



**Leeds**  
CITY COUNCIL

Originator: R Coghlan  
Telephone: 0113 336 8775

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**Report of the Chief Planning Officer**

***City Plans Panel***

**Date: 30<sup>th</sup> 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**

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**Electoral Wards Affected:**

**Burmantofts and Richmond Hill**

Yes

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**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 1<sup>st</sup> 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 5<sup>th</sup> and 20<sup>th</sup> 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)

<b>Type*</b>	<b>Max %</b>	<b>Min %</b>	<b>Target %</b>
Houses	90	50	75
Flats	50	10	25
<b>Size*</b>	<b>Max %</b>	<b>Min %</b>	<b>Target %</b>
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 CO<sub>2</sub> 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 19<sup>th</sup> 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 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors and some windows that face toward No 43. The balconies at 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> 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 4<sup>th</sup> 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 1<sup>st</sup>, 3<sup>rd</sup>, 5<sup>th</sup> and 6<sup>th</sup> floors, roof garden at 7<sup>th</sup> 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°	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.

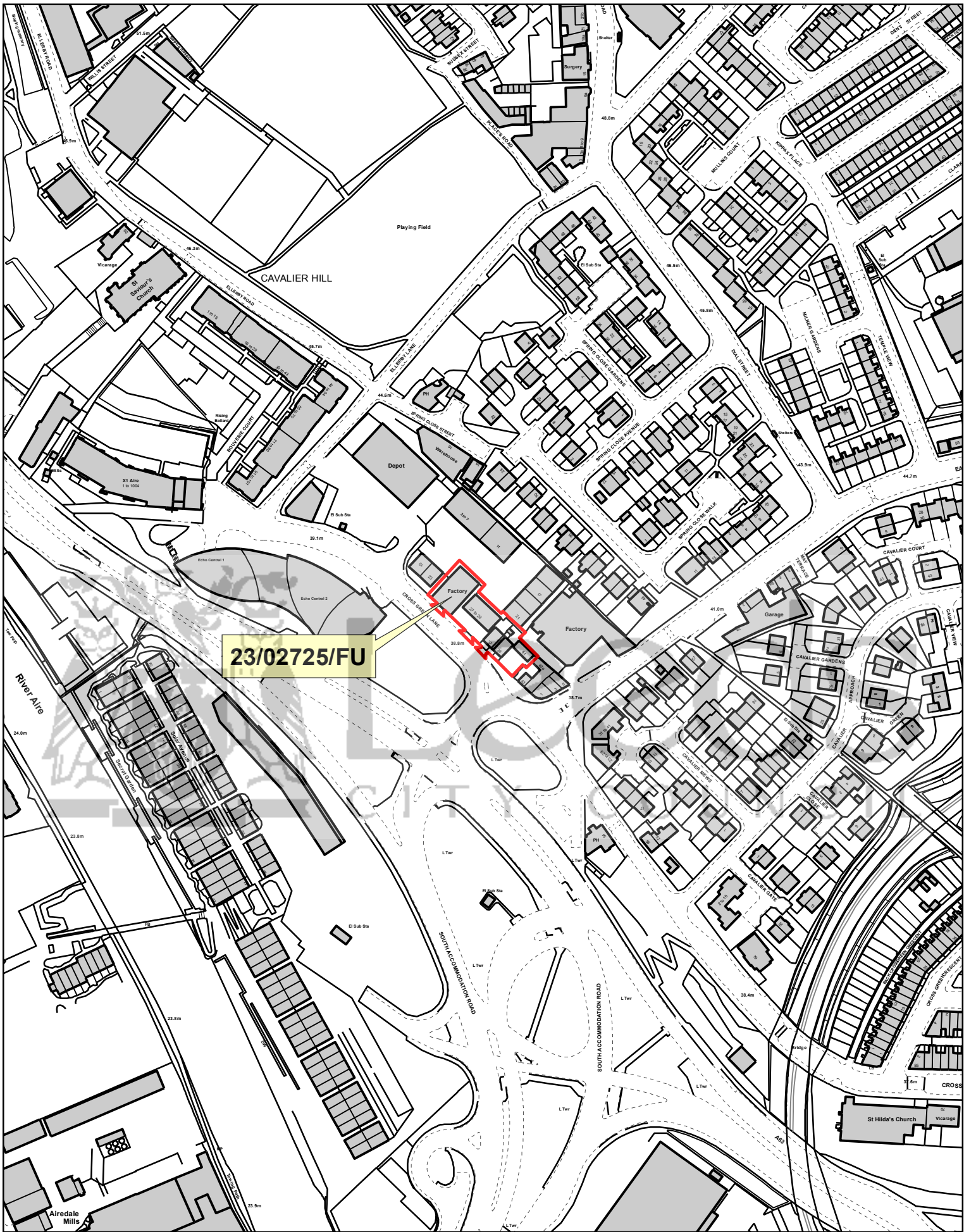
To ensure equality of access

- 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

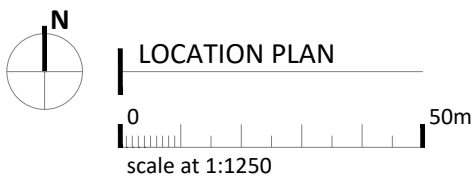
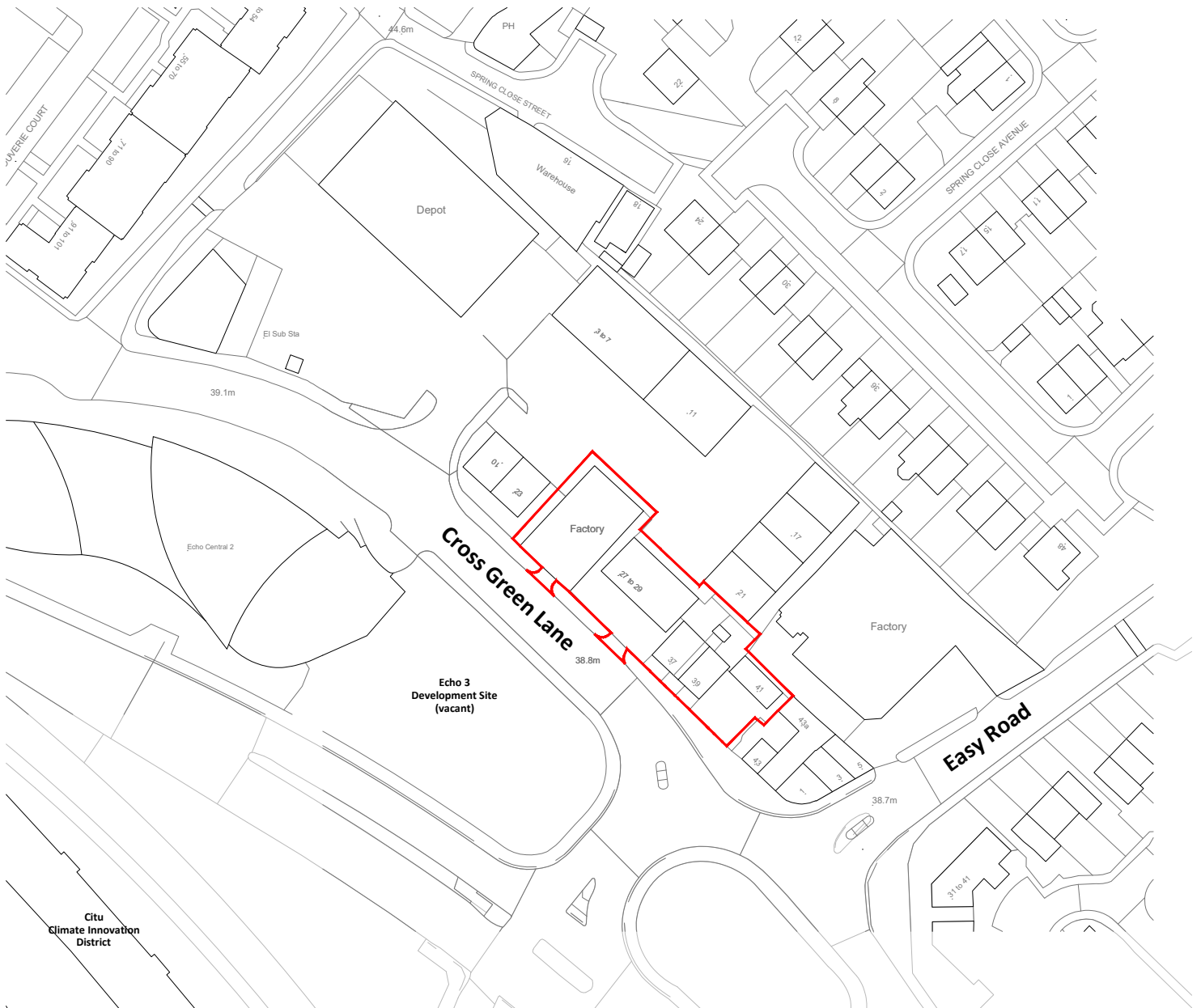
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SCALE : 1/2500







Rev. Description. Initial. Date.



31 Harrogate Road, Chapel Allerton, Leeds, LS7 3PD  
[www.mesharchitects.co.uk](http://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