



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 13/05/10

Subject: APPLICATION 06/06118/FU- Two linked towers (part 12 storey raising to 19 and part 24 storey raising to 26) comprising 357 crash pads, 63 studio flats, 16 x 1 bed flats and 4 x 2 bed flats, with launderette, residents gym and 85 parking spaces at Cromwell Mount, Burmantofts

APPLICANT	DATE VALID	TARGET DATE
Lincoln Green Partnership LLP	17/10/06	16/01/07

Electoral Wards Affected: Burmantofts & Richmond Hill

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Defer and delegate to the Chief Planning Officer for approval, subject to the completion of a satisfactory wind study and subject to the specified conditions and following completing of a Section 106 Agreement to cover the following matters:

- Off-site affordable housing contribution (15% of units proposed = value of 66 units)
- Off-site greenspace contribution (£687,513.20)
- Public transport contribution/information (£28,500)
- Contribution towards on-street parking/waiting restrictions (£61,000)
- Travel plan (monitoring fee = £4,500)

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

1. Time limit.
2. Approved plans
3. Detailed 1:20 scale working drawings including cross sections.
4. Samples of all external finishing and surfacing materials.
5. Hard and soft landscaping details to be agreed.

6. Boundary treatments to be agreed.
7. Implementation and certification of landscaping.
8. Landscape management and maintenance.
9. Waste management storage and disposal, including recycling details and implementation.
10. External lighting details.
11. Details and installation and operation of mechanical ventilation.
12. Drainage details to be agreed (multiple conditions and to include no building over existing sewer unless first agreed)
13. Construction and traffic management plan to include noise, dust, construction routes, construction storage and parking, highway cleansing, hours of construction, hoarding of site.
14. Method statement for excavation detailing temporary and permanent works.
15. Visibility splays to be provided
16. Footways adjacent to site to be surfaced/repared post construction
17. Parking areas to be set out to agreed standards and provided prior to occupation
18. Security measures for entrances and basement levels.
19. Contamination reports (multiple conditions).
20. Television and Airwave reception study and mitigation.
21. Launderette not to be open to the public
22. No external mounting of equipment beyond envelope of buildings.

Reasons for approval: The application is considered to comply with policies GP5, GP7, N2, N4, N12, N13, N23, N25, T2, T5, T7, T24, H4, H9, H11, H12, H13, R1, BD2, BD4, BD5 of the UDP Review, as well as guidance contained within PPS1, PPS3 and PPG13. The proposal has been amended to resolve detailed planning considerations and having regard to all other material considerations is considered acceptable.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Panel for determination due to the scale of the building proposed and also following a request from Ward Councilor Hollingsworth, who is concerned about the traffic implications (particularly the lack of parking) and the potential for overlooking and loss of light. A Panel site visit is also requested.

2.0 PROPOSAL:

- 2.1 This is a revised application of an earlier scheme for a 14/15 storey residential tower on the site that was withdrawn by the applicant in 2006. The current application originally proposed a part 14, part 15 storey building containing mostly crashpads with off-street parking. However, the scheme has been revised and now proposes a building comprising of two towers (one 12 storey raising to 19, the other 24 storey raising to 26) separated by a glazed link and arranged in a 'T' shape. The building would accommodate 440 self contained units comprising of 357 crash pads, 63 studio flats, 16 x 1 bed flats and 4 x 2 bed flats. (Crash pads are small, self contained residential units where a single room is used for multiple uses including: living, cooking and sleeping. A separate bathroom is however provided)
- 2.2 Included within the building is a launderette, small residents gym and reception area at ground floor level. Off-street parking for 85 vehicles is to be provided via two basement levels served from Cromwell Mount. Secure cycle and motorcycle parking would also be available within the basement levels. A small, secure external communal garden area is also identified on the ground floor and pedestrian access would be via Cromwell Mount.

2.3 The applicant's rationale for pursuing this application despite submitting it in 2006, when a different economic climate existed, is that the accommodation proposed is primarily aimed at staff and students associated with St James Hospital. As this sector's requirement for accommodation is not thought to have altered as a result of the downturn in the economy, the applicant still wishes to pursue the scheme in the format proposed.

3.0 SITE AND SURROUNDINGS:

3.1 The application site is relatively small (circa 1590sqm) and is situated within the heart of Burmantofts. It previously contained a social club until it was demolished some years ago. The site is now vacant, devoid of any features, reasonably level and surrounded by security fencing.

3.2 The surrounding area is predominantly residential in character although the main services and community facilities for the wider area are situated adjacent to the site. Primarily these include the 2 storey health centre and 3 storey shopping precinct (ground floor retail – upper floors residential) which are immediately to the north and northwest on the site. To the east is the large grassed verge associated with Beckett Street (running north to south). Directly to the south beyond a small footpath is the gable end of a 2 storey end terraced property which forms part of Naseby Terrace which is wholly residential.

3.3 The surrounding residential accommodation is provided in a number of forms including 2 storey terraced properties to the south, 4 storey flat blocks mostly to the north beyond Lincoln Green Road and the larger flat towers which are between 10 and 17 storey's high and can be found in all directions in this part of the city. St James Hospital is to the north and Mabgate further to the west.

4.0 RELEVANT PLANNING HISTORY:

4.1 06/03419/FU – 15 storey high tower block comprising of 254 crashpads, 61 studios, 16 x 1 bed and 4 x 2 bed flats with commercial unit and car parking – Withdrawn 31/08/06

5.0 HISTORY OF NEGOTIATIONS:

5.1 The application has been the subject of extensive negotiations. Initial discussions concentrated on design and highway issues but have more recently focused on the level of S106 contributions to be secured.

5.2 Although the total height and scale of the development has grown from originally submitted, this was a response to design concerns about the building appearing bulky and squat relative to the site and its surroundings. As such, the accommodation is now provided in a more vertical form and results in a higher, but more slender building.

5.3 Highway discussions have focused on the potential for on-street parking to occur due to the relatively small number of parking spaces proposed. An extensive assessment of on-street parking controls in the area has therefore been undertaken to allow proper consideration of the issue as raised by many objectors. Comprehensive parking restrictions are now proposed to be delivered as part of the scheme.

5.4 On-site affordable housing is not to be sought as part of the application due to the small size of the units proposed and accordingly a financial contribution is necessary. The applicant agreed in principle to this but requested that viability could be considered later and if justified a lower level of contribution could be provided. This flexibility has not been accepted and an agreement to meet the full contribution is now proposed.

6.0 PUBLIC/LOCAL RESPONSES:

6.1 The application was originally advertised by site notices dated 23/10/06. The following responses were received:

Support -

1 letter stating that it is great see developer's investing in the area which is dominated by ALMO properties. The design is attractive and enhances the environment.

Objection -

19 objections (13 standard letters) have been received from surrounding households.

Costcutter Supermarket has also submitted a standard objection letter.

1 petition containing 218 signatures.

The main comments expressed are:

- Area already has high percentage of flats with more being built. The area is a building zone and more flats are not required.
- The block would be overbearing, out of character and dwarf others in the area.
- Building will cause overlooking and privacy problems due to its size and close proximity.
- Building will restrict daylight/sunlight and cause overshadowing.
- Existing sewer runs through the site and building would be over it contrary to Yorkshire Water's request. Serious environmental implications if drain collapses as it serves the whole street.
- Proposal will result increase vehicular traffic and on-street parking which are both already problems in the area. Existing parking restrictions are ignored.
- Proposed parking spaces are not adequate and well below UDP guidelines. Further highway surveys should be undertaken.
- Question the suitability of crashpads, even for key workers such as hospital staff. Occupiers are likely to be transitory and not contribute to the sense of community which exists.
- Crashpads might be used to house the homeless, which will result in anti-social behaviour. The area already suffers from these problems.
- No objection to the principle of redeveloping the site but not at the scale proposed. Family housing is required – the current scheme offers no benefits for the local community and is submitted purely for the developer's profit.
- Subsidence is a problem in the area – issue needs to be considered
- Existing GP clinic is full, additional residents could seriously impact on the services provided.
- Noise pollution will be a problem due to occupiers being young single people.
- 1 registered blind objector states that the existing traffic situation is very dangerous due to congestion, speeding and lack of crossing facilities. Scheme will only make things worse.
- Construction traffic will cause major disruption, including to pedestrian safety as footpaths become blocked around the site.

- Previous concerns relating to withdrawn application have not been overcome at all (similar to those now expressed)
- Launderette proposed but existing facility in shopping centre will be adversely affected.

6.2 Following the receipt of revised plans, the application was re-advertised by site notices dated 20/07/09. The following responses were received:

Objection –

Ward Councillor Brett – Whilst not opposed to development on the site, the proposals are too high and will block light to nearby gardens. Also concerned about traffic issues due to experience of the Bouverie Court development.

Ward Councillor Hollingsworth – 85 parking spaces is not adequate for 440 units. Those not allocated a space could park on street due to lack of restrictions. The Bouverie Court scheme has caused problems so a full and comprehensive permit parking scheme is required. Also concerned about the size of the building and overlooking and loss of light issues. Panel site visit requested.

130 objections received from separate households (117 are standard letters) and the Lincoln Green Residents and Tenants Association.

2 petitions (containing 23 and 201 signatures) submitted.

All the original concerns remain with the following additional comments made:

- Existing infrastructure can't cope with the increase in residents.
- Site could be put to better use.
- Many new Mabgate flats still vacant, more are not required.
- Development will result in air pollution.
- Developer doesn't care about the adverse impact on the local community.
- Extensions to the hospital and the new school have already created traffic congestion, the scheme will add to these problems.
- Affordable family homes are needed not more flats. Scheme doesn't address local housing needs.
- Lack of local consultation has taken place.
- Safety of children will be affected due to overcrowding of the area.
- Development is more suited to the city centre.
- Claimed social and economic benefits of scheme are vague and not supported with evidence.

7.0 CONSULTATION RESPONSES:

7.1 Statutory Consultations:

None

7.2 Non-Statutory Consultation

West Yorkshire Archaeology Advisory Service:

No archaeological implications

Yorkshire Water:

Water supply can be provided. If permission is granted, conditions recommended (including no building within 3m of the existing sewer which crosses the site unless first agreed)

Leeds Civic Trust:

Original comments - Object due to absence of evidence to show integration with local community. Scale of the building excessive and would cause overshadowing. Quality of the building is poor. Gateway to St. James so should make a positive contribution. No comments received to revised plans.

Highways:

Initial comments – Objection due to concern about the potential for on-street parking to occur as a result of the low number of spaces proposed. Comprehensive area wide parking control initiative is required. Detailed comments regarding cycle/motorcycle parking and access arrangements to the car parking.

Revised comments – Objection removed as contribution towards delivery of area wide on-street parking controls (£61,000) , bus stop improvements (£26,000) and real time facilities within the reception (£2,500), in conjunction with a travel plan overcome initial concerns. Conditions also recommended.

Environmental Health:

No objection in principle subject to conditions.

Land Contamination:

No objection subject to conditions to ensure the site is suitable for the end residential use proposed.

Police Architectural Liaison Officer:

Application site is situated within a high crime area. Access control measures are required to pedestrian and vehicle entrances. Car park needs to be secure and landscaping designed to allow natural surveillance. Lack of parking a concern due to potential for on-street parking to occur.

Travelwise:

Submitted travel plan requires detailed alterations before it can included within the S106. Monitoring fee (£4,500) also required.

8.0 PLANNING POLICIES:

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region setting out regional priorities in terms of location and scale of development. The application site is unallocated within the UDP and no specific RSS policies are relevant although the use of brownfield land for residential development is supported in principle.

8.2 UDP Review (adopted July 2006):

- GP5: General planning considerations.
- GP7: Use of planning obligations.
- N2: Greenspace hierarchy.
- N4: Provision of greenspace.
- N12: Seeks to achieve fundamental urban design objectives
- N13: Seeks to secure a high standard of design
- N23: Space around development should be attractively designed
- N25: Boundary treatments should be positive
- T2: New development and highways considerations.
- T2C: New development and Travel Plans.
- T2D: Public transport contributions.
- T5: Safe access for pedestrians and cyclists.

- T7A: Requirement for secure cycle parking.
- T24: Car parking provision.
- H4: Relates to residential development on unallocated sites.
- H9: Seek to ensure balanced provision of housing
- H11/H12/H13: Affordable housing.
- R1: Special policy areas for neighbourhood renewal.
- BD2: Design and siting of buildings should compliment and enhance surroundings
- BD4: Minimise the impact of plant and machinery
- BD5: Satisfactory level of amenity is provided for all.

8.3 **Leeds City Council: Supplementary Planning Guidance / Documents:**

- SPG3 Affordable Housing (adopted)
- SPG13 Neighbourhoods for Living (adopted)
- SPD Street Design Guide (adopted)
- SPD Public Transport Improvements and Developer Contributions (adopted)
- SPD Travel Plans (draft)
- SPD Tall Buildings Design Guide (adopted)

8.4 **Government Guidance:**

- PPS1: Delivering Sustainable Development
- PPS3: Housing
- PPG13: Transport
- Manual for Streets
- CABE and English Heritage 'Guidance on Tall Buildings'

9.0 **MAIN ISSUES**

1. The principle of providing residential accommodation on the site
2. The suitability of the site for a tall building
3. The building's impact on existing residents living conditions
4. The development's impact on the local highway network
5. The acceptability of the accommodation proposed
6. The package of S106 contributions offered
7. Third party comments

10.0 **APPRAISAL**

1. The principle of providing residential accommodation on the site

- 10.1 The application site is considered to be brownfield for the purpose of applying housing policy at both a national and local level. As such, the principle of providing residential accommodation on the site is acceptable. The site's location on the fringe of the city centre is also considered to be very sustainable in view of the services already available within the area and its positioning within an established community.

2. The suitability of the site for a tall building

- 10.2 The impact of tall buildings is a balance between the views it offers from various parts of the city, the quality of the design and materials proposed, its relationship to other taller buildings and its impact and relationship with its immediate surroundings.
- 10.3 To help reach a decision on the above issues, the Council has recently adopted an SPD relating to Tall Buildings. The key aim of the document is to provide more certainty about potential zones for tall buildings and to avoid further 'pepperpotting'

of tall buildings within other areas. Naturally, the document focuses on the city centre as the most obvious and appropriate location for such buildings.

- 10.4 In recognition that the application site is located outside of the document's main study area and is situated in more of a city centre fringe location, the officers responsible for drafting the SPD have been fully involved with the current application since it was submitted in 2006. In this respect, the visual analysis and overall methodology used to promote the current application are considered appropriate from an urban design perspective.
- 10.5 In assessing the methodology used, the area surrounding the application site is noted to be a part of the city which already contains numerous multi-storey buildings. These tall buildings, with the exception of those associated with the St James Hospital are all in residential use and can be split into 5 distinct groups around the site.
- 10.6 Building heights within the main 5 groups vary from 10 to 17 storey's and some clusters are more prominent than others despite having the same number of storey's due to the undulating topography and their relative positioning on the resulting peaks and troughs. In this respect, the introduction of another tall building in terms of its impact on the skyline and views into the city is considered to be acceptable in principle. The application site is also noted to be at the base of one of the local troughs and accordingly a higher building could potentially be accepted in terms of its impact on the skyline providing a quality design is achieved to ensure a landmark/gateway building is delivered.
- 10.7 With respect to the detailed design of the building and its impact on the character and appearance of the area, initial plans proposed a 14/15 storey building which was much larger in terms of its overall footprint and associated massing in comparison to other residential towers. This made the building appear squat and slab like despite its considerable height and was judged to be unacceptable from a design perspective. The original design also created a number of problems for local residents and accordingly a major redesign was undertaken following advice from senior design officers, including the Civic Architect.
- 10.8 In redesigning the scheme, the original form of the building has been simplified into two rectangular towers joined by a single, lightweight spine. The height of both towers has been increased allowing the overall site coverage to fall which benefits the immediate area by providing greater space at the base of the building. The revised design also more closely aligns itself to the other taller towers within the area and creates a more slender design.
- 10.9 The analysis and visualisations submitted with the application shows that the proposed building, despite being some 26 storey's high would be viewed within the context of other tall buildings within the area.
- 10.10 The two linked towers which make up the proposed building are different heights with the lower one fronting Beckett Street being 12 storey's raising to 19 and the higher one behind being 24 storey's raising to 26. The reason for the height difference and positioning is to help provide a better balance between the height increases to neighbouring properties and also to address overlooking issues. The sloping roof profile of each tower is to provide a striking and contemporary profile on the Leeds skyline rather than repeat the flat roof style used on existing towers. This aspect of the design is considered to link the two towers together in a coherent

manner and helps to deliver the building's landmark status from a design perspective.

- 10.11 In terms of elevational details, a basic window size is proposed throughout but the openings are arranged in a random and irregular pattern for the most part to provide variety and interest. However, within this general arrangement, strong architectural features are also proposed in key locations (e.g. corners, the linking spine and stairwells) to reflect the rational way the building is to be used internally. These features will also be apparent from long distance views and assist to break up the massing of the building. The combination of elevational treatments now proposed is supported by design officers.
- 10.12 With respect to external materials, the use of multiple colours has been avoided to enhance the simple form of the building. As such, a simple cladding system is proposed and white has been identified as the preferred colour. However, to provide contrast and articulation to the elevations green tinted glazing is proposed throughout. This simple approach to the use of external materials is considered acceptable and the final details would be secured by condition. Officers will also be mindful to secure a product which stays white as this is noted to have been a slight concern regarding some buildings in the past.
- 10.13 Although some officers have reservations about introducing such a tall building onto the application site, given its limited curtilage and immediate context, in the light of the significant design alterations which have been undertaken during the course of the application to achieve a landmark/gateway building, officers have decided that on balance the design approach now proposed can be supported.
- 10.14 Notwithstanding the above, one aspect of the building's design which has not been fully developed is its potential impact on the wind environment within the surrounding area. As such, the requirement to undertake a detailed wind study (and appropriate mitigation measures if considered necessary) is recommended for inclusion as part of the overall defer and delegate recommendation.

3. The building's impact on existing residents living conditions

- 10.15 The scale, massing, design and end use of the proposed building are all issues which are acknowledged as being potential areas of conflict for local residents in terms of impact on their living conditions if not properly considered. An assessment of the main issues identified within the objection letters and petitions is therefore provided including how the final design of the building has been modified to address these concerns. All highway related matters will however be discussed within the next section - section 4 of the appraisal.

Loss of light/overshadowing:

- 10.16 A sun path analysis showing various times of the day (and during the four seasons) has been submitted in support of the application in recognition that it would be located within a residential area.
- 10.17 It shows that's the building is orientated directly to the north of the nearest residential houses (those within Naseby Terrace) and accordingly no loss of direct sunlight or overshadowing to either the houses or their associated garden areas would occur.
- 10.18 The next nearest neighbours are the occupiers of the flats who live above the retail units which form the shopping precinct to the northwest. Here, an element of loss of light and overshadowing would occur, however the slender design of the building in

its revised form is such that any affects would be limited to the morning only and for a relatively short period of time in respect of individual properties. As such, a level of impact is not considered to be unusual even for domestic scaled properties and the impact is, on balance not considered by officers to be sufficiently great to warrant withholding planning permission.

- 10.19 A similar situation would also be experienced for the occupiers of flats beyond the shopping precinct and north of Lincoln Green Road due to the height of the building. Again, any affects would be limited to a small proportion of the day and would not be dissimilar to how the existing tower blocks impact on various properties within the area.

Overlooking:

- 10.20 In recognition that many occupiers of the proposed building would have a considerable height advantage in terms of being able to gain views of surrounding residential buildings and their curtilages, both the orientation and design of main windows has been carefully considered. Where separation distances are more critical, the use of screening interventions (e.g. obscure glazing/external fins, boundary treatments) are also proposed.
- 10.21 Notwithstanding the above principles, officers consider that the very nature of multi-storey buildings is that panoramic views will always be available and accordingly overlooking can never be completely eliminated. As such, there is considered to be a point within the height of a multi-storey building where the issue of overlooking becomes less critical because of the height involved and the resulting separation distance. In the case of the proposed building, that height is considered to have been reached at the 8th floor and above, which is a minimum of 22m above the ground floor level of the surrounding area.

South facing elevation -

- 10.22 Horizontal screening fins are proposed along part of the lower tower's southern elevation to help overcome residents concerns as these windows face towards Naseby Terrace. The fins, which consist of 1m wide aluminium louvres with fixed louvre blades (similar in appearance to the sun screens found on many office buildings) are to be angled according to the height to restrict views towards the terrace. The fins are only proposed from the 3rd floor up to the 7th floor as below this the proposed boundary treatment to the communal garden would provide adequate screening. Above the 7th floor a separation distance in excess of 25m is achieved to the nearest property.
- 10.23 With respect to the remainder of the southern elevation, the larger tower is noted to be closer to Naseby Terrace, however it only contains bathroom (recessed) or windows at the corner of Cromwell Mount (from floors 1 to 15) and accordingly overlooking is not considered to be a serious concern. Nevertheless, it is considered prudent to use obscure glazing to the corner windows up until the 8th floor to ensure that any limited views, however small are removed completely.
- 10.24 The above design interventions are considered to address the privacy concerns of the closest properties within Naseby Terrace. Beyond this, whilst views would be possible, the separation distances are considered by officers to be adequate and comparable with the situation already experienced as a result of the existing towers at the southern end of the road.

West facing elevation –

10.25 The positioning of the shopping precinct to the northwest of the site is such that some of the windows within the west elevation face towards the existing flats located on the first and second floors. However, the separation distance achieved is 24.8m which is in excess of that normally required (21m) between main windows as suggested within 'Neighbourhoods for Living'.

10.26 Notwithstanding the above, a small section of the precinct development projects out at the corner where Cromwell Mount turns through 90 degrees creating a pinch point of 18.2m. However, the main outlook for these corner flats is to the south and officers concern this closer relationship can, on balance be accepted from an overlooking perspective.

North facing elevation –

10.27 Currently, the site to the north contains a part single part 2 storey health centre with associated parking. This relationship has therefore been considered for the purpose of assessing overlooking.

10.28 The separation distances between windows associated with the existing health centre and those proposed in connection with the residential block range from 27.6m to 16.5m down to a short pinch point of 9.2m along the Beckett Street frontage. These distances, with the exception of the pinch point are considered to be adequate to provide future occupiers with an acceptable level of privacy.

10.29 With respect to the acceptability of the pinch point, it is noted to only impact on 2 crash pads on the ground and first floors. As the gap is also between windows associated with residential and business uses rather than residential to residential, this compromise is considered to be just about adequate and any future occupier would be fully aware on the situation prior to occupation. As the ground floor units could also be provided with further screening than currently exists through the introduction of a suitable form of boundary treatment, officers suggest this relationship can be accepted.

East facing elevation –

10.30 This elevation faces towards Beckett Street which has an open aspect and expansive grass verges. As such, the windows and external balconies associated with the larger units would not result in any overlooking.

Over-dominance:

10.31 The orientation of the proposed building relative to the properties within Naseby Terrace is such that the occupiers of the end terraced units (on both sides of the road) are likely to be the only one's that would have a view of some of the building from inside the respective houses.

10.32 In addition to the above, the existence of conservatories to the rear of Nos. 33 (end terrace) and 31 Naseby Terrace is acknowledged. Whilst some of the building would be clearly visible from inside these structures due their transparent nature, it is not considered reasonable to resist schemes for this reason due to the extensive views which are generally available.

10.33 With respect to the development's impact on the occupiers of the flats above the shopping precinct from an over-dominance perspective, as with the overlooking issue the separation distances are considered to be adequate and the corner flats main outlook is to the south so would not be affected.

10.34 There is a significant difference in height between the development and nearby properties and so the impact of the building in its setting is clearly a material consideration which must be taken into account in coming to a decision on this application. Overall officers on balance do not consider the impacts are so adverse when balanced against other considerations to warrant refusal.

Noise:

10.35 Some residents are concerned about problems with excessive noise as it is suggested the units are most likely to be occupied by young, single people. In considering this point, it isn't possible to accurately predict the demographic of future occupiers or indeed what sort of lifestyle they will lead. However, it is reasonable to conclude that a building containing the number of individual units proposed will result in considerable activity in the form of people coming and going.

10.36 Pedestrian activity to and from the building will clearly be focused at the Cromwell Mount Naseby Terrace corner to correspond with the position of the main entrance. However, there is nothing to suggest that this activity would be noisy and the applicant has indicated the reception area would be manned which should also assist. In addition, although the main gardens of the Naseby Terrace properties are in close proximity to the proposed entrance, the existing road divides the two sets of gardens and many have been altered (or in some cases completely removed) to provide off-street parking due to the absence of any vehicle access/parking provision to the front of the properties and the lack of privacy. As such, many of the areas already function more as front gardens than private rear gardens and all already experience considerable activity from pedestrians and vehicles due to the access road.

10.37 In terms of the potential for other noise to cause problems, it is difficult to envisage a situation whereby the activities within individual units would be allowed to escalate to a point whereby noise problems were experienced by existing residents without the occupiers within the building itself (or the management company) resolving them. This equally applies to the communal amenity space as a number of proposed units also face on to this area. Action could also be taken under environmental health legislation if persistent problems occurred.

10.38 With respect to noise from vehicle movements, this is not anticipated to be a problem due to the limited number of spaces proposed and the presence of on-street parking controls. All vehicle access and services requirements are in any event via Cromwell Mount which already provides access to the shopping precinct and the health centre. Within this context, the movements attributed to the proposed building are unlikely to be significant.

Security/Crime:

10.39 Some residents have suggested the security of the local community would be compromised if such a large number of people were to be introduced to the area. The suitability of the accommodation proposed will be discussed further in section 4 of the appraisal, however at a basic level providing the future occupants are all law abiding citizens (something which admittedly can't be guaranteed) the introduction of such a large number of residents to an area is likely to increase natural surveillance through increased activity which in turn may help reduce crime.

10.40 With respect to the building itself, a door control system for both pedestrian and vehicle entrances will be required and full details are recommended to be secured by condition. The manned reception is also a positive feature and all modes of transport (car, motorcycle and cycles) are noted to be securely stored within the basement

areas. Boundary treatment (also to be conditioned) would be designed to ensure the ground floor is adequately protected but still in a visually sensitive manner.

4. The development's impact on the local highway network

- 10.41 All objector's have raised concerns about the highway implications of the development, in particular the lack of parking proposed as only 85 spaces would serve 440 units. The background to residents concerns is that the area has historically suffered from heavy on-street parking due to the presence St James Hospital (and its associated demand for parking) and in more recent years due to city centre commuters using the area to avoid car parking charges.
- 10.42 In response to these problems, a number of residents parking permit schemes have been introduced over the years but unfortunately do not cover all surrounding residential areas. As such, the issue has never been fully resolved.
- 10.43 In the light of this background and being mindful that it would not be practical for off-street parking to be provided on-site in accordance with UDP standards, highway officers have always maintained that unless a comprehensive, area wide on-street parking/waiting restrictions are secured as part of any permission granted, the scheme could not be supported. Other measures aimed at discouraging residents from using private vehicles are also considered necessary and include the provision of secure motorcycle and cycle parking, improvements to local bus stops (including the provision of a real time display within the actual building) and entering into a comprehensive travel plan.
- 10.44 Following consideration of the above, highway officers have identified the areas where additional on-street parking/waiting restrictions are necessary and a plan for this has been put forward. The main area in need of on-street controls are the residential streets north of Lincoln Green Road up until St James Hospital itself. Inclusion of this area, in conjunction with on-going plans to review on-street parking controls around the entire hospital complex are considered to adequately compensate for the reduced level of parking associated with the development. In addition, limiting parking provision around the site also ensures the development would not have an adverse impact on the capacity of the local highway network.
- 10.45 All of the above requirements have now been met and accordingly highway officers are able to support the application. The relevant highway contributions are confirmed as follows:
- Contribution towards on-street parking/waiting restrictions - £61,000
 - Public transport contributions - £28,500
 - Travel plan and monitoring fee (£4,500)
- 10.46 With respect to residents concerns about construction traffic causing problems within the surrounding area, a number of conditions are recommended to control the likes of: contractors parking, deliveries, etc and should the application be granted.

5. The acceptability of the accommodation proposed

- 10.47 The schedule of accommodation proposed within the building is detailed below as are the approximate internal floor areas for individual units based on the typical layouts submitted with the application:

357 crash pads: Example 1 = circa 20sqm

Example 2 = circa 23sqm

63 studios: circa 30sqm

16 x 1 bed flats: circa 41sqm

4 x 2 bed flats: circa 59sqm

- 10.48 Looking not only at the proportion of crash pads proposed but also the size of each different type of unit, it is clear the applicant is not seeking to provide typical flatted accommodation. Within the supporting documentation submitted as part of the application, reference is made to a considerable shortage of self contained, easily affordable accommodation for single people within the area. The majority of the demand seemingly coming from staff and students associated with St James Hospital. The site's location on the fringe of the city centre is also noted and accordingly workers who are looking for cheaper accommodation than is generally available via traditional city centre flats may also be interested in residing at the scheme.
- 10.49 Many of the units proposed are small compared to more traditional flat developments and officers have questioned the appropriateness of the mix of accommodation proposed..
- 10.50 The applicant's response to this issue is that the development seeks to deliver a range of small units which would be suitable for individuals who currently have little option but to live in shared accommodation. As such, the scheme aims to promote a more balanced community as the area is currently dominated by larger flats and family housing. The agent also makes the point that although PPS3 promotes a mix of households, this is to be achieved across an area or community rather than via an individual planning application such as the type proposed (i.e. for a single building as opposed to a large housing site). In this respect, the development is not contrary to planning policy.
- 10.51 Notwithstanding the above, the applicant has suggested the internal arrangement of the building could be easily modified should the demand for the smaller units not prove as strong as originally anticipated. Larger flats could therefore be provided via the submission of a further planning application if required.

6. The package of S106 conditions offered

- 10.52 The proposed development comprising of 440 residential units clearly brings with it not only regeneration benefits for the area but also the requirement to make a number of significant S106 contributions.
- 10.53 The highway related contributions have already been discussed in section 3 of the appraisal.

Affordable housing:

- 10.54 The site is located within an area of the city where the policy requirement for affordable housing is set at 15%. As such, 66 units should normally be set aside as affordable units.

- 10.55 In view of the small size of the proposed units, the Registered Social Landlords are not willing to take on the units and accordingly a different approach to meeting the affordable requirement of the development must be taken.
- 10.56 In this case, an off-site financial contribution equating to the value of the 66 units (to be provided on a pro rata basis) will be secured for reinvestment into other affordable housing initiatives within the area.
- 10.57 The applicant has agreed to this request and there is no intention to allow viability to be considered at a later date within the S106. The reason for this is because officers consider the full delivery of the affordable housing contribution to be a key component of making the overall scheme acceptable.

Greenspace:

- 10.58 In accordance with UDP policy, all major residential applications should provide additional greenspace. However, where this is not possible, appropriate contributions should be sought to allow for the provision of either new areas or improvements to existing areas.
- 10.59 Although the scheme proposes a small communal garden area on the ground floor, it would not be available to the public and accordingly does not count towards the off-site contribution required. Based on the number of units proposed, the greenspace contribution is £687,513.20.
- 10.60 As with the affordable housing contribution, securing this contribution is a key consideration of the application.

Note:

All the identified S106 contributions have been considered against the 3 three legal tests introduced as a result of Community Infrastructure Levy legislation and which came into force on 6th April 2010 and are considered to comply.

7. Third Party comments

- 10.61 The majority of the comments made in the letters of representation or petitions received have already been addressed in earlier sections of the appraisal. The following responses are nevertheless provided to the main points which have not been mentioned:

Building over the sewer – Yorkshire Water have recommended attaching a condition which requires the developer to gain permission in advance of building over the existing sewer. The use of such a condition is common and accordingly there are no grounds to resist the development for this reason. The relevant condition is recommended.

Subsidence problems – This is a building control matter and would be dealt with via a building regulations application should the application be approved and subsequently built.

Existing GP is full – The availability of GP services is a recognised problem however the Council does not have any specific planning policies which address this issue. As such, the application could not be resisted for this reason.

Launderette proposal – It has not been suggested the launderette would be open to the public in competition with the existing commercial launderette and accordingly

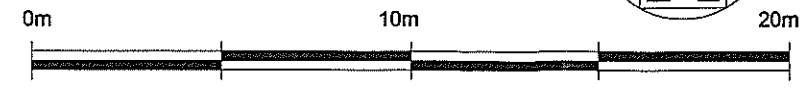
the existing facility within the shopping precinct would not be adversely affected. A condition is recommended to ensure the launderette is not available to the general public.

11.0 CONCLUSION:

- 11.1 This proposal for a tall building has been developed in accordance with the main principles contained within the relevant design guidance and following a detailed contextual appraisal of the area. Regard has been paid to the existing tall buildings within the area and how the development would impact on both its immediate surroundings and the Leeds skyline in general.
- 11.2 The main amenity concerns as expressed by local residents are considered to have been addressed through a combination of the design alterations carried out to the scheme throughout the application stage, the use of appropriate planning conditions or the contributions and measures to be secured via the S106.
- 11.3 In the light of these considerations and the potential regeneration benefits associated with a development of this scale from the development itself and the substantial sums generated for investment in affordable housing and greenspace, the application is recommended for approval in principle. It should be noted by Members that this decision has been reached on balance and follows an extensive period of consideration and negotiation which has taken over 3 years to get to this point. In reaching a decision on this application Members are asked to weigh the regeneration benefits which are likely to result if the scheme proceeds against the potential impacts of the building on this part of the city arising from its height and design and the type of residential accommodation to be provided given the character and context of the local area around the site.

ACCOMMODATION SCHEDULE:

2 BED:0.91%	4
1 BED:3.64%	16
STUDIOS:14.3%	63
CRASH PADS:81.14%	357
TOTAL: 440 UNITS	(85 CAR PARKING)



- REV A: ACCESS ROAD INTRODUCED TO ALLOW ACCESS TO LOWER LEVELS. CAR PARKING NUMBER AMENDED TO REFLECT THIS. NRM. 15-08-06
- REV B: ACCESS ROAD INTRODUCED TO ALLOW ACCESS TO HIGHER LEVEL ONLY. CAR PARKING NUMBER AMENDED TO REFLECT THIS. NRM. 11-09-06
- REV C: COMMERCIAL AREA TITLE AMENDED TO LAUNDRETTE. NRM. 03-10-06
- REV D: GENERAL LAYOUT AMENDMENTS TO ACCOMMODATE LPA AMENDMENTS 10-06
- REV E: GENERAL LAYOUT AMENDMENTS TO ACCOMMODATE LPA AMENDMENTS; ACCOMMODATION INTRODUCED AND GARDENS AT GROUND FLOOR. ENTRANCE AREA AMENDED AT LPA REQUEST. NRM. 10-10-07
- REV F: MINOR LAYOUT AMENDMENTS TO ACCOMMODATE. NRM. 12-10-07
- REV G: GENERAL LAYOUT AMENDMENTS TO ACCOMMODATE LPA COMMENTS. NRM. 05-02-08
- REV H: GENERAL LAYOUT AMENDMENTS TO ACCOMMODATE LAUNDRETTE FACILITY AND CAR PARK AMENDMENTS IN BASEMENT. NRM. 03-03-08
- REV I: GYM FACILITY ADDED ON GROUND FLOOR. NRM. 06-03-08
- REV J: BUILDING PLAN REVISED TO RELECT LPA DESIGN COMMENTS. 19-03-08.NRM
- REV K: BUILDING PLAN REVISED. 16-04-08.NRM
- REV L: ACCOMMODATION SCHEDULE AMENDED. 16-05-08.NRM
- REV M: MINOR AMENDMENT TO PLAN TO REFLECT LPA COMMENTS. 22-08-08.NRM

REVISIONS

This design is copyright ©

LINCOLN GREEN PARTNERSHIP LLP

MULTI-STOREY DEVELOPMENT

BURMANTOFTS

GROUND FLOOR ACCOMMODATION AND ENTRANCE AREAS

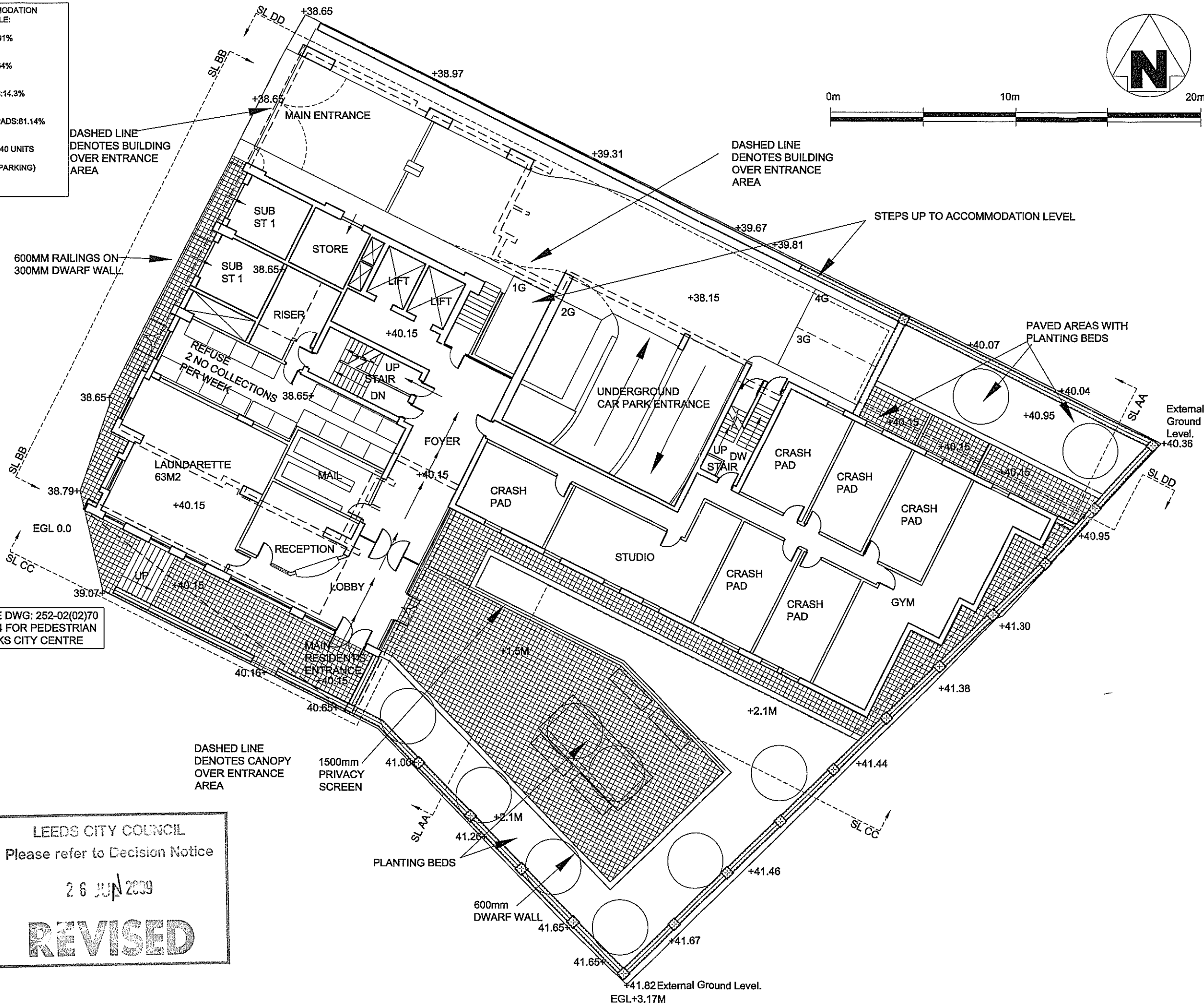
Drawn: NRM Scale: 1/200@A3
 Date: 21-09-05 Checked:

brewsterbye architects

5 NORTH HILL ROAD
 HEADINGLEY
 LEEDS
 LS6 2EN

Telephone: 0113 2754000
 Facsimile: 0113 284250
 e.mail: info@brewsterbye.co.uk

Dwg No: 252/02(02)20 M

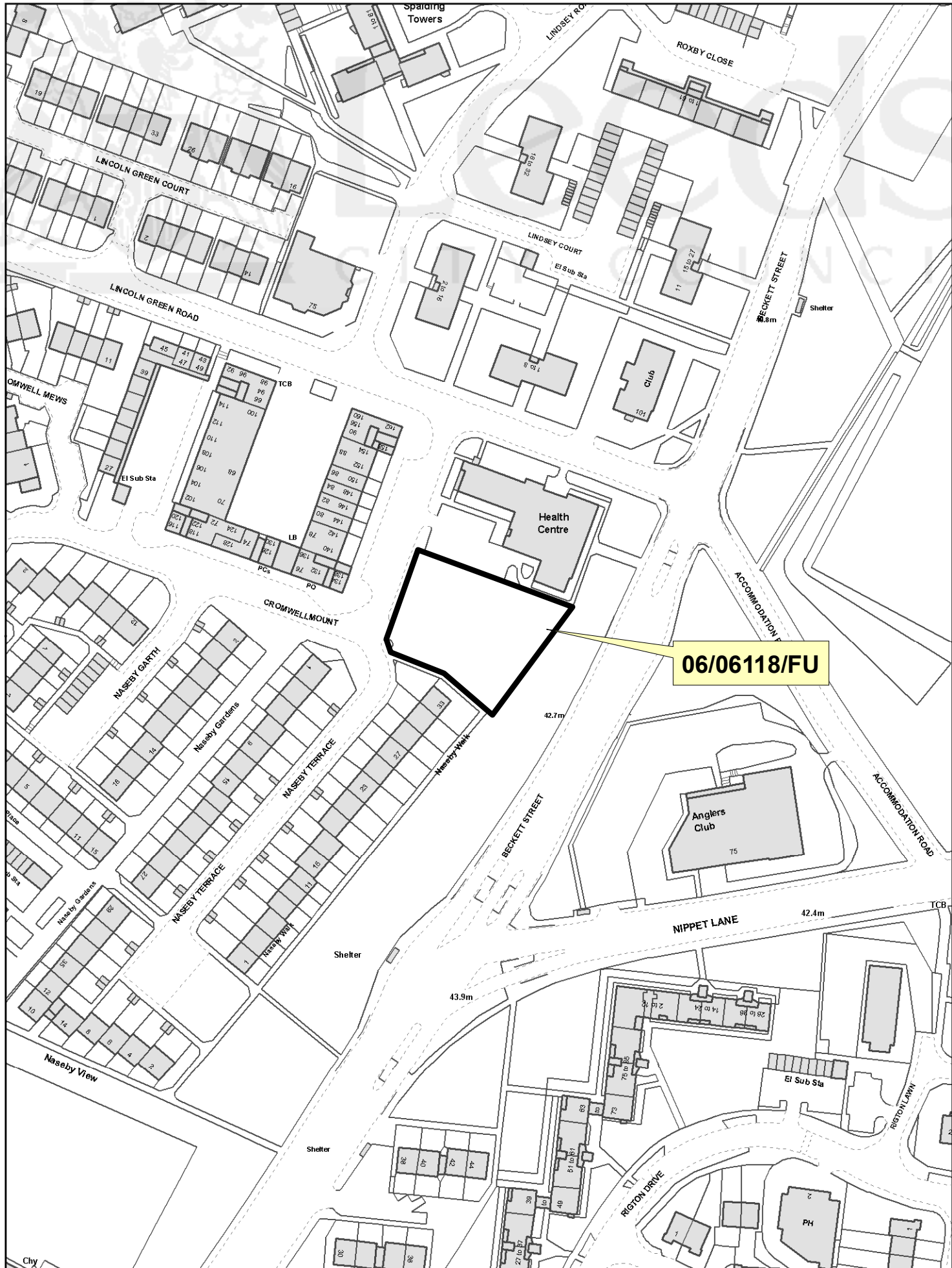


SEE DWG: 252-02(02)70 & 74 FOR PEDESTRIAN LINKS CITY CENTRE

LEEDS CITY COUNCIL
 Please refer to Decision Notice

26 JUN 2009

REVISED



EAST PLANS PANEL

Scale 1/1500

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL
 This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567

