

# City Plans Panel

21<sup>st</sup> November 2019

(Supplementary Information)

Agenda Item No. 9 –  
Student Accommodation - Oak House,  
Park Lane, Leeds, LS3 1EL

This page is intentionally left blank



Originator: Paul Kendall

Tel: 2224409

## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

Date: 21st November 2019

**Subject: ERECTION OF BETWEEN 3 AND 6 STOREY BUILDING PROVIDING PURPOSE BUILT STUDENT ACCOMODATION COMPRISING 188 STUDENT ROOMS IN BOTH CLUSTER FLATS AND STUDIO FORMAT WITH ADDITIONAL COMMUNAL FACILITIES AND LANDSCAPING. APP.REF. 19/04278/FU AT OAK HOUSE, PARK LANE, LS3 1EL**

**APPLICANTS: Maple Grove Developments and Rushbond PLC**

#### **Electoral Wards Affected:**

**Little London and Woodhouse**

Yes

Ward Members consulted

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to expiry of the publicity period and the specified conditions attached to this report at Appendix 1 (and any others which he might consider appropriate) and also the completion of a Section 106 Agreement to include the following obligations:**

- 1. Restriction on occupancy to full-time students only during term times**
- 2. Travel Plan Review Fee of £3528**
- 3. Local Employment & Skills Initiative; and**

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

## **1.0 BACKGROUND**

- 1.1 Members will recall considering this application at City Plans Panel on 31<sup>st</sup> October 2019. The report is attached at Appendix 2 and this contains the site description, planning history, and policy background. This current report should therefore be read as an update to the original. The draft minutes of the October Panel meeting are included as part of the agenda. At the October Panel meeting the principle of

student development was accepted. However, the item was deferred for further work to be undertaken on the following matters:

- Improve the quality of the design
- Reduce the impact on the open space at the western end of the site
- Introduce more landscaping and greening around the building itself
- Protect the amenity of ground floor occupants
- Provide better pedestrian access to the rear on Hanover Avenue

1.2 Officers have been working with the applicant's team to address these issues and this report sets out the work that has been undertaken and officer's considerations of the revisions.

1.3 Background to the proposal has been provided stating that the scheme has been developed along-side Unipol, who have provided a letter of support for the development set out below in para 4.2. Unipol are a Leeds based registered charitable company specialising in student housing. Its members, who form part of the Board of Trustees, are the University of Leeds, Leeds Beckett University, their respective student's unions and Bradford College. They also provide an advice and information service on non-University halls and the private rented sector to 16 educational institutions, including both of the Leeds Universities.

1.4 Unipol works closely with Leeds City Council in the promotion and improvement of housing standards, it operates the Leeds Standard and runs two approved National Codes for Purpose Built Student Accommodation (PBSA). Under this code Unipol accredits 360,000 bed spaces. In Leeds this number is 19,504 in PBSA's and 12,677 in HMO's. Unipol houses just under 3,000 students in Leeds in properties either owned or leased by the charity itself and it has a housing management team of over 40 staff.

1.5 Unipol has an agreement with the developer to lease the building for a period of 25 years from 1<sup>st</sup> September 2021 at which point it would be responsible for all aspects of the building including its letting, maintenance and management. Officers understand that the programme is driven by the need to meet this opening date.

## **2.0 REVISIONS MADE TO ORIGINAL SCHEME**

2.1 The following revisions have been made to the scheme following the concerns expressed by Members at Panel in October. These have been separated out into distinct sub-headings for clarity:

### Revised Design

- The Pavilion now has greater brick detailing including additional string courses.
- Brick banding detail has been included at the lower levels to better define the plinth.
- Embellishing the elevations with greater layering and depth to the reveals.
- More windows have been added to the Pavilion to increase the 'void to solid' ratio
- The proportionality of the windows and details of transoms and mullions better reflects traditional Georgian proportions.
- All dormers have been amended to be square headed, rather than triangular gable ended, to better reflect the detail on the adjacent listed buildings.

- Use of powder-coated zinc with standing seam for additional elements of the elevation on Park Lane to reduce the extent of visible brick.

#### Open space

- The sub-station is to be repositioned and planted to the side and will have a green roof
- The boulevard of trees (12 no. in total across the site with 9no. in the boulevard) will be planted with additional bulb planting within the bank
- The hedge to the top of the bank will be improved to infill the existing gaps
- The western elevation of the building to have a living wall facing out over the open space in order to provide a green end to the building. Windows reduced in number to offer greater wall area to contain growth.

#### Landscaping around the perimeter of the site and on the building

The following additional planting has been included in the scheme:

- Wall climbing planting on the terrace above the entrance
- Wall climbing planting on the western elevation facing out over the open space (as above).
- A hedge around the light-well area in front of the western end of the building
- Ground planting within a planter on Hanover Avenue between the building and the retaining wall
- The opportunity to provide ground planting to the east of the Pavilion fronting Hanover Square West is also being considered and would be subject to a highways licence.

#### Amenity of Ground floor occupiers

Each of the ground floor window states has been analysed:

- Rooms raised above street level will have railings used at the lower part of the window to obscure views in, as well as fritted glass behind the railings to obscure views still further.
- Rooms level with or lower than the street are protected by a zone of separation delineated by either railings, a planted hedge or planting.

#### Hanover Avenue

The applicant has agreed to resurface the highway as a pedestrian priority space from a minimum of 5m back from the Hanover Square junction as far as the 90 degree bend in the road to provide a link to Kendal Walk. Details to be agreed with the Highways Authority.

- 2.2 As a result of these changes it was considered necessary to re-advertise the scheme on site. This has been carried out and the notice expires after the date of Panel.

### **3.0 CONSULTATION RESPONSE**

- 3.1 Highways Services: Consider that the use of a shared surface on Hanover Avenue is acceptable subject to: it being no closer than 5m from the stop line with Hanover Square West, details of the surfacing materials to be used and the provision of a raised pedestrian route to delineate a 2m pedestrian footway which would need to be agreed.

Planting on the Hanover Square West frontage would have to ensure that landscaping within the piece of land remains less than 0.6m in height for a distance 1-1.5m from the back-edge-of-footway in order to protect visibility from the adjacent junction. This would be included in the S278 works and could be conditioned.

## **4.0 RESPONSES FOM PUBLIC**

4.1 In addition 2 further letters of support have to be reported:

4.2 From Unipol, the future operator, which states the following:

- Unipol is a registered charitable company specialising in student housing based in Leeds.
- They house just under 3,000 students living in Leeds across a range of accommodation types.
- They wish to open this scheme for the start of the 2021 student year on 1<sup>st</sup> September.
- Unipol would, in part, manage the scheme from a designated office within the scheme.
- Unipol has good relations with the Little Woodhouse Residents Association who were consulted at a very early stage about this proposal.
- Unipol runs a programme of social events throughout the year to promote wellbeing and advice provided by trained staff.
- The on-site work room can also be used for meetings including being made available for use by the local community association.
- Unipol have an objective to provide affordable accommodation.
- They consider that the design of the scheme is of very high quality.

4.3 From the occupier of 22 Kendal Walk who commented on the original scheme and supported the variation in brick tones to help to break up the potential monolithic appearance of the proposal.

## **5.0 KEY ISSUES**

5.1 Revised design  
Open space  
Landscaping around the perimeter of the site and on the building  
Amenity of ground floor occupiers  
Footpath width to Hanover Avenue

## **6.0 CONSIDERATIONS**

6.1 Revised design  
The scheme has clearly been amended to provide more visual interest. Whereas the previous proposal was a simple interpretation of a terrace of properties, the proposal has responded to Members comments by significantly increasing both the amount of detail included on the elevations and the amount of fenestration on many parts of the primary elevations as well as embellishing the elevations with greater layering and depth to the reveals.

6.2 The increased window numbers and proportions has the effect of reducing the areas of brickwork which increases the void to solid ratio thereby visually lightening the weight of the building with the revisions to the window glazing bars and increased reveals creating an additional level of layering and visual interest.

6.3 A greater level of brick detailing has been introduced. This detailing again provides visual interest but also helps to provide a greater relationship to the adjacent buildings which sit within the conservation area. This detail also further emphasises

the base, middle and top of the building which is a characteristic in evidence in the area, defined by a change in materials or a greater level of rustication in the brickwork.

- 6.4 New elements have been clad in powder-coated zinc in order to reduce the amount of brick but not increase the palette of materials being used, as this material also forms the roof cladding. Where it has been used on the primary elevation adjacent to the Pavilion, this has been done to emphasise the dominant corner element. It also demarcates one of the two entrances to the building on the Park Lane frontage. The powder coated zinc is used for a second time to the west of this on one of the building facets, again to reduce the extent of brickwork on view. The main entrance area will be planted and this sits below the open terrace.
- 6.5 The use of square topped dormers is a response to further studies of the area which showed that they are equally as prevalent as those with pitched roofs. It is considered that these respond better to the revised elevational treatment and are acceptable.
- 6.6 Open Space  
Members considered that the scheme needs to be pulled back from its extension into the open space. It is currently an embankment with a relatively steep pitch and provides visual amenity rather than useable open space. The scheme would result in the loss of 19% of the embankment space.
- 6.7 The applicant has expressed concerns re marketability as any reduction in footprint without an increase in height, would reduce the total number of student bed spaces which the site would be capable of providing. As previously stated, the applicant is partnered by Unipol in this proposal whose requirement for a certain number of units gives rise to a specific rental level, which would increase if the number of rooms were to be reduced.
- 6.8 The very western end of the building is important in design terms as it provides a stepping down in the mass to a more domestic scale and avoids the creation of a blank 4 storey gable end. The loss of this element would therefore have a detrimental impact in townscape terms. A green planted climber wall has been introduced at the western elevation to give the appearance that the horizontal landscape treatment is wrapping vertically up the building onto the elevation itself.
- 6.9 Part of the green space is lost through the provision of a sub-station. The location of this has been reconsidered in order to minimize as much as possible the land taken to provide the facility. (Note: this has to be accessible from the highway by operational vehicles that are required to service the facility – i.e. it is not possible to locate the facility at the rear of the building and for operational and residential amenity reasons it cannot be incorporated into the building itself). The intention is to plant around the sides of this facility as well as provide a green roof, so that it is screened from view on as many sides as possible. The careful choice of surface treatments will be used to mitigate the effect of the hard-standing, this feature being an operational requirement of such a facility.
- 6.10 The open space is to be enhanced by the planting of the 12 additional trees, low level planting and the fully restored hedge at the top of the embankment. This considerably improves the appearance of the landscaping in the area to the benefit of passing pedestrians in accordance with the objectives of Core Strategy Policy P10. The combined effect of the planting will ensure that the scheme makes a

greater contribution to bio-diversity and climate change objectives through the capture of air-borne particulate matter and CO2.

6.11 Increased landscaping around the perimeter of the building

There has been a move to provide as much landscaping around the perimeter of the building as possible. The use of planters, hedges and wall climbing plants is welcomed and will provide additional greenery which serves to make the site look more attractive as well as provide separation of the ground floor units from the surrounding pedestrian footway. The use of appropriate species will also help to ensure that the scheme meets climate change objectives by removing particulate matter from local air and provide habitats for a diverse range of species.

6.12 Given the above it is considered that the proposed works represent an improvement to the visual quality and bio-diversity of the site.

6.13 Amenity of ground floor occupiers

Members expressed concerns regarding potential conflict between passing pedestrians and ground floor student rooms. The character of the area is of buildings which are located close to the street frontage, either fronting onto the highway itself or set back behind railings which in some cases encloses a light-well or planting. In the proposal a number of mechanisms are being employed to ensure the potential for conflict has been designed out as much as possible. The applicant has also taken advice from Unipol on this matter which, as stated above, are used to managing a range of student accommodation types in the city.

6.14 Cross-sections have been provided of all scenarios that exist at ground floor level. These include dimensions marked on the drawings to provide clarity. This shows that rooms are protected by the following:

- Rooms raised above street level have railings used at the lower part of the window to obscure views in as well as fritted glass behind the railings to obscure views still further.
- Rooms level with or lower than the street are protected by a zone of separation delineated by either railings, or planting.

6.15 The applicant has stated the following in respect of Unipol's position on this matter:

'A primary concern of Unipol as operator of the proposed development is to protect the health, wellbeing and security of their residents. Unipol have no concerns regarding the design of the scheme in this respect and, indeed, have been actively involved in ensuring that a private and safe environment is created. It is recognised that the arrangements are no different to those seen within Hanover Square, for example, where Unipol operate HMO's without any issues concerning privacy and safety.

The physical measures introduced will create a clear differentiation between public and private space, which alongside other measures, including monitored CCTV, will ensure the security and safety of residents. Moreover, the retention of lower level accommodation, as opposed to blank, un-utilised spaces at ground floor level creates levels of natural surveillance which deter anti-social behaviour to the benefit of the scheme and wider area. Removal of any ground floor accommodation would necessitate increased density to maintain bed space numbers, and would undermine the amenity of the area by creating a bland, underutilised frontage more akin to the poor quality environment prevailing on site.'

Having analysed the various relationships which the rooms have to the external environment, officers consider that in each of the cases presented, the amenity of the occupiers is protected to a sufficient level to be considered acceptable.

6.16 Footpath width to Hanover Avenue

To provide some background to this, the site currently has an awkwardly located access point to the upper car parking deck on Hanover Avenue which is directly on the back edge of footway and at the top of a steep incline with very little inter-visibility between drivers and pedestrians. This would be removed by the proposal. In addition the scheme would involve a considerable package of highways works in the vicinity of the site which are designed to improve the safety of the public highway to the benefit of all pedestrians, not just those using the application site. These works were referred to in the original report but are set out here for clarity:

- Realignment of the highway on Park Lane
- Provision of a 2m wide footway to either side of Park Lane and Hanover Square West
- Provision of a layby on Park Lane to provide adequate facilities for drop-off and pick-up as well as servicing.
- Traffic calming measures on Park Lane (speed table and speed cushions) as well as associated signing and TRO's and a reduction in speed limits in the area to 20mph

6.17 Because of market requirements and a specific brief from Unipol it is not possible to find the space on the site to provide a public footway along the southern side of Hanover Avenue as this would simply reduce the width of the site by too great an extent and result in the loss of a significant number of rooms. Having further considered the proposal's impact on Hanover Avenue, the use of the road is as a rear access for the properties fronting Hanover Square West and Kendal Rise. It is not a traditional 'through route' in that it actually leads back round to Hanover Square West at its northern end.

6.18 Therefore, it is considered possible to prioritize pedestrians for the section of highway starting a minimum 5m from the junction with Hanover Square West through to the 90 degree corner where Kendal Walk intersects the road. This section would be resurfaced in a material which would send out the message that pedestrians would have priority. Given the steep gradient at the eastern end of the road and the 90 degree blind corner at the western end it is unlikely that vehicles would be moving at speed along this stretch of highway in any case.

6.19 The applicant has agreed to resurface the area with the full details being subject to agreement with the highways authority regarding the extent and type of surfacing. The details of this can be controlled by a planning condition which covers all of the highway works proposed. Therefore, a dedicated 2m wide footway running along the northern side of the site is not considered to be a sufficient reason to resist the proposal in this case.

**7.0 CONCLUSION**

- 7.1 As set out above, a considerable number of revisions have been made to this proposal in response to Members comments. It is considered that these responses are positive in every case and have resulted in a building which sits well in its setting both at the eastern end, where it is adjacent the conservation area and listed buildings, but also relates well to the curving form of Park Lane through the use of the faceted elevations. The open space at the western end will receive a greater level of landscaping to the benefit of the street scene the wider area and bio-diversity and climate change objectives.
- 7.2 The resurfacing of the pedestrian highway will improve the pedestrian environment on Hanover Avenue and this is in addition to the extensive package of highways works that is to be provided by the applicant which is intended to improve pedestrian safety in the wider area. In addition the resurfacing would improve the visual appearance of this part of the street. The amenity of the rooms fronting onto the street have been analysed and officers are satisfied that, given the package of works to the perimeter of the building, standards of internal amenity are acceptable.



---

**Report of the Chief Planning Officer**

***CITY PLANS PANEL***

**Date: 31st October 2019**

**Subject: ERECTION OF BETWEEN 3 AND 6 STOREY BUILDING PROVIDING PURPOSE BUILT STUDENT ACCOMODATION COMPRISING 188 STUDENT ROOMS IN CLUSTER FLATS AND STUDIO FORMAT WITH ADDITIONAL COMMUNAL FACILITIES AND LANDSCAPING. APP.REF. 19/04278/FU AT OAK HOUSE, PARK LANE, LS3 1EL**

**APPLICANTS: Maple Grove Developments and Rushbond PLC**

---

<p><b>Electoral Wards Affected:</b></p> <p>Little London and Woodhouse</p> <p><input type="checkbox"/> Yes Ward Members consulted</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
---	--

---

**RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to expiry of the publicity period and the specified conditions attached to this report at Appendix 1 (and any others which he might consider appropriate) and also the completion of a Section 106 Agreement to include the following obligations:**

- 1. Restriction on occupancy to full-time students only during term times**
- 2. Travel Plan Review Fee of £3528**
- 3. Local Employment & Skills Initiative; and**
- 4. Any other obligations which arise as part of the application process**

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

**1.0 INTRODUCTION:**

- 1.1 This application is for a student residential scheme comprising 188 bed spaces, arranged in both cluster flat and studio format, with associated communal living

facilities and landscaped area. This would require the demolition of the existing 5 storey office building, Oak House, and associated 2 storey car park.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The Oak House site is 0.22ha and is located to the west of Leeds City Centre. The site is bounded by Park Lane and Belle Vue Road to the south and Hanover Avenue and Kendal Rise (and associated public footpath Kendal Walk) to the north. The existing building Oak House is a 5 storey 1970's office building, with unrelenting linear elevations, a flat roof and is faced in red brick. To the west lies an existing tapering grassed embankment which is part of the application site. The site is also located in close proximity to the Hanover Square/Woodhouse Square Conservation Area, although just outside the boundary. The Conservation Area contains a number of Grade II & II\* listed buildings, the closest of which are the terrace of residential properties at 37-40 Hanover Square which is just to the north of the site (Grade II listed).
- 2.2 Also to the north of the site is the residential area of Kendal Rise, with No. 6 Kendal Rise having its side gable elevation facing south over the embankment part of the application site containing 3 small windows, one each at ground, first and roof apex level. This elevation is itself an addition to the original property which extended the house to its southern boundary, thereby bringing it closer to the application site. The rear amenity space of 6 Kendal Rise is also unusual in that it is located on top of a flat rooved single storey garage which affords it elevated views. To the north of this no. 5 Kendall Rise has an area of rear amenity space which is screened from the rear of its neighbour by a mature planting strip along the common boundary.
- 2.3 Hanover Gardens runs immediately to the north of the remainder of the site. A low 2 storey commercial building and its car park and the flank gable of the listed Hannover Square terraces completes the run of development immediately to the north of the application site, all of which are on higher ground. The gable of the listed building is set back from the road by 4-5m and contains 2no. windows at ground level, 1no. window at first floor level and a further window at second floor. There is also a small area of private amenity space containing steps down to a semi-basement level and this is surrounded by a low wall.
- 2.4 To the east is the currently under construction conversion of the Ahlul Bayt Cultural Centre. To the south, beyond Park Lane, is the rear elevation of the five-storey telephone exchange building fronting Burley Road. To the west of the telephone exchange, beyond Rutland Mount, is the student residential scheme under construction at 46 Burley Street which is expected to complete for the start of the student year 2020. Further west is the site of the scheme approved by Members at City Plans Panel on 9 May 2019 for 88 student bed spaces between Park Lane and Belle Vue Road adjacent Concept House.

## **3.0 PROPOSAL**

- 3.1 It is intended to demolish the existing 5 storey building and car park, and to construct a building of between 3 and 6 storeys. The building would contain 188 student bed-spaces with the two entrance points to the building located on the southern elevation. The student accommodation commences at ground floor level where 3 cluster flats containing 17 bedrooms (15 of which face the street – 2 face the rear) and 2 studios, which also front the street, are to be located. In the upper floors all of the space is given to student accommodation with rooms facing both north and south.

- 3.2 The 188 bed spaces are broken down as follows:
- 9 no. studios – 21sqm – 26sqm, average 22sqm
  - 179 no. cluster bedrooms of 13 sqm each set out in the following way:
    - 1no. 4 bed cluster 94sqm
    - 7no. 5 bed cluster 113-130sqm
    - 15no. 6 bed cluster 125-135sqm
    - 6no. 7 bed cluster 145-160sqm
    - 1no. 8 bed cluster 166sqm

The clusters would have a kitchen/amenity space of size ranging between 21-35m<sup>2</sup> depending on the size of the cluster. There is also a communal space at ground floor level of 200sqm some of which would be made available to the Little Woodhouse Community Association as community meeting space. There are also secured cycle and refuse storage areas within the building and plant rooms all contained at ground floor level.

- 3.3 In respect of the design, the proposal is for a building of between 3 and 6 storeys, with an unusual thin linear footprint set out along the inside bend of the road as it curves to the north. The full height of the scheme is visible from the south. To the north, the height of the building is reduced due to the rise in the surrounding ground levels which reduces the perceived height by one to two floors. The scheme requires the realignment of a part of the retaining wall at the rear which requires the loss of one tree.
- 3.4 On Park Lane the elevation is approximately 90m long and is faceted to follow the curve in the road. There is also a break in the elevation to align with Hanover Avenue to the north and this allows glimpse views through the scheme which avoids the building being seen as one unrelenting frontage. This gap provides the opportunity for a small communal external courtyard space at 1<sup>st</sup> floor level for the residents, next to which will be located a wall climber planting bed to provide greenery at the upper floor levels.
- 3.5 The building would be primarily of red brick, with different shades used to accentuate the feel of separate townhouses, and reflect the historic nature of development within the Conservation Area to the east. The building heights are varied to further support the appearance of a terrace of properties. The roof has a generally consistent form with a pitched, standing-seam, metal roof containing dormers set behind a small parapet wall designed to conceal the drainage channel.
- 3.6 The appearance of a terrace is repeated on the northern elevation but at a reduced scale, where the street width is tighter. This frontage is not as prominent, only being visible from the properties to the north and Hanover Avenue. The proposal is one storey lower than the existing Oak House and is approximately 8m away from the residential property at 6 Kendal Rise which is 4m closer than the existing building at its closest point. The proposal has been designed to avoid any overlooking at this point through the use of angled windows and obscure glazing.
- 3.7 The eastern elevation faces Hanover Square West and is seen in the context of the adjacent listed buildings. It is designed to act as an end stop to both the listed properties, as they cascade down the hill, and the proposal itself, at its easternmost extent. This part of the building has been termed 'The Pavilion' by officers. The architectural treatment of 'The Pavilion' has 3 facades which turn the corner, using the same architectural language to resolve the 2 primary road frontages and the 3<sup>rd</sup>

to the rear. The details and spacing of the windows have been taken from the detailing of the adjacent listed buildings in order that the composition of new and old sit well together in the street scene. Brick faced dormer window projections are located on the north and south facing elevations which terminate the roof and parapet composition providing a defined 'top' to the composition.

3.8 The proposals will require removal of three trees currently constrained within pits on the Park Lane frontage, and one to the rear of Oak House on the retaining embankment referred to above. In accordance with the Council's policy requirement of a 3:1 replanting ratio, this will be off-set through the planting of 12 new trees on the grass embankment, including an avenue of nine trees to the Belle Vue Road frontage along with the making good of the hedgerow to the north of the embankment. New low level planters will also be included along part of the Park Lane frontage. The combined effect of the planting will ensure that the scheme makes a greater contribution to bio-diversity and climate change objectives through the capture of air-borne particulate matter and CO<sub>2</sub>.

3.9 The proposal is for no parking or vehicular access to be included on the site. In light of existing pedestrian desire lines across the site frontage, and the anticipated increase in such movements arising from the proposed development, the applicants have included enhancements to pedestrian safety in the immediate area. This would provide the following:

- The realignment of Park Lane to the south to enable a lay-by to be introduced.
- The lay-by on the Park Lane frontage at the eastern end of the site for servicing and deliveries to the site as well as use for student drop-offs and pick-ups at the start and end of term and taxis during term time.
- The creation of an even running lane on Park Lane which results in slightly wider pavements in certain locations
- Speed control table on Park Lane which would also act as crossing points.
- An extension to the existing 20 mph speed restrictions to cover the whole frontage on Park Lane.
- The provision of pedestrian crossing points on road junctions
- Improved footway widths to Hanover Avenue

3.10 These improvements, maintain 2m pavement widths along the Park Lane Frontage in front of the new building line which addresses the gentle curve in the Highway alignment. This will require land to the south of the road to become public highway as well as land to the north to be stopped up.

3.11 In respect of sustainability measures, emphasis has been placed on providing a building with low energy consumption/carbon footprints, which would exceed the performance specifications laid down in the building regulations. The design will incorporate the following features:

- Minimise heat losses through the building's fabric via the use of highly insulated, locally sourced if viable, construction materials.
- Fenestration details to minimise solar overheating whilst providing good daylight penetration.
- Low air permeability to reduce heat loss from air infiltration
- Provision of time and temperature controls with occupant override

- Careful selection of high efficiency mechanical and electrical plant and equipment.

3.12 The applicant has stated that, in addition to providing a development which is not dependent on the private motor vehicle, the building would include:

‘highly efficient heat generation plant, heat recovery systems and energy efficient, highly controllable lighting. The development will also make use of renewable energy systems comprising combined heat and power to generate low carbon electricity and hot water for domestic purposes and photovoltaic panels to generate electricity on site; though other technologies including air source heat pumps remain an option. The development will be also be capable of being connected to a future district heating network for heat supply as may become available in the future.’

3.13 The Travel Plan submitted with the scheme emphasises the highly sustainable nature of the location. A cycle store is being provided on site with capacity for 94 no. cycle spaces. A Travel Plan coordinator will be appointed for the site and each resident will receive a Travel Pack providing residents with up to date information on public transport. Questionnaires on travel modes will be issued to students and a yearly report provided to L.C.C. to assess whether targets are being met with actions to be taken if they are not.

#### **4.0 RELEVANT PLANNING HISTORY**

##### 4.1 Current application site

The car park site adjacent to Oak House was the subject of a previous planning consent for a 7 storey building including 5 storeys of student accommodation (70no beds) and 2-storeys of car parking (30 no spaces). Planning permission was granted in June 2002 (app. ref. 20/360/01/FU) and expired in June 2007. The scheme consisted of a brickwork facade, rendered base to Park Lane and a glazed top floor.

##### 4.2 Site at 46 Burley Street

This site is a short distance to the south-west of the application site, on a plot defined by Park Lane to the north and Burley Street to the south. Planning permission was granted on 19th March 2017 (app. ref. 16/01322/FU) for a ‘Student residential accommodation building comprising 87 studio flats, including ancillary communal facilities and retail unit, associated landscaping and car parking’. The approved development is for a new building of part 4, part 5 and part 6 storeys along the Park Lane frontage, and part 7 and part 8 storeys along the Burley Street frontage. This scheme has now commenced on site.

##### 4.3 Site Adjacent Concept House – Park Lane/Belle Vue Road

This site was considered by Members at Panel on 9<sup>th</sup> May 2019 (app. ref. 18/00147/FU). The scheme was for the erection of an 8 storey building containing purpose built student accommodation comprising 88 studio rooms and communal facilities, associated vehicular access, 3 basement car parking spaces and servicing and landscaping. Members approved the application in principle following the officer’s recommendation, agreeing to defer and delegate the final decision to officers subject to conditions and a S106 Agreement ensuring the scheme was retained as student use during term times.

4.4 ADP House 16/01092/FU The Ahlul Bayt cultural centre to the east of the site is currently being extended and converted to include ‘alterations and addition of new

second floor, to form four flats, library and study to provide a cultural centre with ancillary accommodation.'

## **5.0 CONSULTATION RESPONSES**

### **5.1 Statutory Consultations**

No statutory consultees were consulted on this application.

### **5.2 Non-Statutory Consultations**

#### Highways Development Services:

- The proposals to enhance pedestrian safety on the local network will support the development and others (existing, committed and proposed) in the area.
- Introduction of the vehicle layby, changes to footpath alignment, and the introduction of traffic calming measures will need to be constructed to adoptable standards and secured through a S278 agreement. The highway works will require land outside of the applicant's direct control but which is owned by the Council and potentially land which is unregistered, but is included within the planning application boundary. A Stage 1 Road Safety Audit has been commissioned but not yet agreed with The Council. A Grampian condition is required to ensure that the highway works are delivered prior to occupation of the building.
- The existing TRO limiting drop-offs to 20 minutes maximum along this stretch of Park Lane will be retained.
- The number of cycle parking spaces (94) proposed is acceptable.
- The dimensions of the proposed layby are acceptable to accommodate servicing and pick-up and drop-off at the start and end of term.
- Zero permanent car parking space provision is acceptable in this city centre location. Occupiers of the building will not be eligible for parking permits for the surrounding permit controlled zones and a direction should be added to any approval advising this.
- A formal car parking management plan (to supplement the submitted plan) will be required to ensure drop-off and pick up at the beginning and end of term times are managed so as to minimise the impact on the adjacent highway.
- The proposals to manage refuse collection via direct building access and external holding areas is considered acceptable to ensure that refuse vehicles can fully service the scheme from the proposed layby.
- The limited extent of stopping up of the highway along the building frontage is considered acceptable as a 2m wide unobstructed footway would remain.

#### L.C.C. Bridges Section:

No objection in principle subject to approvals being obtained for the following works. The existing wall (and its thin parapet) supporting Hanover Avenue would not meet the current vehicular impact criteria for highway loading. In light of the road alignment and the very narrow footway, the developer should improve this situation as part of the development (due to the change of use of the building) as a result of the potential consequences of an errant vehicle in this location. In addition, any temporary works required to support any highways (including footways) to allow any aspect of the development to be constructed will require a separate approval. The applicant will need to liaise with L.C.C. Bridges Section to discuss the extent of walling and the 'Approval In Principles' that will be required.

#### Travelwise (Travel Planning):

The Travel Plan should be included in the Section 106 Agreement along with the

Travel Plan Review fee of £3528

Public Rights of Way:

A claimed public footpath abuts the site known as Kendal Walk. The development does not appear to affect the footpath and there is no objection provided that the footpath remains open and available for use and is not encroached upon.

Environmental Health:

No objection subject to conditions controlling construction activity, lighting, sound insulation of plant and machinery

Environmental Studies (Transport Noise):

No objections. Wish to see acoustic trickle vents used and dual thickness double glazing to reduce resonance.

Sustainability - Contaminated Land:

No objection. The proposed end use of the development is sensitive and the proposed development land has been the subject of numerous past potentially contaminative land uses. Buildings exist on the site which will hinder the exploration of the extent of contamination on site. Conditions recommended to control the carrying out of a Phase 2 study and potential mitigation after the buildings have been demolished, ensuring all necessary works are undertaken prior to commencement of the development.

Flood Risk Management (FRM):

The proposed development is located in Flood Zone 1 with no known flooding incidents at the site. Would wish to see surface water discharge rates capped at 50% reduction from the existing rate.

Historic England:

State that they offer no comment on the application.

Nature/Bio-diversity:

To avoid impacts on nesting birds and provide biodiversity enhancements conditions should be attached which prevents removal of the existing trees between 1<sup>st</sup> March and 31<sup>st</sup> August unless clearance has otherwise been obtained by a competent ecologist, and the inclusion of bat roosting and bird nesting features into the final building design.

West Yorkshire Police Architectural Liaison Officer:

Cycle facilities need to be secure. Doors and windows need to be robust. External and internal CCTV is recommended. The scheme will provide passive surveillance to the streets in the area. The reception area will be staffed 24 hours and this is supported. Limited access points to the scheme reduces the possibility for intrusion.

## **6.0 PUBLIC REPRESENTATIONS**

6.1 The application was advertised by site notice dated 2<sup>nd</sup> August 2019 and in the Yorkshire Evening Post on 9<sup>th</sup> August 2019.

A formal submission to extend the red line boundary of the site to include the proposed highway works to Park Lane has been submitted. This will be subject to the normal statutory publicity period of 3 weeks and will therefore expire by the middle of November 2019.

The following representations have been received as a result of the original site notice:

6.2 Comments submitted on behalf of the Little Woodhouse Community Association (LWCA) and Little Woodhouse Neighbourhood Plan Forum (LWNPF).

- Would much prefer this scheme to be for residential use but appreciate that this is unlikely to happen in this location.
- The design is 'quite pleasing' as it appears as a street scape rather than a monolithic block.
- Support the use of cluster flats for student well being
- A dedicated layby is to be provided on Park Lane which will keep vehicles away from existing residential streets.
- On site management and a Community Room are supported
- The blind corner on Hanover Avenue is improved
- The impact on the residential unit to the north at Kendal Bank was a concern (This has now been overcome with the use of obscure glazed and angled windows and the relocation of windows).

6.3 Leeds Civic Trust (LCT) make the following comments:

'LCT cannot support the application but do not wish to object either, but make the following comments which explain this stance:

LCT are aware of the concern being expressed locally by the Little Woodhouse Community Association and the Neighbourhood Forum, that student numbers in the area have already achieved the "excessive concentrations" referred to in Core Strategy Policy H6 B(iii), and that this is undermining the balance and wellbeing of the local community. LCT believe the local planning authority should be monitoring this issue in the area more closely than it currently is.

If, in spite of that, consideration is being given to accept this use in this instance, LCT acknowledge that the design of the proposal has been very carefully considered and that issues such as its relationship to the adjoining Conservation Area; the type of accommodation and its effect on student mental health; the possibilities for later conversion to other types of accommodation; and the liaison with the local community, have played an important part in the overall design.

They also commend the Design and Access Statement for its thorough analysis of these issues.'

6.4 From the Leeds Group of the Ramblers requiring that the footpath along Kendal Walk remain as open at all times.

6.5 From the occupier of 5 Kendal Rise: Objects to the proposal for the following reasons:

- The proposal extends westwards past the line of the existing Oak House which will lead to over-looking and loss of light.
- The redevelopment of ADP House to the east of the application premises stipulated that the height of the proposal should be no higher than the existing building. The redevelopment of the Oak House car park is

substantially taller than the existing and so there is an inconsistency of approach.

- The area is already populated by an excessive concentration of students so it is 'crucial that any new developments are carefully considered, not excessive in scale and that some reduction in the height of the proposed development should be considered'.

6.6 The applicant has advised that they discussed the scheme with the Little Woodhouse Community Association (including residents of Hanover Avenue and Kendal Bank and No. 6 Kendal Rise). As a result the following have been incorporated within the scheme.

- The approach is to enhance the visual amenity and bio-diversity value of the embankment, as opposed to creating more of a usable environment for local residents.
- The scope for dual use of the communal facilities to accommodate students and meetings of the LWCA due to limited local alternatives.
- The introduction of planting on and around the building itself.
- The use of railings and external planting to clearly differentiate private and public areas in the vicinity of ground floor apartments, as a means by which to enhance resident amenity in a similar manner to that adopted to properties around Hanover Square.

6.7 No comments have been received from local Ward Members

## **7.0 RELEVANT PLANNING POLICIES**

### **7.1 Development Plan**

7.1.1 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 in this case, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (CS - Adopted November 2014 and CS Selective Review –Adopted September 2019)
- Saved Unitary Development Plan Review Policies (UDPR - Adopted 2006)
- The Natural Resources & Waste Local Plan (NRWLP - Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Leeds Site Allocations Plan (SAP - Adopted July 2019)
- Little Woodhouse Neighbourhood Design Statement 2011

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

The Core Strategy (CS) sets out the strategic level policies and vision to guide the delivery of development and the overall future of the district. The site (excluding the embankment) is located just within the City Centre boundary. Relevant CS policies for the purposes of this application include:

Spatial Policy 1 prioritises the redevelopment of previously developed land in a way that respects and enhances the local character and identity of places and neighbourhoods.

Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region.

Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility and provision for people with impaired mobility.

Policy CC1 outlines the planning growth within the City Centre. Part B encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.

Policy CC3 states new development will need to take opportunities to improve connections within the City Centre.

Policy EC3 states that the loss of an existing B Class use in an area of employment shortfall will only be permitted where the loss of the premises can be offset sufficiently by the availability of existing general employment land and premises in the surrounding area.

Policy H6(B) specifically refers to proposals for Purpose Built Student Accommodation (PBSA). It states that PBSA will be controlled:

- (i) To help extend the supply of student accommodation taking pressure off the need for private housing to be used.
- (ii) To avoid the loss of existing housing suitable for family accommodation.
- (iii) To avoid excessive concentrations of student accommodation (in a single development or in combination with existing accommodation) which would undermine the balance and wellbeing of communities.
- (iv) To avoid locations which are not easily accessible to the universities by foot or public transport or which would generate excessive footfall through residential areas which may lead to detrimental impacts on residential amenity.
- (v) The proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhances existing historic assets – in particular historically and locally important buildings, landscapes and spaces.

Policy P11 states that the historic environment and its setting will be conserved, particularly those elements which help to give Leeds its distinct identity. Innovative and sustainable construction which integrates and enhances the historic environment will be encouraged.

Policy T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policies EN1 and EN2 comprise sustainability policies which seek to reduce total predicted carbon dioxide emissions, provide low carbon energy sources and look to encourage sustainable design and construction.

Policy P12 landscape – character, quality and bio-diversity to be conserved and enhanced to protect distinctiveness.

7.1.3 The CS Selective Review: The recently adopted CS Selective Review includes policy H9 which has effectively incorporated the Nationally Described Space Standards (NDSS) into local policy. The supporting text to this policy states that 'regarding development of Purpose Built Student Accommodation (PBSA), the NDSS were not designed with student housing in mind. There are clear differences between student and general housing in that students live in student accommodation for only a fixed period of time, other accommodation (communal rooms) is often provided. Provision of reasonable space standards is still important for student accommodation and this will need to be judged on a case by case basis.'

The policy states that:

H9: Development of student accommodation.....will not be subject to the space standards... Instead such development should reflect the NDSS with appropriate adjustments to address the particular characteristics of these types of development. They should also meet standards of general amenity for occupiers to include adequate space, light and ventilation.

7.1.4 Leeds Unitary Development Plan Review 2006 (UDPR) – Saved Policies

Saved policies that are relevant to this scheme are:

BD2 Design of new buildings

BD4 All mechanical plant

BD5 states that a satisfactory level of amenity for occupants and surroundings should be provided.

LD1 landscaping

N19 requires new buildings adjacent to conservation areas to preserve or enhance the character or appearance of the areas.

GP5 - all relevant planning considerations

7.1.5 Natural Resources and Waste Local Plan 2013 (NRWLP)

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

- Water 7 surface water run-off
- Land 1 contaminated land
- Land 2 trees

7.1.6 Site Allocations Plan (SAP):

This site is unallocated in the SAP and so is considered to be a windfall site. This is considered by policy H2 of the Core Strategy, which states that such sites will be acceptable in principle providing the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development.

7.1.7 Little Woodhouse Neighbourhood Design Statement 2011 is an adopted SPD. It states that Burley Road is a major traffic route into and out of the City. Thin strips of land formerly occupied by industrial buildings are now giving way to purpose-built student housing flats. The topography of the site, which rises to the north, is highlighted. General design advice includes:

- New development should be responsive and sensitive to its context. Modern interpretations may be acceptable in appropriate locations if well-designed.

- Scale. New development should generally be of a similar size and scale to its immediate neighbours.
- Building materials - includes red-brick as the basic walling material and dark grey with roof finishes. The size, proportions and detailing of doors and windows should relate both to the internal function and the surrounding context.
- Dormer windows should not be a dominant feature and should be subservient to the main roof.
- Infill development should maintain existing building line
- Views and vistas - new development should both maintain the positive views in and out of the area and take advantage of them in its location, orientation and outlook.
- New development should be sensitive and responsive to its context.
- Buildings in key locations – in corner positions or at the end of vistas and other key locations, buildings should be designed and detailed in a manner which reflects the importance of their location.
- Planting - where areas of open space are created as part of a development these should follow the principles set out in any local green infrastructure framework, have a defined positive function and be appropriately planted and maintained.

The majority of the Oak House site is located in 'The Kendal's' character area which consists of council & private housing built in the 1970s. However the low rise car park is within the Hanover Square Character Area which is dominated by Denison Hall and the Square itself. The Statement also sets out a detailed vision for the area with detailed plans highlighting areas which are prime for development. The Oak House frontage to Park Lane and the incidental spaces around the building are both described as 'in need of enhancement'. The greenspace to the west is described as 'positive'. Opportunities for improvement are noted as 'areas of grass which could be improved by more inspired planting and maintenance'.

## 7.2 National Planning Policy Framework (NPPF)

The NPPF, working in conjunction with the National Planning Practice Guidance (NPPG), outlines the national planning policies for England and how these are expected to be applied. One of the key principles running through the NPPF is a presumption in favour of Sustainable Development set out in three parts: Economic, Social and Environmental. The NPPF (revised 2019) now seeks to tighten definitions on the presumption in favour of sustainable development and increases the emphasis on high-quality design and place-making.

The below sections of the Revised NPPF are also considered to be relevant:

Section 9: Promoting Sustainable Transport – developments should give priority first to pedestrian and cycle movements and facilitate access to high quality public transport; address the needs of people with disabilities; create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles; avoid unnecessary street clutter; respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Section 11: Making effective use of land – Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses,

while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Paragraph 123 (c): Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

#### Section 12: Achieving Well-designed places

Paragraph 127: Planning policies and 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.

#### Section 16: Conserving and Enhancing the Historic Environment

Para 190: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Para 192: In determining applications, local planning authorities should take account of:

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

c) the desirability of new development making a positive contribution to local character and distinctiveness.

Para 193: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

### 7.3 Supplementary Planning Documents

7.3.1 Neighbourhoods for Living: A Guide for Residential Design in Leeds (December 2003) aims to provide further guidance on good design in residential schemes in Leeds. Neighbourhoods for Living is relevant to all residential development in Leeds and provides advice and principles for good residential design across the themes of use, movement, space and form. It promotes local character, analysis of landmarks, views and focal points, and quality buildings. It also states that the scale, massing and height of the proposed development should be considered in relation to its surroundings. It needs to respond well to that of adjoining buildings, the topography, the general pattern of heights in the area and views, vistas and landmarks. Buildings also need to be carefully positioned to relate to the spaces around them. The enclosure of the street, and the ratio of building height to the space, needs to be carefully considered in order to create the correct feel for that space and the people who will use it.

7.3.2 Building for Tomorrow Today – Sustainable Design and Construction: Advocates the use of a range of measures to ensure that the best possible practices are used to ensure a sustainable environment is created.

7.3.3 Parking SPD - sets out the level of parking (cars, cycles and motor cycles) required for designated uses in different parts of the city.

### 7.4 Other Material Considerations

7.4.1 Emerging Little Woodhouse Neighbourhood Plan  
The site is located within the Little Woodhouse Neighbourhood Area. Little Woodhouse Neighbourhood Forum are currently preparing a Neighbourhood Plan and pre-submission consultation is expected to take place in late 2019. The early stage to which development of this Neighbourhood Plan has reached, means it can only be afforded limited weight in the decision-making process. The more progressed the development of any Neighbourhood Plan towards submission, referendum and adoption, the greater weight that can be accorded to that Neighbourhood Plan as a material consideration.

## 8.0 **KEY ISSUES**

1. Principle of the proposed use
2. The residential amenity of future and surrounding occupiers
3. Design, layout and height
4. Landscaping
5. Highways and servicing
6. Climate Change and sustainability
7. Planning obligations

## 9.0 **APPRAISAL**

## 9.1 Principle of the proposed use

The site is (excluding the embankment) located within the designated city centre. Core Strategy Policy CC1(b) encourages residential development in city centre locations providing that the development does not prejudice the functions of the city centre and provides a reasonable level of amenity for occupiers. In addition this site is considered to be a windfall site which is acceptable in principle providing the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development. It is considered that this proposal, in the context of a large regional city centre with a close urban grain, is unlikely to exceed the existing capacity in the area in respect of health or education and for transportation provision. To ensure the development would provide a safe pedestrian and vehicular environment, the highway network is being amended as part of the proposal. Therefore the scheme is considered to comply with CS policies CC1(b) and H2.

9.2 In relation to the loss of the office use, the site is not safeguarded for office use in the development plan and there is a considerable supply of office floor space in the city centre which extends well past the plan period and so the loss of this space will not have any long term negative economic impact on employment opportunities. The applicant has advised that the building is fully vacant and so no current employment use is being displaced as a result of this proposal. It is also noted that the existing building could be converted to general residential use without the need for planning permission under existing permitted development rights.

## 9.3 Amenity of future and surrounding occupiers

In respect of the level of amenity for future occupiers and the impact of the use as student accommodation on the surrounding area, Core Strategy Policy H6B relates specifically to these matters. The application is assessed as follows against the criteria within Policy H6B:

### H6B(i)

i) states that development proposals should help extend the supply of student accommodation taking pressure off the need for private housing to be used.

This proposal would assist this objective by providing 188 purpose-built student bed-spaces which would help to take pressure off the need to use private housing for student accommodation.

9.3.1 In response to the points made within the objections set out above, the policy implication of H6(B)(i) is that the more students that are located in PBSA's, the less likely they are to be accommodated in existing local housing stock, thereby making these properties more likely to be occupied by families. There is evidence that there is still demand for PBSA rooms. However, if adaptation for future residential use was required, the townhouse and cluster flat design of the building would support conversion to a range of accommodation sizes. The use of this building for Use Class C3 residential would require planning permission, at which time unit sizes could be controlled and the requirement for affordable housing assessed.

## 9.4 H6B(ii)

ii) states that development proposals should avoid the loss of existing housing suitable for family occupation

The proposal would meet this objective, because it does not propose the loss of any existing family housing.

#### 9.5 H6B(iii)

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

9.5.1 The proposed student accommodation at this site is for 188 students, in the context of approximately 4,000 existing and approved purpose built student bed-spaces in the area between Burley Street and Kirkstall Road. Therefore, it is acknowledged that there is an existing concentration of student housing between Burley Street and Kirkstall Road.

9.5.2 H6 (iii) seeks to avoid excessive concentrations of student accommodation. Whether the concentration is excessive in the area depends on the likely impact of the development within the local context. Whilst excessive concentrations of student populations can cause harm to discrete residential areas, it is considered that, as a result of the site location within a busy City Centre type environment, with local mixed land use functions and close proximity to the educational campus areas, the proposed student accommodation, as a small percentage increase to an existing concentration, is unlikely to adversely affect the amenity of the area.

9.5.3 If the local community is defined across a wider area that includes Little Woodhouse and the area along Kirkstall Road to the south and west, it is considered that the mix and type of residential accommodation is extremely varied, and therefore a balanced and mixed community is achieved. The key issues would be the location of a community boundary, identifying affected individuals/groups, what the harm would be, identifying the individuals/groups causing harm, and the collection of robust, credible evidence to that effect. However, there is not sufficient evidence to suggest that, in general, the purpose built student housing developments in the Burley Road/Kirkstall Rd corridor, which have taken place in the last 15 years, have directly led to significant additional harm to existing residents in the Little Woodhouse area. Indeed many of these developments have taken vacant sites or disused former industrial and commercial land and have populated them with buildings, activity, new pedestrian routes, open spaces and landscaping to the benefit of the area, rather than its detriment.

#### 9.6 H6B(iv)

(iv) states that proposals for student housing should avoid locations which are not easily accessible to the Universities by foot or public transport or which would generate excessive footfall through quiet residential areas which may lead to detrimental impacts on residential amenity.

The site is approximately 600m from the University of Leeds, approximately 500m from the LGI and 1km away from the main Leeds Beckett University campus. The location and surrounding topography of the site means that students are likely to travel along the more convenient and direct main roads to nearby educational campuses and city centre facilities, rather than through more traditional residential streets such as the Kendals to the north.

9.6.1 When walking from the City Centre it is more likely that future residents of the site would use a more direct route along Burley Rd or Park Lane. Whilst there may be some travel through existing residential areas, this is more likely to take place through the day and would be limited in number compared to the more direct routes. Therefore it is considered that the development is in a location which is accessible to the universities and would not lead to a loss of amenity in surrounding areas through excessive footfall through quiet residential areas.

9.6.2 It is considered that the commentary in relation to H6B(iii) and (iv) above addresses the point made in the objections regarding excessive concentrations of students. It is therefore considered that, in this context and for the reasons set out above, the proposed addition of 188 new student bed spaces on this site would not undermine the balance and well-being of existing communities in the area.

#### 9.7 H6B(v)

(v) states that the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.

9.7.1 CS Policy P10 and Saved UDPR Policies BD5 and GP5 also provide more general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. The assessment of amenity is also a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space.

The detailed size of the accommodation is set out in paragraph 3.2 above. CS Policy H9 does not apply to purpose built student accommodation. However, the proposal still needs to 'reflect the NDSS with appropriate adjustments to address the particular characteristics of these types of development. They should also meet standards of general amenity for occupiers to include adequate space, light and ventilation.' (CS Policy H9). The cluster flats are of a size which is in excess of the comparable NDSS standard for non-student accommodation for the same level of proposed occupancy. In addition each student has their own room as well as a communal lounge/kitchen which is shared with the other occupiers of that cluster.

9.7.2 The studios, of which there are only 9 throughout the whole building (approx. 2 per floor), are an average of 22 sqm with no individual units being below 21 sqm. This is above the minimum 20sqm size recently approved for other buildings in this area and along with the provision of communal facilities (see para 9.7.4 below) is considered to provide sufficient space to carryout of daily functions referred to above.

9.7.3 Over half of the bed spaces are south facing and have a clear view out over the road to the south. It is accepted that, due to the shape and orientation of the site, some of the units have to face north. Most of these would have an unencumbered view, although some would look into the sides of existing buildings and over the street. Only 2 no. would have views out to the rear slope leading up to the relocated retaining wall at ground floor level and this would be extensively planted.

9.7.4 In addition to the facilities contained within each of the cluster flats, 200 sqm of internal communal space is to be provided as part of this scheme. The plans show

that this comprises a gym and a communal lounge as well as some more private spaces which could be used for meetings and work units. This would provide additional levels of residential amenity and encourage residents to socialise outside their cluster flats and studios. In terms of external amenity space the residents would have access to the courtyard terrace at first floor level and the embankment to the west.

9.7.5 The scheme contains a number of ground floor units. These have been designed to protect the privacy of their occupiers as much as possible. Direct lines of site into these rooms have been removed/reduced by the following factors:

- In some cases, windows are located at or above head height when viewed from street level, with further mitigation provided by railings and glass fritting.
- For those rooms which are more approximate to eye level a separation through physical gap or planter has been provided between the pavement edge and the building line/window, reflective of the approach seen in the immediate locality around Hanover Square, where a modest private frontage provides the same form of separation.
- All windows will be fitted with sheer blinds or curtains as standard allowing residents to adjust the levels of privacy without shutting out light, with blackout curtains fitted for night time.
- The development will have full CCTV coverage to act as deterrent to people seeking to invade resident's privacy alongside the availability of on-site wardens should this be necessary.
- The cluster bedrooms are arranged so that the study area is closest to the window with bed spaces set to one side and bathroom pods located to the rear further diminishing the scope for invasion of privacy in these spaces.

9.7.6 Officers consider that, given the unusual linear nature of the site, the above measures are sufficient to protect the amenity of the occupiers in respect of privacy. Planning conditions will be used to ensure that the internal spaces meet the required noise attenuation and ventilation levels. In addition the Police Liaison Officer has stated that the presence of a use at ground floor, as proposed here, would improve passive surveillance of the street to the benefit of security in the wider area.

9.7.7 Therefore, it is considered that the room sizes, when combined with the amount and range of communal facilities, external space and the overall benefits of the scheme, would, on balance, meet the residential amenity and sustainability objectives of CS Policy H6B, Saved UDPR Policies GP5 and BD5 and CS Selective Review Policy H9.

9.8 The application building would be situated between 8m and 9.5m from the nearest residential property to the north at 6 Kendal Rise. The southern elevation of this house contains small, secondary side windows facing towards the proposal with the primary living space windows facing west-east. The proposal does move the built form further to the west in comparison to the existing Oak House, however, it also reduces the height in comparison to the existing Oak House by a full storey. In addition, the western-most section of the scheme is only 2 storeys, plus roof, in height and so will be well below the level of 5 & 6 Kendal Rise. Given that these properties are on raised ground to the north, and in the case of No.5 the southern boundary of the rear amenity space is protected by a significant planting strip, it is

considered that the proposed relationship is acceptable. In addition, due to the location of rooms within the building and the use of obscure glazing, no direct impact through overlooking would occur.

- 9.9 The residential units within the listed building fronting Hanover Square West have a small number of what are believed to be secondary windows facing out over the application site. The distance across the road is approximately 11m and the building has been designed to be of a scale which relates to the existing building in this part of the street. The result is a relationship which is considered to reflect the traditional gable end to front and side elevation layouts apparent in other parts of the conservation area. The west facing windows view the scheme at an oblique angle and the small rear area of amenity space contains a set of steps and so is not a fully functioning amenity area. It is also clearly visible from the street and so no loss of privacy will occur. The relationship of the proposal to the existing properties on Hanover Square West is considered to be acceptable. The other property on Hanover Avenue is a small 2 storey commercial premises and so this use is less sensitive and the impact is considered to be acceptable in this case as well.
- 9.10 Objectors have expressed concerns regarding general noise and disturbance as a result of students generally. However, the site has a commercial use and the area is characterised by a mixture of uses, which already contributes to a busy edge of city centre environment. It is considered that this proposal in itself would not detrimentally affect this existing character.
- 9.11 Design, Layout and Height  
It is considered that the proposed treatments to the elevations of the building successfully create the appearance of a series of townhouses rather than a single student accommodation block. This is accentuated further by the use of contrasting brick shades, variations in building heights and roof forms, the use of dormers and the break in the elevation adjacent The Pavilion.
- 9.12 The building has also been designed to take into account the unusual topography of the site and the constraints posed by the neighbouring buildings to the north, through changes in height, orientation of the building lines and the introduction of breaks to the building. The inclusion of accommodation in the roof space assists with reducing the overall height of the building by maximizing the efficient use of the internal space, whilst also providing the scope to add visual interest and reflect local architectural character through the introduction of dormer windows and gable wall details.
- 9.13 The design of the scheme has been informed by the assessment of the character of the conservation area and nearby heritage assets. This application is seeking to infill a notable gap in the street frontages in a sympathetic manner. The Pavilion references the neighbouring Grade II listed building in both its height and its detailed design in respect of the materials, roof form and size of window openings. It also creates a new terrace, which is a pattern of development prevalent in the area. The proposal is considered to complete the frontage to Hanover Square West and provide a sympathetic frontage to Park Lane to the benefit of the wider area. Accordingly, the proposal is considered to enhance the character of the Conservation Area and the setting of the neighbouring listed buildings and is acceptable.
- 9.14 Officers consider that the result is a well-articulated building form, designed to respond to all of its neighbours and the relatively unusual topography of the site, which fits well into its setting in accordance with CS Policies P10 & P11 and NPPF

objectives which seek to preserve and enhance the historic character of the city's streets and spaces.

- 9.15 An objection has expressed concerns about the proposed height of the building. The proposal is assessed on its merits and in relation to the site on which it is to be located. It is clear that a thorough site analysis has been carried out, taking into account the listed buildings to the north and the scale of the existing Oak House and that this has resulted in the scale and form of the building now proposed, which is considered to be acceptable.
- 9.16 Landscaping  
The proposal retains most of the area of soft landscaping on the western peninsula of the site and supplements the existing planting in this area with the 12 new trees as well as hedgerows and a wilder area of more natural vegetation. Tree species proposed are Birch, Mountain Ash and Alder and these cover a range of different benefits in respect of bio-diversity, removal of particulates and are of an appropriate future size for this location adjacent the public highway. This would create a visual and ecological enhancement, providing a welcome area of natural amenity and bio-diversity which would be maintained and enhanced by the development, to the advantage of the wider area. Particularly important is the planting of the row of trees along the northern side of the Park Lane/Belle Vue Road. This is a continuation of the line of trees, both in existence and proposed, on the southern side of Belle Vue Rd to the west. This is supplemented by the planting around the building, on the embankment to the rear and as a climber wall above the entrance on the communal terrace. It is considered that, in combination, these features will provide a major environmental improvement to the street scene, the area in general and to sustainability objectives which achieves a net gain of 8 trees on the site. This is in accordance with CS Policy P10 & P12 and is fully supported by officers.
- 9.17 Highways and Servicing  
The site is well located for walking and cycling to the City's main further education campuses and the LGI. It is also within walking distance of the local retail and leisure facilities, the railway station and City Centre bus stops and interchanges. Therefore, the site is considered to be in a sustainable location.
- 9.18 Servicing would occur from the new layby proposed off the public highway on Park Lane, which removes it from proximity to the residential uses to the north. Introduction of the layby, and other pedestrian safety measures requires the public highway to be realigned as stated above and the site red line boundary to be extended to include the highway works. Highways Services colleagues have agreed the realignment and the applicant is to carry out the formal application amendment and publicity processes required to achieve this. The public footway along Park Lane is to be retained at a minimum width of 2m as a result of these works. The scheme also results in the loss of the 2 existing car park access points which is clearly a benefit to road users and pedestrians.
- 9.19 The Parking SPD sets a maximum car parking standard, but accepts minimal or no car parking where there is considered to be no adverse impact on the highway. In this case on-street parking is controlled by TROs in the local area and can be further controlled as part of the package of highways measures. It is considered that the proposed layby is appropriate to accommodate car and servicing requirements given the sustainable location of the development, the nature of the student housing use and the parking controls on surrounding streets. In addition, any permission would carry an informative advising that no permits would be issued to occupiers for use of the on-street residential parking control areas.

- 9.20 Transport Development Services require a strategy to manage student arrival and departures at the start and end of term. The applicant (via the confirmed operator of the accommodation, Unipol) has agreed managing pick-ups and drop-offs to ensure that the process is contained within the layby, and this would be controlled by condition.
- 9.21 The contents of the Travel Plan set out in para 3.13 and the fact that the scheme has a 1:2 provision of cycle spaces to students, will assist in ensuring that sustainable modes of transport will be fully utilised. The site has good access to public transport and is within walking distance of the universities, LGI and city centre services. Along with the absence of on-site car parking and wide spread on-street car parking controls, this would ensure that the development would rely on sustainable modes of transport and not have an adverse impact on the existing highway network. Monitoring costs will be an obligation contained in the S106.
- 9.22 Climate Change and Sustainability  
Members will be aware that Leeds City Council has recently declared a Climate Change Emergency. Existing Development Plan policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact on non-renewable resources and carbon dioxide emissions. This development would provide 188 new student bed spaces, making better use of a sustainably-located site. The key measures incorporated into this proposal to address climate change and sustainability matters are summarised below.
- 9.23 Core Strategy EN1 requires all developments of 1000sqm or more to reduce the total predicted carbon dioxide emissions to achieve 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. In this case the applicant has confirmed that they would achieve the policy requirements, including the energy requirements as well as the water usage levels set out in policy EN2.
- 9.24 The scheme is car free, providing other sustainable travel measures including provision of secure long and short stay cycle parking and a Travel Plan with measures to help to promote sustainable travel behaviour. This in turn would reduce pollution and congestion and the causes of climate change, as well as improving air quality, and promoting healthier lifestyles and wellbeing.
- 9.25 The provision of the landscaped embankment to the west of the site and other planting on the site, would assist in absorbing carbon dioxide, promote biodiversity and help reduce the effects of climate change and the urban heat island effect.

## **10.0 PLANNING OBLIGATIONS**

- 10.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- a. necessary to make the development acceptable in planning terms,
  - b. directly related to the development; and
  - c. fairly and reasonably related in scale and kind to the development.

According to the guidance, unacceptable development should not be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms

10.2 Further to the above, and taking adopted policy requirements into consideration, there are likely to be following matters which will need to be addressed by way of a Section 106 agreement concluded with the applicant:

- Restriction on occupancy to full-time students only during term times
- Travel plan monitoring (£3,528)
- Cooperation with local jobs and skills initiatives

10.3 The proposal would be subject to the Community Infrastructure Levy (CIL) and the initial sum calculated is £5,136. This is for information only and is not a material planning consideration in the assessment of the overall planning application and decision-making process.

## **11.0 CONCLUSION**

11.1 Paragraph 11 of the NPPF notes the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or specific policies in the Framework indicate development should be restricted.

11.2 The application proposal has the potential to deliver new student residential dwellings in a sustainable location that would contribute to improving the local environment as well as offering economic benefits such as jobs during construction and site operation. Taking into account all material considerations, this is a sustainable development and weight is to be given to the environmental improvements which this proposal brings to the buildings in the area, the positive impact on the Conservation Area, improvements to open space and the provision of high quality student accommodation, with good levels of amenity, in a sustainable location close to the established universities.

11.3 The proposal is considered to be in accordance with the Development Plan, and national planning policy as described above and it is recommended that planning permission be granted subject to the conditions set out at Appendix 1 and the planning obligations outlined at the head of this report.

## **BACKGROUND PAPERS:**

Pre-application file: PREAPP/18/00586

Car Park section of current application site (Oak House retained): 7 storey building including 5 storeys of student accommodation (70no beds) and 2-storeys of car parking (30 no spaces). Planning permission granted June 2002 and expired in June 2007 - app ref 20/360/01/FU.

Site at 46 Burley Street - app. ref. 16/01322/FU

Site Adjacent Concept House - app. ref. 18/00147/FU.

ADP House: The Ahlul Bayt cultural centre – app. ref. 16/01092/FU

# DRAFT

Applicant Maple Grove Developments &  
Rushbond PLC

Application Number: 19/04278/FU

Agent: QUOD  
Capitol  
Bond Court  
Leeds  
LS1 5SP

**Proposed Development At:** Oak House, 94 Park Lane, Woodhouse, Leeds

**Proposal:** Demolition of all existing buildings and structures and the erection of a series of inter-linked townhouse blocks (3-6 storeys in height) for student accommodation use (sui generis), alongside landscaping, access and various associated highway and public realm works (with the site boundary extended to include highway works within Park Lane).

- 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 Schedule.

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

- 3) Construction of external walls and roofs to any building subject of this permission shall not take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site prior to the commencement of building works, for inspection by the Local Planning Authority which shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity.

- 4) Construction of the main elevations shall not take place until a sample panel of the brickwork and metal cladding has been approved in writing by the Local Planning Authority. The panel shall be erected on site to establish the colour of bricks & metal panelling and the colour and type of jointing & jointing material to be used. The brickwork and metal panelling shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to completion of the development.

In the interests of visual amenity and to ensure that the brickwork harmonises with the character of the area.

- 5) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development 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 shall not commence until a Remediation Statement 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 Statement shall include a programme for all works and for the provision of Verification Reports.

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'.

- 6) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement 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 Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use.

- 7) Remediation works shall be carried out in accordance with the approved Remediation Statement. 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.

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

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

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use.

- 9) Prior to the commencement of demolition documentation demonstrating the absence or total removal of asbestos from any building(s) to be demolished shall be submitted to and approved in writing by the Local Planning Authority. Should documentation be unavailable or insufficient, post-demolition surface soil sampling of future landscaped or garden areas shall be carried out and the results shall be submitted to and approved in

writing by the Local Planning Authority prior to the commencement of any post-demolition development.

Where surface soil sampling indicates remediation to be necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction. The Remediation Statement shall include a programme for all remediation works and for the provision of verification information.

Remediation works shall be carried out in accordance with the approved Remediation Statement. 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 that phase of the site shall not be brought into use until such time as all necessary verification information has been approved in writing by the Local Planning Authority.

To ensure that the site is safe and suitable for use

- 10) Development (excluding demolition and site preparation works) shall not commence until a drainage scheme (i.e. drainage drawings, summary calculations and investigations) detailing the surface water drainage works as well as arrangements for its future maintenance (e.g. adoption by the Water Company) has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall restrict surface water discharges to 50% of existing levels.

To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP

- 11) There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works, unless otherwise approved in writing by the Local Planning Authority.

To ensure that no surface water discharges take place until proper provision has been made for its disposal

- 12) a) No works shall commence until all existing trees, hedges, bushes shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be retained for the duration of any demolition and/or approved works.
- b) No works or development shall commence until a written arboricultural method statement for a tree care plan has been submitted to and approved in writing by the local planning authority. Works or development shall then be carried out in accordance with the approved method statement.
- c) No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services, without the prior written approval of the Local Planning Authority.
- d) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition and/or approved works, to allow inspection and approval of the works.

To ensure the protection and preservation of trees, hedges, bushes and other natural features that make a positive contribution to the character and amenities of the area. In the absence of appropriate measures the retention and long term health of such vegetation could be compromised by the carrying out of the approved development.

- 13) Landscaping works shall not commence until full details of both hard and soft landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include
- (a) proposed finished levels and/or contours,
  - (b) boundary details and means of enclosure,
  - (c) other vehicle and pedestrian access and circulation areas,
  - (d) hard surfacing areas,
  - (e) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
  - (f) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
- Soft landscape works shall include
- (g) planting plans, including those trees and hedgerows to be retained on site
  - (j) written specifications (including soil depths, tree pits, cultivation and other operations associated with plant and grass establishment) and
  - i) schedules of plants noting species, planting sizes and proposed numbers/densities.

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

To ensure the provision and establishment of acceptable landscape in accordance with Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5, N23, N25 and LD1.

- 14) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules, to include a minimum 5 year planting defects period, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds Core Strategy Policy P12, Saved UDP Review (2006) policies GP5 and LD1 and the NPPF.

- 15) Prior to the occupation of the development hereby approved, details of a servicing management plan including drop-off and pick-up arrangements at the start and end of term and servicing the building, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved management plan thereafter.

In the interests of sustainable development, amenity, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policy T2, Leeds UDPR Policy GP5, and the NPPF.

- 16) No building works shall take place until details for the provision of highways works shown indicatively on plan 2018-026 0201 Rev G have been submitted to and approved in writing by the Local Planning Authority for inclusion in the section 278 Highways Agreement or to be secured by such other procedure as may be agreed between the

applicants and the Local Planning Authority. Works shall be carried out in accordance with the approved details prior to first occupation of the building hereby approved.

In the interests of pedestrian and vehicular safety in accordance with policy GP5 of the Leeds UDP (Review) 2006.

- 17) Prior to first occupation a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details of how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented before the development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling, in accordance with the NPPF and Leeds UDPR Saved Policies GP5 and the NPPF.

- 18) Prior to the commencement of development, a Statement of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:
- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
  - b) measures to control the emissions of dust and dirt during construction;
  - c) location of site compound, site hoardings and plant equipment/storage;
  - d) location of contractor and sub-contractor parking;
  - e) how this Statement of Construction Practice will be communicated by the developer to local residents and who they should contact in the event of concerns
  - f) that construction works shall be restricted to 0800-1800 hours Monday to Friday, 0800- 1300 hours on Saturdays, with no works on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

In the interests of residential amenity of occupants of nearby property in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework

- 19) Prior to the installation of any extract ventilation system or air conditioning plant, details of such systems shall be submitted to and approved in writing by the Local Planning Authority. Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The systems shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997.

In the interests of visual and residential amenity and in accordance with Saved Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 20) Noise insulation shall be provided to each of the units of living accommodation which shall comply with the recommendations set out in the submitted Noise Impact Assessment Report by WYG hereby approved with acoustic trickle vents used for those

south facing units referred to in para 5.2 of the Report. These measures shall thereafter be retained on site for the lifetime of the development.

In the interests of residential amenity

- 21) Plant and machinery operated from the site shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997.

In the interests of residential amenity.

- 22) No external lighting shall be installed on the building unless a scheme has previously been approved in writing by the Local Planning Authority. The scheme shall be installed and retained thereafter in accordance with the approved details.

In the interests of residential amenity and highway safety.

- 23) No works to or removal of trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds nests immediately before (within 24 hours) the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority within 3 days of such works commencing.

In order to protect nesting birds in vegetation which is to be removed or impacted by removal.

- 24) Prior to the installation of those features to which this condition relates, a plan shall be submitted to and approved in writing by the Local Planning Authority of integral bat roosting and bird nesting features (for species such as House Sparrow and Swift) within the development hereby approved. The agreed plan shall show the number and 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 in accordance with the agreed timetable and retained thereafter.

In order to maintain and enhance biodiversity in accordance with Core Strategy Policy G9 and the NPPF.

- 25) Development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall be retained for the lifetime of the development.

In order to ensure the development is provided with adequate, on site, cycle and motor cycle parking.

- 26) The development shall be constructed in accordance with the sustainable design and construction principles set out in a document to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

To ensure the adoption of appropriate sustainable design principles in accordance with Leeds Core Strategy Policies EN1 and EN2, Leeds SPD Sustainable Design and Construction and the NPPF.

## Plans Schedule :-

**Plan Type**

**Plan Reference**

**Received**

## Reason(s) for granting consent:-

### For information:-

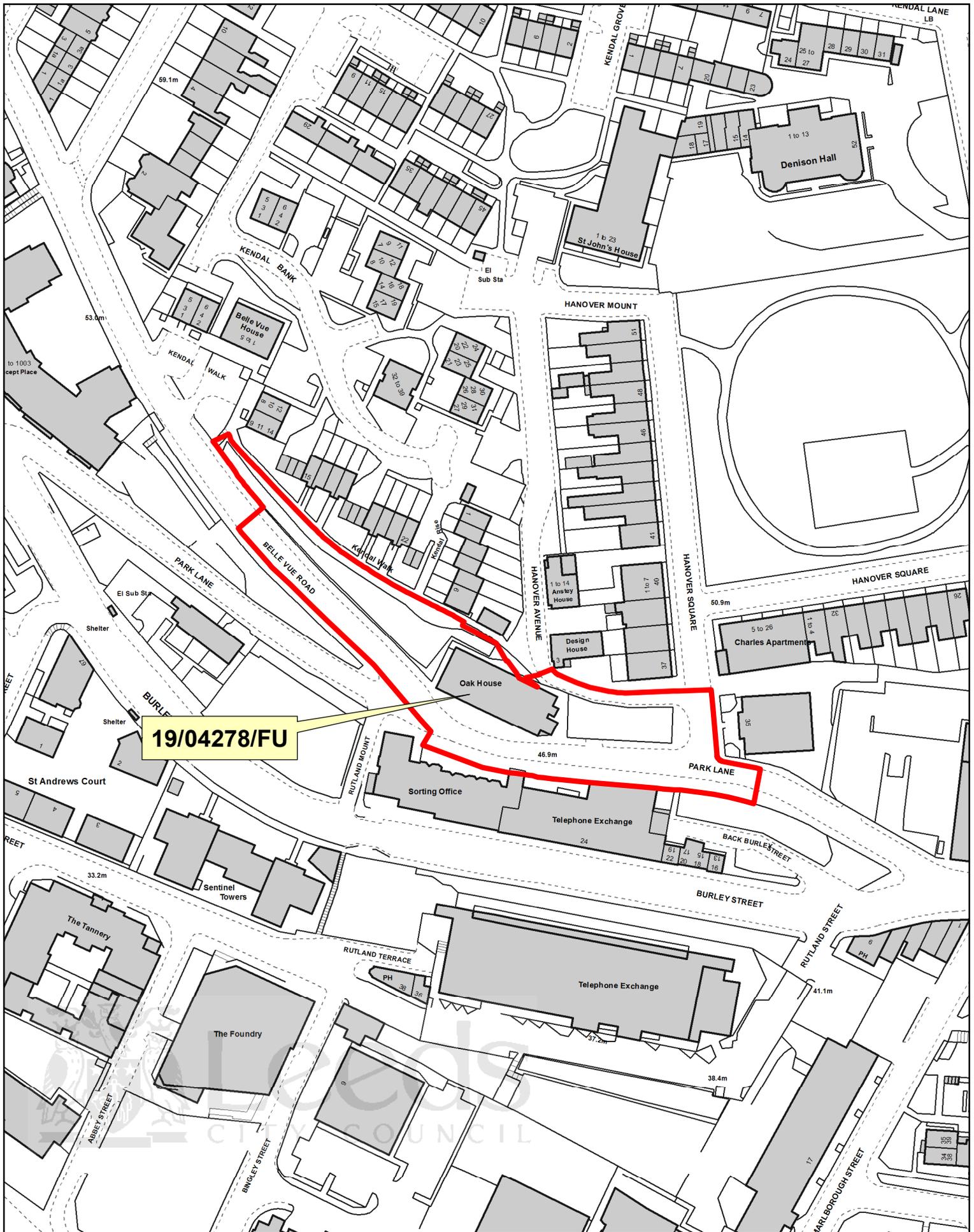
- 1) In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with the National Planning Policy framework.
- 2) The applicant should be aware that there is an Agreement/Obligation by way of undertaking under Section 106 of the Town and Country Planning Act 1990 affecting this site or that there is likely to be a need to enter into such Agreement/offer an Obligation to discharge the requirements of conditions above.
- 3) This permission does not give consent to any advertisement intended to be displayed on the site for which separate express consent may be necessary under the Town and Country Planning (Control of Advertisements) Regulations 2007.
- 4) This permission does not give consent to any structural, elevational or sanitary alterations, including flue pipes, for which separate formal approval would be necessary, and a separate application(s) should be made before the commencement of any works, under the Town and Country Planning Act 1990 and/or the Building Act 1984.
- 5) All reports addressing land contamination should be compiled in accordance with best practice and policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

Prior to preparing any reports in compliance with conditions related to land contamination the applicant is also advised to refer to the Leeds City Council guidance leaflets in the series:- The Development of Contaminated Sites:  
The Blue Leaflet (CL2) - Reports in Support of Planning Applications  
The Yellow Leaflet (CL4) - Residential Development on Land Affected by Contamination

These leaflets can be obtained at [www.leeds.gov.uk/contaminatedland](http://www.leeds.gov.uk/contaminatedland)

- 6) The applicant is advised that remediation of any contaminated site is required to a standard such that the site would be suitable for use policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006. This includes the quality of imported soils and soil forming materials. The developer is responsible for the ensuring that development is safe and suitable for use for the intended purpose.

**Further information regarding rights of appeal, removing site notices etc will appear from this point forward on the final decision notice when it is produced.**



# CITY PLANS PANEL



