

CITY PLANS PANEL

Meeting to be held remotely (Zoom) on
Thursday, 19th November, 2020
at 1.30 pm

MEMBERSHIP

Councillors

D Blackburn
C Campbell
P Carlill
D Cohen
A Garthwaite
C Gruen
P Gruen
G Latty
A Khan
J McKenna (Chair)
E Nash
P Wadsworth
N Walshaw

Note to observers of the meeting: To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=947&MId=10060&Ver=4>

Agenda compiled by:
John Grieve
Governance Services
Civic Hall
Tel: 0113 37 88662

A G E N D A

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

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13 -16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence (If any)</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To consider and approve the minutes of the previous meeting held on 22nd October 2020.</p> <p>(Copy attached)</p>	7 - 18
7			<p>MATTERS ARISING FROM THE MINUTES</p> <p>To consider any Matters arising from the minutes.</p>	

Item No	Ward	Item Not Open		Page No
8	Little London and Woodhouse		<p>APPLICATION NO. 20/02958/FU - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF STUDENT ACCOMMODATION WITH GROUND FLOOR MANAGEMENT, COMMON FACILITIES, AND ARTIST'S STUDIOS, INCLUDING FLEXIBLE USE RIGHTS UNDER PART 3, CLASS V FOR RETAIL AND COMMERCIAL USES B1, A2, A3, A4, A5, D1 AND D2, OPEN SPACE, PUBLIC REALM IMPROVEMENTS, ASSOCIATED LANDSCAPING, INFRASTRUCTURE, ACCESS AND PARKING AT CAROLINE HOUSE, DIAMOND HOUSE, SHEEPSCAR STREET SOUTH, SHEEPSCAR, LEEDS LS7 1AD</p> <p>To consider a report by the Chief Planning Officer which sets out details of an application which seeks the demolition of existing buildings and construction of student accommodation with ground floor management, common facilities, and artist's studios, including flexible use rights Under Part 3, Class V for retail and commercial uses B1, A2, A3, A4, A5, D1 and D2, open space, public realm improvements, associated landscaping, infrastructure, access and parking at Caroline House, Diamond House, Sheepscar Street South, Sheepscar, Leeds LS7 1AD.</p> <p>(Report attached)</p>	19 - 52
9			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Thursday, 7th January 2021 at 1.30pm (Remote Meeting – Zoom)</p>	
2				
a)				
b)				

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Third Party Recording

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

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

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CITY PLANS PANEL

THURSDAY, 22ND OCTOBER, 2020

PRESENT: Councillor J McKenna in the Chair

Councillors D Blackburn, C Campbell,
P Carlill, D Cohen, A Garthwaite, C Gruen,
P Gruen, G Latty, A Khan, E Nash,
P Wadsworth and N Walshaw

47 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

48 Exempt Information - Possible Exclusion of Press and Public

There were no items identified where it was considered necessary to exclude the press or public from the meeting due to the confidential nature of the business to be considered.

49 Late Items

There were no late items of business identified.

50 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests made at the meeting.

51 Apologies for Absence

There were no apologies for absence.

52 Minutes of the Previous Meeting

The minutes of the previous meetings held on 25th September and 1st October 2020 were submitted for comment/ approval.

RESOLVED – That the minutes of the previous meetings held on 25th September and 1st October 2020 be accepted as a true and correct record.

53 Matters Arising from the Minutes

There were no issues raised under Matters Arising.

54 Application No. 19/05833/FU - Retrospective permission for temporary use (5 years) as a car park and associated site works at site of the

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former White Stag Public House, Whitelock Street, Sheepscar, Leeds, LS7 1AL

The Chief Planning Officer submitted a report which set out details of an application which sought full retrospective planning permission for temporary use (5 years) as a car park and associated site works at site of the former White Stag Public House, Whitelock Street, Sheepscar, Leeds, LS7 1AL

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The City Centre Team Leader addressed the Panel, speaking in detail about the proposal and highlighted the following:

- Site / location / context
- The site is approximately 900sqm and is unallocated within the Development Plan
- The proposal is to regularise the current unauthorised use as car parking, hosting 21 car parking spaces with a further 6 car parking bays intended for car share use (The unauthorised car park use had been operating since December 2018)
- The current operation provides staff car parking to near-by Northgate House, who consider this to be “Private Non Residential (PNR) parking provision
- The office use associated with the users of the car parking is not considered unique
- The car park site is located within the “Fringe Area” of the parking zones designated in the Leeds Parking SDP
- Access to the site is from Sheepscar Grove
- The main public car parks within the vicinity of the site have capacity for 4600 vehicles
- The site is located to near-by public transport provision

The City Centre Team Leader explained that the report of the Chief Planning Officer recommended refusal of the application because the use of the car park would undermine the Councils objectives to restrict commuter car parking and private non-residential car parking in this central location and reduce reliance on the private car, minimise road congestion and promote more sustainable modes of transport contrary to Core Strategy Policies T1 and T2 and Leeds City Council’s Parking SPD

The Panel heard from Mr David Smith (Applicant’s Representative) and Councillor Abigail Marshall-Katung (Local Ward Councillor) who spoke in support of the proposal

Mr Smith said the officer’s report to Panel was a detailed and balanced assessment of the proposal and the applicant did understand the reasons why the report was being recommended for refusal, However, Park Lane Properties believe there is some flexibility in this instance. The flexible approach is consistent with Policy LPP3 which is permissive of a temporary

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car park in this fringe area. The Park Lane Group had been operating from their current office location since 2018 and it was acknowledged by the applicant that regularising the use of the land as a car park was an oversight. Due to the nature of the business above average car parking was required. Staff working across the individual brands under the Parklane umbrella need to visit other locations across the country, often at short notice and return with ease, without the need to forward plan such visits, leading to unpredictable staff movements.

Mr Smith said the use of the former White Stag site as a temporary car park for five years was key to the success of the Company's operations. Currently only 4 spaces were available to Park Lane Properties within Northgate House's undercroft car park. Mr Smith expressed concern about crime within the area (both to person and vehicle) and said the proximity and management of the car park may assist in mitigating such issues.

The applicant also suggested that the temporary provision of a car park would allow time for the bedding in of a travel plan to run in tandem with the duration of the permission, seeking to reduce the business's dependency on car travel.

Councillor A Marshall-Katung said the Little London and Woodhouse ward suffers from parking issues because of its close proximity to the city centre. She said we had already heard that the company had a number of offices around the country which necessitates travel to and from the Leeds based Head Office, having dedicated parking for the company would be a valued added benefit.

Members were informed there were high levels of crime in the area and it was a concern to the Park Lane Group. As the Ward Councillor for the area Councillor Marshall-Katung said she could understand why they want this dedicated parking area, which is not permanent parking but only a temporary solution, this land is already owned by the company and it is intended that this land would be developed in the future.

The covid-19 pandemic has had a significant impact on not just this company but also others in the area, granting this application would assist the company in recovering from the pandemic.

Questions to Mr D Smith (Applicant Representative) and Councillor A Marshall-Katung:

- The application is recommended for refusal, why do the reasons you've put forward for granting the application i.e. the implications of Covid 19, outweigh the reasons of refusal
- The application is seeking temporary permission for 5 years, would you consider a less period of time e.g. 3 years

In responding Mr D Smith and Councillor A Marshall-Katung said

- As a consequence of the Coronavirus many people are worried about travelling on public transport and would prefer to use their own vehicles when travelling from one site to another
- The applicant's representative confirmed that it may be possible to reduce the proposed temporary 5 year period, an assessment of use would need to be undertaken

The Chair thanked Mr D Smith and Councillor A Marshall-Katung for their attendance and contributions.

Members raised the following questions to officers:

- Had officers considered the implications of the covid pandemic
- If the application was to be refused, as recommended, it could lead to parking elsewhere in the area, could officers work with the Developer to seek a reduction to the requested 5 year period to allow travel planning measures to be established

In responding to the issues raised, officers said:

- Although the covid pandemic has seen a fall in the use of public transport in the short term the long term implications of the pandemic are unknown and the City Council has a well established and long term Transport Strategy which seeks to restrict growth in the use of the private car in favour of promoting more sustainable modes of transport, improving air quality and minimising road congestion. If the application was to be granted it would undermine those long term principles.
- Officers had noted the submission of a travel plan but it was difficult to achieve good travel habits and attain targets whilst employees have access to free car parking. Public car parking facilities were available in the area together with other, more sustainable public transport options. Therefore the proposal for a temporary consent whilst travel plan measures are established is not considered to outweigh the adverse impact on the council's adopted transport strategy

In offering comments Members raised the following issues:

- One Member was supportive of the Council's objectives to restrict commuter parking, the concerns about travelling on public transport during a pandemic were insufficient
- Although normally supportive of the Council's objectives, other Members had concerns about using public transport during a pandemic
- One Member suggested that Government advice was to avoid public transport
- A number of Members expressed the view that the bus and train companies had provided a valuable Service in difficult times, suggesting that some people had no other options but to use public transport and it was the wrong message to deter people from using public transport

- The majority of Members were supportive of a suggestion to grant temporary planning permission for a 3 year period rather than 5

It was moved and seconded that the application be granted for a temporary period of 3 years subject to the inclusion of a robust travel plan and monitoring fee.

Upon being put to the vote, the motion was passed 12 votes to 1

RESOLVED – That the application be granted for a temporary period of 3 years subject to the inclusion of a robust travel plan and monitoring fee.

- 55 Application No. 20/02048/FU for the demolition of existing structures, the construction of a new cafe and a cycle hub; a new taxi rank; public realm enhancement works including hard and soft landscaping; improvements to the cycle, pedestrian and multi-modal interchange arrangements; and the installation of new access lift at Bishopgate Street, New Station Street and Mill Goit, Neville Street, and Dark Neville Street, Leeds City Centre. Listed Building Application 20/01996/LI for the demolition of an existing section of wall and the construction of a replacement wall, which will be built into an existing listed wall at Bishopgate Street, New Station Street, Leeds.**

With reference to the meeting of 16th July 2020 and the decision to defer and delegate determination of Application No. 20/02048/FU to the Chief Planning Officer for approval subject to the conditions specified in the submitted report (and any others which the Chief Planning Officer considers appropriate) and following further discussions with the developer concerning access issues, in particular the provision of level access to the taxi rank on New Station Street and that Application No. 20/01996/LI (Listed Building Consent) be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report.

The Chief Planning Officer now submitted a report which provided an update on the discussions with the developer with regard to the provision of level access to the taxi rank on New Station Street.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The Planning Case Officer addressed the Panel, speaking in detail about the proposal and highlighted the following:

- Site / location / context
- Potential ramp options (Section 8 of the submitted report)
- Consultation – A rolling process of meetings to ensure all groups had a voice
- Constraints of the site

Members were informed that exploration work had been undertaken by the Applicant in relation to the potential other access options, as detailed in section 8 of the submitted report which demonstrated that none of the considered options would be the best answer to addressing the many demands of this scheme.

The report concluded that, on the basis of the findings of the access options report (in Appendix 1), the originally designed scheme, to create the two new 21 person pedestrian lifts and the steps to both sides of the lift/kiosk building, and provide a level access under the Queens hotel portico would bring the optimum solution for addressing accessibility between New Station Street and Bishopgate Street.

Members raised the following questions to officers:

- In respect of the consultation, were disabled groups consulted, in particular, Mr McSharry who previously addressed Panel and spoke about the difficulties for disabled people who used taxis, had he been provided with any reassurance
- Creating a ramp may encourage anti-social use, skateboarders for example

In responding to the issues raised, officers said:

- The LCC Access Officer confirmed that the consultation included a pan disability group which included groups with different disabilities. In respect of Mr McSharry it was reported that 3 meetings had taken place with the group he represented.
- Measures could be incorporated onto the ramp to deter skateboard use but this would be impracticable because the ramp needs to be a smooth service for wheelchair users

In offering comments Members raised the following issues:

- The majority of Members appeared to be satisfied that all necessary groups/ stakeholders had been consulted.
- Members were supportive of the proposal to expand the concourse in front of the station to accommodate more people
- Members expressed the view that although they were not entirely satisfied with the conclusions of the report, they did accept that there were no other alternative solutions which would satisfy everyone
- A small number of Members queried if all options had been explored, could access be achieved from the rear of the station via Aire Street

In responding to the final comment the City Centre Team Leader said provision of level access would be looked at again as part of future proposals to improve the Aire Street entrance but that those proposals would be separate from the scheme before Members

The Chair thanked Members for their contributions

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RESOLVED –

- (i) That the contents of the report be noted
- (ii) Although not part of this proposal, the Chief Planning Officer be requested to investigate enhanced level access arrangements via Aire Street as part of the planning considerations for those proposals.

56 Application No. 19/02081/FU - Development of 322 Dwellings and ancillary flexible commercial space (use class A1, A2, A3, A4, B1 and D1) at land at Ellerby Road and East Street, Cross Green, Leeds.

The Chief Planning Officer submitted a report which sets out details of an application which sought the development of 322 Dwellings and ancillary flexible commercial space (use class A1, A2, A3, A4, B1 and D1) to land at Ellerby Road and East Street, Cross Green, Leeds.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The City Centre Team Leader addressed the Panel, speaking in detail about the proposal and highlighted the following:

- Site / location / context
- Nature and scale of buildings within the City Centre
- 12m rise in levels East Street to Ellerby Road
- Development cut into the hillside
- Grade I Listed Building in vicinity - St Saviour Church which had a dominant presence in the area (Views of the church to be retained from East Street)
- Relationship to Conservation Area
- Proposed materials to reflect the Conservation Area, red brick with bronze detailing and full height glazing
- Full depth recess to windows and recessed brick panels
- Retention of pedestrian access through the site
- Vehicular access to the site would be via Bow Street
- The proposal is for 322 residential dwellings, comprising four blocks across the two sites, blocks ranging in height from 7 – 9 storeys
- Size of the dwellings meet adopted space standards
- Off-site greenspace contribution
- Financial viability assessment undertaken – The District Valuer had confirmed that the provision of 8 affordable units was achievable

The City Centre Team Leader reported the receipt of two further letters of objection from local residents since the panel report was written, raising concerns about the loss of greenspace, the height of the residential blocks and noise during the construction period.

Members raised the following questions:

- Could clarification be provided about the greenspace provision
- Could officers comment on the levels of the site
- Were there any nearby shopping facilities
- The District Valuer's opinion that there are exceptional costs associated with this development, could further clarification be provided
- How far away from the site was the centre of Leeds
- The elevational treatment appears to be a priority over the affordable housing provision, why was this strategy been pursued
- There appears to be no provision for solar panels, electric vehicle charging points, and what was the fuel source of the development
- Who would be responsible for the maintenance of the greenspace

In responding to the issues raised, officers said:

- The proposal delivers less than the required greenspace provision on site but Council policy allows for any deficit in on-site provision to be mitigated by an off-site financial contribution which will be used to enhance the nearby Bow Street recreation ground in this case
- Members were informed that the proposal complied with landscape standards for accessibility
- The proposal provides an opportunity for commercial space (shops), other existing local shopping is located at the Leeds Docks or is planned for at the Copperfield site
- The District Valuer said the development was in a sensitive heritage setting and construction costs were high due to the type of materials to be used and the approach to detailing (Red brick). Similar Private Rented Schemes (PRS) in other areas use composite panelling resulting in lower build costs
- Members were informed the site was just outside the core of the city centre, Leeds Docks and the Ibis Hotel junction were a 10 minute walk away
- The City Centre Team Leader explained that the elevational treatment was not being prioritised over affordable housing provision. There were other costs associated with the development that were also affecting the financial viability position. However the quality and approach to the elevational treatment was welcomed and considered necessary to preserve the heritage setting
- The applicant explained that in addition to the costs associated with building in a heritage setting, there were a number of significant other costs: the diversion of two large public sewers, gas fired combination heat source and power for the common areas, possible connection to the district heating system (subject to further negotiations) that's why solar panels had not been included, looking at the scheme as a whole. 31 electric vehicle charging points were already proposed, difficult to increase this number because additional electricity sub stations would

be necessary resulting in the reduction of car parking spaces and rental levels

- Members were informed that the developers would be responsible for the maintenance of the on-site greenspace

In offering comments Members raised the following issues:

- Some Members welcomed the use of red brick in a heritage setting
- A number of Members expressed concern that the proposed elevational treatment had no distinct character, the design and approach to the courtyard parking was underwhelming and more greening of the site was required particularly to the East Street frontage
- Members were of the view that this was a rapidly changing area which would look very different in a few years-time and as a result a different design approach could be considered to improve the financial viability position
- Members welcomed the principle of development, but alternative design solutions were required including the use of different materials, the provision of more greenspace and more affordable housing

It was moved and seconded that the application be deferred to allow further discussions to take place around alternative design solutions including; the use of different materials, the provision of more greenspace and more affordable housing.

Upon being put to the vote the motion was passed 12 votes to 1

RESOLVED – That the application be deferred to allow further discussions to take place around alternative design solutions including; the use of different materials, the provision of more greenspace and more affordable housing.

57 PREAPP/19/00530 - Pre-application presentation for the proposed demolition of existing office building and student residential accommodation development on the site of Arena Point, Merrion Way, Leeds LS2 8PA

The Chief Planning Officer submitted a report which sets out detail of a Pre-application presentation for the proposed demolition of an existing office building and the development of residential student accommodation on the site of Arena Point, Merrion Way, Leeds LS2 8PA.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The applicant's representatives addressed the Panel, speaking in detail about the proposal and highlighted the following:

- Site / location / context
- The site located within the area identified for tall buildings

- The proposal to demolish existing 19 storey building and replace with 43 storey purpose built student accommodation
- Elegant slender building in design
- Accommodation to consist of studio flats and cluster flats, 694 student bed-spaces in total
- New building to occupy a similar footprint to existing building
- Materials; smooth white metal cladding with shimmer, metal infill panels, moulded panels at street level, deep reveals, and full height windows to all rooms
- Main entrance located on Merrion Way at ground floor level
- The northern half of the building at ground floor level would contain bin store, a bike store, substation and generator room together with disabled parking spaces
- Amenity space 970sqm
- Improve public realm around the site, 3m wide pavements
- New specimen trees
- Drop off and deliveries on Brunswick Terrace
- Wind mitigation measures (Baffles)

Members raised the following questions:

- Was the existing building currently in use
- Members questioned the demand for purpose built student accommodation in light of the coronavirus pandemic and the likelihood that international students may not return in large numbers
- What were the room sizes for each type of accommodation

In responding to the issues raised, the applicant's representatives said:

- Members were informed that the existing building was in use, with an occupancy rate of 40% prior to the Covid-19 lockdown
- The applicant suggested the building would come online in approximately 4 years-time, "when we may be in less strange times". If student demand is low the building could be reconfigured to residential accommodation
- Members were informed that studio flats were 21sqm and the 6 bedroom cluster flats have 28sqm living/kitchen spaces

In offering comments Members raised the following issues:

- Members were generally supportive of the scheme suggesting the design was elegant, impressive, well-proportioned and would make a positive statement to the street scene.
- Some Members considered that the "Studio Flat" was too small, there was not enough space for occupants to sit for relaxation.
- A number of Members welcomed more purpose built student accommodation within the City Centre

In offering comments on the officers' questions in the report:

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- Members were of the view that the loss of office accommodation and proposed use of the site for student accommodation was acceptable in principle
- Subject to confirmation of the detailed proposals, Members were supportive of the approach towards the living conditions for student accommodation, with the exception of the “Studio Flat” where further clarification was required
- Members considered the proposed mass and form of the development and its relationship with the surrounding context to be acceptable

The Chair thanked the developers for their attendance and presentation suggesting that Members appeared to be generally supportive of the development.

RESOLVED –

- (i) To note the details contained in the pre-application presentation
- (ii) That the developers be thanked for their attendance and presentation

58 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Thursday, 19th November 2020 at 1.30pm (Remote Meeting)

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Leeds
CITY COUNCIL

Originator:	C. Briggs
Telephone:	0113 2224409

Report of the Chief Planning Officer

City Plans Panel

Date: 19 November 2020

Subject: Planning application 20/02958/FU for the demolition of existing buildings and construction of student accommodation with ground floor management, common facilities, and artists studios, including flexible use rights Under Part 3, Class V for retail and commercial uses B1, A2, A3, A4, A5, D1 and D2, open space, public realm improvements, associated landscaping, infrastructure, access and parking at Caroline House, Diamond House, Sheepscar Street South, Sheepscar, Leeds LS7 1AD

Applicant	Date Valid	Target Date
Alumno Student (Whitelock) Ltd	26.05.2020	01.10.2020

Electoral Wards Affected:

Little London and Woodhouse

☐ Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions set out in Appendix 1 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:

- Restriction to student housing only during term times
- Off-site greenspace contribution for improvements to Lovell Park or other planned public realm improvements in the area £272,562.55
- Improvements to local Traffic Regulation Orders £7500
- Travel plan monitoring fee £3215
- Cooperation with local jobs and skill initiatives.

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.

Conditions

Draft Conditions for 20/02958/FU See Appendix 1

1.0 Introduction

- 1.1 This application is brought to City Plans Panel because it is a major planning application on the edge of the City Centre.

2.0 Proposal

- 2.1 The development would involve the demolition of the existing buildings and the construction of a part 6 and part 7 storey red-brick student residential accommodation development of 105 student flats providing 411 bedspaces, with ancillary communal areas and a flexible mix of ground floor uses, which could include retail/commercial/cultural and community space (A1, A2, A3, A4, A5 B1, D1 and D2 use).
- 2.2 The layout of the proposed scheme follows a widened street pattern and forms 2 courtyards to the north, with Sheepscar Beck running along part of the site boundary. The main entrance to the student accommodation would be from Whitelock Street. The proposed commercial unit, at this stage proposed as an art studio for East Street Arts, would be 198sqm and sited at the corner of Whitelock Street and Sheepscar Street South along with a temporary sculpture plinth to mark this prominent feature of the building
- 2.3 The 105 flats would be formed of 53 studio flats and 52 cluster flats consisting:
- 1 four bedroom cluster flat
 - 18 six bed cluster flats
 - 18 seven bed cluster flats
 - 15 eight bed cluster flats
 - 53 studio flats

The range of cluster flats and studio flat sizes is set out in section 10.4.3 of this report.

- 2.4 There would be 196sqm internal communal space at ground floor in a central communal hub off the main entrance of the building. This would include quiet study areas, multimedia areas, dining, common room and laundry provision. In addition there would be 122sqm on level six (cinema and gym) for all residents. In total there would be a total 318sqm communal area for all residents outside their studio flat or cluster flat space.
- 2.5 Externally there would be a landscaped courtyard and an external roof terrace for use by residents as amenity space. 18 new trees are proposed within the courtyard including 12 new trees along the street frontage to Whitelock Street and Sheepscar Grove. Tree species to the east of the main entrance would be *Acer fremanii* "Celzam" and the trees to the west of main entrance would be

Gleditsia triacanthos. The widened street frontage would provide informal gathering space along the edge of the widened footway with benches, and beyond that a 3m wide shared footway and cycle-way along Whitelock Street.

- 2.6 Servicing and deliveries would be taken from a new loading bay on Whitelock Street and from within the site through the main access off Whitelock Street. Four off-street car parking spaces are proposed, and two would be disabled bays.
- 2.7 The application proposal is supported by the following documents:
- Planning Statement
 - Design and Access Statement
 - Architectural Plans
 - Landscape Plans
 - Ecology Report
 - Coal recovery report
 - Coal Mining Risk Report
 - Daylight and sunlight report
 - Noise Report
 - Air Quality Report
 - Drainage Strategy
 - Flood Risk Assessment
 - Flood Risk Sequential/Exceptions Test
 - Flood Warning and Evacuation Plan
 - Travel Plan
 - Transport Statement
 - Land Contamination Phase I Desk Study
 - Energy Strategy
 - Sustainability Statement
 - Statement of Community Involvement
 - Site Management Plan

3.0 Site and Surroundings

- 3.1 The site is located between Whitelock Street, Sheepscar Street South and Sheepscar Grove, to the north of the City Centre boundary. The site is within Flood Risk Zones 2 and 3 and is adjacent to Sheepscar Beck, which is in an open channel to the north of the site along part of the site boundary. In addition to the beck easement for maintenance there is also a Yorkshire Water main easement through the middle of the site.
- 3.2 The site consists of three buildings including Diamond House, Britannia House and Caroline House. Diamond House is at the north-west of the site and fronts Whitelock Street and the latter two lie to the east of the site and front onto Sheepscar Street South. These buildings are industrial/warehouse style buildings, with Diamond House being single storey and the applicant states this is partly occupied on a short lease, and Britannia and Caroline houses being 2 storey and vacant. Britannia House has most recently been in use as a shisha lounge.

- 3.3 Sheepscar Grove includes a variety of light industrial uses including a motor mechanics and a brewery and tap room, and two cleared sites. The Harewood Barracks Army reserve centre is located to the south of the site between Sheepscar Grove, Skinner Lane, Whitelock Street and Regent Street. The Grade II Listed red-brick Eagle Tavern on North Street is to the north-west of the site. To the north of Sheepscar Beck, the 3 storey red-brick Falcon Electrical building on Sheepscar Street South also features some architectural and historic character. To the south are 8-9 storey modern flat developments along Skinner Lane, and City Plans Panel approved a 9-11 storey development at the corner of Regent Street and Skinner Lane on 29 August 2019 (ref. 18/01276/FU).
- 3.4 The site lies within 20 minutes walking distance to a number of higher education campuses including the University of Leeds, Leeds Beckett University, University of Law Leeds, St James' University Hospital, Leeds College of Music, and Leeds City College campuses including Quarry Hill. Nearby local facilities include Aldi, Poundworld, Pure Gym at the corner of Skinner Lane and Regent Street, and Lincoln Green Centre to the east. City Centre facilities for example the Merrion Centre would be accessed via North Street. The site is well connected for pedestrians, cyclists and public transport users, including major cycle routes and bus routes along North Street and Regent Street/Sheepscar Street South.
- 4.0 Relevant Planning History**
- 4.1 17/05686/FU Britannia House and Caroline House have been subject to a retrospective application for a shisha lounge and associated external canopy which was approved in January 2018.
- 5.0 History of Negotiations**
- 5.1 Two pre-application meetings took place with officers in October 2019 and February 2020. The main planning issues discussed included the principle of the use, walking routes to education establishments, design, residential amenity and quality, landscape, private amenity space provision, flood risk and drainage, building sustainability and climate change, road noise and air quality, and detailed highways matters. Ward Members were notified about the pre-application enquiry by officers by email on 19 October 2019. The developer advises that they undertook their own consultation which included neighbouring business, residents and Ward Members. The developer held a one-day public exhibition on Friday 14 February and has set up a public website about the proposal. Ward Members were invited for a briefing by the developer and invitations were sent to approximately 5,000 homes in the area. The developer has had discussions with the Environment Agency, and with neighbouring businesses, including the Eagle Tavern, North Brewery and the Harewood Barracks Army Reserves Centre. The developer has also discussed providing apprenticeships during construction with Leeds College of Building.
- 5.2 Little London and Woodhouse Ward Councillor Kayleigh Brooks commented at pre-application stage, in summary:

- a. the building form and massing should be considered in the context of the surrounding area to avoid appearing bulky. Perhaps it could be softened/broken up a little (stepping, planting, green walls)
- b. are there any genuinely affordable student flats units included
- c. more information on the spaces for local artists
- d. more details on the proposed mix of accommodation
- e. What measures would be put in place to ensure the rooftop terrace does not cause nuisance for local residents?
- f. Will any of the amenities, including green spaces, be open to the wider community?
- g. In the event that the building is not successful as student housing, could it be repurposed to C2 or C3 quickly and easily.

6.0 Public/Local Response

6.1 Planning application publicity consisted of:

- a. Leeds City Council Public Access website posted 26.05.2020
- b. Site Notice posted 23.06.2020
- c. Press Notice published 26.06.2020
- d. Ward Councillors consulted by email 13.07.2020. No comments were received.

6.2 Leeds Civic Trust support the planning application proposal and commented as follows (in summary):

- Student accommodation is suitable in this location, as it's not a residential area and student housing would bring life to the mix of uses in the area.
- Support the provision of tree planting to Whitelock Street
- Provision of communal facilities and roof garden are welcomed
- Provision of artists studios welcomed but should be secured through a legal agreement
- Could the student cluster rooms be more generous and include more storage or relaxation space?
- Any proposal for student housing should give an indication of how the building could be converted to C3 residential use
- The scale, massing and elevational treatment are well designed, however a lighter brick tone could be used to ensure greater contrast between the two bricks proposed

6.3 East Street Arts have written in support of the planning application, noting their commitment to working with the applicant (subject to planning permission) to develop a ceramics and pottery studio with a workshop for evening classes for the local community, kilns and drying racks, an exhibition area and private spaces for individuals work.

7.0 Consultation Response

7.1 Environment Agency

No objection subject to condition.

7.2 Coal Authority

No objection subject to conditions.

- 7.3 LCC Highways
No objection subject to conditions regarding offsite highways works, electric vehicle charging points, construction management plan, car park and servicing management plan, and the review and implementation of the Travel Plan via a Section 106 agreement.
- 7.4 LCC Conservation & Design Team
No objection. The proposed development requires the demolition of a non-descript inter war building in the functional style of negligible significance. The replacement will not affect the setting of nearby heritage assets.
- 7.5 LCC Environmental Studies (Noise)
The Environmental Noise Impact Assessment prepared by Sound Advice Acoustics Ltd and submitted in support of this application details the existing noise climate at the site of the proposal together with recommendations for glazing and ventilation specifications such that acceptable internal noise levels would be achieved. The methodology and findings of this assessment are agreed with, and concur that if its recommendations are carried out in full, then an acceptable internal noise climate should be achieved.
- 7.6 LCC Environmental Studies (Air Quality)
No objection to this proposal on the grounds of local air quality from road transport sources. Local air quality monitoring data indicate that air quality standards will not be exceeded either at the application site or elsewhere as a result of the development. The submitted air quality assessment proposes that potential impacts associated with construction activities are assessed in accordance with the IAQM Guidance. No adverse comments from the demolition and construction, subject to the mitigation measures outlined being implemented. The report also states that the proposed energy strategy is not directly associated with any NOx or particulate emissions, e.g. due to the use of air source heat pumps for domestic hot water. No adverse comments and agree that no further assessment of building emissions is required.
- 7.7 LCC Nature Conservation
Bat roosting features should be installed on the site/buildings, and this should be controlled by condition. The proposal would enhance Sheepscar Beck. Care should be taken with lighting (details by condition).
- 7.8 LCC Landscape Team
No objection subject to conditions.
- 7.9 LCC Flood Risk Management
No objection subject to the measures set out in the flood risk assessment. The flood evacuation plan is acceptable.
- 7.10 LCC Access Officer
Could the applicant expand on the level access into the building and lifts which is the only information provided and talk about access to the amenities, studios and other facilities. Public art should be inclusive which means it should be

accessible to everyone and meet the needs of sensory impaired people including blind and Visually Impaired people who are often excluded from traditional sculptures and other visual forms of visual art. (Guidance is available in BS8300). Cycle parking is being provided, could this be extended to include adapted cycle parking? Is there a drop off point for those using taxis with a dropped kerb? Are there are blue badges spaces / disabled parking spaces nearby - only 2 spaces on the site are being provided. Has the applicant reached out to local groups of disabled people to learn about how they would wish to access the proposed art studios?

- 7.11 West Yorkshire Police (incorporating pre-app comments)
Ground floor glazed active frontages are recommended with communal facilities facing Whitelock Street and Sheepscar Grove. In addition security measures such as external lighting, CCTV and video intercoms, should be proposed on all sides of the building.
- 7.12 West Yorkshire Archaeology Service
There are no apparent significant archaeological impacts associated with development in the area identified

8.0 Relevant Planning Policies

8.1 Statutory Context

- 8.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of decision making at this site, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014 and as amended by the Core Strategy Selective Review 2019)
- Saved Leeds Unitary Development Plan Policies (UDPR 2006)
- The Natural Resources & Waste Local Plan (NRWLP 2013) including revised policies Minerals 13 and 14 (2015)
- Leeds Site Allocations Plan (SAP 2019)
- Any Neighbourhood Plan once made – there is no Neighbourhood Plan for this area.

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

8.2.1 Development Plan

Leeds Core Strategy (CS)

The adopted CS sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The site is located on the edge of but outside the City Centre boundary. The most relevant policies are set out in the paragraphs below:

Spatial Policy 1 Location and scale of development.

Spatial Policy 6 Housing requirement and allocation of housing land

Spatial Policy 8 Economic development priorities

Spatial Policy 9 Employment

Spatial Policy 11 Transport infrastructure investment priorities such as pedestrian improvements
 Policy CC3 Improving connectivity between the City Centre and Neighbouring Communities.
 Policy EC3 Employment use land
 Policy P8 retail
 Policy P9 new community facilities
 Policy P10 design
 Policy P11 heritage
 Policy P12 landscape
 Policy T1 transport management
 Policy T2 accessibility requirements and new development
 Policy H2 housing on unallocated sites
 Policy H3 housing density
 Policy H6B Purpose Built Student Housing
 Policy EN1 carbon dioxide reduction
 Policy EN2 sustainable design and construction
 Policy G4 Greenspace
 Policy G9 biodiversity improvements
 Policy ID2 planning obligations and developer contributions

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

Relevant Saved Policies include:

Policy GP5 all planning considerations
 Policy BD2 design and siting of new buildings
 Policy BD4 mechanical plant
 Policy BD5 residential amenity
 Policy LD1 landscaping
 Policy N39B restoration of culverted and canalised watercourses

8.2.3 Leeds Natural Resources and Waste Local Plan

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

Air 1 management of air quality through new development
 Water 1 Water efficiency including sustainable drainage
 Water 7 Surface water run-off
 Land 1 Contaminated land
 Land 2 Development and trees
 Minerals 3 Coal safeguarding
 Land 2 Development and Trees

8.2.4 Leeds Site Allocations Plan (SAP)

The site is not identified in the SAP.

8.3 Relevant Supplementary Planning Guidance:

SPD Building for Tomorrow Today: Sustainable Design and Construction
 SPD Street Design Guide
 SPD Parking
 SPD Travel Plans

8.4 National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied (para 1), and is a material consideration in planning decisions (para 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para 38). The Framework sets policies on the following issues which are relevant to this planning application proposal (including section numbers):

- 2 Achieving sustainable development (paras 7, 8, 10, 11, 12)
- 4 Decision making (paras 38, 39, 40, 41, 43, 47, 48, 54, 55, 56, 57, 58)
- 5 Delivering a sufficient supply of homes (59, 62, 63, 64)
- 6 Building a strong competitive economy (80)
- 7 Ensuring the vitality of town centres (85, 86)
- 8 Promoting healthy and safe communities (91, 92, 95)
- 9 Promoting sustainable transport (102-11)
- 11 Making effective use of land (117, 118, 119, 122)
- 12 Achieving well designed places (124-131)
- 14 Meeting the challenge of climate change and flooding (148-165)
- 15 Conserving and enhancing the natural environment (including ground conditions para 178-179 and noise para 182)
- 16 Conserving and enhancing the historic environment (including paras 189-200)

9.0 Main Issues

- 9.1 Principle of development
- 9.2 Design
- 9.3 Landscape
- 9.4 Amenity, housing quality and mix
- 9.5 Highways and transportation
- 9.6 Accessibility
- 9.7 Flood Risk and drainage
- 9.8 Climate Change
- 9.9 Planning obligations

10.0 Appraisal

10.1 Principle of the development

- 10.1.1 The site lies just outside the designated City Centre boundary. The site is not allocated in the Site Allocations Plan, therefore Policy H2 applies which states:

New housing development will be acceptable in principle on non-allocated land, providing that:

- (i) The number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development,
- (ii) For developments of 5 or more dwellings the location should accord with the Accessibility Standards in Table 2 of Appendix 3

The development is close to the boundary of the City Centre with a good existing provision of local services, public transport, educational and health infrastructure. The development accords with the Accessibility Standards, and is not located in the Green Belt or on greenfield land, therefore the development is acceptable in principle, subject to all other material planning considerations.

10.1.2 Student residential use would be acceptable in this location in principle, subject to detailed planning considerations. The proposal would be assessed as follows against the criteria within Core Strategy Policy H6B :

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 411 purpose-built student bedspaces which would help to take pressure off the need to use private housing for student accommodation.

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

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

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

There is no existing student accommodation in this location at present, however the adjacent Mabgate area has planning permissions for PBSAs which could create an excessive concentration in the future, but at present there is no evidence of excessive concentration. The immediate surrounding land uses around the site are mixed use, including light industrial. It is considered that pedestrian movements from the proposal site to the Universities would for the most part be through a mixed use/predominantly commercial part of the City Centre. The most likely route to the main university campuses is via either North Street or Merrion Street or via Grafton Street. Whilst Grafton Street has a more traditional residential character with domestic scale housing, it is located in close proximity to the College of Building, Lloyds Bank headquarter offices and Lovell Park which generate noticeable footfall in the area. Grafton Street also provides a vehicle link between North Street and Wade Lane generating regular vehicle movements. It is therefore considered that in the context of a busy edge of City Centre location the potential for unacceptable disturbance to existing residential amenities is limited. With regard to Cllr Brooks concerns regarding the potential for noise from external areas to impact on nearby local residents (approx. 100m away at Skinner Lane and at Lovell Park), the applicants have submitted a site management plan which sets out measures for 24hour site management, tenancy agreement provisions, and a curfew at 10pm for all

external areas. The rooftop terrace would include an 1800mm-high glass screen as well as seating and planting areas to create a shielded area on the terrace during its managed hours of use.

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

The site is located close to the universities, within easy walking and cycling distance. This test would be satisfied as the development is within 0.7 miles of Leeds Beckett University campus and 1.2 miles of the University of Leeds campus.

10.1.3 The Council's affordable housing policy (Core Strategy Policy H5) does not apply to purpose-built student housing proposals. Therefore a Section 106 obligation is required to restrict the occupation of the development to full-time students only. Regarding Cllr. Brooks' comments concerning affordable student housing, there is not currently a planning policy that relates to the provision of affordable student housing, however the applicants have stated that their proposed mix of accommodation has a broad pricing range.

10.1.4 Core Strategy Policy EC3 relates to the loss of employment land. Some of the existing buildings were last used for employment purposes and therefore the scheme should be assessed against this policy. Part A of policy EC3 applies to sites located within areas of the district that are outside areas of shortfall. The site is not located in an area of shortfall. It is considered that at the present time there is an adequate level of supply to meet the need for employment land in the district during the plan period. Taking account of any minor loss of the employment element, the proposals are therefore likely to satisfy the criterion under Part A (i) of Policy EC3 based on the monitoring information currently available. With regard to Part (ii) of the policy, where buildings were last used for employment use, existing buildings and land are considered to be non-viable in terms of market attractiveness, business operations, age, condition and/or compatibility with adjacent uses, the applicant has submitted evidence from the owner of the site which details a chronology of marketing undertaken since 2005. The building owner states that the buildings are of such age and layout that they no longer meet or serve the needs of business and the site is no longer viable in its current form, and has been partially vacant for many years. The applicant has also submitted evidence from letting agent Adair Paxton providing details and evidence of the marketing exercise which has taken place in excess of 12 months together with details as to the level of interest shown. The marketing exercise included boards displayed on the building facing onto the A61 a prominent road corridor. These boards remain in place during the application process and such the owner and agent has tried all possible means of generating interest in this site for its current use and form. The evidence provides confirmation that the little interest shown involved parties who were not interested in occupying and using the building for employment use. It is considered that the detailed information provided within the documents together with the provision of employment space on site as part of the scheme proposal satisfies the criteria (ii) of Policy EC3.

10.1.4 With regard to Policy EC3(iii), the applicant proposes a flexible range of commercial uses at ground floor level which will allow them to take advantage

of the flexible use permitted development rights found under Part 3, Class V of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) for retail and commercial uses B1 office, A2 financial and professional services, A3 cafe, A4 bar, A5 hot-food take-away, D1 non-residential institution and D2 assembly and leisure. Although a wide range of flexible uses are sought, the applicant has confirmed that East Street Arts are the likely tenant and the unit would be used as an art studio and exhibition space for local emerging artists. If the B1 office use were to be taken up this would provide some employment use at the site, and an art studio may be considered as an employment use if its main purpose is the production of art. The relatively small amount of defined town centre use floorspace at 199sqm would meet policy requirements in Policy P8 and would offer active frontages, natural surveillance and variety in use.

10.1.5 With regard to Leeds Civic Trust and Ward Councillor comments regarding details of the proposed art studio use, and how this would be secured through the planning process, whilst the use is welcomed it is not a planning policy requirement. This means it would not be reasonable to bind the applicants to provide an artists studio by legal agreement, it should be noted that the applicants have applied for a flexible mix of uses for the ground floor commercial unit to allow them to market it to a range of operators, and that this is acceptable from a planning policy perspective. The comments in support of the application by East Street Arts are positive and indicate that their involvement in this project would progress subject to the grant of planning permission.

10.1.6 Regarding comments about the ability for student flats to easily convert to C3 residential accommodation, this would be require a further planning permission, and would require some internal changes to facilitate. It's not a planning policy requirement to demonstrate this, however subject to internal alterations to allow the units to meet Core Strategy policies H4 housing mix, H5 affordable housing, H9 space standards and H10 accessible dwellings, in principle, subject to the consideration of other planning matters such as highways, a conversion would be possible without major external or structural work.

10.1.7 On balance, the principle of the development is considered acceptable when assessed against Core Strategy Policies EC3, H2 and H6B, and the NPPF, subject to all other detailed planning considerations.

10.2 Design

10.2.1 Although the proposed development would be taller than the existing buildings it would be lower in scale than the City Centre context to the south on Skinner Lane, around 9 storeys. The proposed building scale would be lower, stepping down to part 7, part 6 six storeys as development steps down away from the City Centre to a more domestic scale towards the Falcon Electrical building on Sheepcar Street South, nearby warehousing and the Grade II listed Eagle Tavern to the north on North Street. It is considered that the development responds to its edge of City Centre context, noting that this is on the northern edge of an area in transition with large scale flatted development up to 9 storeys to the south along Skinner Lane marking the designated City Centre boundary.

It is considered that the proposed scale and massing of the building is acceptable in this context, in conjunction with the proposed layout and improvements to the street edges around the building footprint.

10.2.2 In relation to the quality of the pedestrian environment, residential amenity and appropriate 'breathing space' between urban buildings, at this scale of development and in this City Centre context, 15m is considered to be an acceptable minimum distance between the proposed development or across to potential neighbouring development sites. Therefore it is considered appropriate that the building should be sited approximately 7.5m from the centre line of both Whitelock Street and Sheepscar Grove carriageways. This would enable Whitelock Street and Sheepscar Grove to become tree-lined streets with widened footways, provide an enhanced pedestrian environment that would make the transition to an urban scale mixed use residential area from a low rise industrial area based on a former back-to-back housing street pattern. This aspect of the proposal would also enhance the character of the area, and promote biodiversity and climate change mitigation. The layout of the new build proposal would provide active ground floor uses, which would help to enhance the streetscene and offer natural surveillance to surrounding streets.

10.2.3 In terms of detailed building design, the new block would be clad in two types of red brick, in lighter and darker tone. The exact choice of bricks would be controlled at planning condition stage. The architectural order would feature with a defined base, middle and top, expressed through a defined ground floor treatment at the base, a defined roof parapet, and in the middle a vertical and horizontal grouping of windows, in sections of staggered windows with a horizontal emphasis alternating with vertical projecting bays in a regular vertical window pattern. Windows reveals would vary between a whole brick and half a brick, up to a 200mm reveal to create shadow and robust detailing. Different brick bonds including stretcher, stacked and soldier, would also add variety and texture, to the façade together with metal louvred panels alongside the window recesses.

10.2.4 Therefore it is considered that the proposal including its form, scale, materials and detailed design features, would enhance the significance and setting of nearby heritage assets in accordance with paragraphs 189-200 of the NPPF, Core Strategy Policies P10 and P11, and in compliance of the duties of the Local Planning Authority under Section 66 of the Listed Buildings and Conservation Areas Act 1990.

10.3 Landscape and greenspace

10.3.1 The spaces and pedestrian routes around the current buildings have an unwelcoming appearance. The proposal and introduction of residential and active ground floor uses would help to activate the area and provides an opportunity to introduce additional natural surveillance of pedestrian routes. Core Strategy Policy CC3 expects new developments to make contributions or appropriate route enhancements to:

"help provide and improve routes connecting the City Centre with adjoining neighbourhoods and improve connections within the City Centre in order to improve access to jobs and services, to encourage greater usage and make

walking and cycling easier, safer and more attractive". The footways to all three frontages of the site are narrow, and are relatively low footfall at present. The proposals include the provision of improvements to landscape namely 12 new street trees adjacent to the public highway to Whitelock Street, Sheepscar Street South and Sheepscar Grove. The footway along the edge of the site to Sheepscar Grove would be increased to 2.98m wide and the footway to Whitelock Street increased to 3.2m with a further 3.2m building forecourt with planting. The footway to Sheepscar Street South would increase to between 4.25m and 3.81m wide. Part of the additional footway width would be on private forecourt with an overhang of the upper floors above, however this is considered acceptable as the height under the soffit would be 3.15m at the southern end and 2.8m at the northern end of the building, so this would not be oppressive for pedestrians.

10.3.2 Saved Policy N39B of the Unitary Development Plan Review 2006 and Core Strategy Policy G9 (Leeds Habitat Network) would require biodiversity enhancement to Sheepscar Beck. Only a limited section of open beck passes along the northern site boundary. In the absence of a comprehensive scheme for beck enhancement in sections, the applicant has proposed a landscaped terrace to the becksides part of the site. Native species landscaping and integrated bird and bat boxes would also promote biodiversity at the site. In combination with the proposed tree, hedge and shrub planting around the site, it is considered that the proposed approach to biodiversity enhancement at the site is acceptable.

10.3.3 The site is located outside of the City Centre boundary, therefore Policy G4 applies. The green space requirement for student accommodation is calculated using the number of bed spaces, for which 18sqm of green space is required per bed space. In this case, Policy G4 would require 7398sqm to be provided on-site. The Policy recognises that for higher density multi-storey developments the required greenspace may prove impractical to provide on site and therefore allows a contribution to be made for off-site greenspace improvement. As the site is only approximately 4000sqm and on the edge of the City Centre, a combination of on-site and off-site provision is considered reasonable.

10.3.4 The development would provide two courtyard areas. The western courtyard consists of car parking and landscaping and therefore is not considered sufficiently useable to meet the policy. However the eastern courtyard has a useable area of approximately 305 sqm adjacent to the beck, and the development includes a 380sqm roof terrace which would be open to all residents.

10.3.5 With regard to Cllr. Brooks' comments regarding the provision of public open space at this site, no publicly accessible space is proposed, however given the limited size of the greenspace, lack of opportunity to connect readily into the surrounding public highway network, and proposed off-site commuted sum mitigation this is not considered to provide a sufficient reason to resist the proposal. The offsite commuted sum could be utilised to fund improvements to the nearby local public greenspace such as Lovell Park some 250m away or

other planned public realm improvements. In this case, the proposed combination of the on-site private communal space provision and off-site enhancements to local existing greenspace is considered acceptable to meet the requirements of Policy G4.

10.3.6 In summary, the siting of the buildings, provision of public realm, balance of hard and soft landscaping, enhancement to footways, would be appropriate to create a sense of place. The proposal would provide new tree planting, and would contribute towards enhancements to a nearby public park or other public realm initiatives. It is therefore considered that the proposal would be on balance in accordance with Saved UDPR Policies LD1 and N39B, and Core Strategy Policies CC3, P10, P12, G4 and G9.

10.4 Amenity, housing quality and mix

10.4.1 Criteria (v) of policy H6B relating to proposals for purpose-built student housing requires that the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.

10.4.2 Core Strategy 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. There are no established standards for student cluster flats, however paragraph 5.2.46 of the supporting text to Core Strategy Policy H9 states that *“provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis”*.

10.4.3 The proposed cluster flat sizes are considered to be acceptable and are listed below, with the equivalent Nationally Described Space Standard (NDSS) in brackets for comparison, as whilst the NDSS is not applicable to student housing, its evidence base can be used to help inform the assessment of amenity:

4 Bed cluster 108 sqm, including kitchen / living room of 28 sqm (NDSS equivalent requirement 69 sqm)

6 Bed cluster between 139 and 141 sqm, including kitchen / living room of 28-33 sqm (NDSS equivalent requirement of 103sqm)

6 Bed cluster including accessible cluster bedroom 158sqm, including kitchen / living room of 33 sqm (NDSS equivalent requirement of 103sqm)

7 Bed cluster 161 sqm, including kitchen / living room of 31-34 sqm (NDSS equivalent requirement of 120sqm)

7 Bed cluster including accessible cluster bedroom 167sqm, and kitchen / living room of 28 sqm (NDSS equivalent requirement of 120sqm)

8 Bed cluster between 175 and 181 sqm, including kitchen / living room of 30-37 sqm (NDSS equivalent requirement of 137sqm)

Individual Cluster bedrooms would be 14sqm.

Studio flats would be a range between 20.6sqm and 26sqm (NDSS 37 sqm)

318sqm internal communal space would be provided which equates to 0.77sqm per student. There would be 196sqm communal space at ground floor in a central communal hub off the main entrance of the building. This would include quiet study areas, multimedia areas, dining, common room and laundry provision. In addition there would be 122sqm on level 06 (cinema and gym) for all residents. In addition there would be a 380sqm rooftop garden amenity space.

10.4.4 City Plans Panel has previously approved the following student accommodation developments:

a. Planning permission for Vita's St Alban's Place scheme, in which the smallest studios is 20sqm (78% of the total provision), was granted April 2017 (16/07741/FU). In approving the scheme it was recognised that the size of the majority of the studios would be restricted, providing little or no opportunity for socialising. However, each studio was found to benefit from a good outlook, natural daylighting and a suitable noise environment. In order to provide acceptable levels of amenity and communal living the studios are supplemented by managed areas of dedicated communal facilities at the two lowest levels of the building.

b. In December 2017, City Plans Panel approved the redevelopment of Symons House, Belgrave Street by LSSH where the proposed smallest studio would be 21.3sqm. 2 to 5 bedroom clusters in that development would have 14sqm bedrooms with kitchen/living spaces increasing in size from 21-43sqm, all supported by areas of dedicated amenity space.

c. During summer 2018 City Plans Panel approved the Unite and Hume House proposals on Merrion Way. The Unite scheme comprised 4, 5 and 7 bedroom clusters with 23-40sqm kitchen/amenity space, and 30sqm studios. Hume House comprised a similar mixture of studios (22sqm) and 4, 5 and 6 bedroom clusters with 21-35sqm kitchen/amenity space, the area depending upon the size of the cluster.

d. In Autumn 2019 City Plans Panel approved the redevelopment of the College of Technology on Woodhouse Lane. The studios would range in size from 21-27sqm, with an average size of 23.5sqm. Typically, cluster bedrooms would be 13sqm. The amenity spaces attached to the clusters would range in size from 23.3sqm for the four-bedroom clusters to 40.1sqm for the 8-bedroom clusters.

A total of 442sqm of dedicated amenity space would be provided for use by students.

e. In August 2020, City Plans Panel approved the redevelopment of 44 Merrion Street. At that proposal the smallest of the studios would be 20sqm. 84 cluster flats would be in groups of 5 bedrooms, the smallest bedroom of which would be 12.8sqm. Each cluster would have a kitchen/diner (15.2sqm) and have shared access with an adjacent cluster to a lounge (18.4sqm). In addition, approximately 1000sqm of communal areas were proposed for a total of 660 students in that case.

10.4.5 The proposed sizes of the accommodation proposed is broadly in line with other student accommodation developments in the City. In each of these purpose-built student schemes recently considered by Plans Panel the dedicated additional amenity spaces within the building were considered important in providing overall acceptable levels of amenity for the occupiers of the development. In the case of the current application proposal it is considered that each of the student rooms would provide adequate space for sleeping, studying and bathroom facilities. In addition, there would be sufficient space for communal kitchen and living functions for each cluster flat, as well as with reference to Leeds Civic Trust comments, the opportunity to socialise outside their private accommodation in the communal areas. Noting the Trust's comments regarding storage, whilst there is no policy standard for storage in student housing, the Core Strategy Policy H9 would require 1sqm of built-in storage for C3 residential use accommodation for a single person habitation. In this case, the studio and cluster flats would provide 0.4sqm on plan in a wardrobe with shelves and hanging space, an end of bed unit, desk and drawers, and shelves above the wardrobe plus approximately 1sqm in an under-bed drawer. The studio would also have kitchen units, and in the cluster kitchen there would be food and kitchen utensils cupboards for each resident. This is considered on balance sufficient space for personal belongings in the study bedrooms and studio flats.

10.4.6 The application is supported by noise and air quality reports to demonstrate the provision of adequate amenity for future residential occupiers. A planning condition would control the exact sound insulation scheme specification to ensure satisfactory amenity and minimise nuisance from existing road, entertainment noise and mechanical plant noise, and future proposed mechanical plant from within the proposed scheme. This will require a combination of insulation, glazing and mechanical ventilation to ensure that residents benefit from satisfactory amenity and are not adversely affected by road noise, which in the warmer months may require mechanical ventilation to achieve cooling without opening windows. This planning condition will require post-construction testing to ensure it is effective and mitigation works if it is not.

10.4.7 In summary, it is considered that the proposed building layout generally offers satisfactory privacy relationships with nearby buildings, outlook, daylight, circulation and juxtaposition of living functions within and around the building. It is considered that the scheme would on balance meet the residential amenity,

housing mix and sustainability objectives of Core Strategy Policy H6B and Saved UDPR Policies GP5 and BD5.

10.5 Highways and Transportation

10.5.1 The site is located in an accessible and sustainable location, within walking distance of the universities, local services, the railway station and frequent bus services. The site is close to the City Centre, the nearby Aldi/Poundworld/Pure Gym and Lincoln Green local centre. The development would be car-free other than for 4 car parking spaces including 2 disabled person's parking spaces, with electric vehicle charging points. This is significantly below parking guidelines for the city centre fringe zone. However in this case, given the sustainable location of the site for access to services and public transport and the on-street parking restrictions in the area, it is considered that the low amount of parking proposed would not have an adverse impact on highway safety and amenity and is considered appropriate. There would be 82 resident cycle parking spaces in a secure store at ground floor level. With reference to Access officer comments, whilst there are no formal policy requirements for adaptable cycle storage, 2 Sheffield stands would feature wider spacing to allow adaptable or larger bicycles to park securely in the cycle store. In addition there would be 14 short stay Sheffield stands externally close to the main entrance. The applicants would manage the start and end of term pick up and drop off through the use of timed slots in the proposed on-street loading bay and off-street parking areas within the site.

10.5.2 The following offsite highways works are to be delivered by s278 under the Highways Act or similar agreement and are subject to a planning condition/legal agreement to include:

- a. Site access arrangements
- b. Loading bay/start and end of term pick-up drop off bay
- c. Eleven on-street car parking bays short-stay 1 hour no return for 2 hours (presently no parking at any time on this part of Whitelock Street)
- d. Reinstatement of footway to redundant vehicular accesses
- e. Widened footways to Whitelock Street, Sheepscar Street South and Sheepscar Grove.

10.5.3 The implementation of the Travel Plan and monitoring fee would be controlled through the Section 106 agreement.

10.5.4 In summary, it is considered that subject to the recommended planning conditions the application proposal would not lead to highways safety or amenity problems, in accordance with Leeds Core Strategy Policies P10 and T2, Saved UDPR Policy GP5, the Parking SPD and the Travel Plans SPD.

10.6 Accessibility

10.6.1 With regard to the Access Officer's comments level access would be provided into the main entrance of the building from Whitelock Street. Lifts running throughout the building would provide access to all floors and communal facilities. Toilets in communal areas would be accessible. The roof top amenities for cinema, study and fitness space would be accessed by the central lift and stair core and this also leads out onto the shared roof terrace. The

cluster flats would incorporate 10 accessible bedrooms with appropriately sized bedroom and bathroom facilities. The central covered entrance would act as the primary orientation point with a level access for all students and visitors leading into the “hub” and reception space. The residential parts of the proposal would be split into separately accessed ‘zones’ each with their own stair and lift core. The western block ground floor would be above the required flood level and the lifts mediate this level change for inclusive accessibility. The reception and communal areas at ground floor are located off the central arrival space and the applicant states that they would use sympathetic finishes and colour contrast to further allowing easy way finding on move-in day. Appropriate loop installation would be provided at reception and wayfinding signage would be provided throughout the development. The reception area and desk would be designed to fully comply with BS8300 to accommodate wheelchair users. External areas would be appropriately lit, and sign posted with the inclusion of braille where required. Drop off points would incorporate dropped kerbs and tactile paving. The ground floor art studios would have level access from street level without the need for stairs and ramps. This is designed as an active street frontage with flush/level thresholds compliant with BS8300. Drop off would be via the designated bay on Whitelock Street and this would incorporate a dropped kerb, to be provided as part of the proposed off-site highways works.

10.6.2 This proposal is for an effectively car-free development. There is very limited on-site parking proposed and this would be strictly managed by the applicant for operational use such as pick-up and drop-off. However there would be two on-site accessible parking bays proposed, which would exceed the Council’s policy requirements for accessible parking (10% of overall car parking provision on-site), and in the context of the overall scheme this is considered acceptable.

10.6.3 The applicants also confirm that the commercial floorspace would also meet the Building Regulations and BS8300. The exact details of permanent sculpture would be proposed at planning condition stage, and the applicants acknowledge the Access Officers comments regarding consultation with local groups.

10.6.4 On this basis it is therefore considered that the proposal has addressed Core Strategy Policy P10 and the Accessible Leeds SPD.

10.7 Flood Risk

10.7.1 The proposed development is located in Flood Zones 2 and 3 and is at risk from flooding from Meanwood/Sheepscar Beck. A Flood Risk Assessment (FRA) has been submitted in support of the planning application. As the proposed development is located within the Flood Zones 2 and 3, the Environment Agency and the Council’s Flood Risk Management team have confirmed that suitable mitigation and management measures are proposed including locating bedroom spaces above the flood level, providing dry access and egress in the event of a flood and that a suitable evacuation management plan has been prepared.

10.7.2 It is considered that the flood risk sequential test and exceptions test has been passed and the developer has demonstrated why the regeneration,

sustainability, climate change mitigation and place-making benefits, in conjunction with satisfying technical and safety considerations, would outweigh the flood risk at this site. A 20 minute walk isochrone within 300m of the City Centre boundary to Leeds College of Music, Leeds University Nexus Building on Woodhouse Lane has been considered to be an appropriate area of search for the flood risk sequential test in this case, also noting the close proximity to the Leeds Beckett campus also on Woodhouse Lane. The exceptions test has been applied and the site is considered sustainable given its location within an identified regeneration area, accessible to pedestrians and cyclists and close to public transport links and the universities, the site is previously developed land, and through the submission of an acceptable flood risk assessment, the proposal would adequately safeguard against potential flooding impact, in accordance with NRWLP policies, Core Strategy Policy EN5 and the NPPF.

10.8 Climate Change and Sustainability

- 10.8.1 Leeds City Council declared a Climate Change Emergency in 2019. 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 105 student flats, making better use of a sustainably-located vacant brownfield site. The key measures incorporated into this proposal are summarised below.
- 10.8.2 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/zero carbon energy. In this case the applicant has confirmed that the proposed development would achieve the policy requirements, including the low/zero carbon energy requirements, which would be met by air source heat pumps and rooftop solar panels in this case.
- 10.8.3 Core Strategy Policy EN4 District Heating identifies the potential for district heat networks to serve major developments such as this one. The applicant has confirmed that the development would be future-proofed to be converted to utilise the District Heat Network. This is included in a recommended planning condition.
- 10.8.4 Policy EN2 states that residential developments should meet the Building Regulations Low Water Usage Target. The applicant has confirmed that this would be met and this would be controlled by planning condition.
- 10.8.5 Core Strategy Policy EN8 requires major housing development to meet a minimum standard of 1 electric vehicle charging point (EVCP) per dedicated parking space. All four car parking spaces would have EVCPs.
- 10.8.6 Other sustainable travel measures including secure long and short stay cycle parking, and a Travel plan, all help to reduce car journeys and promote sustainable travel behaviour, which 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. The proposal would also provide a new wider shared footway and cycleway along Whitelock Street which would promote better walking and cycling links in this area. The site is well located for access to the universities, local shopping facilities and the universities on foot, bicycle and is close to local bus facilities on North Street and Regent Street.

10.8.7 The provision of a landscaped courtyard and deck to Sheepscar beck, a total of 18 new trees, plus climbing plants, shrub and hedge planting, would assist in absorbing carbon dioxide, promote biodiversity, and help reduce the effects of climate change and reduce the urban heat island effect. The development would also contribute a commuted sum for greenspace improvements in the local area in accordance with Core Strategy Policy G4.

10.9 Planning Obligations

10.9.1 The Council's adopted policies would result in planning obligations being required by way of a Section 106 Agreement. These obligations are considered to be necessary, directly related to the development and fairly and reasonably related in scale and kind to the development:

- a. Restriction to student housing only during term times
- b. Off-site Greenspace Contribution £272,562.55
- c. Traffic Regulation Order £7500
- d. Travel Plan Monitoring Fee £3215
- e. Cooperation with local jobs and skills initiatives during constructions

10.9.2 The proposal would be subject to the Community Infrastructure Levy (CIL) and the initial sum calculated is £61,087.18. This is for information only and is not a material planning consideration.

11.0 Conclusion

11.1 The site is within the City Centre fringe, and currently represents an inefficient use of land. The proposal offers a significant opportunity to bring a partly vacant site back into use, deliver purpose-built student housing, provide pedestrian and landscape enhancements, and contribute to regeneration and place-making of the northern edge of the City Centre. The proposal on balance is in accordance with the Development Plan, the duties of the Local Planning Authority under Section 66 of the Listed Buildings and Conservation Areas Act 1990, and national planning policy as described above, and it is recommended that planning permission is granted subject to the conditions and planning obligations set out.

Background Papers

Application file 20/02958/FU

Appendices

Appendix 1 Draft Conditions

Appendix 2 Proposed Site Layout Plan

DRAFT

Applicant Alumno Student (Whitelock) Ltd

Application Number: 20/02958/FU

Agent: Turley Associates - Leeds
Matthew Sheppard
1 Park Row
Leeds
LS1 5HN

Proposed Development At: Caroline House, Diamond House, Sheepscar Street South, Sheepscar, Leeds

Proposal: Demolition of existing buildings and construction of student accommodation with ground floor management, common facilities, and artists studios, including flexible use rights Under Part 3, Class V for retail and commercial uses B1, A2, A3, A4, A5, D1 and D2, open space, public realm improvements, associated landscaping, infrastructure, access and parking

- 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) No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance. Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

In order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

- 4) 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'.

- 5) 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.

- 6) 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.

- 7) 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.

- 8) No works to or removal of hedgerows, trees or shrubs, or built structures with bird-nesting potential shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation or built structures 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.

To protect nesting birds in vegetation.

- 9) Prior to commencement of development, a works management plan including the following details for both demolition and construction shall be submitted to and approved in writing by the Local Planning Authority:
- a. site compound and cabins
 - b. contractor and sub-contractor parking
 - c. traffic management of deliveries and waste removal
 - d. means of loading and unloading of all contractors' plant, equipment, materials and vehicles and associated traffic management measures.
 - e. means of suppressing dust and dirt including the protection of Sheepscar Beck from dust and debris and run-off from demolition and construction
 - f. details of communication with local residents and businesses
 - g. construction activities including deliveries shall be restricted to 08:00hrs to 18:00hrs Monday to Friday, 08:00 to 13:00hrs Saturdays, with no construction activities Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority
- Works shall be carried out in accordance with the approved details.

In the interest of road safety, ecology and amenity.

- 10) The development shall be undertaken in accordance with the Entuitive Drainage Strategy Layout Plan ref G019.1846/D010 Rev D and supporting drainage calculations and details unless otherwise submitted and approved in writing with the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention.

- 11) Prior to the first occupation of the development, details of the management, inspection and maintenance of any non-adopted drainage features shall be submitted to an approved in writing by the Local Planning Authority. The details shall identify the responsible parties and set out how these will be funded and managed and provide a schedule of the proposed inspections and annual maintenance for the lifetime of the development. The plan shall be submitted to and approved in writing with the Local Planning Authority prior to first occupation and the development shall thereafter be maintained at all times in accordance with the approved details.

To ensure the development is adequately maintained for the lifetime of the development.

- 12) Prior to the commencement of above ground building works, full details of off-site highways works as shown on drawing ref. 1908024-03 C shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed prior to first occupation of the development or within a timescale as agreed in writing by the Local Planning Authority.

In the interests of pedestrian and vehicular safety.

- 13) Prior to the commencement of above ground building works, a sound insulation scheme designed to protect the future occupants of the proposed dwellings from noise emitted by nearby sources shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed prior to first occupation of the development and shall thereafter be retained. The scheme shall also include a ventilation strategy, which provides for the adequate control of room comfort, where windows will need to remain closed to meet the internal noise level targets. Prior to occupation, a post completion sound test to demonstrate compliance with agreed criterion shall be submitted for approval. In the event that sound levels exceed the specified limits, the applicant shall

undertake corrective action and re-test. Once compliance can be demonstrated the results shall be re-submitted for approval.

In the interests of residential amenity.

- 14) Prior to the commencement of above ground works an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme comprising:
- a. a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit)
 - b. a Site Waste Management Plan (SWMP)
 - c. an energy plan showing the amount of on-site energy produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand
 - d. details that demonstrate at least a 20% reduction in total predicted carbon dioxide emissions in the Building Regulations Target Emission Rate Part L 2013
 - e. details that demonstrate the implementation of the low water usage target 110 litres/person/day
 - f. a proposal to make the development future proof to enable future connection to the local district heat network.

The development shall be carried out in accordance with the approved details and

g. Within 6 months of the final occupation a post-construction review statement shall be submitted to the Local Planning Authority including demonstration that the building(s) have achieved the relevant standards.

The development and buildings comprised therein shall be maintained thereafter and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement.

In the interests of sustainable development.

- 15) Prior to the installation of external facing materials, roofing and glazing types on site, full details including a sample panel of all relevant external facing materials, roofing and glazing types to be used shall be constructed on-site and approved in writing by the Local Planning Authority. The external materials, roofing and glazing materials shall be constructed in strict accordance with the sample panel(s). The sample panel shall not be demolished prior to the completion of the development, unless otherwise agreed in writing by the Local Planning Authority

In the interests of visual amenity and the character of the surrounding area.

- 16) Prior to the construction of the following elements, full 1 to 20 scale working drawing details of the following shall be submitted to and approved in writing by the Local Planning Authority:
- a. soffit, roof line, eaves and any external plant area treatments
 - b. junctions between materials
 - c. each type of window bay proposed
 - d. ground floor frontages
- The works shall be carried out in accordance with the details thereby approved.

In the interests of visual amenity and the character of the surrounding area.

- 17) No surfacing works shall take place until details and samples of all surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Such

materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The surfacing works shall be constructed from the materials thereby approved and completed prior to the occupation of the building.

In the interests of visual amenity and the character of the surrounding area.

- 18) Hard and soft 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. Lighting
 - f. CCTV
 - g. proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works shall include

- h. planting plans
- i. written specifications (including soil depths and quality to BS 3882:2015, cultivation and other operations associated with plant establishment)
- j. schedules of plants noting species, planting sizes and proposed numbers/densities
- k. details of tree pits and root cells
- m. long term landscape management plan

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

In the interests of visual amenity, sustainable landscape provision, biodiversity, safety and security.

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

To ensure maintenance of a healthy landscape scheme, in accordance with Leeds Core Strategy Policy P12, Saved UDP Review (2006) policies GP5 and LD1 and the NPPF

- 20) Prior to the commencement of above ground works a plan shall be submitted to and approved in writing by the Local Planning Authority which includes details of:
- a. bat roosting features within buildings and, or public realm
 - b. integral bird nesting features within buildings and, or public realm for House Sparrow, Starling and Swift.

The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a commitment to being installed under the supervision of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained thereafter.

To maintain and enhance biodiversity.

- 21) Development shall not be occupied until all areas shown on the approved plans to be used by vehicles have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway.

- 22) Prior to the commencement of above ground building works, full details of electric vehicle charging points in the car park shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided in accordance with the approved details prior to first use of the car park, and retained as such thereafter.

In the interests of encouraging more sustainable forms of travel and to reduce the impact of development on air quality.

- 23) Notwithstanding the details shown on the plans hereby approved and prior to the commencement of above ground building works, full details of the facilities for the parking of cycles for residents shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking facilities thereby approved have been provided. The facilities shall thereafter be retained and maintained as such.

In in the interest of promoting sustainable travel.

- 24) Prior to the commencement of above ground building works a strategy detailing the method of storage and disposal of litter and waste materials, including recycling facilities, for all uses at the site, 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 timescale's 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 highways safety, amenity and to promote recycling.

- 25) The operating hours of ground floor commercial unit shall be restricted to 08.00 to 23.00 hours Monday to Saturday and 10.00 to 22.00 hours on Sundays and Bank Holidays.

In the interests of residential amenity.

- 26) Deliveries to and from the premises (all uses) including loading and unloading and refuse collection, shall be restricted to 08.00 to 20.00 hours Monday to Saturday and 09.00 to 18.00 hours on Sundays and Bank Holidays.

In the interests of residential amenity.

- 27) Prior to the installation of any extract ventilation system or externally mounted mechanical plant, details of such systems, including where relevant details of odour and smoke filtration for hot food uses, shall be submitted to and approved in writing by the Local Planning Authority. Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. All externally mounted mechanical 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

- 28) Any ground floor entertainment-type use shall not be brought into use until a scheme to control noise emitted from the premises has been submitted to and approved in writing by the Local Planning Authority, and the agreed scheme has been installed as approved. The scheme shall provide that the LAeq of entertainment noise does not exceed the representative background noise level LA90 (without entertainment noise), and the LAeq of entertainment noise will be at least 3dB below the background noise level LA90 (without entertainment noise) in octaves between 63 and 125Hz when measured at the nearest noise sensitive premises. The approved scheme shall be retained thereafter.

In the interests of residential amenity.

- 29) The development shall be carried out in accordance with the submitted updated flood risk assessment (FRA) from Flood Smart Pro (ref 72002R4 updated 29.6.2020) and the following mitigation measures it details:
- a. Finished floor levels shall be set no lower than stated within Section 8 Headed Conclusions and Mitigations the submitted FRA.
 - b. Water Entry Strategy within the bike and bin storage areas of the development as well as a generator in the Eastern building as stated in section 7 headed Resilience and Mitigation of the FRA
 - c. Flood resilience measures incorporated into the new development at stated within the FRA.
- These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

To reduce the risk of flooding to the proposed development and future occupants and to ensure flood water can move freely in and out of the area.

- 30) Prior to the occupation of the development hereby approved, details of a site management plan including the management of external amenity areas, car park access security measures, pick -up drop off arrangements, and servicing 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.

Plans Schedule :-

Plan Type	Plan Reference	Received
Site Location Plan/Red Line/OS Plan	1000 P01	26.05.2020
Other	Management PlanMay 2020 B	26.05.2020
Other	FRA72002R5 Final	26.05.2020
Other	NoiseSA-6355-2	26.05.2020
Other	Flood Evacuation Plan72002.05R1 FINAL	26.05.2020
Travel Plan	4 May 2020 Final	26.05.2020
Ecological Survey	ALUMNO.29.8.19v2 Final	26.05.2020
Drainage Plan	G019-1846 D010 REV D	02.07.2020
Block Plan/Layout Plan	1908024-03C	06.10.2020
Block Plan/Layout Plan	19014-HL-XX-00-DR-A-2012-S2-P10	06.10.2020
Proposed floor plan(s)	19014-HL-XX-01-DR-A-2013-S2-P03	26.05.2020
Proposed floor plan(s)	19014-HL-XX-02-DR-A-2014-S2-P03	26.05.2020
Proposed floor plan(s)	19014-HL-XX-06-DR-A-2015-S2-P03	26.05.2020
Roof Plan	19014-HL-XX-07-DR-A-2016-S2-P02	26.05.2020
Proposed elevation(s)	19014-HL-XX-XX-DR-A-2100-P06	22.09.2020
Proposed elevation(s)	19014-HL-XX-XX-DR-A-2101-P06	22.09.2020
Proposed elevation(s)	19014-HL-ZZ-XX-DR-A-2103-S2-P02	22.09.2020
Sections/Cross Sections	19014-HL-XX-XX-DR-A-2102-S2-P03	26.05.2020
Sections/Cross Sections	19014-HL-ZZ-ZZ-DR-A-2201-S2-P01	15.07.2020

Reason(s) for granting consent:-

For information:-

- 1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website and further discussion where appropriate to produce an acceptable development. For this particular application, positive discussions took place which resulted in further information being submitted to allow the application to be approved.
- 2) 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 ensuring that development is safe and suitable for use for the intended purpose.
- 3) 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

These leaflets can be obtained at www.leeds.gov.uk/contaminatedland

- 4) The contractor must ensure compliance with current legislation on noise and dust control including the Environmental Protection Act 1990 and the Control of Act 1974. Relevant Codes of Practice set out procedures for dealing with the control of noise on construction and demolition sites are contained in BS5228: 2009 Noise and Vibration Control on Construction and Open Sites.
- 5) Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.
To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:
Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings>
CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience_.aspx
British Standard 85500 - Flood resistant and resilient construction
<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>
Floodline Warnings Direct (FWD)
The applicant/occupants should phone Floodline on 0345 988 1188 to register for Floodline Warnings Direct, or visit <https://flood-warninginformation.service.gov.uk/warnings>.
It is a free service that provides flood warnings direct by telephone and mobile. It also gives practical advice on preparing for a flood, and what to do if one happens. By providing an advanced warning, it will allow protection measures to be implemented such as moving high value goods to an elevated level as well as evacuating people off site.
- 6) Bats and all nesting birds are protected and the applicant could be liable to criminal prosecution under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and Conservation of Habitats and Species Regulations 2017 for European Protected Species. The conclusions and recommendations of the Preliminary Ecological Appraisal (PEA) Survey Report, (Ref. ALUMNO.29.8.19), should be followed. This identified two buildings on site with low roost suitability for bats and recommended that both are subject to one dusk bat activity survey. This should be completed before any works start.

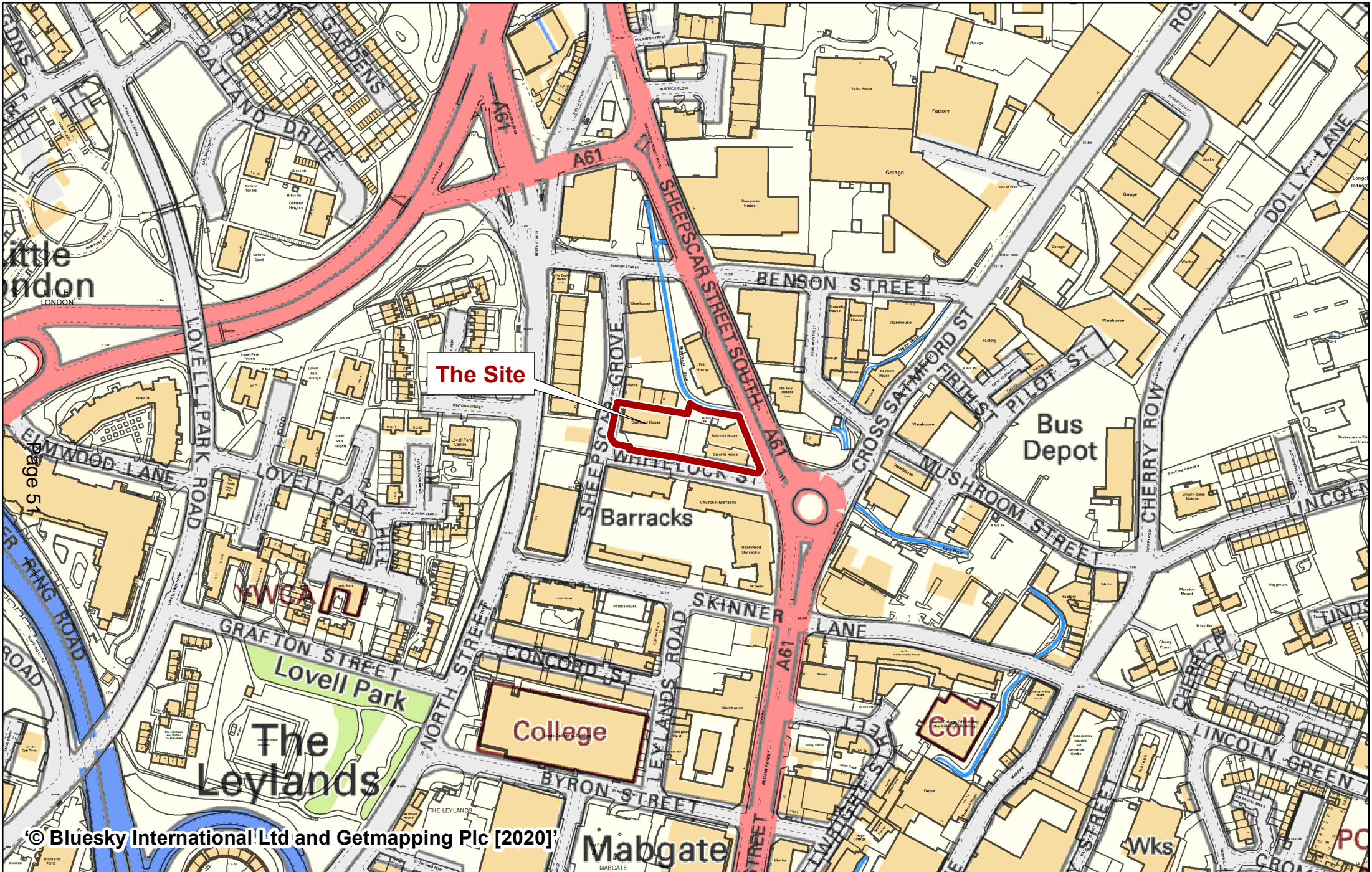
Overspill from artificial lighting should be minimised on the northern boundary of the site to prevent disturbance to foraging bats and otters along Sheepscar Beck. Low pressure sodium lamps / warm white LED (rather than mercury or metal halide) should be used on the site where lighting is necessary; these will attract fewer insects away from the boundary features.

White clawed crayfish have been recorded in Sheepscar Beck along the northern boundary of the site. A construction management plan should be produced, with an emphasis on eliminating dust, debris and run off into the beck during the demolition and construction phases. Sedimentation of water courses can have a high impact on freshwater ecology, and white clawed crayfish in particular, by smothering river habitats, fish spawning grounds and altering the pH of the water.

In order to avoid disturbance to nesting birds it is recommended that any site clearance works are undertaken outside the breeding bird season, from March to September inclusive. Should this not be feasible then a pre site clearance walkover survey for breeding birds should be undertaken. Should nests, eggs, or attempts by parent birds to nest be recorded then a suitable buffer zone should be installed, as advised by a suitably qualified ecologist, until all breeding has ceased.

- 7) In order to discharge the off-site highway works condition the applicant must enter an agreement with the Council under Section 278 of the Highways Act 1980. The applicant is advised to make early contact with the Highway and Transportation Service. In the first instance email S278Agreements@Leeds.gov.uk further information is available on the council's website <https://www.leeds.gov.uk/parking-roads-and-travel/licences-and-permits>
- 8) 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

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.



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REV.	DESCRIPTION:	BY:	CHK:	DATE:
P01	Planning Issue	EG	JY	2020/03/24
P02	Plant Room Amendments	EG	JY	2020/04/08
P03	Amendments to furniture layouts and glazing	EG	JY	2020/04/24
P04	Artist Workshops reduced to 198sqm and additional area given to amenity space	EG	JY	2020/08/06
P05	Site Layout Plan amended, planters removed, additional temporary parking spaces. Additional cycle parking.	EG	JY	2020/09/07
P06	Existing spot levels added to East end. Change to access strategy to allow for existing slope on footpath, widening the footpath on Sheepscar Street South to the full width. Section of footpath raised to match existing sloped footpath levels. Removal of door to East Elevation of Artist Workshop. Floor Level in Thermal Plant and access corridor to Staircore 4 raised by 300mm to +32.80 to match external levels.	EG	JY	2020/09/16
P07	Dimensions added to footpaths	EG	JY	2020/09/21
P08	Internal cycle parking amended to 30% sheffield stands, access gates amended to 4.8m width	EG	JY	2020/10/02
P09	2 additional Sheffield stands added to internal cycle parking	EG	JY	2020/10/05
P10	Temporary 'drop off/pick up' parking bays shown in undercroft and along Whitelock St in 20m loading bay.	EG	JY	2020/10/06

By Department Legend

Ancillary

Communal

Flat 1

Flat 2

Flat 3

Studio

Workshop

Existing sloped footpath

Existing low level concrete plinth to be raised to match footpath levels

PURPOSE:
PROJECT:

FOR INFORMATION
Whitelock Street, Leeds

DESCRIPTION:

Level 00 - Proposed - Planning

DRAWN BY:
EG

SCALE:
As indicated

SHEET SIZE:
A1

DATE:
24/03/20

PRO NO:
19014

ORIG:
HL

VOLUME:
XX

LEVEL:
00

TYPE:
DR

ROLE:
A

NUMBER:
2012

SUITABILITY:
S2

REV:
P10

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LITCHFIELD

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