,c) as noted above, the design and materiality is set by the existing and approved typology of other surrounding buildings in the scheme and the established master plan for Quarry Hill.
- (d,g) The separation distances are noted as being contextually typical of the surrounding area. Furthermore, the masterplan for the site included a building of the same scale and arrangement as that proposed in proximity to Quarry House and is based on the long established masterplan for the site consented by the outline planning permission.
- (e, j,l) The city has declared a climate emergency and is committed to a science-based carbon reduction process working to make Leeds carbon neutral by 2030. Leeds City Council is committed to taking significant action to mitigate and adapt to the impacts of Climate Change. There is a legal duty under section 19(1A) of the Planning and Compulsory Purchase Act 2004 to ensure that climate change mitigation and adaptation is a core objective

of a local authorities' planning policy and this is manifested in the adopted policies which pre-date climate emergency declaration and new and adapted policies which are being formulated under the changes to the Local Plan. The application site is sustainably located with reference to public transportation and will be subject to a travel plan to ensure the most sustainable transport modes are encouraged. It is noted that a number of objections centre on the convenience lost through a MSCP not being brought forward. Since the original outline consent was granted, the Victoria Gate development with its own Multi Storey Car Park has been consented and built. Quarry House itself was opened in 1993 with some 373,000 sq.ft of office floorspace and has two levels of basement parking as well as surface parking within its curtilage for the benefit of office staff.

The economic reasons for this in this case are set out at 8.1.11 of this report however great weight is also placed on the principles of actively utilising brownfield land for its optimum viable use (which in this case is not considered to be a MSCP). The city has made substantial investment in alternative and sustainable transport modes such as Park and Ride and the site is ideally placed with regard to local bus routes for students to access the universities and the city railway station for longer journeys to home cities for residents. The city faces undoubted issues of behavioural change in terms of transportation but great weight is attributed to the benefits of the scheme when balanced against reduced convenience for motorists (and the aim of providing a low carbon public transport network for when travel is essential and, the use of technology to reduce reliance on the private motor vehicle). Effective travel planning is another arm of the city's policy framework and this is encouraged for all existing and long established city centre uses such as Quarry House to further reduce reliance on bringing cars into the city.

- (f) It is considered that noise and disturbance can be managed through a combination of conditions concerning building fabric and operator management of residents and that any negative impacts would be outweighed by the identified benefits of creating a mixed use residential environment in a sustainable location. It is also noted that Quarry Hill is an established location for student housing which has operated for many years without noise and disturbance complaints.
- (h,i) As noted at section 6.3.1 of this report the application was publicised according to statutory requirements. Furthermore, the application was prefaced by a preapplication report to City Plans Panel on 13th July 2023. This presentation was made in a public forum, webcast and a recording of that meeting is available at <https://www.youtube.com/watch?v=xQrCFIRbll8&list=PLPjmOAZpvCo9FmCVCJ5a68TMGKdJsNEfz&index=15>
- k) Policy H6B relates specifically to the provision of student housing and Core Strategy paragraph 5.2.26 states that growth in new PBSA is to be welcomed in order to deflect pressure away from private rented houses in areas of over-concentration. Based on reporting associated with recent planning applications, officers are aware that there are approximately 22,000 university students in the city presently without access to purpose-built student accommodation whilst the universities themselves are increasingly reliant upon private sector accommodation. This would suggest that additional provision of purpose-built student accommodation is

unlikely to result in an over-supply of such accommodation in the near future.

- m) This is not a material planning consideration in reference to the proposal for which consent is sought.

9.3 As noted above at paragraph 6.3.4 of the report, Leeds Civic Trust have provided general comments in relation to the proposals summarised as follows:

- a) Site could be devoid of life periodically during the year
- b) Partial occupancy during the year could impact commercial viability of commercial units
- c) Gold cladding has become ubiquitous
- d) Shaded external space means planting will need to consider environmental conditions
- e) Lack of formal crossing from the footbridge
- f) Pedestrian route will dog leg around the parking area and should instead be a shared space

In response:

- a&b) It is considered that student occupancy will alongside the level of more traditional residential occupancy bring life to the development as a compliment to the existing residential, commercial, office, leisure and educational accommodation at Quarry Hill therefore providing a real mixed community. The buildings will be closely managed and may include other short-term residents during the summer holiday (as is typically permitted and controlled through the section 106 agreement) therefore avoiding any significant level of vacancy.
- c) The design approach reflects the principles established with the approved and established masterplan. It is considered the colour and tones of the aluminium cladding are part of the palette established for the wider masterplan and the immediate context of the adjacent SOYO buildings the recently completed Moda New York Square and the currently under construction blocks B and C. The warmer tone of the natural reddish brown brick is proposed for the two projecting wings, whilst the lighter gold/honeycomb tone is utilised on the longer eastern spine as the building form addresses both the courtyard and the adjacent DWP building. In design terms officers consider this to be an acceptable and well considered arrangement.
- d) Regarding planting in the courtyard – planting species will be carefully selected based on the microclimatic conditions, so they are suitable for the courtyard. This will be carefully assessed during the condition discharge process by the landscape team.
- e&f) With regards to the route through to SOYO from the footbridge – A formal crossing is proposed to be created at the bottom of the footbridge where it lands north of Block A. The route then follows the footpath along the building. Other options of how best to route pedestrian movement incorporating the accessible car parking bays required were considered by officers and the applicant, and the route has been designed to go around the rear of the parking bays so vehicular and pedestrian movement is

separated creating a safe, designated route separated from traffic. Change in surfacing and a planted edge here with trees also helps create a better pedestrian experience leading towards SOYO Square but maintaining sufficient width for Electric Vehicle Charging Provision to serve the spaces.

10 Planning Balance and Conclusion

The proposals whilst a departure from the original masterplan and outline consent maintain the momentum of delivering sustainable development in accordance with the NPPF and adopted development plan on brownfield land within an established main urban location at Quarry Hill. The proposals would deliver high quality student housing in a sustainable and accessible location, with residual benefits to the area in terms of natural surveillance and creation of a mixed and diverse community of residents. The proposed development is safe in terms of microclimate and highway safety and would deliver a high standard of amenity for the occupier. Furthermore it is considered that the proposal is sustainable in terms of local infrastructure and continues the principles of good placemaking established by the outline planning permission. Whilst the lack of provision of a multi-storey car park is noted, it's omission from the wider scheme is considered entirely compatible with the city's wider aims to promote sustainable transportation and in climate change / climate emergency terms can be supported.

The proposals are therefore considered to be in accordance with local and national planning policy and guidance. Officers consider the application should be approved in planning terms, subject to conditions and the associated Section 106 agreement.

Background Papers: application file 23/04778/FU, Appendix A (Draft Conditions), Appendix B (Letter of support from Leeds Playhouse) APPENDIX C – Minutes of City Plans Panel Meeting 13th July 2023

APPENDIX A – Draft Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans and Specifications above.
For the avoidance of doubt and in the interests of proper planning.
- 3 No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the water main (i.e. a protected strip width of 6 metres) that enters the site. If the required stand off distance is to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

In the interests of allowing sufficient access for maintenance and repair work at all times.
- 4 The development shall be undertaken in accordance with the Roscoe Drainage Strategy ref 22246-ROS-00-00-RE-D-09001 Rev 6 and Roscoe Below Ground Drainage Layout Drg No 22246-ROS-00-00-DR-D-09101 Rev P06 dated October 2023 unless otherwise submitted and approved in writing with the Local Planning Authority. The works shall be fully implemented in accordance with the approved scheme before the development is brought into use. To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP.
- 5 The Local Planning Authority shall be notified in writing immediately where unexpected significant contamination is encountered during any development works and operations in the affected part of the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing.
- 6 Where remediation of unexpected significant contamination is considered by the Local Planning Authority to be necessary, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the recommencement of development on the affected part of the site. The Remediation Strategy shall include a programme for all remediation works and for the provision of verification information.
- 7 Remediation works shall be carried out in accordance with the approved Remediation Strategy. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all necessary verification information has been approved in writing by the Local Planning Authority. In the event that no unexpected significant contamination is encountered, written confirmation shall be submitted to the Local Planning Authority prior to occupation of the site.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person. To enable the Local Planning Authority to ensure that unexpected contamination at the site will be addressed appropriately and that the development will be 'suitable for use' with respect to land contamination.

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

In the event that no soil or soil forming materials have been brought to site, written confirmation shall be submitted to the Local Planning Authority. It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

- 9 Prior to the commencement of the above ground building structure an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme comprising:
- a. Recycled material content plan
 - b. Site Waste Management Plan
 - c. Energy plan showing the amount of on-site energy produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand for each building, including product specifications
 - d. finalised location of future district heating connection point or proposals of alternative methods to demonstrate compliance with Core Strategy Policy EN1The development shall be carried out in accordance with the approved details
- 10 Within 6 months of first occupation of the development, a post construction review statement including evidence of implementation of the low water usage target 110 litres/person/day, shall be submitted to and approved in writing by the Local Planning Authority. The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post completion review statement and certification.

In the interests of ensuring the development meets the requirements of the adopted energy policies within the Core Strategy.

- 11 Within 6 months of first occupation of the development, a post construction review statement including as-built evidence of compliance with Core Strategy Policies EN1 and EN2, shall be submitted to and approved in writing by the Local Planning Authority. The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post completion review statement and certification."

In the interests of ensuring the development meets the requirements of the adopted energy policies within the Core Strategy.

- 12 No works to or removal of trees or shrubs with bird-nesting potential shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds nests immediately before (within 24 hours) the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect

nesting bird interest on site. Any such written confirmation should be submitted to the LPA within 3 days of such works commencing.

To protect nesting birds in vegetation and built structures in accordance with the Wildlife & Countryside Act 1981 (as amended) and BS 42020:2013.

- 13 Prior to the completion of the above ground building structure, a Plan shall be submitted to and approved in writing by the LPA of: integral bat roosting and bird nesting features (for species such as House Sparrow and Swift) within buildings. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a timetable for implementation and commitment to being installed under the instruction of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained thereafter.

To maintain and enhance biodiversity in accordance with Core Strategy Policy G9, NPPF, and BS 42020:2013.

- 14 Before construction commences, a ventilation and overheating mitigation scheme for rooms where windows need to be kept closed to prevent excessive noise levels shall be submitted to and approved in writing by the Local Planning Authority. The ventilation and overheating mitigation scheme shall include the following information:

- Identify which rooms of which plots referenced back to the approved Noise Assessment require specific overheating mitigation
- The acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded
- The ventilation scheme must demonstrate that the air intake is located away from the sources of noise and/or poor air quality.

All works which form part of the approved scheme for each apartment shall be completed prior to occupation of the aforementioned apartment and retained thereafter.

The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. Rating level and background sound level are as defined in BS 4142:2014+A1:2019.

- 15 Prior to occupation, a post completion sound test including method statement detailing sampling locations to confirm compliance with specified criterion shall be submitted for approval. Testing shall only commence following approval of the method statement. Following approval of the method statement and subsequent testing process, in the event that sound levels exceed the specified limits, the applicant shall undertake corrective action and re-test. Once compliance can be demonstrated the results shall be resubmitted for approval.
The specified criteria are: noise rating BS8233 (35db/30db day/night) in bedroom between 23.00 and 07.00

In the interests of residential amenity

- 16 Commercial deliveries to and from the premises including loading and unloading and refuse collection, shall be restricted to 08.00 to 20.00 hours Monday to Saturday and 09.00 to 18.00 hours on Sundays and Bank Holidays.

REASON: In the interests of amenity.

- 17 a) prior to works concerning the installation of landscaping, no landscaping works shall take place until full details of the load bearing cell type rooting zone using proprietary structures has been submitted and approved in writing by the local planning authority. Details shall be fully in accordance with LCC guidance on urban tree planting (available on Landscape Planning website).

Details shall include:

- o proprietary soil cell structures to support paving over extended sub-surface rooting areas.
- o Soil cell volume /soil volume calculations.
- o specification of topsoil including additives and conditioners. Tree grilles and guards and means of anchoring root balls. Built-in Root Irrigation Pipe system with end cap and aeration system.
- o Passive and / or active irrigation including directed use of grey water / roof water or surface water infiltration to benefit planted areas. Details of distribution system and controls.
- o Tree grill details.
- o drainage system for tree pits.
- o Where applicable details of protection measures for statutory utilities and drainage.
- o Works shall then be carried out in accordance with the approved details.
- o Confirmation of Manufacturer supervision on site (free service).

b) To ensure full compliance, a brief report on the installation of the rooting zone system, including supporting photographic evidence, shall be submitted to the Local Planning Authority (LPA) when the works are still "open" to allow LPA inspection prior to any finish surfacing works. Seven days written notice shall be given to the Local Planning Authority that the rooting zone structures are in place to allow inspection and approval of them as installed. Confirmation is required that the installation has been overseen by the manufacturer of the system.

NOTE-this item cannot be discharged until post inspection approval is confirmed.

c) AA three-year irrigation programme for the trees (in accordance with BS 8545-2014 Trees from Nursery to Independence) shall be submitted to the Local Planning Authority (LPA) for approval in writing. Confirmation of irrigation compliance shall be submitted to the LPA on a quarterly basis for the full three-year programme period.

To ensure the provision of amenity afforded by appropriate landscape design and its cultural requirements are integrated into the development scheme.

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

To ensure the provision of amenity afforded by appropriate landscape design.

- 19 Hard and soft landscaping works shall not commence until full details of both hard and soft landscape works, including an implementation programme and any temporary treatments required have been submitted to and approved in writing by the Local Planning Authority.

Hard landscape works shall include:

- a. proposed finished levels and/or contours.
- b. boundary details and means of enclosure.
- c. other vehicle and pedestrian access and circulation areas.
- d. hard surfacing areas.
- e. Lighting.
- f. CCTV
- g. proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
- h. access controls and site security measures.

Soft landscape works shall include.

- i. planting plans.
- j. written specifications (including soil depths and quality to BS 3882:2015, cultivation and other operations associated with plant establishment).
- k. schedules of plants noting species, planting sizes and proposed numbers/densities.
- l. details of tree pits and root cells.
- m. details of green roofing
- n. A scheme for management and maintenance of the publicly accessible areas
- o. long term landscape management plan.
- p. Finalised locations of external cycle parking.

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

In the interests of amenity, highway and public safety and to ensure the provision of amenity afforded by appropriate landscape design

- 20 No works shall commence until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) the routes to be used for construction vehicles;
- c) measures to control the emissions of dust and dirt during construction;
- d) measures to mitigate the impact of construction on other parts of the development including any trees proposed to be retained;
- e) location of site compound and plant equipment/storage; and
- f) how this Statement of Construction Practice will be made publicly available by the developer.

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

- 21 Prior to any construction works a Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Authority. It shall include but, not be limited to, details regarding:
- o Hours of operation.
 - o The number of daily HGV movements via the SRN.
 - o Delivery scheduling that should, wherever practically possible, ensure deliveries to and from site via the SRN are not undertaken during peak hours.
 - o HGV holding areas, that should not be located on or within close proximity of the SRN.
 - o Wheel Washing facilities.

As the carrying out of the development could result in significant harm to the amenities of local residents and/or highway safety and accordingly details of construction practice is required to be agreed prior to the commencement of works in order to protect such interests.

- 22 Development shall not be occupied until all areas shown on the approved plans to be used by vehicles, including roads, footpaths, cycle tracks, loading and servicing areas and vehicle parking space have been fully laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter. To ensure the free and safe use of the highway.
- 23 The development shall not be occupied until a wayfinding scheme has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details within a timescale that shall have first been agreed in writing by the Local Planning Authority. in the interests of pedestrian connectivity
- 24 Notwithstanding the approved details, the building shall not be occupied until full details of cycle parking and facilities have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking and facilities shall be provided prior to first occupation of the building and retained thereafter for the lifetime of the development.

In the interests of highway safety and promoting sustainable travel opportunities.

- 25 Development shall not be occupied until Electric Vehicle Charging Points have been provided in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be retained for the lifetime of the development. In the interest of promoting low carbon transport.
- 26 No part of the development hereby permitted shall be occupied until details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection within that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use of that phase commences and shall be retained thereafter for the lifetime of the development.

To ensure adequate measures for the storage and collection of wastes are put in place. In the absence of appropriate measures residential amenity could be adversely affected.

27 Prior to the installation of any external facing material, full details including a sample panel of the relevant external facing materials, roofing and full details of glazing types for that building to be used shall be constructed on-site and approved in writing by the Local Planning Authority. The external materials, roofing and glazing materials shall be constructed in strict accordance with the sample panel(s). The sample panel(s) shall not be demolished prior to the completion of the development, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of visual amenity.

28 Prior to the construction of the following elements of the proposed building, full 1 to 20 scale working drawing details of the following for that phase shall be submitted to and approved in writing by the Local Planning Authority:

- a. soffit, roof line, eaves and any external plant area treatments.
- b. junctions between materials.
- c. each type of window bay proposed.
- d. ground floor frontages.

Development shall then be undertaken in accordance with the approved details.

In the interests of visual amenity.

29 Prior to the installation of the wind mitigation measures full visual and locational details of the proposed wind mitigation measures, method of affixment and control of delivery shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and maintained thereafter.

In the interests of creating a safe wind environment, adequate mitigation and public safety.

30 Prior to installation of the agreed wind mitigation measures a scheme for testing and assessing the effectiveness of the approved mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate details and timescales for the implementation of any further mitigation measures where these are found to be necessary by the testing exercise and shall be implemented in accordance with the details and timescales thereby approved. Removal of the required mitigation measures shall only be accepted following the submission of evidence and appropriate testing justifying removal, submitted to and approved in writing by the Local Planning Authority.

In the interests of creating a safe wind environment, adequate mitigation and public safety.

31 Prior to the installation of any extract ventilation system or externally mounted mechanical plant, details of such systems, including where relevant details of odour and smoke filtration for hot food uses, shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall aim to achieve the criteria set out in Leeds City Council Planning Consultation Guidance 'Noise and Vibration' dated December 2019.

Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The rating level of noise from any externally mounted plant or equipment is to be no higher than the existing

representative background noise level (LA90) when measured at noise sensitive premises, with the measurements and assessment of calculation made in accordance with BS4142:2014.

In the interests of amenity.

- 32 Prior to first occupation, a sound insulation scheme related to any amenity space within the amenity areas of the building hereby approved to be used as a gym or spa shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve internal residential noise levels of no higher than noise rating NR20 in bedrooms between 23.00 and 07.00, and NR25 in all habitable rooms between 07,00 and 23.00. Associated plant noise from the amenity spaces shall achieve a BS4142:2014 rating level of no higher than the background at the nearest noise sensitive receptors, including the character corrections for tonality, impulsivity and intermittency as appropriate.

REASON: in the interest of amenity.

APPENDIX B – Letter from Leeds Playhouse



June 22, 2023

Matthew Walker
Principal Planner City Centre Team
Development Management
City Development Dept
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Dear Matthew,

SOYO – Plot A Playhouse Support

Further to our recent meeting and in relation to the positive ongoing works at SOYO, we would like to confirm our support for the latest and final proposed plans for SOYO at Plot A. |

We understand that following the application for Block D, Caddick have now started the Pre-application process for a further student block with some accessible parking adjacent on Plot A. Our understanding is that these two plots could start on site next year with completion of the whole masterplan expected mid-2026. This is very positive for the wider area and brings forwards many units and potential customers to the Playhouse.

We recognise that this is a move away from the historic outline application, however, we believe that the parking environment in the locality and declared climate emergency has changed in such a way that more than justifies these proposals.

We have reviewed customer and staff feedback regarding travel to the Playhouse and parking which confirms that needs are generally being met by either public transport, sustainable options including by bike and walking and those that do require parking are able to park in the nearby Victoria Car Park, the Markets NCP or other local on street options. The only notable exception to this would be the requirement for additional accessible spaces which we understand is being addressed as part of this application (around 9 spaces in total?). These additional accessible spaces are a

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Leeds Theatre Trust Limited Charity No. 255460 VAT No. 545 4890 57 Company No. 00926952, England and Wales. Registered address Leeds Playhouse, Playhouse Square, Quarry Hill, Leeds, LS2 7UP

necessity to supplement those already in Playhouse Square which are well used and generally under great pressure, hence we believe the additional spaces will be a great benefit for our visitors in the future.

More broadly, it was good to discuss the issue of directional (brown) signage to the area, which given the amount of change to the road system over the last few years, the volume of new buildings on Quarry Hill and of course the change in our own name in 2018, urgently need to be brought up to date. A solution to this issue would be very welcome. Additionally, it would be helpful for the Council to continue to keep the traffic/pedestrian flow across and along St Peter's Street and the bottom of Eastgate under review. This has been improved significantly in recent years but can still occasionally be an issue when traffic is particularly heavy entering or leaving the Victoria Gate Car Park.

I trust that this letter summarises our discussions last week and helps to support the Caddick proposals, but should you have any further queries please do not hesitate to get in touch.

Yours sincerely



James Brining
Artistic Director & Chief Executive

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APPENDIX C - CITY PLANS PANEL MINUTES 13TH JULY 2023

CITY PLANS PANEL

THURSDAY, 13TH JULY, 2023

PRESENT: Councillor J McKenna in the Chair

Councillors C Campbell, B Anderson,
D Blackburn, K Brooks, P Carlill, D Cohen,
K Dye, C Gruen and A Khan

10 Appeals Against Refusal of Inspection of Documents

There were no appeals.

11 Exempt Information - Possible Exclusion of Press and Public

There was no exempt information on the Agenda.

12 Late Items

There were no declarations.

13 Late Items

There were no late items.

14 Minutes - 22 June 2023

RESOLVED – That the minutes of the meeting held on 22 June 2023 be confirmed as a correct record.

15 Matters Arising

A question was asked as to whether the scheduled meeting for August would be going ahead. It was reported that there were currently 3 or 4 items that would be due for consideration and an update would be sent to Members.

16 PREAPP/23/00134 - Student residential development – SoYo, Block A, Quarry Hill, Leeds

The report of the Chief Planning Officer introduced a pre-planning application for the development of a student residential development at SOYO, Block A, Quarry Hill, Leeds.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion.

Minutes approved at the meeting
held on Thursday, 10th August, 2023

It was noted that the site was within the Little London & Woodhouse Ward and not Hunslet & Riverside as stated in the report and that there had previously been permission granted for a multi-storey car park at the site.

The applicant's representatives were invited to address the Panel. The following was highlighted:

- Outline permission for the wider site had been granted in 2017 for residential and office space.
- Vehicular access including arrangements for parking and service vehicles.
- Pedestrian movement through the site. There would be links to the A64 footbridge.
- The proposed building followed the masterplan in terms of height and massing and would present a symmetrical façade alongside Block B.
- There would be a secure landscaped courtyard for amenity.
- Floor plans were displayed. The ground floor would include amenity areas, cycle storage and a small café. The upper floors would be mainly accommodation and the studios and cluster flats were of generous sizes.
- Materials would include a Portland stone base, red brick and metallic panels.
- There would be side panel ventilation to windows.
- The amenity space at ground floor would provide good security surveillance.
- There would be opportunity for events in the outdoor areas.

In response to Members comments and questions, the following was discussed:

- Security concerns regarding pick up and drop off points and access to the bicycle store – it was reported that all these areas would be well lit and the cycle storage could be accessed from within the building. The site would be managed round the clock and have a security presence.
- The mix of studio and cluster flats had been based on industry standards.
- The landscaped courtyard area would be private for student residents to create a level of security. This would be the only private landscaped area. This has been approved as part of a previous application.
- There would be large areas of soft landscaping across the site.
- Rain gardens and water run-off had been considered in the design.
- There was not yet a confirmed date for the improvements to the footbridge.
- There was an established management company for the estate which would manage all the common areas.
- Public consultation had already started and will be expanded.
- Further work would be carried out with regard to health provision.
- There would be level access on the pedestrian routes.

- There would be a full highways assessment prior to the full application which would consider issues such as deliveries and student drop off and pick up.
- There would be consultation with the police with regards to safety and security.
- CCTV and other security arrangements would be operating all year round and not just during term time. It was expected that there would be some occupation outside of term time.
- The disabled parking bays would be available for public use.
- A wind study had been carried out and this building would provide further mitigation.
- Fire safety evacuation points had yet to be determined.
- The proposed materials were similar to those in the surrounding buildings. It was requested that samples of materials be provided should the full application be brought to Panel.
- It was proposed to be a low energy sustainable building which was highly efficient whilst low on energy use. There would be 100% LED lighting, low water consumption and an intention to connect in to the Leeds Heating Scheme.
- There would be management arrangements in place for student pick up and drop offs and other stakeholders on the site would be consulted.
- There was limited opportunity for the inclusion of green walls due to the active frontage at ground level. There would be further consideration to see if there could be more landscaping/greenspace.
- There would be opportunity to install electric bicycle charging points. It was hoped that there would be further information when the full application was submitted.
- Concern regarding the number of applications for student accommodation in the city centre and that students are only present for 30 weeks a year. It was reported that there was still a need to be met. There was an ongoing review of housing needs in the city. The wider part of this site also had other residential accommodation.
- The need for sufficient provision for delivery drivers.
- The requirement for student accommodation was discussed in more detail and Members requested an update on the review of the Strategic Homes Marketing Assessment and housing need across the district. A report was due to be sent to Development Plans Panel before the end of the year.
- There would be opportunity for students to stay in the accommodation all year round.
- More greenspace should be provided.

In response to questions outlined in the report, the following was discussed:

- Members were broadly supportive of the proposed use of Block A for student accommodation.
- Members agreed that the appearance and scale and setting of the proposed building was acceptable.

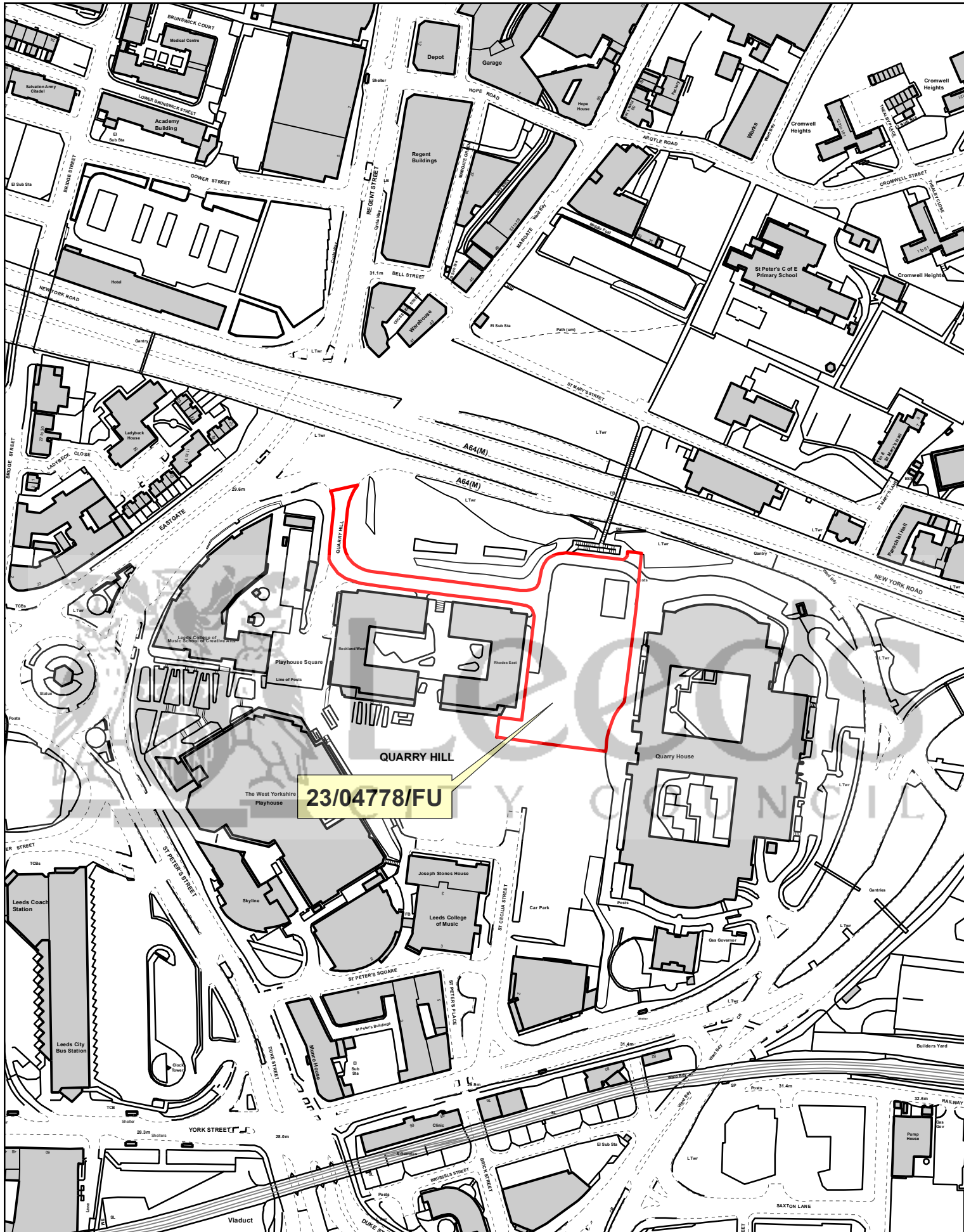
Minutes approved at the meeting
held on Thursday, 10th August, 2023

- Members Asked if further consideration could be given to more greenspace as part of the student residential amenity.
- Members requested that the full application be brought back to Panel for consideration.

RESOLVED – That the report and presentation be noted.

17 Date and Time of Next Meeting

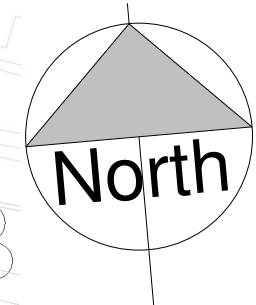
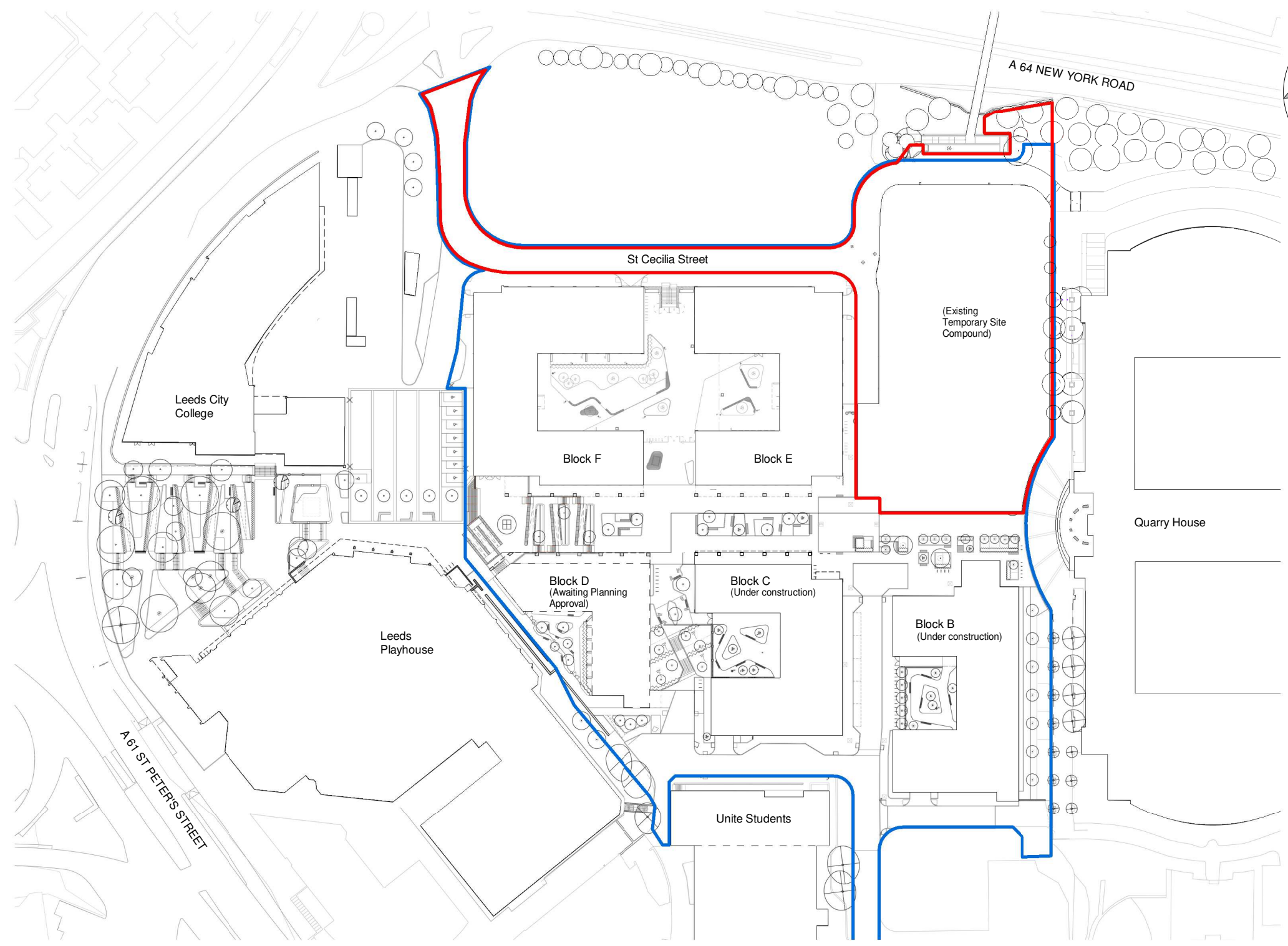
Thursday, 10 August 2023 at 1.30 p.m.



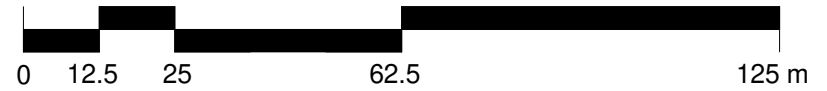
CITY PLANS PANEL



REV	DESCRIPTION	INITIALS/DATE	CHKD
A	Planning Issue	SIT 28-07-23	



Scale 1 : 1250



JOB NAME
Student Residential Scheme
SoYo Block A

DRAWING TITLE
SITE LOCATION PLAN

STATUS
PLANNING

SCALE @ SIZE
1:1250@A3

DATE July 2023 **SHEET BY** SIT **CHECKED BY**

JOB NO. 4152 **DRAWING NO.** -DLG-A-PL-A-950 **REV** A

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Originator:	R Coghlan
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Report of the Chief Planning Officer

City Plans Panel

Date: 30th November 2023

Subject: 23/02725/FU Demolition of existing buildings and the erection of 38 apartments and office space. This will represent a phased development to deliver 28 apartments as part of the western phase and 10 apartments with office space as part of the eastern phase. Associated landscaping and car parking is also sought.

Applicant: Vision Properties Development Group Limited

Electoral Wards Affected:

Burmantofts and Richmond Hill

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 specified conditions set out in Appendix 1 (and any others which he might consider appropriate) and a Section 106 agreement to include the following obligations:

- Affordable Housing 7% - 3 apartments comprising the two-bedroom flats numbered 3, 20 and 25 on the first, second and third floor plans will be offered to local housing associations for purchase at the council's affordable benchmark prices.
- Contribution toward green space improvements of £49,360.85
- Traffic Regulation Order to manage any overspill parking issues in the surrounding area as a result of the development: £10,000
- Cooperation with Local Jobs and Skills Initiatives

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

1. Introduction

- 1.1. The application has been brought to City Plans Panel for determination under the terms of the officer/member delegation agreement due to the Chair's consideration of the general sensitivity and significance of the application on the fringe of the city centre (criterion g).

2. Proposal

- 2.1. The proposal involves demolition of existing vacant buildings including a freestanding industrial building, a two storey office building, a pair of semi-detached houses and a detached house. A new building of 38 apartments and a small office would be erected on the site, rising to seven storeys at the north western end of the site and dropping down to three storeys at the south eastern end.
- 2.2. The scheme has been revised to introduce more of an active frontage to the ground floor with the office having a frontage onto Cross Green Lane. There will be green roofs at first, third, fifth and sixth floor levels and a roof garden at seventh floor level. It is proposed that the flats have sun shielding balconies on the southern elevations to provide passive cooling in the summer.
- 2.3. In terms of services, the scheme would have 15 car parking spaces, sized and equipped for electric vehicle charging points, and including one larger disabled space. There are Sheffield stands for 36 cycles, vertical lockers for 5 cycles and a bin store for 12 x 1100 litre bins. A Traffic Regulation Order will be required to secure highway improvements, including a delivery/loading bay.

3. Site and Surroundings:

- 3.1. The site is an aggregation of several properties on the north east side of Cross Green Lane to the west of the junction with Easy Road. The site measures approximately 60m in length along the Cross Green Lane and 20m in depth.
- 3.2. The site is on the opposite side of Cross Green Lane from the undeveloped Echo Plot 3, which is to the east of Echo 1 and Echo 2, residential blocks between Cross Green Lane and East Street. To the rear is a small trading estate of single storey units accessed off Cross Green Lane and a single storey business building accessed off Easy Road. The site takes up most of the frontage to Cross Green Lane between the entrance to the trading estate and Easy Road, but there are properties at both ends of the site that fall outside the red-line boundary. At the northern end there are two red brick single storey industrial units adjacent to the entrance to the trading estate and at the southern end there is a two storey building (43 Cross Green Lane) with two shopfront units (currently a hairdresser and a beauty salon) and residential units upstairs and to the rear. Adjoining number 43 Cross Green Lane is a single storey building with a shopfront that curves round into Easy Road. This is number 1 Easy Road and is currently occupied by the New Captain's Table café and takeaway.

- 3.3. The site itself comprises of a number of separate buildings that face onto Cross Green Lane. At the north western end is a three storey brown rendered industrial building of c. 775sqm floorspace with its gable end facing directly onto Cross Green Lane. The third storey is in the roof space. It looks like it may have been built as a chapel. Next to that is a two storey grey brick business building of c. 260sqm of floorspace set back from the road with a small car park in front. Next to that are a pair of semi-detached nineteenth century houses with basements, raised ground floors, first floor accommodation and pitched roofs. Each one measures c. 150sqm of floorspace. They are set back from the road by a few metres with small front gardens. The frontages are in red brick with the gable ends rendered. They have small rear gardens fenced off from the trading estate to the rear. Finally, at the south eastern end of the site is a two storey plus basement detached house of c. 150sqm set back approximately 10m from the road with a good sized front garden. Its rear elevation has a single door, no windows and no garden and backs immediately onto the private roadway off Easy Road serving the rear business premises.
- 3.4. The site is just outside of the City Centre boundary, but within the City Centre Fringe Parking Area. It is within the Inner Housing Market Characteristic Area. It is not within or near a conservation area and it is not near any listed buildings.

4. Relevant Planning History

- 4.1. The site and surrounding land have been the subject of a range of planning decisions including industrial and business uses and signage. The relevant cases are listed here:

The light industrial estate to the rear was granted planning permission 10/11/80 under reference H32/751/80/. The 2 industrial units to the north of the site were granted planning permission 21/07/81 under reference H32/316/81/. A further change of use to a mix of warehousing and industrial use was permitted 28/9/81 under reference H32/471/81/. A number of individual units have since had applications approved for changes of use to other business-related uses.

The ATS tyre depot to the north was permitted 3/7/78 under permission H32/407/78/

43a Cross Green Lane. 15/06171/DPD Determination for change of use of ground floor and basement office (use class B1a) to one flat (use class C3). Approved 26/11/15.

43 Cross Green Lane. 20/361/04/FU New shopfront approved 4/10/04

5 Easy Road. Retrospective change of use of shop to hot food takeaway. Approved 4/9/07

5. History of Negotiations

- 5.1. A pre-application enquiry was submitted under reference PREAPP/21/00395 for the demolition of 37-41 Cross Green Lane and erection of 17 apartments. This covered the eastern half of the site subject of this planning application. The applicants were encouraged to extend their site to provide a more comprehensive scheme. They were advised on the need to safeguard adjoining properties from loss of light and outlook, not prejudicing development of adjacent sites, the need for private usable amenity space and the need for placemaking including space, design and character assessment. Highway advice highlighted the need for additional car parking, cycle parking, EVCPs and arrangements for servicing and deliveries.
- 5.2. The planning application was originally for 37 flats, an office on the 1st floor and 21 parking spaces on the ground floor, with two vehicular entrances, one for each phase of development. This was revised to the current proposal in order to improve highway safety and add activity to the ground floor frontage.

6. Public/Local Response

- 6.1. Publicity for the planning application when first submitted consisted of:
- i. Leeds City Council Public Access Website posted 3/5/23
 - ii. Site Notice posted 26/6/23
 - iii. Press Notice posted 27/6/23
- 6.2. The landlord / owner of the next door property, number 43 Cross Green Lane, which he has converted into three flats, B, C and D, submitted two separate objections. In the first he objected to the height of the proposed building blocking out natural light to tenants in the flats. In the second received after the case officer had visited, he says “my property already has limited light and the new development will block out light especially to the basement flat. This I feel will cause problems when re-letting.” This objection is dealt with fully under the section Impact on Neighbouring Amenity in the appraisal below.
- 6.3. The owner and several of the occupiers of the adjacent Cross Green Lane Trading Estate have objected to the development. They raise concerns about the height being disproportionate to the existing buildings, inappropriate design and materials, loss of natural light to the industrial units, windows and balconies causing a loss of privacy and security and wind dangers. They also raise concern about the impact on car parking and highway safety in an area that is already over-parked, including during construction and about routes of escape (in case of fire) being impeded. There are also concerns that existing security lighting and noise of operations of the trading estate would impair the amenity of the proposed flats and that these effects have not been fully considered.
- 6.4. The Leeds Civic Trust objected to the application. “Although the layout of flats and generous balconies are positive features in the proposal, the Leeds Civic Trust objects to the proposal for the following reasons: 1) The former workshop building appears to be in sound order and is well proportioned, providing character to an area that generally lacks identity. In the context of climate change, there is no reason provided to justify a new-build option in favour of

repurposing, which is the more sustainable solution in terms of natural resources and implementation. 2) The proposed new-build makes no contribution to the local area, with a complete absence of active frontage at ground floor level accompanied by a general absence of architectural distinction in the facades and overall massing. 3) There would be a case for upgrading the existing Victorian houses also, especially as these are adjacent to another terrace that is recessed. This recess could have been reproduced on the other side through a complementary new-build, where the current office building is, to give more coherence to the rhythm of the street while providing some form of public amenity for the local area.

- 6.5. In response to point 1 some of the existing buildings have historic character, but not of a form which is so rare or locally valued to warrant their retention. The matter of embodied energy and reuse of materials is dealt with in the Sustainability and Climate Change section of the appraisal below. Regarding point 2, the original proposal has been revised to provide the office at ground floor level. The matter of architectural design is dealt with in the Design, Landscape and Biodiversity section of the appraisal below. Regarding point 3, the imagining of new build houses to complement the existing Victorian houses envisages a low rise residential scheme of a completely different scale to that proposed. In this case it is considered that the existing form of buildings is not of sufficient townscape or historic merit to constrain development to a low-rise scheme. The proposal for a medium scale block of apartments is considered appropriate in principle for this location as explained more fully in the Principle of Development section of the appraisal below.
- 6.6. A resident of a nearby residential block wholly supports the development because it will bring additional activity and because the area has an abundance of vacant and industrial land. Any contributions toward local pedestrian and cycle infrastructure would be welcomed, particularly to address safety, including crossing facilities over the A61. The resident also suggests the speed limit for the A61 be reduced from 40mph to 30mph in order to improve safety, air quality and local noise/amenity for local residents.
- 6.7. Publicity for revisions to the planning application consisted of re-notifying all consultees who responded to the initial consultation. They were renotified by email on 9/11/23.
- 6.8. The 14 day response period means that any responses would come after this report is finalised, so will need to be reported separately at Panel.

7. Consultation Response

Statutory

Coal Authority

- 7.1. The Coal Authority notes the conclusion of the Phase 1 Geo-Environmental and Coal Mining Risk Assessment report (May 2022) that there may be unrecorded mine workings to the Beeston coal seam below the site at shallow depth that could pose a stability risk to development. The Coal Authority

welcomes the Phase 1 recommendations to undertake intrusive site investigations and advises that these should be undertaken by competent persons to properly assess any coal mining legacy and risks to development. The results should inform any remedial works of mitigation measures including grouting stabilisation works and foundation solutions. The Coal Authority's Permitting and Licensing Team will need to grant permission for any ground investigations or works. The Coal Authority also welcomes the Phase 1 recommendation that undisturbed natural ground should be exposed during ground works to ascertain whether any anomalous ground conditions are present, which may be indicative of an unrecorded mine entry. Should such a feature be encountered on site, appropriate Protecting the public and the environment in mining areas 3 remedial treatment will be required.

7.2. The Coal Authority also advises the local planning authority to consider the risk of gas hazards associated with shallow coal seams. It also advises the developer to seek expert opinion on the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

7.3. The Coal Authority has no objection to the proposed development subject to the imposition of a condition to require intrusive investigations and remediation works prior to commencement and to require appropriate certification of site safety and stability prior to occupation.

Health and Safety Executive

7.4. A summary of the HSE's initial comments of 7/7/23 are as follows:

- i. HSE considers the 7th floor communal garden counts as a floor in terms of building heights. The building therefore exceeds 18m threshold for which a firefighting staircase, firefighting lift and fire main need to be provided.
- ii. As the single staircases will be providing means of escape, they should not also serve car parks or other ancillary accommodation of a higher fire risk. Single stairs should not descend to the basement.
- iii. Supplementary/Advisory i) Phase 1 stairs/lift should not connect directly to ancillary accommodation such as car / cycle parking. ii) consider fire and toxic gas risks of lithium-ion batteries.

7.5. Following submission of further information from the applicant, including an explanation of the access arrangements and use of the communal roof garden, provision of a dry rising firefighting main in the northwest stair and ground floor car park access for firefighting, the HSE confirmed on 13/9/23 that it was "content" with the proposal. The HSE's further non-planning advice is added as an Informative.

Yorkshire Water

7.6. A summary of Yorkshire Water's comments of 7/7/23 are as follows:

- i. A condition will be required to deal with surface water discharge requirements: a) evidence to show disposal via infiltration is not reasonably practical before discharge to public sewer can be agreed b) other drainage body comments needed, c) If discharge to a public sewer is allowable, it must have a $\geq 30\%$ reduction, d) developer must demonstrate evidence of existing positive drainage to a public sewer from the site. On-site attenuation will be required.
- ii. Surface water management has not been properly considered in the submitted drainage report. More information is required.
- iii. Small diameter public sewers cross the site. The scheme needs to be designed around this infrastructure in terms of floor levels, no inspection chambers allowed and any diversion would have to be agreed with YW.

7.6.2. Yorkshire Water subsequently commented on 20/9/23 that the revised FRA Drainage Strategy (rev 3) is acceptable which confirmed that foul water will discharge to the public combined water sewer, that sub-soil conditions do not support soakaways, a watercourse is remote from the site and a surface water restricted discharge rate of 5.8l/s is agreed. As such Yorkshire Water's support for the development is subject to a condition requiring the development be implemented in accordance with the revised Strategy.

Non-Statutory

LCC Conservation

7.7. The application has been reviewed and Conservation Team will not provide any further comments. Please determine the application in accordance with national legislation and national and local policy and guidance.

LCC Design

7.8. Initial comments on the planning application were provided verbally at the meeting with the applicant of 12/7/23. A request was made for a more active street frontage. Revised proposals were subsequently submitted.

7.9. Comments of 22/9/23: "The revised ground floor layout has been reworked to present an active frontage of office space to the street of just under a third of the frontage length. The vehicular access has also been moved further away from the junction, with the car parking and bin stores between the two. This works well and presents a good response to the street. The car parking will of course need to be tracked. The elevations need to be reworked to match the revised ground floor. There is a slope to the external ground level, it might help for the openings to have a stall riser to accommodate the levels and so that water/rubbish/detritus doesn't end up in the car park and cars when the wind blows and it rains. Perforated roller shutters would not be appropriate, because in all likelihood they will remain in the closed position and would not be of a high enough quality to match the quality we are expecting for the building. A series of canted "fins" might work visually and be more reflective of the contemporary aesthetic of the building."

7.10. Comments of 19/10/23 conclude that the design amendments are generally in line with advice given and moving in a positive direction. The following notes are made in relation to extracts of revised drawings with responses in italics:

- Roof garden and balcony design needs to reflect wind safety considerations for users and maintenance workers. *This has been addressed in the section on Wind Impact in the Appraisal below.*
- The perforated metal shading mesh needs to be carefully considered in terms of pattern finish and design, and apply coherently throughout the scheme. *These details will be controlled by condition.*
- Balconies to the south east corner need a full height screen to prevent direct overlooking to No 43 Cross Green Lane. *This will be covered by condition.*
- Security of the alcove in front of the vehicular entrance needs to be considered to prevent congregation and anti-social behaviour. Use of CCTV should be explored. *This will be covered by condition.*
- As the scheme has two phases, we need to see proposals for the temporary elevation to the side of Phase 1. *Drawings have been supplied to illustrate internal temporary elevations of both phases.*

LCC Landscape

7.11. The applicants were given guidance and asked to provide detail of what landscaping would be provided on the roof gardens and communal terraces. The Landscape Officer accepts the indicative landscape proposals for the communal and green roofs and recommends conditions to require details to be submitted and approved.

7.12. LCC Access Officer

7.13. None of the 5 x 3 beds are M4(2) or M4(3). The Design and Access Statement fails to explain other aspects of access into and around the building. What shared facilities are there on the ground floor? I note there are gravel surfaces on the development and these will be inaccessible to many disabled people. Can we clarify what the width of the entrance door is and if it's manual or power assisted. If manual is there a 300mm leading edge? We will need an elevation drawing of the entrance door to see this. Is there an intercom or key fob system – what height will this be set at? Any intercom should be audio visual and not only audio. Is there seating planned for the roof top garden? This must meet BS8300 and include spaces for wheelchair users to transfer out of their chairs.

7.14. Response: the mix of accessible dwellings is addressed in the Housing Standards section of the appraisal below. The matter of external surfacing will be dealt with by condition. Drawings have been amended to show that the entrance doors will be power assisted and intercoms/key fob systems will be sited at a height usable by wheelchair users. Accessibility of the roof garden for wheelchair users is a factor to be addressed in the landscape design condition.

LCC Nature Conservation

- 7.15. The bat surveys are acceptable to confirm roosting bats have been considered and are not currently present. A condition is recommended to secure provision of bat roosting and bird nesting features in the scheme.
- 7.16. The Biodiversity Net Gain (BNG) calculations are acceptable to conclude a positive BNG score can be achieved. The Extensive Green Roof design will need to include a range of flowering plants and should be covered by a suitable condition to agree the design/growing media/specification/establishment of plants – Landscape Team have already advised on this.

LCC Climate Change

- 7.17. This is a summary of the Climate and Energy officer's comments of 11/7/23:
- Demolition. Reasoning is required to justify the carbon waste of demolition and rebuild. Can recycling of materials be achieved to accord with Policy EN6 (reducing waste)?
 - Ambition to achieve 100% of the site's energy from renewable sources is welcomed but must be backed up by demonstrative evidence.
 - Policy EN1(i) requires a reduction of CO2 emissions to 20% less than Building Regs. Up to date SAP & Brukl assessments are required. Details of lighting fixtures are required.
 - Policy EN1(ii) requires >10% energy needs from low carbon energy. Lack of evidence to demonstrate this. Lack of LZC feasibility study. As-designed and as-built checking will be required.
 - Policy EN2 BREEAM excellent needs to be demonstrated.
 - Policy EN2 water standard. A water calculation is required to demonstrate the standard is met. Monitoring system arrangements are required.
 - Policy EN4. Need evidence of lack of viability to connect to the DHN.
- 7.17.2. Further comments were made on the 5th and 20th October in relation to subsequent updates of evidence including the Energy Statement. The final comments conclude that sufficient evidence of meeting Policies EN1, EN2, EN4 and EN6 has been provided at this stage, subject to further evidence and verification being required by condition at pre-construction and pre-occupation stages.

LCC Environmental Health (Commercial Noise and Odours)

- 7.18. Detailed comments of 16/8/23 were based on a review of two submitted noise impact reports and an assessment of the site surroundings, including the businesses operating from the trading estate. Concerns can be summarised as follows:
- Has the level of disturbance from business units to rear been underestimated?
 - Solar gain concerns. Will Part "O" of the Building Regulations be satisfied? Is trickle ventilation sufficient?
 - Odour from food premises – recommend an odour assessment.

- Disturbance from office?

7.19. As a result, the applicant sought updates to the original noise impact report and commissioned an odour assessment. The applicant is confident that Part “O” of the Building Regulations will be met, as this is a parallel requirement for approval of the development.

7.20. In response to the submitted Nova Acoustics report of 3/10/23 which provided additional survey work to address concerns about noise and odour from the industrial units, the EHO undertook follow-up investigations. The conclusion reached is that the food business provides outside catering involving the preparation and storage of food in the industrial unit, but normally no on-site sales (on-site sales during the Covid-19 pandemic were an exception). The report recommends whole dwelling mechanical ventilation and heat recovery (MVHR) systems to provide continuous fresh air and reduce the need for open windows in order to protect residents from external noise. The EHO concludes that this will be necessary. Passive ventilation will not be sufficient. The EHO recommends that air intakes should not be sited on the rear elevation to avoid odour and fumes being drawn into the ventilation and pre-commencement conditions for the submission of details of the ventilation system for approval.

LCC Environmental Studies (Transport Noise and Air Quality)

7.21. The 'Environmental Noise Survey, Noise Break-in Assessment & Sound Insulation Scheme' prepared by Nova Acoustics and submitted in support of this Planning Application details noise measurements and calculations, the results of which have been used to formulate a glazing and ventilation strategy across the site. With regard to traffic noise, we agree with the recommended glazing and ventilation strategy of the Assessment and concur that they should attenuate transportation noise throughout the development such that the standards detailed within BS8233 are met.

LCC Highways

7.22. Comments of 4/10/23 can be summarised as follows:

7.23. On car parking, the SPD guidelines are set as maxima in this fringe city centre location so there is no minimum level of car parking spaces as long as it can be demonstrated that this would not result in detrimental problems on the local highway. Car parking provision needs to be justified and there will be requirements for a S106 contribution of £10,000 towards a scheme to prevent future on-street parking problems and for Traffic Regulation Order (TRO) alterations to prevent on-street parking in the vicinity of the site as part of the S278 highway works. A minimum number of disabled parking spaces will be required to be laid out on-site in accordance with the SPD.

7.24. Otherwise, advice was provided where the scheme needs to be adjusted to satisfy SPD standards including the vehicular entrance, bin storage door, arrangements for deliveries and servicing, internal vehicle tracking, cycle parking spacing, restriction on resident eligibility for parking permits of nearby zones and off-site highway works to be agreed on a plan.

Flood Risk Management

- 7.25. The application site is located within Flood 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 known flood risks which require specific mitigation and would impact on the proposed development. As such Leeds FRM team conclude that no specific flood risk mitigation measures are necessary.
- 7.26. Regarding site drainage FRM team requested additional information and clarifications about the Drainage Strategy on 21/6/23 and 20/9/23. Additional information, including revisions to the FRA and Drainage Strategy, was submitted to the satisfaction of the FRM team, subject to conditions. In particular a condition is required to ensure that roof and surface drainage is properly connected to attenuation tanks.

LCC Local Plans

- 7.27. In summary the principle of residential development in this location is accepted in accordance with Policy EB4 (East Street Opportunity Area) of the Aire Valley Leeds Area Action Plan, subject to meeting the guiding principles for the area and satisfying other plan policies. Concerns are expressed about the lack of on-site greenspace in terms of Core Strategy Policy G4, the loss of employment land in terms of Core Strategy Policy EC3 and the mix of different sized dwellings in terms of Core Strategy Policy H4. These matters are addressed in the appraisal section below.

Contaminated Land Team

- 7.28. The Phase 1 Geo-Environmental & Coal Mining Risk Assessment, May 2022, PWA Geoenvironmental Ltd, Report ref: 21140-PWAG-00-XX-RP-G-1000-P02 has been approved. As per the report recommendations a Phase 2 Site Investigation report is required. Standard conditions are recommended to require approval of a Phase 2 report, to deal with unexpected ground conditions and to require verification of submitted details.

District Heating

- 7.29. As noted in the application documents, the scale of this development is unlikely to be commercially viable for a district heating connection.

LCC Education

- 7.30. The Council's education service was emailed about the impact of this proposal on local school capacity on 31/10/23. The response received 6/11/23 stated:
- “Given the very low numbers of units involved, their location and style (flats) and the fact that a number of them are 1-bedroomed properties, the estimated yield from this development would be very small. We don't have any comments to make in terms of education provision as the development is very unlikely to have a measurable impact on schools in the area.”

- 7.31. LCC Health
- 7.32. The Council's public health service was emailed about the impact of this proposal on the capacity of local GP services on 31/10/23. At the time of finalising this report, no response had been received. This is being chased so that a response may be provided at the panel meeting.
- 7.33. Wind Peer Review
- 7.34. The applicant submitted a Wind Microclimate Report in support of the planning application. This was reviewed by a professional wind consultant appointed by the Council and concluded to be a credible assessment of the wind impacts. The conclusions were that there will be no safety or comfort concerns at ground level on the street or spaces around the building. Some concerns are identified to the terraces at the eastern end of the building, but as these will be dedicated as green roofs and for siting photo voltaic panels, with no access for residents, no physical mitigation is considered necessary.

8. Relevant Planning Policies

8.1. Statutory Context

- 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 at this site, the Development Plan for Leeds currently comprises the following documents:
- The Leeds Core Strategy (Adopted November 2014)
 - Saved Leeds Unitary Development Plan 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).
 - Aire Valley Leeds Area Action Plan (AVLAAP, Adopted 2017)
 - Site Allocations Plan (This does not apply to the AVLAAP area of Leeds)
- 8.1.2. These development plan policies are supplemented by supplementary planning guidance and documents.

Development Plan

8.2. Leeds Core Strategy (CS)

- 8.2.1. The adopted CS sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant policies are set out in the paragraphs below:

Spatial Policy 1: Location of Development prioritises the redevelopment of previously developed land within the Main Urban Area, prioritising urban regeneration and taking advantage of existing services and high levels of accessibility.

Spatial Policy 4 – Identifies the Aire Valley Leeds as a Regeneration Priority Programme Area. Priority will be given to developments that include housing quality, affordability and choice, improve access to employment and skills development, enhance green infrastructure and greenspace, upgrade the local business environment and improve local facilities and services.

Spatial Policy 5: Aire Valley Leeds Urban Eco-Settlement outlines the broad principles for development in the Aire Valley Regeneration Priority Programme Area including targets for housing (6,500 units), and employment land (250 ha) specific to the area, and new retail services of an appropriate scale.

Spatial Policy 6: The Housing Requirement and Allocation of Housing Land establishes a target of 51,952 (net) new dwellings to be delivered between 2017 and 2033. This provision should be guided by the settlement hierarchy, with a preference for sustainable, brownfield locations and areas having low flood risk.

Spatial Policy 7: Distribution of Housing Land and Allocations establishes that 15% of dwellings to be identified should be within the Inner Areas in the period 2017-33.

Spatial Policy 8: Economic Development Priorities supports a competitive local economy through promoting the development of a strong local economy through enterprise and innovation, job retention and creation, promoting the need for a skilled workforce, educational attainment and reducing barriers to employment opportunities, and by supporting training/skills and job creation initiatives via planning agreements.

Spatial Policy 11: Transport Infrastructure Investment Priorities sets out a series of spatial priorities for the delivery of an integrated transport strategy for Leeds. One priority is related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre.

Policy CC3: Improving Connectivity between the City Centre and Neighbouring Communities sets out the requirement to improve routes connecting the City Centre with adjoining neighbourhoods and improve connections within the City Centre through developer contributions.

Policy H2: Housing Development on Non-Allocated Sites. Development of previously developed land is acceptable in principle providing the number of dwellings does not exceed the capacity of transport, education and health infrastructure and the location accords with the Accessibility Standards (Table 2 of Appendix 3).

Policy H4: Housing Mix requires residential developments to provide an appropriate mix of dwelling types and sizes to address long term needs taking into account the nature of the development and character of the location. This should include the need to make provision for Independent Living. Table H4 gives an indication of the preferred housing mix across Leeds, before the nature of the development and character of location are taken into account:

Table H4: Preferred Housing Mix (2012 – 2028)

Type*	Max %	Min %	Target %
Houses	90	50	75
Flats	50	10	25
Size*	Max %	Min %	Target %
1 bed	50	0	10
2 bed	80	30	50
3 bed	70	20	30
4 bed+	50	0	10

*Type is applicable outside of City Centre and town centres; Size is applicable in all parts of Leeds

Policy H5: Affordable Housing sets out a target affordable housing provision of 7% for residential developments.

Policy H9: Space Standards expects all new dwellings to meet the minimum internal nationally described space standards.

Policy H10: Accessible Housing expects developments to provide at least 30% of new dwellings to M4(2) standards of accessibility and 2% to M4(3) standards of accessibility (wheelchair user occupant).

Policy EC3: Safeguarding existing employment land. This policy applies to sites allocated or last used for employment. In areas without a shortfall of employment land it allows change to other uses if i) there will be no loss of deliverable sites that are part of Leeds' employment land supply, ii) existing land and buildings are considered non-viable in terms of market attractiveness, business operations, age, condition, and/or compatibility with adjacent uses, or iii) the proposal will deliver mixed use development. In areas with a shortfall, loss of employment land will only be permitted where the loss can be offset by the availability of other employment land or premises in the surrounding area.

Policy P10: Design requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function. New development is also required to deliver high quality inclusive design. Policy P10 sets out a series of key design principles (i to vi) for new development, in relation to size, design, layout, existing assets, amenity and accessibility.

Policy P11: Heritage 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 will be conserved and enhanced.

Policies T1: Transport Management and T2: Accessibility Requirements and New Development identify transport management measures and accessibility measures to ensure new development is adequately served by highways and public transport, and provides safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policy G4 Greenspace. Applies to development outside of the city centre boundary (see Core Strategy Map 10). The requirement for green space is based on a sqm figure for different sized dwellings. When it is not possible or appropriate to provide all of the required green space on-site, the remainder can be converted into a financial contribution in lieu.

Policy G9: states that development will need to demonstrate biodiversity improvements.

Policies EN1 and EN2: set out the sustainable construction and on-going sustainability measures for new development. It establishes targets for CO₂ reduction and requires at least 10% low or zero carbon energy production on site.

Policy EN4 expects connection to be made to the district heat network where feasible.

Policy EN5 – flood risk. A flood risk assessment including an evacuation plan and sequential test/exceptions tests would be required as the site lies in Flood Zone 2.

8.3. Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies

8.3.1. Relevant Saved Policies include:

Policy GP5 all planning considerations
Policy BD2 design and siting of new buildings
Policy BD4 mechanical plant
Policy BD5 residential amenity
Policy LD1 landscaping

8.4. Leeds Natural Resources and Waste DPD 2013 Part / 2015 Part

8.4.1. The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way.

8.4.2. Relevant policies include:

Air 1 management of air quality through new development
Water 4 development in flood risk areas
Water 6 flood risk assessments
Water 7 surface water run-off
Land 1 contaminated land
Land 2 development and trees

8.5. Aire Valley Leeds Area Action Plan (AVLAAP)

- 8.5.1. The AVLAAP provides a spatial planning framework, plan wide policies, area plans and site specific allocations for Aire Valley Leeds. The focus is to deliver an innovative and integrated approach to the sustainable regeneration of the area, reflecting the scale of opportunities in the area and links to adjacent communities in east and south Leeds.
- 8.5.2. The site is located within the East Bank, Richmond Hill and Cross Green Area of the Aire Valley (section 4.3). The value of new housing development opportunities in the area is recognised in paragraphs 4.3.25 – 26 to meet the housing needs of local people, particularly family and affordable housing, to regenerate sites, to make the streets safer and more attractive and to secure new connections and green space.
- 8.5.3. The site falls within the East Street Opportunity Area where Policy EB4 encourages redevelopment of existing buildings for housing subject to a set of guiding principles.
- 8.5.4. This site is not allocated in the AVLAAP. However, its development as a “windfall” site for housing and mixed use development in the East Bank, Richmond Hill and Cross Green Area is encouraged in principle, subject to suitability and flood risk testing (see paragraphs 3.3.15 – 16).

8.6. Relevant Supplementary Planning Guidance:

SPD Transport
SPD Accessible Leeds

8.7. National Planning Policy Framework (NPPF) 2021

- 8.7.1. The NPPF sets out the Government’s planning policies for England and how these should be applied (para 1), and is a material consideration in planning decisions (para 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para 38). The Framework sets policies on the following issues which are relevant to this planning application proposal (including section numbers):
 - 2 Achieving sustainable development (paras 7, 8, 10, 11, 12)
 - 4 Decision making (paras 38, 39, 40, 41, 43, 47, 48, 54, 55, 56, 57, 58)
 - 5 Delivering a sufficient supply of homes (60, 62, 63, 65)
 - 6 Building a strong competitive economy (81, 83)
 - 8 Promoting healthy and safe communities (92, 93, 95, 97, 98)
 - 9 Promoting sustainable transport (104-113)
 - 11 Making effective use of land (119, 120, 121,123)
 - 12 Achieving well designed places (126-136)
 - 14 Meeting the challenge of climate change and flooding (152-169)

15 Conserving and enhancing the natural environment (179-188)

16 Conserving and enhancing the historic environment (194)

8.7.2. Paragraph 126 of the NPPF 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process

8.7.3. Paragraph 130 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.

9. Main Issues

- 9.1. Principle of the development
- 9.2. Impact on neighbouring amenity
- 9.3. Sustainability and Climate Change
- 9.4. Design, Landscape and Biodiversity
- 9.5. Green Space
- 9.6. Sustainable Transport and Travel Planning
- 9.7. Housing Standards
- 9.8. Wind Impact
- 9.9. Phasing
- 9.10. Planning Obligations

10. APPRAISAL

10.1. Principle of the Development

Residential

- 10.1.1. The Leeds Core Strategy and the AVLAAP would support the residential element of development of this site location. New housing in this location is supported in principle by Policy SP1 of the Core Strategy which prioritises the redevelopment of previously developed land within the Main Urban Area, in support of urban regeneration. Policy H2 supports housing development in locations where it will not exceed the capacity of local transport, health and educational infrastructure and will accord with accessibility standards. This location is generally well served, particularly in terms of transport infrastructure. In terms of accessibility, the site, within the Main Urban Area has access to primary health care / schools within 20 minutes' walk and secondary schools within 30 minutes walk. In terms of education capacity, the city council's education service has advised that the scheme is very unlikely to have a measurable impact on schools in the area. In terms of the capacity of GPs, the Council's public health service is being asked for comment on the capacity of local GP surgeries and findings can be reported verbally at the panel meeting.
- 10.1.2. The site falls within the East Street Opportunity Area where Policy EB4 encourages redevelopment of existing buildings for housing where the guiding principles for the area are supported. These are:
- i. Ensuring that the development in the East Street Opportunity Area enhances its role as a gateway into the city centre including from the river corridor
 - ii. Providing improved pedestrian and cycle connections between the Saxton Gardens, Richmond Hill and Cross Green areas and the city centre, Leeds Dock and South Bank including a bridge link from the Low Fold site
 - iii. Creating active frontages on the ground floor of buildings along the main routes in the area
 - iv. Improving the visual and environmental quality of the East Street corridor through high quality, distinctive building design, attractive areas of new landscaping and improvements to the public realm
 - v. Taking opportunities to enhance the attractiveness and vibrancy of the waterway corridor including waterfront development and improved public access and making provision for wildlife and biodiversity
 - vi. Ensuring that new development preserves and enhances the Eastern Riverside Conservation Area, listed buildings and non-designated heritage assets.
- 10.1.3. As a medium scale development on the north eastern fringe of the East Street Opportunity Area outside of the Eastern Riverside Conservation Area it is considered that the proposed development satisfies the relevant guiding principles, particularly iii and iv concerning active frontages and visual and environmental quality. Further explanation is provided in the design section of the report below.
- 10.1.4. The development would result in the loss of a small industrial building and office premises which cover 56% of the total site area of 1389sqm; the remaining 509sqm (44%) being residential. The office has a floor area of

261.2sqm and the industrial building has a floor area of 776.8sqm with a combined floor area of 1,038sqm. Policy EC3 seeks to safeguard existing employment land from redevelopment to other uses subject to criteria. In this case the site is not in an area of shortfall and does not form part of an allocation or identified site for employment development. As such the tests of the policy for accepting loss of employment land are criteria A ii) concerning viability, market attractiveness, business operations, age and condition of the existing premises or A iii) concerning whether the proposal will deliver mixed use development that continues to provide for a range of local employment opportunities, and does not undermine the remaining employment site. Only one of the criteria needs to be satisfied as the policy criteria apply as alternatives rather than both having to be satisfied.

- 10.1.5. Regarding A ii) the applicant has not marketed the site for industrial or office occupiers. The existing office has been occupied by the developer of this scheme Vision Properties Development Group Limited for the last 4 years. They intend to occupy the proposed offices on the ground floor of this development. The vacant industrial building has been in the ownership of the developer for some time. A pre-application enquiry was made by Vision Properties for the whole site in 2017. The industrial building has the appearance of a converted Wesleyan chapel; it is old and neglected and opens directly onto the street without car parking or space for servicing. It is certainly not up to modern business standards.
- 10.1.6. Regarding A iii) the proposed development will be a mixed use scheme that replaces the office premises. The new offices will provide a fit-for-purpose new home for Vision Properties and cement their long term future in this part of Leeds. The same number of employees are expected to move in to the new offices when completed.
- 10.1.7. Based on the analysis above it is considered that, against criterion A ii), the existing non-residential buildings have limited attractiveness for continued business operation and, against criterion A iii), the proposal will deliver a mixed use development that will employ just as many people as the existing site currently employs in considerably improved modern office premises. As such it is considered that Policy EC3 is satisfied on both counts.
- 10.1.8. In any event, whilst Policy EC3 is considered to be satisfied, the proposed redevelopment for residential is supported in principle by Policy EB4 (East Street Opportunity Area) of the AVLAAP.

Employment

- 10.1.9. The proposed office is small in size at 145sqm. It replaces a larger existing office of 261sqm. The location in the Aire Valley Leeds Area Action Plan area means that Policy EC3 part iv (i) provides flexibility for businesses so that small scale office development (up to 500sqm) will not be subject to sequential assessment. As such the proposed office use in this location is supported by Policy EC2 (iv) (i).

10.2. Impact on neighbouring amenity

- 10.2.1. Policies GP5 of the Unitary Development Plan and P10 of the Core Strategy expect new development to protect the visual, residential and general amenity of the area. As existing, the development site borders the Cross Green Lane Trading Estate (CGLTE) to the west and north, converted residential flats at number 43 Cross Green Lane to the east, an existing single storey warehouse to the north east and a vacant development site on the other side of Cross Green Lane to the south.
- 10.2.2. The potential impact on Flats B, C and D of 43 Cross Green Lane require thorough consideration. At the invitation of the landlord owner, the case officer visited the properties on 19th September to assess the situation. The flats are arranged in a building that faces in on three sides to a small courtyard that faces the development site. Existing windows and doors are not set in a uniform or symmetrical pattern.
- 10.2.3. Flat B is located at first floor level and has a large airy kitchen sitting room with a principle bedroom that are unaffected by the development. It has a smaller second bedroom with a window facing north across the small courtyard toward the other wing of 43 Cross Green Lane. The development will be visible looking at an angle to the west. However, the increase in height of the proposal compared with the house to be demolished will be slight. As such it is considered there will be little material loss of light or outlook to this room.
- 10.2.4. Flat C is also located at first floor level. Its kitchen has a tiny obscured glazed window that faces toward the development site but is lit by larger alternative windows facing east. It has two bedrooms each with a single window facing south across the small courtyard. The proposed development would be visible acutely to the west, with the single storey element looked down upon. As such the proposal would have no loss of light or outlook to these two bedrooms.
- 10.2.5. Flat D is located at upper and lower ground floor levels. On the upper floor is the sitting room which has a window facing north and a kitchen with a wide window facing south across the small courtyard. The development would be visible acutely to the west, but at upper ground floor level, the outlook would be practically unaffected by the proposed single storey element with no loss of daylight.
- 10.2.6. On the lower ground floor there are two bedrooms. One has a window facing south across the courtyard. This will be affected by the proposed single storey element coming into view to the west. However, it will not obscure much more of the sky than is already obscured at low levels by the Citu block of flats on the other side of East Street. Landscape vegetation immediately in front of the window already obscures light and outlook.
- 10.2.7. The window of the other bedroom faces west toward the development. The proposed single storey element will be approximately 8m from the window and be approximately 1m higher than the existing boundary fence. It is considered that the single storey element will be far enough away from the window not to create an unacceptable sense of enclosure. In terms of daylight, the proposed single storey element does not extend into the plane of daylight to the window that is currently obscured by the existing pair of houses. Further into the site

the taller 4 storey element of the proposed development would rise above the plane of daylight currently obscured by the existing pair of houses. This would create a new plane of daylight at 35° above the horizontal compared with the current plane at 27°. As such there would be a small loss of daylight to this ground floor window. This is not unusual for an edge of city centre location such as this. The face of the four storey element would be approximately 16m away from the window. Currently the room is in use by the occupying tenants as a computer gaming room, although it does have an en-suite and could be used as a bedroom in the future. There are other rooms in the dwelling with better natural light including the sitting room and kitchen on the upper ground floor. A further factor is that both bedroom windows are in positions where people arriving at the entrance to the flats can look down into the rooms. So, in order to provide privacy, both windows rely upon blinds. On occasions when the case officer visited the development site the blinds were down. Given all the circumstances of the site, it is considered that the impact on daylight and sense of enclosure to Flats B, C and D would be acceptable.

10.2.8. In terms of impact of the proposed development on privacy of number 43 Cross Green Lane, the scheme proposes balconies to flats at 1st, 2nd 3rd and 4th floors and some windows that face toward No 43. The balconies at 1st, 2nd and 3rd floor levels would be 6m away from the property boundary of No 43 where there is a wide pathway providing access from the street to the three flats. The pathway is wide enough for a small table and two chairs (which were in place at the time of the case officer site visits), landscape vegetation and bin storage. However, as existing, this area does not offer privacy as the pathway is a shared access for the occupiers of the 3 flats. These balconies would be c.12m away from the one habitable room window (lower ground floor of flat D) of No 43 that faces west toward the development. This is considered acceptable because 12m is a reasonable distance in a city centre fringe location, the window does not have privacy anyway (occupiers and visitors to the other flats walk right past the window on their way to/from the other flats) and the applicant has proposed opaque panels to the sides of the balconies that face most directly toward No 43. The other habitable room windows of the flats of No 43 face inwards to the courtyard, so are perpendicular to the proposed development and would therefore not offer visibility into habitable rooms from the proposed balconies or windows of the proposed development. The only windows of the proposed development that face towards No 43 are at 3 and 4th floor levels which have green roofs in front that would obscure direct views of the outdoor area of No 43 and of the basement flat window. In conclusion it is considered that the proposed development would not cause an unacceptable loss of privacy to No 43 Cross Green Lane.

10.2.9. With regard to impact on the CGLTE the owner and several of the occupiers have objected to the proposal raising concerns about the height being disproportionate to the existing buildings, loss of natural light to the industrial units, windows and balconies causing a loss of privacy and wind dangers. The case officer has visited the CGLTE and noted that none of the industrial units have windows, so loss of natural light to the buildings will not be an issue. It is also considered that the courtyard of the CGLTE would still have good natural daylight from other angles such that normal operations are unlikely to

be affected. Also, it is not usual to be concerned about loss of privacy or overlooking to industrial estates.

- 10.2.10. It is necessary to consider whether the proposed development would sterilise or unduly impair future development of neighbouring land. In making such assessment there is some second guessing the likely form of any future development. In this case it is considered that the form and footprint of the proposed development would allow for future residential development of both the CGLTE and the warehouse building to the north east. To the western end of the site that projects most into the CGLTE on the footprint of the former chapel building the scheme has been amended to remove windows facing the CGLTE. There are windows facing the CGLTE in the central element of the scheme, but it is considered that the face of this part of the building is set back sufficiently to not impede a future development scheme. The CGLTE is considered large enough for an appropriate development layout that could respect both the existing residential properties to the north (Spring Close Avenue) and this residential development, if built. It is also considered that future redevelopment of the existing warehouse to the north east of the site would not be impeded by this scheme. The site of the warehouse and its car park are considered large enough for redevelopment, which if built to face onto Easy Road with open areas to the rear, would avoid enclosure / privacy issues to the south eastern most flats in this proposed development.
- 10.2.11. In terms of impact on the undeveloped plot of land on the other side of Cross Green Lane earmarked for Echo 3, the distance between the faces of buildings would be approximately 21m which is considered sufficient in terms of privacy.
- 10.2.12. Amenity of residents of the proposed development. Objections from the CGLTE raise concerns that existing security lighting and noise of operations of the trading estate would impair the amenity of the proposed flats and that these effects have not been fully considered. It is important that the introduction of further residential use in this location does not lead to a situation where complaints about noise and odours etc from future residents unduly constrains the continued operation of the trading estate. Before granting planning permission, the planning authority needs to be sure that there is sufficient understanding of the extent and nature of nuisances from the normal operation of the trading estate and that the proposed development is appropriately designed, with mitigation as necessary, to avoid such amenity problems.
- 10.2.13. To address this concern the applicant commissioned an acoustics report which was updated to address concerns about the operation of the trading estate. The Environmental Health Officer (EHO) (Commercial Noise) also conducted investigations into the nature and operation of the different occupiers of the trading estate. The EHO has concluded that the mechanical ventilation and heat recovery (MVHR) system recommended in the noise report is necessary, and if the scheme is built with MVHR air intakes away from the rear elevation facing the trading estate and permission is conditioned to require details of the MVHR system to be approved, then the proposed residential accommodation should be sufficiently insulated against noise and odour problems from the trading estate to avoid complaints against operation of the trading estate. It

should also be noted that there are currently residential properties next to the trading estate, including the on-site dwellings to be demolished and Spring Close Avenue to the north, so the proposed scheme is not introducing residential use in an area where residential use does not already exist.

10.3. Sustainability and Climate Change

- 10.3.1. The proposed development has a number of low carbon and energy saving features. The south facing elevation is designed with passive solar shading around all windows and balconies, which will help keep apartments cool during the hottest summer days. Photo voltaic panels will be installed on the roof, walls and floors will have very good U values for insulation, air source heat pumps will provide low carbon heating with heat recovery mechanical ventilation and water saving sanitary ware will be installed.
- 10.3.2. Core Strategy Policy EN1 requires all developments of >10 dwellings to reduce total predicted carbon dioxide emissions to 20% less than the Building Regulations Target Emission Rate and provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.
- 10.3.3. The developer has provided a full Standard Assessment Procedure (SAP) rating for one of the dwelling types that demonstrates that the 20% minimum improvement on building regulations is satisfied. It provides an example of what would be expected for all dwellings, but conditions will ensure that pre and post construction SAP ratings are provided for all dwellings. The developer has also provided calculations to demonstrate that the proposed energy generation and savings from air source heat pumps and photo voltaic panels would exceed the 10% policy target. Conditions will require submission of details of the specification of equipment to ensure compliance.
- 10.3.4. Core Strategy Policy EN2 requires non-residential developments of 1,000 or more square metres where feasible are required to meet the BREEAM standard of 'excellent'. It also expects residential developments of >10 dwellings where feasible to meet a maximum water consumption standard of 110 litres per person per day."
- 10.3.5. The size of the proposed office means that BREEAM certification is not required. A generic specification of the water fixtures has been provided by the applicant to demonstrate ability to meet the residential water consumption target; however, a condition will require details of fixtures and fittings specification and installation to ensure full compliance.
- 10.3.6. Policy EN4 expects connection to heat network where technically viable and appropriate or otherwise designed for future connection. With less than 50 dwellings a connection to the heat network is not considered viable, and heat pumps will provide a good alternative option for energy efficiency.

10.4. Design, Landscape and Biodiversity

- 10.4.1. Policies P10, P11 and P12 of the Core Strategy expect schemes to be appropriately designed for the site context conserving the historic environment

and conserving and enhancing landscapes. Any new development must 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. 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.

- 10.4.2. It is considered that the proposed development is appropriately designed for its context. The design of the development helps span the transition between the high rise residential development of Echo 1 (15 storeys) and Echo 2 (9 storeys) to the west and low rise suburban townscape to the north and east. From west to east the proposed development drops down from 7 to 3 storeys, and just one storey next to number 43 Cross Green Lane. The proposal provides a continuous street frontage, with the proposed ground floor office and entrances to the phase 1 and phase 2 residential elements providing points of activity. The building would be finished in a combination of grey brick and vertical off-white through-coloured rendered in-sets breaking up the mass of the front and rear elevations. The balconies and perforated metal solar shade panels will give the front façade interest and depth.
- 10.4.3. Landscaping will be provided on a number of green roofs at first, third, fifth and sixth floor levels. These will not be publicly accessible but provide a range of flowering plant species on a shallow substrate. A landscaped walled roof garden will be provided on the seventh floor. This will have communal access with vegetated areas, pavers and seating planters. At ground floor level verges and spaces to the rear of the building will be seeded with shade tolerant grass and wildflowers. The landscape officer considers that the indicative plans and Design and Access Statement are acceptable subject to recommending conditions requiring approval of full details.
- 10.4.4. Policy G9 expects there to be an overall net gain for biodiversity and that existing wildlife habitats are safeguarded and enhanced. A biodiversity net gain assessment was provided with this application. The existing site has limited biodiversity value from a vegetated residential garden and derelict bareground. This is compared with proposed green roofs at 1st, 3rd, 5th and 6th floors, roof garden at 7th floor and grass verges/planting bed at ground floor level. The assessment metric concludes a percentage gain of 63% from 0.06 to 0.09 habitat units. Also, bat emergence and bat roost reports have been provided to support the planning application. These conclude that the existing buildings have no roosting bats currently and a low suitability for supporting bat roosts with one or two gaps between building structures. The council's nature conservation officer accepts the conclusions of the submitted evidence. He supports the landscape officer's recommendation for a condition to approve full details of green roof planting and recommends a separate condition to secure the provision of bat roosting and bird nesting features in the proposed development.

10.5. **Green Space**

10.5.1. The site is outside of the City Centre boundary, so Policy G4 of the Core Strategy applies. This requires a quantum of green space to be provided per dwelling: 23sqm for 1 bed dwellings, 33sqm for 2 bed dwellings and 44sqm for 3 bedroom dwellings. With 13 x 1 bed, 20 x 2 bed and 5 x 3 bed units proposed, the total green space would be 1,179sqm. Policy G4 says that where this quantity of green space is unachievable or inappropriate on-site financial contributions may be sought in lieu of on-site provision. Paragraph 5.5.18 provides advice for higher density edge of centre developments (such as this) that 20% of green space should be provided on-site, although it is accepted that there may be particular site circumstances to vary from this. The factors to take into account in determining achievability of green space on-site are set out in paragraph 5.5.14:

- i. Local deficits of existing green space
- ii. Sufficiently large, suitably shaped and reasonably level sites to accommodate green space
- iii. Distances from existing green spaces exceeding the standards of Policy G3. The quality of existing green space will also need to be taken into account,
- iv. Lack of other residential development sites nearby that could deliver green space
- v. The development generating a need for play facilities that does not currently exist in the locality, or
- vi. Potential to combine green space provision with requirements for Sustainable Urban Drainage Systems

10.5.2. In this case, regarding factor i) the Green Space supporting paper on Surpluses and Deficiencies (appendix 2) shows a slight surplus in amenity space in the local area. Regarding factor ii) the site at 0.14ha in size would mean that 20% provision would provide a relatively small area of 236sqm of green space with no opportunities to connect to other greenspaces and due to the limited depth of the site its provision would require a significant redesign of the proposals possibly at the expense of having a scale and form of development which provides a transition between the larger scale buildings to the west and south and the lower scale character to the north and east. In terms of factor iii) there are two existing green spaces at Cavalier Hill and Bow Street within the distances of Policy G3. In terms of factor iv) there are other consented development sites in the vicinity capable of delivering green space – The Citu and Harrison development proposals along East Street. In terms of factor v) the scheme is unlikely to generate a particular need for play facilities, and the size of green space achievable would not be able to accommodate formal play facilities. Factor vi) is neutral in the assessment as it would only be possible to assess the potential for combining SUDS if a location for greenspace was determined.

10.5.3. Considering the balance of factors as required by Policy G4, the indications are that green space does not need to be provided on-site especially as the locality is shown to have a slight surplus, there are existing green spaces accessible to the site and there is potential for other development sites in the locality to deliver green space. As such it is considered acceptable to translate

the green space requirement into a financial sum which would be used toward improvements of existing green spaces. Such improvements would help address the increased demand for use of green space generated by the new residents of the proposed development.

- 10.5.4. Using the council's standard formula for calculating off-site green space in lieu of on-site provision in accordance with paragraph 5.5.18.6 of the Core Strategy a figure of £49,360.95 is generated. This payment by the developer will be secured through a S106 Agreement.

10.6. **Sustainable Transport and Travel Planning.**

- 10.6.1. Policy T2 of the Core Strategy requires new development to be sufficiently accessible by sustainable means of transport, provides safe and secure access for pedestrians, cyclists and people with impaired mobility and sufficient parking for cars and bikes. Detailed guidance and standards are provided in the Transport SPD 2023.

Vehicle Access and Car Parking

- 10.6.2. The scheme has been revised to provide only one vehicle access onto Cross Green Lane. This is located far enough from the road junction of Cross Green Lane to the east to avoid problems of highway safety. The vehicle entrance is of sufficient width and the gate/shutter is inset 5m to ensure vehicles waiting to enter do not project out into the highway.
- 10.6.3. The site is located in the City Centre Fringe parking zone and the Transport SPD sets a *maximum* standard of 0.5 spaces per dwelling and one visitor parking space per 5 dwellings for this zone. The standard is always subject to other considerations and circumstances of the particular location including highway safety. This scheme provides 15 car parking spaces which is below the maximum standard. Regard has been given to the high demand for on-street parking in the vicinity of the site and the applicant is being required to make a financial contribution of £10,000 toward future Traffic Regulation Orders (TROs) required to control any potential parking problems arising from the development. As such the overall car parking provision and TRO contribution is considered acceptable.
- 10.6.4. The parking spaces are of sufficient dimensions with 2.6m width for electric vehicle charging points and the layout has been tested for vehicle turning. A disabled parking bay is provided.

Cycle and bin storage

- 10.6.5. The Transport SPD expects 1 space per dwelling but allows some flexibility where cycle spaces are grouped and not assigned. This scheme has Sheffield stands for 36 cycles and vertical lockers for 5 cycles. Further details of the design and positioning of the cycle stands will be required by condition. As such cycle parking provision is considered policy compliant.

- 10.6.6. A bin store with sufficient space for 12 x 1100 litre bins is provided with access onto Cross Green Lane. This will allow for bin collection with lorries using the proposed loading bay.

Offsite Highway Works

- 10.6.7. An offsite highway works plan is required to show the site access, reinstatement to footway, proposed loading bay, removal of part of the guard rail and TRO at the site frontage including extension of the “No Waiting at any Time” control and a restricted loading bay. The works will require a S278 Agreement with the Council.

10.7. Housing Standards

Housing Mix

- 10.7.1. Core Strategy Policy H4 expects residential developments to provide an appropriate mix of dwelling sizes and types having regard to the city-wide strategic mix of dwellings needed according to Table H4 and regard to the nature of the development and character of the location.
- 10.7.2. In terms of this scheme 13% of the dwellings would be 3 bed, which is below the city-wide minima of the preferred mix set out in Table 4 of policy H4. However, Policy H4 does allow different mixes to those set out in Table 4 subject to the circumstances and context of individual sites. In this case the site is located in the city centre fringe, and the proposed 13% 3-bed provision would be higher than the 10% which is often the maximum achieved in comparable city centre and fringe schemes. It should also be noted that the scheme has no studio units and a good supply of two bedroom dwellings. As such, it is considered that Policy H4 is satisfied.

	1 bed	2 bed	3 bed
Table 4 %minima	0%	30%	20%
Table 4 %maxima	50%	80%	70%
This scheme N ^o	13	20	5
This scheme %	34%	53%	13%

Affordable Housing

- 10.7.3. Core Strategy Policy H5 requires 7% of dwellings to be affordable in this location. Of 38 dwellings proposed this would equate to 2.6 affordable dwellings. Our standard practice is to round percentages to whole numbers making the requirement 3 affordable dwellings. The expected mix of affordable dwellings of Policy H5 is 60% social rent and 40% intermediate, which can include affordable home ownership options. This would equate to 1.8 (rounded up to 2) social rented affordable dwellings and 1.2 (rounded down

to 1) intermediate affordable dwellings. Policy H5 also expects the sizes and types of the affordable dwellings to reflect a pro-rata mix of the overall scheme.

- 10.7.4. This scheme will provide 3 x 2 bedroom affordable dwellings, one within the eastern phase on the first floor and two in the western phase, one on the second floor and one on the third floor. They will be secured through a S106 agreement with the standard obligations to offer them for acquisition at the council's benchmark discounts to local housing associations.

Internal Space Standards

- 10.7.5. All the proposed dwellings would exceed the minimum size requirements of the Nationally Described Space Standards (NDSS) in Core Strategy Policy H9.
- 10.7.6. Of the 2 x 1-bedroom apartments designed for 1 person, one at 46.5sqm comfortably exceeds the space standard of 37sqm and the other at 39.5sqm exceeds it. Of the remaining 11 x 1 bedroom apartments designed for 2 people these all comfortably exceed the 50sqm NDSS minimum.
- 10.7.7. Of the 14 x 2-bedroom apartments designed for 4 person occupation these all exceed the 70sqm NDSS minimum and the 5 designed for 3 person occupation exceed the 61sqm minimum.
- 10.7.8. The one 3-bedroom apartment designed for 6 person occupation exceeds the 95sqm NDSS minimum and the 4 designed for 5 person occupation exceed the 86sqm minimum.
- 10.7.9. The majority of apartments proposed have bedrooms that exceed the NDSS space standards of at least 11.5sqm for double bedrooms, 7.5sqm for single bedrooms, 2.75m width for first double bedrooms, 2.55m width for subsequent double bedrooms and 2.15m width for single bedrooms. The exception are the second double bedrooms of 4 apartments which measure 11.4sqm. These are close enough to the standard of 11.5sqm to be accepted. All the apartments meet the built-in storage space standard of 1sqm for 1 person units, 1.5sqm for 2 person units, 2sqm for 3 and 4 person units and 2.5 for 5 and 6 person units.

Accessible dwellings

- 10.7.10. Core Strategy Policy H10 expects 30% of new dwellings to meet the M4(2) standard for accessibility and 2% to meet the M4(3) standard. The standards are defined in the Building Regulations: M4(2) dwelling standards are designed for extra mobility and M4(3) dwellings are designed for wheelchair users to live in. M4(3) dwellings come in two forms: wheelchair accessible and wheelchair adaptable. The wheelchair adaptable form is appropriate in this case because the dwellings only have to be fully kitted out to be accessible when the local authority is responsible for allocating a household with a wheelchair user to that dwelling.
- 10.7.11. The development includes 1 x M4(3) wheelchair adaptable dwelling, or 2.6% of the 38 total on site, more than the policy requirement of 2%. The

development also includes 13 x M4 (2) dwellings or 34.2% which is above the policy requirement of 30%. Of the 14 total accessible dwellings 10 (71%) will be one bed and 4 (29%) will be 2 bed. No accessible dwellings will be 3 bedroom. The accessible dwellings are well distributed on floors 1 – 5 and the one wheelchair adaptable dwelling is on floor 1, the lowest floor. As such, it is considered that the Policy expectation for a pro-rata mix of accessible dwellings of Policy H10 is satisfied.

10.8. Wind Impact

10.8.1. The planning application was accompanied by a wind microclimate assessment that was peer reviewed by a wind consultant appointed by the council. Although Cross Green Lane is on higher ground up from the River Aire facing the prevailing westerly winds it was concluded that the impacts of the assessment are acceptable and that no physical mitigation measures are necessary. There is a suggestion for management arrangements to be agreed to ensure that maintenance and gardening staff do not undertake work on the green roofs or terraces with photo voltaic installations in windy conditions. This is covered by planning condition.

10.9. Phasing

10.9.1. The applicant is seeking flexibility to be able to develop the scheme either all in one, or with the eastern or western phases coming forward first. If the scheme is implemented on a phased basis, the off-site highways works will be required before commencement to ensure highway safety. Drawings have been submitted to show how both phases would work, with provision of temporary landscaping, cycle parking and bin storage. Further details will be required by condition. Elevations of the temporary internal frontages have been provided. If the eastern phase comes forward first, new the vehicular access off Cross Green Lane that forms part of the final scheme will need to be implemented.

10.10. Planning Obligations

10.10.1. The Council's adopted policies would result in the following Section 106 matters, which are considered to be necessary, directly related to the development and fairly and reasonably related in scale and kind to the development:

- i. Affordable Housing 7% - 3 apartments comprising the two-bedroom flats numbered 3, 20 and 25 on the first, second and third floor plans will be offered to local housing associations for purchase at the council's affordable benchmark prices.
- ii. Contribution toward green space improvements of £49,360.85
- iii. Traffic Regulation Order to manage any overspill parking issues in the surrounding area as a result of the development: £10,000
- iv. Cooperation with Local Jobs and Skills Initiatives

11. Conclusion

- 11.1. It is considered that this proposal will regenerate this part of Cross Green with old, neglected buildings demolished and replaced with a contemporary block of flats and ground floor office. The proposal is carefully designed to help transition between the higher “Echo” buildings to the west and the lower scale suburban buildings to the north and east. It is considered that the impact on residential amenity of number 43 Cross Green Lane would be acceptable for this location, and the impact on the trading estate to the rear is not likely to inhibit the continuing functioning of the estate, nor sterilise the land for future residential development.
- 11.2. The office and flats will introduce activity to the street and an improved visual environment in accordance with the principles of the East Street Opportunity Area (Policy EB4 of the Aire Valley Leeds Area Action Plan). The scheme has been designed with passive shading of balconies and windows to help keep dwellings cool during hot weather, and is equipped with solar panels and air source heat pumps to achieve carbon savings in accordance with the EN policies of the Core Strategy.
- 11.3. The scheme is designed with sustainable transport in mind, with limited car parking and provision of cycle parking with Sheffield stands. Off-site highway works will be necessary to achieve an improved footway and road servicing and a financial contribution of £10,000 toward future Traffic Regulation Orders (TROs) is required to control parking problems in the area.

Background Papers

Application file 23/02725/FU

Appendices

Appendix 1: Draft Conditions



Appendix 1 - Draft Conditions

CITY PLANS PANEL

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

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

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

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

- 3) 1. No development of the relevant phase shall commence (excluding the demolition of existing structures and site clearance) until;
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. Prior to the occupation of each phase of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive

site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: to ensure the safety and stability of the development

- 4) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development (excluding demolition) of

the relevant phase shall not commence until a Phase II Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority. Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development (excluding demolition) of the relevant phase shall not commence until a Remediation Strategy demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Strategy shall include a programme for all works and for the provision of Verification Reports.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' with respect to land contamination.

- 5) If remediation is unable to proceed in accordance with the approved Remediation Strategy, or where significant unexpected contamination is encountered, or where soil or soil forming material is being imported to site, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing. An amended or new Remediation Strategy and/or Soil Importation Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Strategy. Prior to the site being brought into use, where significant unexpected contamination is not encountered, the Local Planning Authority shall be notified in writing of such.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that any necessary remediation works are identified to make the site 'suitable for use' with respect to land contamination.

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

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be 'suitable for use' with respect to land contamination.

- 7) Prior to the commencement of each phase of development, a Plan shall be submitted to and approved in writing by the LPA of: integral bat roosting and bird nesting features (for species such as House Sparrow and Swift) within buildings. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a timetable for implementation and commitment to being installed under the instruction of an appropriately qualified bat consultant. All approved features shall be installed prior to first use/occupation of the phase of development on which they are located and retained thereafter.

Reason: to maintain and enhance biodiversity in accordance with Core Strategy Policy G9, NPPF, and BS 42020:2013.

- 8) The development shall be carried out in accordance with the details shown on the submitted report, "Flood Risk Assessment' 22023-PWA-00-XX-RP-C-1000-P06 prepared by Paul Wait, dated 18/10/23, unless otherwise agreed in writing with the Local Planning Authority.

In the interest of satisfactory and sustainable drainage.

- 9) Prior to commencement of each phase of development a detailed drawing showing how the drainage of the roof and surface water drainage gullies and channels of that phase will be connected to the attenuation tank shall be submitted to and approved by the local planning authority and the works shall be implemented in accordance with those details.
- 10) There shall be no discharges of foul water from the development until a foul drainage scheme including details of provision for its future maintenance (e.g. adoption by the Water Company/ maintenance company) has been implemented in accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority. In addition, (where required) written confirmation shall be provided from Yorkshire Water or any other third party involved, to allow the laying of any sewer across third party land and discharge of the design foul flows to the sewer.

To ensure satisfactory drainage and pollution prevention

- 11) Prior to commencement of works on the relevant phase, a surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented thereafter in accordance with the approved details before that phase is brought into use.

To ensure sustainable drainage and flood prevention.

- 12) Prior to demolition of buildings, details of the quantity of masonry and roofing slates that will be re-used in each phase of the development hereby approved and provided for re-use elsewhere shall be submitted to and approved by the local planning authority. A record of how materials have been used on site and the destination and quantity of materials for use off site in accordance with the

approved details shall be compiled and submitted to the local planning authority prior to occupation of the final phase of development.

Reason: To ensure the inclusion of appropriate sustainable design measures.

- 13) Prior to commencement of construction of the first phase of the development hereby approved, Standard Assessment Procedure (SAP) calculations for all apartment types and Simplified Building Energy Model (SBEM) or Building Regulations UK Part L (BRUKL) calculations for the office shall be submitted to and approved by the local planning authority
Reason: To ensure the inclusion of appropriate sustainable design measures.
- 14) Prior to commencement of construction of the second phase of the development hereby approved, Standard Assessment Procedure (SAP) calculations for all apartment types shall be submitted to and approved by the local planning authority
Reason: To ensure the inclusion of appropriate sustainable design measures.
- 15) Prior to occupation of the first phase of the development hereby approved as-built Standard Assessment Procedure (SAP) calculations for all apartment types and as-built Simplified Building Energy Model (SBEM) or as-built Building Regulations UK Part L (BRUKL) calculations for the office plus an Energy Performance Certificate for the whole phase shall be submitted to and approved by the local planning authority
Reason: To ensure the inclusion of appropriate sustainable design measures.
- 16) Prior to occupation of the second phase of the development hereby approved as-built Standard Assessment Procedure (SAP) calculations for all apartment types plus an Energy Performance Certificate for the whole phase shall be submitted to and approved by the local planning authority
Reason: To ensure the inclusion of appropriate sustainable design measures.
- 17) Before installation, details of:
 - i) the specification of air source heat pumps and photo voltaic provision associated with the development, and
 - ii) the make and model of water supply domestic and commercial fixtures and fittings associated with the development,shall be submitted to and approved in writing by the local planning authority. The development shall be constructed according to the approved details.
Reason: To ensure the inclusion of appropriate sustainable design measures.
- 18) Before occupation of the relevant phases of the development hereby approved photographic evidence of the installation of the low - zero carbon technologies and water fixtures and fittings specified in condition 17 shall be submitted to the local planning authority.
Reason: To ensure the inclusion of appropriate sustainable design measures.
- 19) The development shall be implemented following the principles and measures set out within the Planning Stage Energy Statement Rev 5 of LEDA (Ref: 1384-LEDA-MP-XX-RP-MEP-0005) and Options and Concept Design Report of

LEDA (ref LEDA-MP-XX-RP-MEP-0002), unless otherwise approved in writing by the Local Planning Authority.

Reason: to ensure delivery of a sustainable development.

- 20) Details of the external extract ventilation system shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development of the relevant phase and the system shall be installed and maintained in accordance with the approved details.
In the interests of visual and residential amenity.
- 21) No works or development shall commence on the relevant phase of the scheme hereby permitted until full details of the green roofs and roof garden have been submitted and approved in writing by the Local Planning Authority (LPA).

Details shall include:

- o Description and location plan
- o Green roof type (i.e. extensive, biodiverse or intensive)
- o The level of access and how this has affected design
- o Written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment),
- o Schedules of plants noting species, planting sizes and proposed numbers/densities.
- o Design considerations to include: configuration of the green roof (different layers including vegetation choice); waterproofing; drainage; fire control; irrigation system; and safety and access system.
- o Installation of system components including protection sheets, drainage layers and filter sheets, substrate, vegetation layer and the installation of perimeter and penetration details.
- o For the roof garden only, details of the layout, minor artefacts and structures including seating, ensuring that the design is accessible and usable for wheelchair users.

The works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations and the latest version of The GRO Green Roof Code (Green Roof Organisation). The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to occupation.

To ensure the provision and establishment of acceptable landscaping.

- 22) A report on the installation of the green roofs and roof garden, including photographic evidence, shall be submitted to the LPA while they are being installed to allow LPA inspection. Prior to the laying of the substrate/growing media layer, seven days written notice shall be given to the LPA that the system components up to that point are in place to allow inspection and approval of them as installed.

To ensure the provision and establishment of acceptable landscaping.

- 23) No works or development shall commence on the relevant phase of the scheme hereby permitted until a Green Roof Management Plan and (in the case of the Phase containing the Roof Garden) a Roof Garden Management Plan has been submitted to and approved in writing by the local planning authority. The Plans shall include details of the following:
- a) A Work Programme with a list of annual actions to sustain the health and wellbeing of the Green Roofs and Roof Garden
 - b) Details of the specialist management body/organisation responsible for implementation of the Plan
 - c) Arrangements for an annual review of the health and wellbeing of the Green Roofs and Roof Garden to be sent to the local planning authority prepared by an appropriately qualified ecological consultant reporting on efficacy of the Work Programme including any recommended Actions for the next 12 month period
 - d) Contingencies and/or remedial action to address any fundamental failings of any of the Green Roofs or the Roof Garden
 - e) The Plans will be reviewed and updated every 5 years and implemented for the lifetime of the development
 - f) The approved Plans will be implemented in full accordance with the approved details.

To ensure successful aftercare of landscaping.

- 24) Any gates across the access road to the development site shall be set back m from the back edge of the highway (footway) and only open inwards into the development site.

To ensure the free and safe use of the highway.

- 25) The access(es) hereby approved shall not be brought into use until works have been undertaken to provide the sightlines / visibility splays shown on the approved plan ref [TBC] to an adoptable standard. These sightlines / visibility splays shall be retained clear of all obstruction to visibility greater than ****m in height above the adjoining carriageway for the lifetime of the development.

To ensure the free and safe use of the highway.

- 26) Notwithstanding the approved details, works above the ground floor slab level shall not commence until full details of cycle/motorcycle parking and facilities have been submitted to and approved in writing by the Local Planning Authority. The approved cycle/motorcycle parking and facilities shall be provided prior to first occupation of the development and retained thereafter for the lifetime of the development.

In the interests of highway safety and promoting sustainable travel opportunities.

- 27) Works above the ground floor slab level shall not commence until a plan showing details of all vehicle parking and turning areas has been submitted to and approved in writing by the Local Planning Authority. The approved plan

shall be implemented, and parking made available for use prior to occupation of the development. The parking shall be retained for the lifetime of the development.

To ensure the free and safe use of the highway.

- 28) Development shall not be occupied until all areas shown on the approved plans to be used by vehicles, including roads, footpaths, cycle tracks, loading and servicing areas and vehicle parking space have been fully laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway.

- 29) Development shall not be occupied until a Car Park and Servicing Management Plan (including timescales) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following information: (INSERT SPECIFIC REQUIREMENTS). The plan shall be fully implemented, and the development thereafter operated in accordance with the approved timescales.

To ensure the free and safe use of the highway.

- 30) Development shall not commence until a survey of the condition of the following streets (INSERT STREETS) has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the development (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented within [TBC] months of the remedial works being agreed with the Local Planning Authority. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local Planning Authority.

Traffic associated with the carrying out of the development may have a deleterious effect on the condition of the highway that could compromise the free and safe use of the highway.

- 31) Development shall not commence until a statement of construction practice has been submitted to and approved in writing by the Local Planning Authority, the statement of construction practice shall include full details of:

a) the construction vehicle routing, means of access, location of site compound, storage and parking (including workforce parking), means of loading and unloading of all contractors' plant, equipment, materials and vehicles and associated traffic management measures.

b) methods to prevent mud, grit and dirt being carried on to the public highway from the development hereby approved.

c) measures to control the emissions of dust and dirt during construction.

d) how the statement of construction practice will be made publicly available by the developer.

e) the hours for construction work

The approved details shall be implemented at the commencement of works on site and shall thereafter be retained and employed until completion of the works on site. The Statement on Construction practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

The carrying out of the development could result in significant harm to the amenities of local residents and highway safety, and accordingly details of construction practice is required to be agreed prior to commencement of works in order to protect such interests.

32) Prior to occupation of the development, the off-site highway works as shown on plan comprising **** at location **** shall be fully delivered.

To ensure the free and safe use of the highway

Informative: In relation to Condition (****) of this permission, the applicant must enter an agreement with the Council under Section 278 of the Highways Act 1980. The applicant is advised to make early contact with the Highway and Transportation Service by emailing the details to S278Agreements@Leeds.gov.uk. Further information is available on the council's website at <https://www.leeds.gov.uk/parking-roads-and-travel/licences-and-permits>.

33) Development shall not be occupied until Electric Vehicle Charging Points have been provided in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be retained for the lifetime of the development.

In the interest of promoting low carbon transport.

34) The development hereby permitted shall not be occupied until details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use commences and shall be retained thereafter for the lifetime of the development.

To ensure adequate measures for the storage and collection of wastes are put in place. In the absence of appropriate measures residential amenity could be adversely affected.

Informative: In order to discharge condition () of this permission, it is necessary to obtain separate approval from the Waste Management department in relation to refuse storage details. The applicant is advised to make early contact with Bin.Deliveries@leeds.gov.uk prior to submission of condition discharge application.

- 35) Prior to commencement of the relevant phase, details of the proposed perforated metal shading mesh to be used on the elevations and details of the panels to the balconies of apartments at first, second and third floor levels looking south east toward number 43 Cross Green Lane shall be submitted to and approved in writing by the local planning authority.

In the interests of visual and residential amenity

- 36) Prior to occupation of the western phase, details of how the space in front of the vehicle roller shutter will be managed to prevent crime and anti-social behaviour, including installation of CCTV, will be submitted to and approved in writing by the local planning authority.

In the interests of safety and security.

- 37) Prior to occupation of the relevant phase, details of the surfacing of external paths and spaces shall be submitted to and approved in writing by the local planning authority.

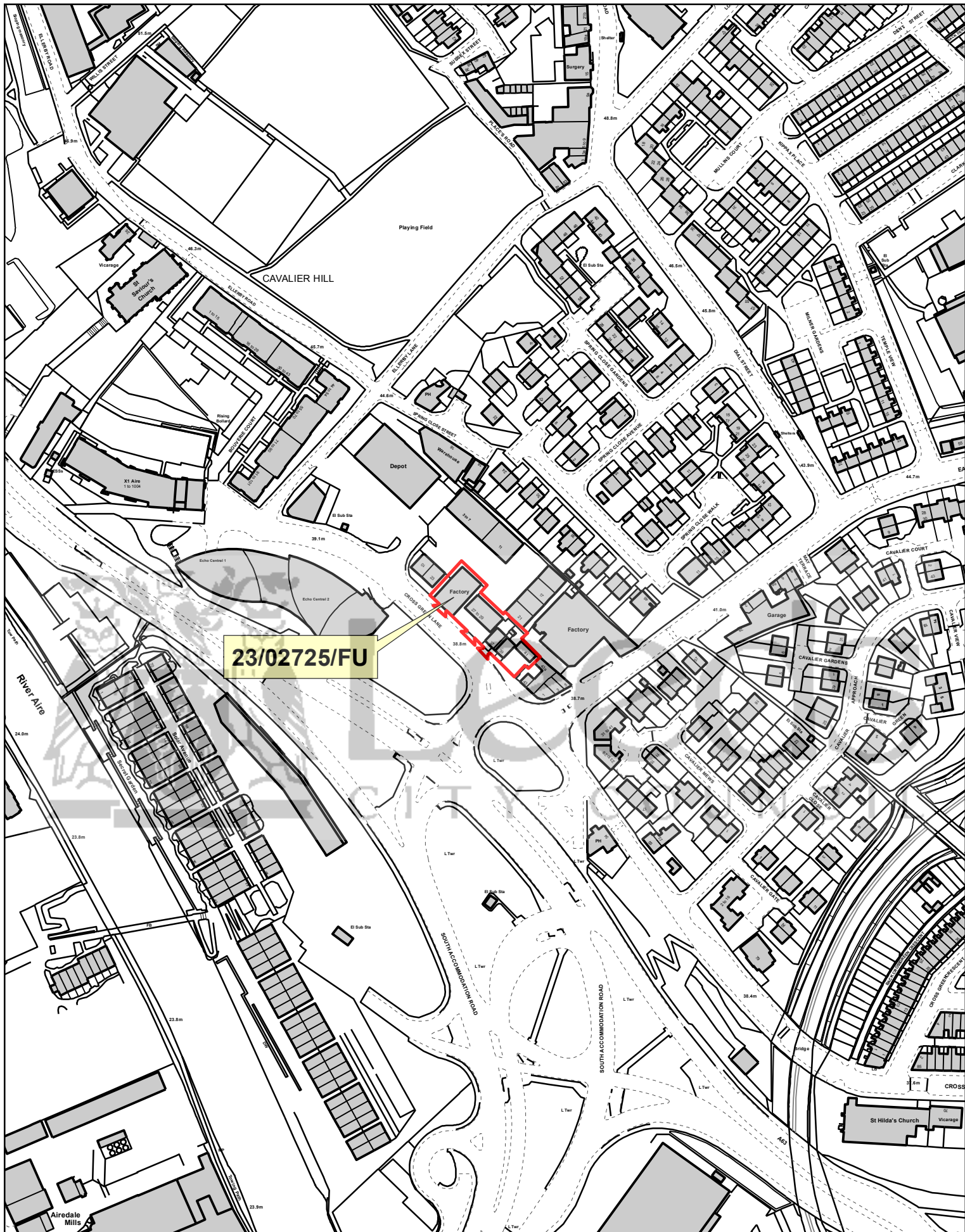
To ensure equality of access

- 38) Prior to commencement of development, a Phasing Plan shall be submitted to and approved in writing by the local planning authority. If the scheme is to be phased, the Plan shall accord with drawings XXX and provide further details of the following:

- temporary landscaping for areas that will not be covered by new buildings
- temporary hardstandings and footpaths
- if the eastern phase is developed first, temporary bin storage

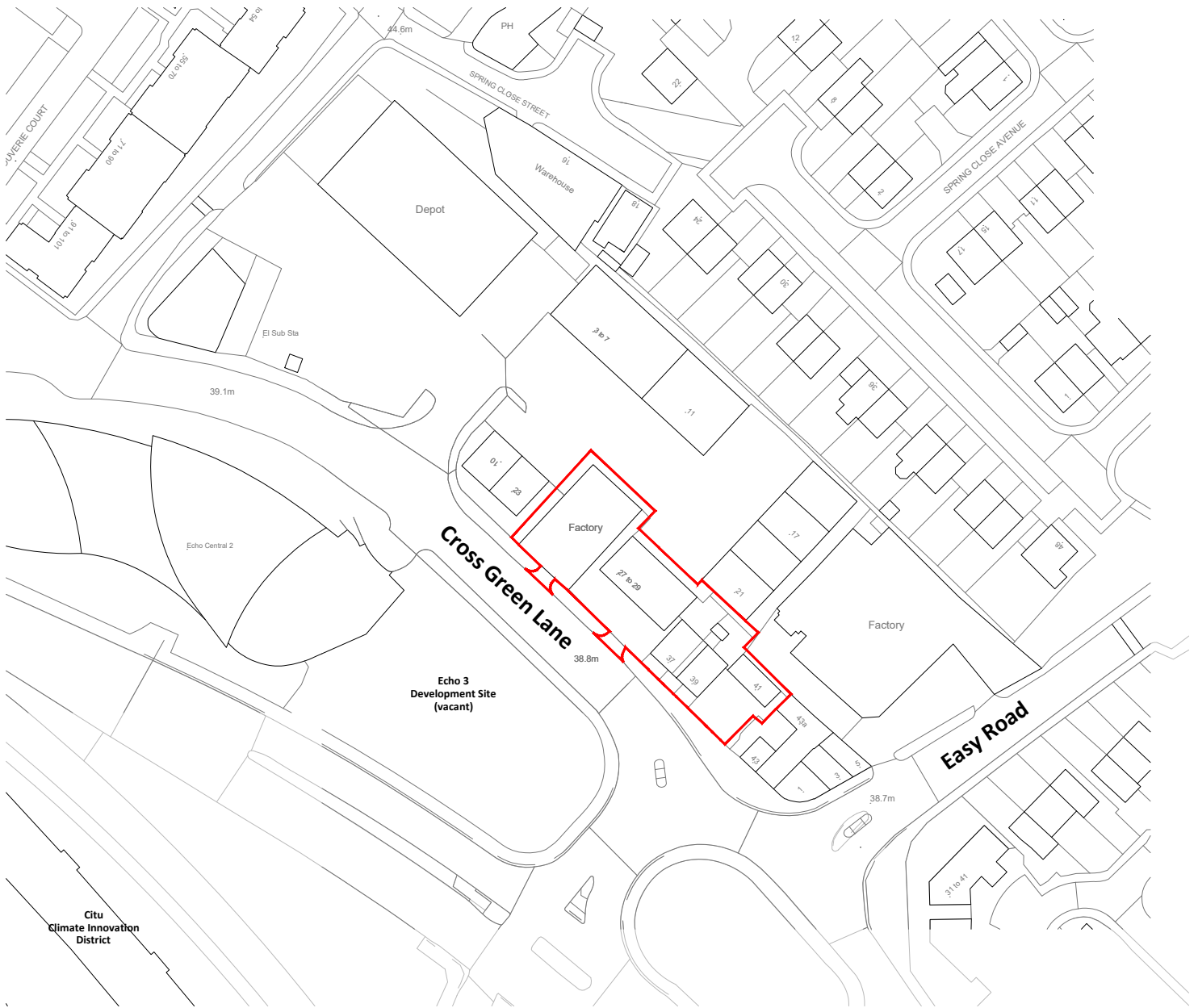
- 39) Prior to occupation the building owner shall submit to the local planning authority details of building management arrangements designed to ensure that employees or contractors do not work on any of the green roofs or terraces of solar panels during windy conditions without appropriate safety gear.

In the interests of safety

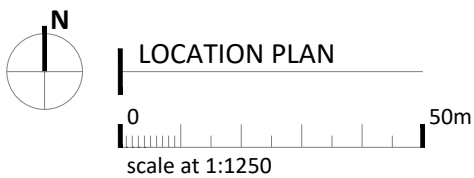


CITY PLANS PANEL





Citu
Climate Innovation
District



Rev. Description. Initial. Date.



31 Harrogate Road, Chapel Allerton, Leeds, LS7 3PD
www.mesharchitects.co.uk

Client
 Vision Properties

Project
 New Residential Development
 Cross Green Lane
 Leeds

Drawing Title
 Location Plan
 As Existing

Scale @ size
 1:1250 @A4

Job No. Dwg No.
 368 (PL) 01

Revision
 J

Date Status
 Aug 2021 Planning

Drawn Checked
 JB IC

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Originator: John Hall

Tel: 3787644

Report of the Chief Planning Officer

CITY PLANS PANEL

30th November 2023

Planning Application 23/05228/FU for demolition of existing buildings and construction of a hotel with ancillary restaurant/bar (Class C1) and ground floor commercial uses (Use Class E (a, b, c, d, e) and Sui Generis uses public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway) and access points to Kirkgate Market and associated works; infilling of vacant basement toilets and associated works and internal works to Butchers Row elevation at 4-32 George Street, Leeds

Listed Building Consent application 23/05229/LI for demolition of existing buildings and construction of a hotel with ancillary restaurant/bar (Class C1) and ground floor commercial uses (Use Class E (a, b, c, d, e) and Sui Generis uses public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway) and access points to Kirkgate Market and associated works; infilling of vacant basement toilets and associated works and internal works to Butchers Row elevation at 4-32 George Street, Leeds

Applicant – Leeds City Council

Electoral Wards Affected:

Little London & Woodhouse

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Defer and delegate application 23/05228/FU to the Chief Planning Officer for approval subject to the specified conditions set out in paragraph 17 (and any amendments to or addition of others which the Chief Planning Officer might consider appropriate), and a legal agreement in the form of a Unilateral Undertaking to secure a Travel Plan Review fee of £3,999.

Defer and delegate application 23/05229/LI to the Chief Planning Officer for approval, subject to the conditions set out in paragraph 18 (and any amendments to or addition of others which the Chief Planning Officer might consider appropriate).

1. INTRODUCTION:

- 1.1 Leeds City Council is seeking planning permission to redevelop land at 4-32 George Street, Leeds. The proposals include a six-storey building with commercial units at ground floor (including Council run gym) and hotel at upper floors. The proposed development will replace long-vacant, low-level retail units. This is a joint report which addresses both the Planning Application (23/05228/FU) and Listed Building Consent application (23/05229/LI). Listed building consent is required because the new building will abut Leeming House and involves the infilling of vacant basement toilets and internal works to Butchers Row elevation.
- 1.2 Consent was granted for a similar proposal in 2018 (application refs. 18/03164/FU and 18/03168/LI). This consent lapsed in 2021.
- 1.3 The scheme was subject to a pre-application enquiry which was presented at City Plans Panel on 22nd June 2023. The minutes from the meeting are appended to this report. To summarise, Members considered the proposed uses acceptable, and broadly considered the proposed mass and form of the development and its relationship with the surrounding context acceptable. However, Members stressed the importance of resolving issues around landscaping, highways and sustainability.
- 1.4 Members requested the full application is brought back to Plans Panel for consideration.
- 1.5 The application meets the test of criteria (f) of the Council's Delegation Scheme due to the potential sensitivities of determining an application for planning permission made by Leeds City Council.

2. SITE AND SURROUNDINGS:

- 2.1 The application site extends to 0.14ha along the south side of George Street, north of Kirkgate Market, in the eastern part of Leeds City Centre. To the north, on the opposite side of George Street, is Victoria Gate containing the John Lewis department store and a range of other shops. East of the site is

a further entrance to the more modern market hall and an electricity substation and toilet block. To the west is Leeming House (Grade I Listed) which incorporates the former Butcher's Row which is part of the Listed Kirkgate Market with the adjoining modern market hall to the south.

- 2.2 The site is occupied by 1930's single storey rendered, flat roofed, commercial units to the west and 1980's two storey shops and office buildings to the east. All the units are vacant and, it is understood, have been since at least October 2019. Formerly the units were in use for a range of commercial uses including a fish and chip shop, hairdressers, newsagents, shoe repairs and beautician.
- 2.3 The immediate area surrounding the site is characterised by commercial uses, including retail as well as other main town centre uses. The western part of the site is within the City Centre Conservation Area.

3. PROPOSAL:

- 3.1 The scheme involves the redevelopment of the site to create a single six-storey building fronting George Street and sitting at the back edge of the footpath. The building would have red brick elevations punctuated with a glazed frontage marking the entrance to the northern side of the market hall. The building would be topped with a zinc clad mansard roof.
- 3.2 The ground floor would contain six commercial units. It is proposed these are consented to have flexible commercial uses to include;
- Shops other than for the sale of hot food
 - Food and drink which is mostly consumed on the premises
 - Financial / professional services
 - Indoor sport and recreation
 - Medical services
 - Public house, wine bar, or drinking establishment
 - Drinking establishment with expanded food provision
 - Hot food takeaway.
- 3.3 The largest unit would be occupied by a Council operated gym. The occupants of the other units are not known at this stage. The gym would only be accessible via George Street with the other five units containing through access from George Street to the market hall.
- 3.4 The upper floors (above ground floor) are proposed for hotel use with a first-floor ancillary bar/restaurant and four floors of hotel accommodation above with 143 bedrooms.
- 3.5 No car parking is proposed with all servicing and pick up / drop-off to take place along George Street. Separate cycle and bin storage for the hotel and commercial units would be provided at ground floor. The proposal includes basement level plant rooms. Currently the applicant, in dialogue with officers,

is considering the feasibility of providing two street trees within the pavement. The pavement would be repaved to match the footway treatment on the northern side of George Street.

- 3.6 There are a set of subterranean toilets on site which previously served the market. These have fallen into disrepair and no longer form a usable facility. It is proposed these are recorded, removed from site, and filled in.

4. RELEVANT PLANNING HISTORY:

- 4.1 The site was the subject of redevelopment proposals in 2018 when consent was given to demolish the existing buildings and construct a 126-bedroom aparthotel with ground floor commercial uses. Planning permission (18/03164/FU) was granted in October 2018, along with a separate listed building consent (18/03168/LI) due to the minor works to the listed Market building. The above consents were not implemented and lapsed in 2021.
- 4.2 The current proposal was subject to a pre-application enquiry (PREAPP/23/00108) which was presented at City Plans Panel on 22nd June 2023.

5. CONSULTATION RESPONSES:

LCC Influencing Travel Behaviour

- No objection subject to compliance with Travel Plan and a Travel Plan Review fee of £3,999

LCC Highways

- No objection subject to the applicant providing details of cycle facilities, delivering the off-site highway works (including alterations to the TRO), and submitting/approving a Statement of Construction Practice

LCC Climate Change and Energy

- No objection subject to as built evidence of approved measures within the Sustainability Statement

LCC Access

- No objection

West Yorkshire Police

- No objection. Guidance provided on safety measures including external lighting, CCTV, glazing and door specification, bike security, management practices and alarm systems

LCC Contaminated Land

- No objection subject to Phase II Site Investigation Report, Remediation Strategy and Verification Report

LCC Nature

- No objection subject to details of bat roosting and bird nesting features

LCC Local Plans

- The development proposal is considered to satisfy the conditions of the policies contained in the Local Plan

LCC Environmental Studies

- No objection on the grounds of local air quality

Yorkshire Water

- No objection subject to no building within easement of the water main, and the development being undertaken in accordance with the submitted Flood Risk Assessment

LCC Conservation

- The proposal will remove a negative element adjacent to the market and replace it with a high quality contextual design which will enhance the listed building's and conservation area's setting

LCC Landscape

- No objection

West Yorkshire Archaeology Advisory Service

- No objection subject to scheme of archaeological investigation

LCC Design

- No objection

Coal Authority

- No objection subject to investigation of coal mining activity and remediation works, and signed statement the site has been made safe and stable

LCC Environmental Health

- Concur with the findings and recommendations within the Noise Impact Assessment

Historic England

- No objection to the application on heritage grounds

LCC Flood Risk Management

- No objection subject to the development being undertaken in accordance with the submitted Flood Risk Assessment

LCC Environmental Studies Transport Strategy

- The proposed internal noise levels are acceptable in relation to transportation noise

Wind consultant

- No objection

6. RELEVANT PLANNING POLICIES:

Development Plan

6.1 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 considering planning proposals at this site, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014 and reviewed in 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)

Leeds Core Strategy (CS)

6.2 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 2 seeks to direct retail, office, intensive leisure and culture, and community development to the City Centre and designated town and local centres.
- Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region.
- 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 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.

- Policy CC3 states new development will need to improve connections within the City Centre.
- 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 G6 protects existing open space and pedestrian corridors in the City Centre.
- 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.

Saved Unitary Development Plan Review policies (UDPR)

6.3 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 their own amenity 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.

Natural Resources and Waste Local Plan (NRWLP)

- 6.4 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.
- 6.5 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 development to include measures to improve their overall water efficiency.
 - 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.

Site Allocations Plan 2019 (SAP)

- 6.6 The Site Allocations Plan was adopted in July 2019. Following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the green belt, has been remitted to the Secretary of State. The ongoing remittal is at an advanced stage, with the Inspector's final conclusions expected imminently. However, at this stage it remains that Policy HG2 is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight. Relevant policies include;
- RTC 1 designates primary shopping areas and protected shopping frontages
 - RTC 2 protects shopping frontages within the City Centre in accordance with policy CC1 of the Core Strategy
 - RTC 4 seeks to protect and enhance Leeds' shop fronts

National Planning Policy Framework (NPPF)

- 6.7 The revised National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) replaces previous planning policy guidance and statements in outlining the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the NPPF is a presumption in favour of Sustainable Development set out in three parts: Economic, Social, and Environmental. Relevant paragraphs of the NPPF are as outlined below.

- 6.8 Paragraph 110 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 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.
- 6.9 Chapter 12 identifies the importance of well-designed places and the need for a consistent and high quality standard of design. 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 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.
- 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 to help reduce greenhouse gas emissions, such as through its location, orientation, and design (paragraph 154).
- 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.

- 6.12 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.
- 6.13 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.”

Supplementary guidance

- Tall Buildings Design Guide SPD
- Transport SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD
- Accessible Leeds SPD
- City Centre Urban Design Strategy SPG
- Hot Food Takeaway SPD

Other relevant legislation

- 6.14 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when granting planning permission for developments which are in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 6.15 Under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for a development which affects a listed building or its setting the council must 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.

7. PUBLIC RESPONSE

- 7.1 The applications were publicised in the Yorkshire Evening Post on 15.09.23 and five site notices were posted on 22.09.23. One representation from Leeds Civic Trust was received. The Trust supports the application but recommends further windows, whether clear or glazed, are provided within the eastern part of the rear elevation to enhance its appearance, and to allow greater light penetration into the building.
- 7.2 The applicant has undertaken their own public consultation. This included a meeting with the Kirkgate Market Board on 9th June 2023, a notification letter issued to around 1130 nearby residential and commercial properties, a digital flyer provided to stallholders within Kirkgate Market, a media release and accompanying social media activity and a public consultation event held in the market on 30th June 2023.
- 7.3 A public consultation website was launched on 26th June 2023 which included information about the site, as well as an online feedback form and contact details for people to ask questions. A total of 49 online responses were received. These comments are listed in the Statement of Community Involvement. In total 34 comments were in favour of the scheme, 7 neutral and 8 against. Those supporting the scheme highlighted the positive design, regeneration of the area, the need for a hotel and gym, increase footfall and benefits to the market. Negative comments included poor design, extra traffic, waste of Council money, adverse impact on market traders and further gentrification. Respondents were also keen to ensure that the development adhered to the highest environmental standards.

KEY ISSUES

8. Principle of the proposed use

- 8.1 The application seeks permission for the same uses that were approved under the 2018 application (18/03164/FU).
- 8.2 Commercial uses are well established along George Street and former uses on the site also contained commercial frontages including a newsagent, fish and chip restaurant, hairdressers, shoe repairs and beautician. These would all fall within Use Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.
- 8.3 This application seeks to retain Class E commercial uses at ground floor and also allow new uses including drinking establishments and hot food takeaways. The full list of proposed uses includes;
- Shops other than for the sale of hot food (Use Class E (a))
 - Food and drink which is mostly consumed on the premises (Use Class E (b))
 - Financial / professional services (Use Class E (c))
 - Indoor sport and recreation (Use Class E (d))

- Medical services (Use Class E (e))
 - Public house, wine bar, or drinking establishment (Sui Generis)
 - Drinking establishment with expanded food provision (Sui Generis)
 - Hot food takeaway (Sui Generis)
- 8.4 The only confirmed occupant, a Council run gym, falls within Use Class E (d).
- 8.5 Although they were approved as part of the 2018 planning application the permission was never implemented and so the Sui Generis uses – drinking establishments and hot food takeaways – represent potential new uses on site. However, as part of the officer assessment in 2018 it was considered there was planning merit in promoting a presence of uses which “provide vibrancy into the evening” and “complement the existing retail offer within Victoria Gate and Kirkgate Market”. The only material change in circumstances since 2018 is the adoption of the Council’s Hot Food Takeaway SPD which restricts the clustering of hot foot takeaways under Policy HFT2. To accord with this policy it is proposed a condition is applied preventing hot food takeaways from adjoining one another. Otherwise the assessment made in 2018 still stands.
- 8.6 It should be noted that the George Street frontage is a protected Primary Shopping Frontage in the Site Allocations Plan (SAP) with Policy RTC 2 of the SAP requiring that at least 80% of the shopping frontage remain as retail. However, since the adoption of the SAP the Use Class order has been updated with the introduction of Use Class E which comprises both retail and non-retail uses. This challenges the ability of the Council to control the level of retail frontage since commercial units within protected Primary Shopping Frontages can potentially be converted from retail into any use within Use Class E without the need to apply for planning permission. In any event the development would bring a vacant site back into use and it is considered the proposed commercial uses would not undermine the vitality and viability of the retail function of the area which includes Victoria Gate shopping centre on the northern side of George Street. Importantly the proposal would maintain an active street frontage by ensuring the commercial units along George Street include a high proportion of glazing to allow the activity within to be seen from the street. This complies with Site Allocations Plan Policy RTC 4 which requires protected shopping frontages maintain a ground floor window display and / or a frontage which is appropriate to the use of the premises.
- 8.7 The upper floors are proposed for a hotel (Use Class C1). The Core Strategy lists hotels as a ‘main town centre use’ with Core Strategy Policy CC1 stating that town centre uses will be supported within the City Centre boundary provided the use does not negatively impact on the amenity of neighbouring uses.
- 8.8 The proposed uses would not undermine the function of the market and would retain its unique character. It is important to remember that the existing

units have consent for a range of commercial uses including shops and restaurants. In terms of new uses i.e. drinking establishments and hot food takeaways these are considered complementary rather than competing uses since they are more likely to target the evening trade once the market has closed for the day. Furthermore, the market is likely to benefit from the influx of guests staying at the hotel.

- 8.9 The development will contribute towards the economic growth of the City's emerging hospitality section as supported by Spatial Policies 3 and 8 of the Core Strategy. The applicant advises the development will create in the order of 50 new full and part-time jobs once completed.
- 8.10 At the pre-application presentation on 22nd June 2023 City Plans Panel members indicated that the proposed uses were acceptable in principle.

9. Design and Heritage

- 9.1 The National Planning Policy Framework states that "good design is indivisible from good planning" and authorities are encouraged to refuse "development of poor design", and that which "fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted". Policy P10 of the Core Strategy seeks to ensure that new development is of high quality and is appropriate to its context, whilst Policy 11 seeks to protect heritage assets.
- 9.2 The George Street elevation has been designed to reference and remain subservient to the prominent Grade 1 Listed Leeming House. Leeming House has a defined base, middle and top with the base consisting of a double height space for retail units, the middle portion featuring three storeys of paired windows and the top having a complex and decorative roofscape with dormer windows. The George Street elevation takes these principles to create a simple and functional aesthetic with a contemporary materiality to respect the listed building whilst also complementing the new Victoria Gate development. The verticality of Leeming House has been captured in the proposed design with strong brick piers in a regular arrangement along the elevation and the window voids exhibit a similar scale and proportion to that of Leeming House. The roof form has been developed to relate to Leeming House and has dormers which penetrate the roof plane. These dormers have a feature curved top which references the more decorative and ornate detailing on the listed building. The roof will include solar panels set behind the dormers. These will not be seen from street level.
- 9.3 The elevations are primarily of red multi brick with the mansard roof clad in zinc. The total length of the development is approximately 120m and the building is punctuated approximately halfway along by a recessed 'slot' with glass. This assists in reducing the overall perceived length of the building block and defines the entrance to the market behind.

- 9.4 The building steps down the hill to the east to maintain proportionate building heights and create defined breaks in the building façade along the street. This gives the impression that the street scene is not read as one single building but is broken into multiple sections. The development would be set back from the flank wall of Leeming House in order to provide breathing space to the listed building. Although a minor degree of harm would be caused to the setting of the listed building resulting from the height of the building at its western end partly obscuring views of the roofscape and cupola, overall, when considering the nature and dynamic views of this area and the oblique views when moving eastwards, the bulk, form, height and massing is broadly appropriate for the site and context. The commemorative plaque is proposed to be removed from the flank wall and displayed more prominently within the two-storey retail unit.
- 9.5 The southern (rear) elevation would only be visible from a restricted number of ground level locations and from some elevated positions within buildings to the south. It would be of a much simpler design which echoes the simple aesthetic of the rear elevations to Leeming House. The rear elevation is also composed of red brick and features regular window patterns. A gantry for condensers is situated in a recessed location above the market hall roof. A glazed white brick finish is proposed to the internal elevation along Butchers Row and is reminiscent of the tone and proportions of the original market street when it was opened in the 1930s. A painted blockwork finish is proposed to the market hall interior.
- 9.6 The eastern elevation is located on the edge of the site running adjacent to the existing lower market entrance. Windows and recessed panels provide a balanced elevation. Projecting string courses define the lower and upper floors, and a pattern of projecting brick headers rise vertically up the building.
- 9.7 The market entrance is one of the critical elements of the proposed development as it will provide the market with a 'new front door'. The proposals seek to create a high quality focal entrance to the markets from along George Street through the use of a glass design which will run across the entire curtain wall entrance. The market entrance will also feature a prominent glazed canopy which will be illuminated from below. The commercial frontage along George Street includes a high proportion of glazing to allow the activity within the units to be seen from the street.
- 9.8 The proposed building serves as a positive response to both the historic and modern context of the surrounding streetscape. The building appears to 'step down the hill' in response to the level change across the site and provides a clear and inviting entrance to the market beyond. The detailing includes projecting brick headers, brick corbelling, metal banding, recessed brick panels and deep brick columns.
- 9.9 The proposal is very similar to the architectural appearance of the previous proposals, and the scheme remains appropriate in architectural terms.

9.10 In terms of consultee feedback the Council's Design team have not raised an objection, and the Council's Conservation team have advised that the proposal will remove a negative element adjacent to the market and replace it with a high quality contextual design which will enhance the character and appearance of the conservation area and preserve the setting of the listed building.

10. Highway considerations

10.1 Core Strategy policy T2 and saved UDP policy GP5 note that development proposals must resolve detailed planning considerations and should seek to maximise highway safety. This means that the applicants must demonstrate that the development can achieve safe access and will not overburden the capacity of existing infrastructure.

10.2 Vehicular access to the site remains as existing, with access onto the one-way George Street via Vicar Lane to the west. The street is circa 0.2km in length and has a speed limit of 20mph speed.

10.3 On either side of George Street are several bays which provide space for a total of 37 cars. This includes 3 accessible bays, 13 loading/parking bays, 10 loading only bays and 11 taxi spaces.

Servicing and deliveries

10.4 The application proposes amending the Traffic Regulation Order for a circa 21m stretch (or circa 3 car spaces) of the loading/parking bays along the site frontage. The new TRO would restrict the bays to loading only, except taxis, and increase the wait time from 20 minutes to 40 minutes as per the requirements of the hotel. A swept path analysis shows the new TRO could accommodate servicing vehicles such as articulated lorries.

10.5 Although the amendment to the TRO would result in the loss of 3 short stay (20 minutes, no return within 1 hour) parking spaces – notwithstanding these bays can also be used for loading – the Council's Highways team in consultation with Leeds City Council Traffic consider the proposal acceptable.

10.6 The outdoor market traders are allowed to bring vehicles onto the outdoor market to set up, and back on after trading to clear up. They then exit via New York Street. In terms of the indoor market all stalls are fixed units and therefore most stock and goods are kept on site. The market is expected to be able to manage the extra demand for the George Street loading / servicing bays. The Head of Markets and Traffic have no concerns with the proposed changes to the existing TRO on George Street.

Car Parking

- 10.7 The site is within the City Centre and is well served by public transport with Leeds City Bus Station a 3 minute walk away and Leeds Train Station a 10 minute walk away. For this reason the lack of parking provision for the hotel is acceptable and in line with the parking requirements stated in the Transport SPD for city centre sites. Notwithstanding this, there are several car parks nearby for staff and guests travelling by car.
- 10.8 The Victoria Multi-Storey Car Park, which can be accessed from Eastgate and on foot via George Street provides a total of 805 spaces. The car park is open 24 hours and therefore can accommodate hotel guests arriving day or night. Additionally, The Markets Car Park which is circa 250m south-east has 646 parking bays.
- 10.9 It is anticipated that most hotel guests will arrive by public transport. For those travelling by car it is expected they will use the multi storey car parks in the vicinity of the site as opposed to pay and display. The parking on George Street is restricted to a maximum of 20mins, 9am to 6pm, no return within the hour and therefore will not be suitable for long stay parking.

Accessible Parking

- 10.10 There are 3 accessible parking spaces along George Street, and 4 accessible parking spaces on Eastgate (next to John Lewis). The nearby Victoria Multi-Storey Car Park and the Markets Car Park have a total of 70 accessible parking spaces (50 and 20 respectively).

Cycle Parking

- 10.11 The proposal includes separate cycle stores for the hotel and commercial units at ground floor. The hotel would have 6 long stay cycle spaces (though it should be noted the hotel operator would allow guests to store bikes within their rooms), and the commercial units would have 5 long stay cycle spaces. The Council run gym has its own cycle provision with 1 long stay cycle space and 10 short stay cycle spaces.
- 10.12 In addition, 8 short stay cycle spaces will be provided externally. These spaces will be in the form of 4 Sheffield stands to the east of the building. Additional short stay cycle parking is available nearby.
- 10.13 In total, the development will provide 12 long stay cycle spaces and 18 short stay cycle spaces.

Promoting sustainable travel

- 10.14 The application includes a Travel Plan for the hotel, with the operator committed to encouraging sustainable travel. The initial targets of the Travel Plan are as follows;

- 10% increase in the proportions of staff who travel to work by active modes (walking and cycling) within 5 years.
- 5% increase in the number of guests arriving by sustainable transport within 5 years.

10.15 This would be achieved via the following measures and initiatives;

- Introducing a bike friend policy whereby clean bikes and non-electric scooters can be kept in hotel rooms
- Access ramps and dropped kerbs to ensure access for all
- Providing a luggage store on-site
- Employing staff who live locally
- Displaying sustainable transport information on the Premier Inn website and app
- Introducing a staff voucher scheme for Halfords
- Making all staff aware of the Travel Plan
- Providing a Travel Plan Notice Board within staff room
- Providing details of local transport links at hotel reception
- Promoting staff car sharing

10.16 A Travel Plan Review fee of £3,999 will be secured via a legal agreement in the form of a Unilateral Undertaking. The Travel Plan Review fee pays for Council Officer's time to review annual Travel Plan monitoring reports to ensure progress is being made on the agreed targets. The fee is paid prior to commencement of development.

Conclusion

10.17 The Transport Statement has been reviewed as part of the planning process. The assessment demonstrates that the anticipated vehicle trips generated by the development will not have a detrimental impact on the adopted highway.

10.18 The pavement along the site frontage will retain a minimum width of circa 4m with wider pavement available at the pedestrian crossing points.

10.19 The Councils Highways team have no objection subject to the applicant providing details of cycle facilities, delivering the off-site highway works (including alterations to the TRO) and submitting/approving a Statement of Construction Practice.

11. Sustainability

11.1 In 2019 the Council declared a Climate Emergency. Planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact of non-renewable resources.

- 11.2 The development will incorporate the following zero or low carbon energy sources;
- Solar photovoltaics (on the roof)
 - Air source heat pumps (on the external plant gantry at the rear)
- 11.3 Following energy modelling of the development it is predicted that 15,458.24kgCO₂/annum will be saved, which represents an improvement of 20.02% beyond the requirements of Building Regulations Part L 2021. Therefore, it is demonstrated that the Building CO₂ Emission Rate meets the 20% reduction requirement as set out in Core Strategy Policy EN1, part (i).
- 11.4 The use of air sources heat pumps and solar photovoltaics represents a total of 386,773kWh/annum provided by low or zero carbon technology, or 77.85% of the development's total energy consumption. Therefore, it can be demonstrated that the contribution from low or zero carbon technologies is significantly in excess of the 10% of the total energy consumption of the building as required by Core Strategy Policy EN1, part (ii).
- 11.5 Following a BREEAM (Building Research Establishment Environmental Assessment Method) pre-assessment review it has been concluded that 76.19% of the credits could be targeted which exceeds the 70% threshold to achieve a BREEAM New Construction 2018 Other Building Excellent rating. There is also a commitment to ensure that the maximum water standard of 110 litres per person is not exceeded. This satisfies Core Strategy Policy EN2.
- 11.6 The viability of a connection to the Leeds PIPES district heating network has been explored. However, a connection to Leeds PIPES would not be viable due to distance from the network, and there are no plans to extend to the site in the next five years. There are no other district heating networks in the locality. It is therefore proposed to utilize other forms of zero or low carbon heat sources to serve the development. This satisfies Core Strategy Policy EN4.

12. Nature and Biodiversity

- 12.1 Core Strategy Policy G9 requires biodiversity net gain to be provided, commensurate with the scale of the development.
- 12.2 The site is already developed and contains no vegetated surfaces and therefore in terms of Biodiversity Net Gain has a baseline score of zero Biodiversity Units. To enhance biodiversity on-site and achieve a biodiversity net gain it is proposed integral bat roosting and integral bird nesting features are installed within the building. The applicant is also looking into the possibility of planting two street trees along George Street, however, this is subject to further feasibility work. Given the site has a baseline score of zero,

it is considered the proposals provide suitable ecological enhancement. The Council's Nature team have no objection.

13. Landscape

- 13.1 Due to the built-up nature of the site and its surrounds, there are very few opportunities to increase the amount of soft landscaping around the site. The applicant is looking into whether two trees can be provided within the adopted highway, however, it may not be possible due to the number of underground utilities. In particular, because of the presence of a water main any planting within the 6m easement requires agreement with Yorkshire Water. Notwithstanding this, the proposal is still being explored and a verbal update will be provided at 30th November Plans Panel.
- 13.2 The footway along the frontage of the building will be resurfaced to a standard that complements the paving palette recently introduced on the northern side of George Street.

14. Other issues

Flooding and Drainage

- 14.1 The site lies within Flood Zone 1 and therefore has a low probability of flooding.
- 14.2 The site currently contains commercial units which discharge foul and surface water runoff to the public sewer in George Street. The proposed drainage strategy would also discharge to the public sewer in George Street at existing discharge rates.

Noise

- 14.3 In accordance with Policy GP5 of the Leeds UDPR a Noise Impact Assessment has been submitted. The assessment concludes that, subject to appropriate mitigation measures including specified glazing and attenuated ventilators, the site is suitable for hotel use in terms of noise. The Council's Environmental Health team have not raised an objection to findings within the Noise Impact Assessment.

Wind Assessment

- 14.4 The submitted wind assessment (which has been peer reviewed) demonstrates that demolition of the existing site buildings and construction of the proposed development will have a negligible impact on the wind conditions on site and in the surrounding area. There will be no wind safety exceedances, and wind comfort conditions will remain unchanged, and largely suitable for use. Two entranceways will remain windy but are not

expected to get worse than the current conditions. Therefore, wind mitigation measures are not considered necessary.

Archaeology

- 14.5 There are a set of subterranean toilets on site which previously served the market. These have fallen into disrepair and no longer form a usable facility. It is proposed these are recorded, removed from site, and filled in.
- 14.6 The proposed development has the potential to reveal the remains of 18th century workers' housing and, potentially, elements of medieval field divisions. There is also a slight potential for human remains relating to a 17th century plague outbreak. It is proposed a programme of strip, map and record is undertaken following demolition of the extant buildings.
- 14.7 West Yorkshire have advised that a programme of archaeological mitigation should be undertaken.

Access and Inclusion

- 14.8 The application complies with guidance within the Accessible Leeds SPD and meets or exceeds Part M of the Building Regulations. The hotel will include 7 accessible rooms (out of 143 rooms). Two of the accessible rooms are interconnecting which would allow a family with a disabled person to stay together. This can also be useful for people who require a carer to be close by to assist them in their care. One of the interconnecting rooms will have a ceiling mounted hoist running from the bedroom into the bathroom.
- 14.9 The site is not level with an approximately 3m level drop between the west and eastern site boundaries. Level access is however provided to all entrances of the development along the George Street frontage. This includes the new market entrance as well as commercial and hotel entrances.
- 14.10 There is disabled parking for three cars in a dedicated bay along George Street. The existing pedestrian crossings installed as part of the Victoria Gate development feature dropped kerbs and tactile paving and will be retained.

15. Representations

- 15.1 As part of the formal period of consultation the Council received one representation from Leeds Civic Trust. The Trust supports the application but recommends further windows, whether clear or glazed, are provided within the eastern part of the rear elevation to enhance its appearance, and to allow greater light penetration into the building.
- 15.2 The rear elevation is largely hidden in public views and echoes the simple aesthetic of the rear elevation of Leeming House. Nevertheless improvements to the rear elevation were sought at pre-application stage

which included a change from a render to brick finish. The applicant has also advised that the windows would be difficult to maintain since cleaning involves abseiling from the roof deck. This is made more complicated by the siting of the plant gantry. Although there are windows on the western side of the rear elevation above Butcher's Row these are a necessary addition since they serve hotel bedrooms.

16. CONCLUSION:

- 16.1 The proposal represents an opportunity to continue the positive regeneration of this part of the City which has been so far delivered with the completion of the Victoria Gate scheme and significant refurbishment of the Leeds Market. Officers consider the proposed uses would bring about a further positive impact on the vitality and viability of this part of the City Centre, and the proposed hotel would make a positive contribution to the tourism and leisure function of the City Centre.
- 16.2 The proposals accord with national and local planning policy objectives and, given that the proposals are very similar to those previously approved under 18/03164/FU and 18/03168/LI, and there has been no material change in circumstance, the proposals are considered acceptable.
- 16.3 The applications are recommended for approval subject to planning conditions set out below.

17. Proposed conditions for planning application 23/05228/FU

1. To begin within 3 years
2. To be carried out in accordance with the approved plans
3. Details of cycle/motorcycle parking
4. Statement of construction practice
5. Off-site highway works
6. Provision of bin storage
7. Phase II Site Investigation Report and Remediation Strategy
8. Unexpected contamination
9. Verification Report
10. Details of bat roosting and bird nesting features
11. Evidence of bat roosting and bird nesting features
12. No building located within easement of water main
13. To be carried out in accordance with Flood Risk Assessment
14. Scheme of archaeological investigation
15. Investigation of coal mining activity and remediation works
16. Signed statement the site has been made safe and stable
17. Details of hard and soft landscape works
18. Replace tree/hedge/shrub within a period of 5 years
19. Comply with noise report
20. Details of any external extract ventilation system

21. Limit noise of external extract ventilation system/air conditioning plant
22. Restriction on construction hours
23. Samples of all external walling and roofing materials
24. Brickwork panel
25. Elevational details
26. Detail of any external lighting
27. Comply with Sustainability Statement
28. No adjoining of hot food takeaways
29. No offices, non-residential creche, day centre or nursery to be undertaken pursuant to permitted development rights (Use Class E, parts f and g)
30. Commercial units to have clear glazing
31. Interim site treatment
32. Training and Employment Management Plan
33. Compliance with Travel Plan

18. Proposed conditions for listed building consent application 23/05229/LI

1. To begin within 3 years
2. To be carried out in accordance with the approved plans
3. Samples of all external walling and roofing materials
4. Brickwork panel
5. Elevational details
6. Detail of any external lighting
7. Interim site treatment
8. Scheme of archaeological investigation
9. Reuse of any items from basement toilets
10. Details of repositioning of commemorative plaque

APPENDIX 1

CITY PLANS PANEL

THURSDAY, 22ND JUNE, 2023

PRESENT: Councillor J McKenna in the Chair

Councillors B Anderson, D Blackburn,
K Dye, C Gruen, A Khan, A Maloney,
E Flint, C Campbell and T Smith

SITE VISITS: Councillors D Blackburn, K Dye, C Gruen, A Khan and
C Campbell.

1 Appeals Against Refusal of Inspection of Documents

There were no appeals.

2 Exempt Information - Possible Exclusion of Press and Public

There was no exempt information.

3 Late Items

There were no late items.

4 Declaration of Interests

There were no declarations of interest.

5 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors K Brooks, P Carlill and D Cohen.

Councillors E Flint and T Smith were in attendance as substitutes.

6 Minutes - 18 May 2023

RESOLVED - That the minutes of the meeting held on 18th May 2023 be confirmed as a correct record.

7 Matters arising from the Minutes

It was reported that the query raised at the previous meeting with regards to the provision of a report on student housing within the city and affordability, would be fed into the Development Plans Panel work program.

8 PREAPP 23 00108 - Land at 4-23 George Street, Leeds

The report of the Chief Planning Officer informed Members of a pre-application regarding the redevelopment of properties for a mix of uses, including new hotel (Use Class C1), which will sit above a range of small commercial units including a gym (Use Class E and Sui Generis) at ground floor level at land at 4-23 George Street, Leeds.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the proposals.

It was reported that there was a long term ambition to regenerate this site and Executive Board had agreed the role of Leeds City Council as developer for the site. Permission for a similar scheme had been granted in 2018 but this had now expired. A full application was expected to be submitted in July **2023**.

The applicant was invited to address the Panel.

The following was highlighted:

- There were advanced discussions with a hotel operator and it was expected that a lease would be agreed within the next month.
- The scheme would include a hotel development, a council run gym and commercial spaces.
- The hotel would have 143 rooms over 5 floors and there would be commercial space at the ground floor level with enhanced access to the market hall.
- The building would be of a traditional detailed brick design with a zinc roof construction.
- One of the main differences to the previous application was a recessed main entrance which also enhances the entrance to the market.
- There would be a basement level which would house plant facilities.
- Ground floor level would have four shop units and the gym. There would be active frontages. There would also be storage for bicycles and refuse.
- The first floor would have the hotel bar and restaurant as well as accessible rooms.
- There would be fewer windows on the rear in comparison with the previous application.
- The original application had hotel provision on the ground floor. This would now be used for the gym.

In response to questions and comments, the following was discussed:

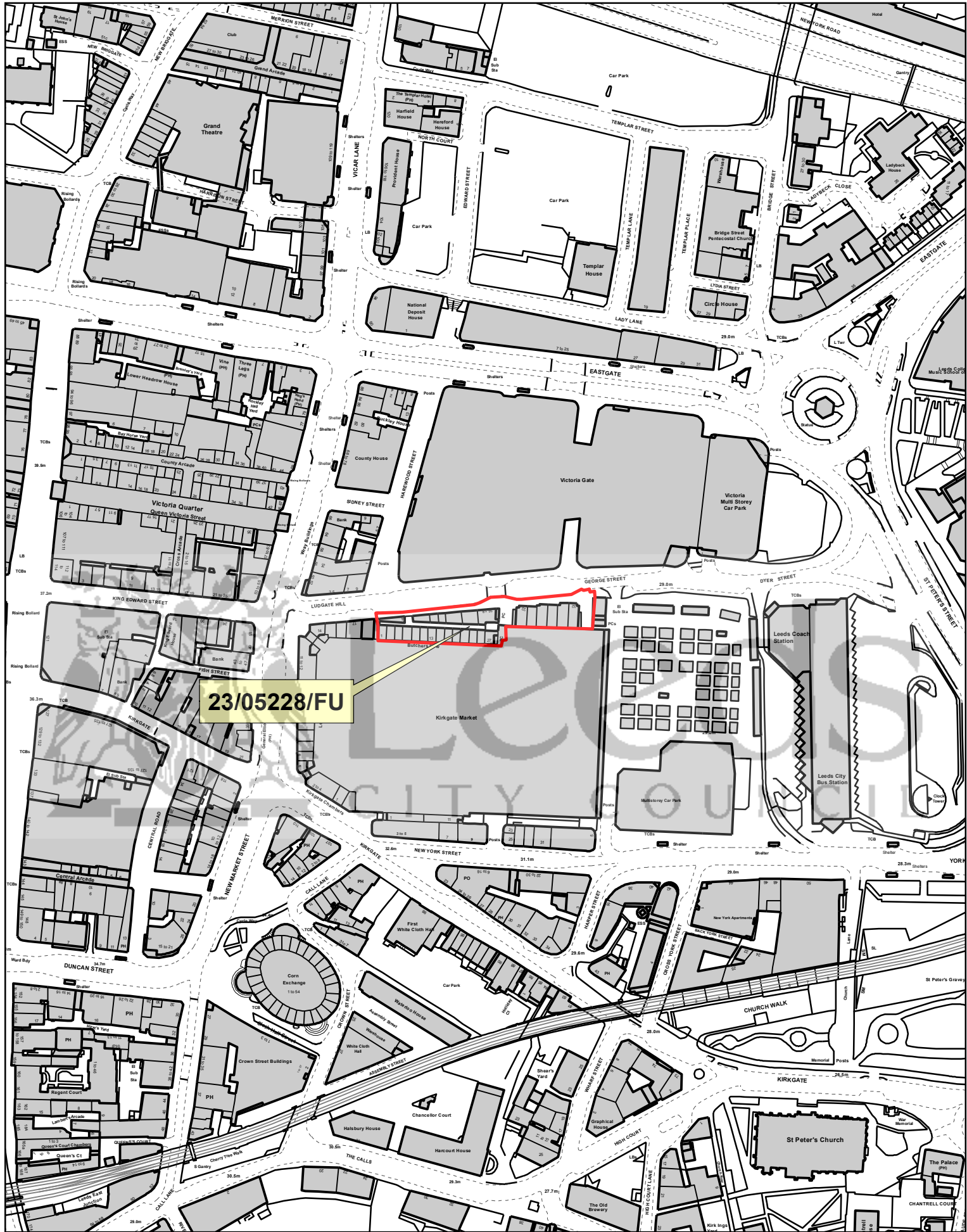
- The plaque at the rear of Leeming House would be remounted and be visible from the street.
- The rear facade of the building would not be visible from most public viewpoints.

- There had been discussions regarding connection to the Leeds District Heating Network but this was not possible at the moment.
- There would be a range of carbon reducing measures. Energy requirements would be 87% from renewable sources on site including photo voltaic panels and air source heat pumps. The requirements of Policy EN2 would be exceeded by over 50%.
- There would be no use of gas at the building.
- Other energy efficiencies would include efficient glazing, insulation, LED lighting and heat recovery systems.
- More detailed sustainability information was requested to be submitted with the full planning application.
- Servicing would be located on George Street. There were two large lay bys which were currently used by markets at set times. There would be a further traffic regulation order to improve existing arrangements.
- Car parking spaces would be re-organised. There would not be a loss of spaces.
- Could there be the use of stone to reflect other buildings in the area? Brick had been chosen as the predominant material and the design would be broken up with features and glazing.
- Landscaping would mainly be provided through the use of planters. There was no scope for significant landscaping.
- There were advanced discussions with an established hotel operator for the lease and it was hoped the application would be submitted next month.
- There were discussions with market traders about working arrangements with the hotel and the gym. As part of the consultation it was proposed to place some information in the market.
- Concern regarding lack of disabled parking. There were some disabled parking bays on George Street but these were short stay.
- The planting of street trees would be considered. Members highlighted landscaping as a priority and the possibility of incorporating a green wall was suggested.
- The gym needed to be located where it was proposed on the site due to the required operational size.
- There was a degree of separation between the market and the hotel through design and there were not any bedrooms directly on the back of the market wall.
- There would not be any plant facilities visible on the roof line.

In response to questions outlined in the report, the following was discussed:

- Members considered that the proposed use of the site was acceptable in principle.
- Members broadly considered that the proposed mass and form of the development and its relationship with the surrounding context was acceptable. There had been some comments regarding the visibility of the gable end.
- Members requested that the **full** application be brought back to Panel for consideration

RESOLVED - That the report and presentation be noted.



23/05228/FU

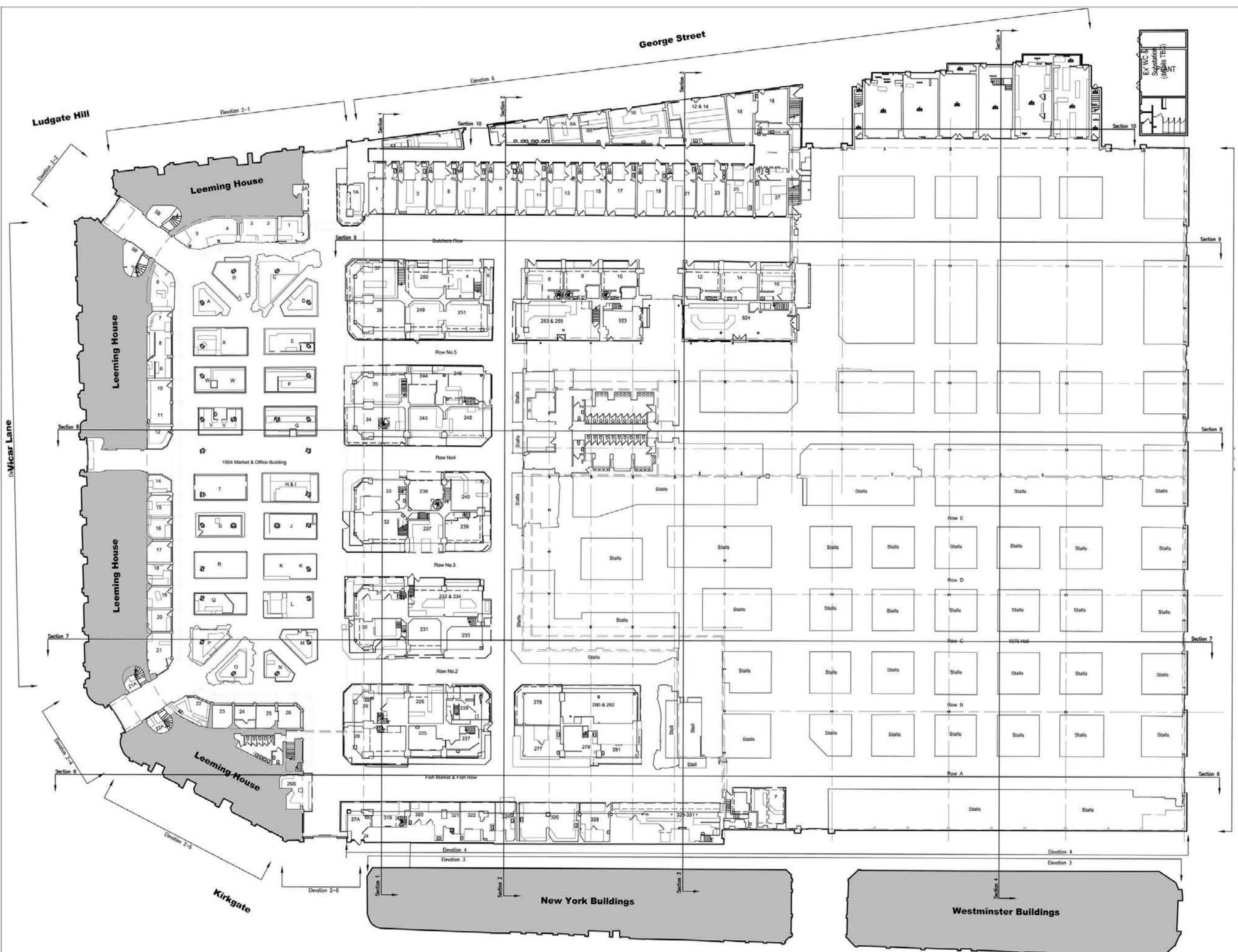
CITY PLANS PANEL



Notes
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Location Plan



P02	Issued for Approval	GXC	07/07/23	SPC
P01	Planning Issue	GXC	11/05/18	BJP
Rev.	Des.	By	Date	Ch.

Client:
 Project:
 George Street

Title:
 Existing Site Plan

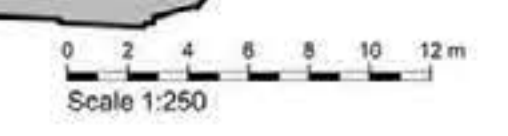
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Job No:	Drawing No:	Rev No:
15012	(00)100	P02

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(00)100 Existing Site Plan
 Scale - 1:250



PLANNING

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