



SOUTH AND WEST PLANS PANEL

**Meeting to be held in Civic Hall, Leeds on
Thursday, 11th May, 2023
at 1.30 pm**

MEMBERSHIP

Councillors

B Anderson
C Campbell
S Hamilton
D Ragan¹
R Finnigan
T Smith
E Taylor (Chair)
J Bowden
J Garvani
J Heselwood
J McKenna

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

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=950&MId=11970&Ver=4>

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

¹ *In line with the relevant delegated authority, a delegated decision has been taken and published to replace Cllr Ragan with Cllr Jenkins. This delegated decision takes effect from 9th May 2023.*

**Agenda compiled by:
Tasha Prosser
Natasha.Prosser@leeds.gov.uk
Governance Services
Civic Hall**

AGENDA

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <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>	

Item No	Ward	Item Not Open		Page No
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE 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> <p>No exempt items or information have been identified on the agenda</p>	
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 INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council’s ‘Councillor Code of Conduct’.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	

Item No	Ward	Item Not Open		Page No
6			<p>MINUTES - 16 FEBRUARY 2023</p> <p>To consider and approved the minutes of the previous meeting held Thursday, 16th February 2023.</p>	9 - 14
7			<p>21/08345/FU AND 21/08346/LI - FORMER BURLEY LIBRARY, 230 CARDIGAN ROAD, HEADINGLEY, LEEDS, LS6 1QL</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a change of use application of a former library and the erection of a six storey extension to create a co-living scheme (sui generis) with associated communal facilities, a work hub to ground floor and basement parking, Former Burley Library, 230 Cardigan Road, Headingley, Leeds, LS6 1QL.</p>	15 - 36
8			<p>22/08014/FU - LAND WEST OF KENT ROAD, PUDSEY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for construction of a Sixth Form College on land West of Kent Road with new vehicular and pedestrian access and parking, Pudsey.</p>	37 - 68

Item No	Ward	Item Not Open		Page No
			<p data-bbox="675 181 1015 219"><u>Third Party Recording</u></p> <p data-bbox="675 255 1382 472">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.</p> <p data-bbox="675 510 1310 584">Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> <li data-bbox="724 624 1382 853">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. <li data-bbox="724 860 1394 1162">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. 	

This page is intentionally left blank

To all Members of South and West
Plans Panel

Planning Services
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Contact: Steve Butler
Tel: 0113 224 3421
steve.butler@leeds.gov.uk

Our reference: SW Site Visits
Date: 28/04/2023

Dear Councillor

SITE VISIT – SOUTH AND WEST PLANS PANEL – THURSDAY 11th May 2023

Prior to the meeting of the South and West Plans Panel on Thursday 11th May the following site visit will take place:

Time		
Depart Civic Hall 10.30		
Arrive 11.00 - Depart 11.30	22/08014/FU - Construction of a Sixth Form College at land West of Kent Road with new vehicular and pedestrian access and parking, Pudsey	
12.00	Return Civic Hall	

Please notify Steve Butler (Tel: 3787950) if this should cause you any difficulties as soon as possible. Otherwise please meet in the Ante Chamber.

Could I also suggest that you wear sturdy shoes or boots appropriate for the prevailing weather conditions for the visit as we are likely to be walking across grassed areas.

Yours sincerely

Steve Butler
Group Manager
South and West

www.leeds.gov.uk

general enquiries 0113 222 4444



This page is intentionally left blank

SOUTH AND WEST PLANS PANEL

THURSDAY, 16TH FEBRUARY, 2023

PRESENT: Councillor E Taylor in the Chair

Councillors B Anderson, C Campbell,
S Hamilton, T Smith, J Bowden, J Garvani,
J Heselwood and J McKenna

76 Appeals Against Refusal of Inspection of Documents

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

77 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

78 Late Items

There were no formal late items.

79 Declarations of Interests

Members did not declare any interests.

80 Apologies for Absence

Apologies for absence were received on behalf of Councillor D Ragan and Councillor R Finnigan.

81 Minutes - 22 December 2022

RESOLVED – That the minutes of the previous meeting held Thursday, 22nd December 2022 be approved as an accurate record.

82 21/09266/RM – Former Airedale Mills, Moss Bridge Works, Town Street, Rodley, Leeds, LS13 1HP

The report of the Chief Planning Officer presented a Reserved Matters application for layout, scale, appearance, and landscaping for the erection of 67 dwellings pursuant to outline approval (18/01501/OT) at Former Airedale Mills, Moss Bridge Works, Town Street, Rodley, Leeds, LS13 1HP.

Photographs and slides were shown throughout the officer presentation, and Panel members were provided with the following information:

- The site is an allocated housing site (SAP Ref: HG2-58) and located in the Outer West Housing Market Character Area and the principle of development (including access) has been accepted via the previously

approved outline consent (18/01501/OT) for residential development of up to 69 dwellings.

- The application site extends to 2 hectares and the perimeter of the site features established mature trees extending down the eastern boundary, with a number to the western boundary along the two paths. The trees form an ecology buffer and will remain un-developed. The northern boundary of the site is defined by the access road to the Rodley Nature Reserve.
- Access to the site is from Town Street and Moss Bridge Road, via a newly installed swing bridge over the Leeds-Liverpool Canal. Access to the site has been agreed via the previous outline consent and is the subject of a S106 Agreement which secures the bridge's ongoing structural maintenance and responsibility / ownership of the same.
- There will be an adopted internal highway arrangement with two turning heads.
- There is a change of levels in the site, sloping down from the level of the towpath and canal, sitting three metres lower.
- A 3 metre ecology buffer is to be provided to the southwestern boundary of the site, adjacent to the towpath. The buffer will be separated with a 2.4m high non-climbable weld-mesh fence.
- The proposals consist of a mixture of house types including an apartment block to the southern part of the site (16 units) and three and four bedroom townhouses (51 units). There is a bungalow proposed to the northern corner of the site, meeting accessibility requirements.
- There will be an off-site Greenspace contribution of £25,000.

The following objectors attended the meeting:

- Councillor Andrew Carter
- Councillor Kevin Ritchie
- Jeremy Knapp
- Keith Lambert

Objectors in attendance raised the following concerns:

- The scheme significantly impacts residents of Rodley and will increase traffic.
- It is anticipated there will be access issues with the swing bridge, especially if it malfunctions. There is particular concern that emergency services will not be able to access the new residents of the proposed site.
- The access conditions proscribed in the outline permission have not been met, with the swing bridge not being fit-for-purpose and poorly designed.
- In terms of Rodley Nature Reserve, there is a need to maintain the diversity of wildlife on site and it is identified that the discharge / outflow into the water supply opposite the development of the site, poses a risk to the wildlife. This discharge / outflow should not be allowed.
- Lack of public open space.
- There is a risk to the ecology buffer during construction phase and concerns were raised regarding construction management. It was

requested that no work take place on Saturday and Sunday. In particular, this will cause disturbance to the Reserve.

- The off-site Greenspace contribution is inadequate and will not make the necessary enhancements to the local park as required.
- Risks associated with increased parking as a result of the proposed development and proposed Traffic Regulation Order (TRO) on Town Street. Resident-only parking should be introduced both for the development and existing residents in surrounding streets due to the loss of parking spaces which will arise on Moss Bridge Road, but even then there is insufficient parking proposed for residents as part of the development
- Overdevelopment onsite with the development / design proposed not being in keeping with the surrounding area – particularly for the apartment block.

In response to questions from Panel members, objectors confirmed the following:

- It was accepted that the principle of development on the site had been established by way of the outline permission, such that there was no objection to housing development on the site per se.
- Local councillors have received extensive correspondence regarding the swing bridge malfunctioning and the main concern relates to emergency vehicles not being able to access the site and the timeliness of the swing bridge being replaced / repaired on the occasions of it malfunctioning. It was confirmed there is also issues with the swing bridge re-aligning properly.
- It was felt that the contingencies proposed for both repairing the bridge in the event of malfunction and for ensuring ongoing access of emergency vehicles in such situations was inadequate.
- Whilst it was acknowledged that Greenspace policy requirements are met, the contribution is not enough.
- The water take-in from the River Aire feeds into the Nature Reserve and water run-off from the proposed development site will feed into the abstraction point and impact on the lagoons and wildlife on the Nature Reserve. A suggestion was made that water is re-directed downstream to mitigate this issue, which is identified as low risk but seen to still present a risk to the Reserve.
- Public transport in Rodley is not adequate, nor is the proposed 2 car parking spaces per property and will result in cars parking on pavements and an increase in pre-existing issues. Ultimately, visitors may park in the Nature Reserve or Rodley Cricket Club.

The applicant's representative attended the meeting and addressed the Panel. He informed the Panel of the following points:

- The application benefits from the previous outline planning consent and LCC have already recommended housing for the proposed site. The application is therefore in its second phase.

- The applicant is aware of the issues associated with the swing bridge and whilst the applicant isn't responsible, the contractor is working hard to rectify issues.
- Condition 25 of the outline permission requires that the bridge is operational prior to first occupation of the development. It was right and proper that this condition (and other associated conditions relating to access) were imposed on the outline permission. Condition 25 will be fulfilled by the point at which it was required to be so – i.e. occupation of the dwellings – and the applicant is not in breach.
- The applicant has worked closely with LCC officers over the last year, as well as Rodley Nature Reserve, and any impact on the Nature Reserve will be mitigated.
- A Biodiversity Action Plan has been agreed with officers.
- None of the existing trees will be disturbed and the scheme has been amended to incorporate a second buffer.
- The developer has proposed enhanced air source heat pumps and EV charging points.
- The off-site Greenspace contribution isn't a requirement, but the developer proposed this in addition as a gesture of goodwill alongside providing adequate greenspace onsite as agreed at the outline permission stage.

In responding to questions from Panel members, the applicant's representative confirmed the following:

- The scheme compromises build-to-rent homes and the proposals are policy compliant in terms of affordable housing provision onsite.
- The site is to have a traditional estate layout and the parking provisions reflect that, while also meeting policy requirements in respect of the number of parking spaces per dwelling. It is not envisaged that there will be parking issues arising as a result of the development.
- Drainage details will be confirmed by LCC.
- The swing bridge is currently out of balance and contractors are rectifying the issue by applying additional weight to the bridge. Handles are being installed on the wheels to ensure ease of use. Furthermore, the electrical components on the bridge, should it fail, can still be opened / closed manually. The swing bridge is designed for impact damage should a barge / boat collide into the bridge.
- The swing bridge will be annually inspected for all of its operating parts, with a full electrical inspection every 3 years and a full structural inspection every 5 years. There will also be a router installed in the control room that will allow the maintenance team to operate the bridge from their office. The inspections identify wear and tear and mitigates the bridge failing by carrying out preventative measures. Wear and tear is more likely on bridge structures than any sudden failure or breakages.
- Spare parts have already been created and will be stored with the maintenance contractor, such that there will be able to be swift repair and effective ongoing maintenance.

- It was acknowledged that there were still issues to be rectified with the bridge, but Members were reminded that the Final Completion Certificate has not yet been issued and there remained a way to go before this would be issued – such that outstanding difficulties and ‘snagging’ could be undertaken.
- The developer regularly has discussions with Rodley Nature Reserve and will continue having those discussions moving forward.
- There is a possibility for there to be pets onsite. The weldmesh fence is proposed to have a ‘lip’ on the top to mitigate cats from being able to climb over, which could otherwise cause adverse issues for Rodley Nature Reserve.
- In terms of the environmental credentials of the proposal, this included the provision of EV charging points, a fabric first approach and other measures – all of which ensure policy compliance.

Further to questions put forward to officers, the following was confirmed:

- Clarity on the boundaries of the adopted highway.
- Car parking provision proposed is considered sufficient. All houses have 2 no. spaces and the apartment block proposes 1 no. space each, with an additional space for visitors and disabled residents. Street Design Guidance allows the widths of the adopted highway to accommodate visitor parking. Further to this, a member commented that the Street Design Guidance discourages parking on the pavement and sought clarity on any plans to include elements to stop this.
- If the swing bridge is not fully operational, the developer will be in breach of conditions relating to the previous planning consent. Conditions 8 and 25 of the outline consent dealt with the provision of the bridge. There is no current breach in this regard.
- There are provisions for cabling and services across the bridge to the site that are already in place.
- Water-butts can be incorporated into the consent via a condition.
- The proposal is policy compliant in terms of the amount of affordable housing proposed. 15% is the policy requirement and that is met with the 10 no. affordable housing units proposed.
- The topography of the site proved the house types acceptable and there are similar house types in the surrounding areas.
- Clarity on the policy compliance requirement for lower decile rents. The type of affordable housing provided in terms of rents will be split accordingly between the 10 no. units proposed as per policy.

Panel members made comments in relation to:

- The uncertainty of the swing bridge being fully operational and concerns whether refuse vehicles will be able to access the site. It was felt that the contingency measures proposed were not sufficient, though it was noted that the Emergency Services had been consulted and not raised concerns vis-à-vis access.
- However, it was also noted that the principle of development and access (including the swing bridge) had already been the subject matter of the outline permission and determined at Panel previously.

- Noise and light pollution impacting Rodley Nature Reserve.
- Lack of information regarding energy efficiency.
- Poorly-development Construction Management Plan, which does not take into account the impact on the Reserve and also the likelihood of numerous heavy construction vehicles crossing the newly-constructed bridge.
- Parking issues impacting on neighbouring areas, particularly during the construction period as well as issues associated with parking on the pavement.
- Inappropriate house types and the proposals to include dwellings with blank facades, promotes an opportunity for break-ins. It was suggested that blank facades incorporate windows and the design of individual dwellings in particular should be reconsidered.
- The proposed development does not make the most of the location and should be designed so that it is sympathetic of its location.
- Lack of amenity space for residents of the proposed development, and there being no cojoined areas of greenspace.

A motion was made to move the officer recommendation subject to a number of conditions including the addition of water-butts, hours of construction to be amended to no Saturday and Sundays, to look into the possibility of a temporary TRO and temporary residents parking scheme.

Following a vote on the recommendation, with the inclusion of the additional conditions, it was not carried.

Councillor Campbell then proposed to defer the application for further information. Councillor Campbell proposed the alternative motion, and Councillor McKenna seconded. Therefore, it was

RESOLVED – To defer the application for further information in regard to:

- Layout and design
- To consider policy complaint house types
- To provide more meaningful greenspace
- Inappropriate parking and measures to prevent parking on the pavement
- To incorporate water butts

83 Date and Time of Next Meeting

The date and time of the next meeting is scheduled to take place on Thursday, 16th March 2023 at 1.30 pm.

The meeting concluded at 16:20.



Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

11th May 2023

21/08345/FU and 21/08346/LI - Change of use of former library and the erection of a six storey extension to create a co-living scheme (sui generis) with associated communal facilities, a work hub to ground floor and basement parking, Former Burley Library, 230 Cardigan Road, Headingley, Leeds, LS6 1QL

APPLICANT	DATE VALID	TARGET DATE
Parklane Group Ltd	08.10.2021	07.01.2022

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

DEFER AND DELEGATE for approval of planning permission and listed building consent to the Chief Planning officer subject to the conditions below and subject to the signing of a Section 106 agreement within 3 months of the date of resolution unless otherwise agreed in writing by the Chief Planning Officer. Agreement to include £68,938 off site greenspace contribution, commuted sum in lieu of on-site provision for 6 affordable units and funding of Traffic Regulation Orders and Travel Plan

21/08345/FU

1. Standard time limit
2. Plans to be approved
3. Materials to be submitted
4. Cycle/motorcycle parking to be agreed
5. Areas for vehicles to be laid out and surfaced
6. EV charging point to be provided
7. Car Park and Servicing Management Plan to be submitted and agreed.
8. Statement of construction practice to be submitted and agreed.

9. Phase 1 Desk Study contamination
10. Remediation Statement for Contamination
11. Remediation to be carried out as agreed
12. Drainage details to be submitted and agreed
13. Restriction of use for students in full-time education
14. Landscaping scheme to be submitted and agreed

21/08236/LI

1. Standard listed building time limit
2. Plans to be approved
3. Brickwork to be approved
4. Full details of doors and windows to be submitted and approved
5. Details of all servicing to be submitted and approved
6. Details of work to historic interior to be submitted and approved
7. Archaeological recorded

Introduction

1. The applications are for full planning permission and listed building consent for the change of use of the former Burley library and the erection of a 6-storey extension to create a 78 bed space co-living scheme (sui generis) with associated communal facilities and a co-working hub.
2. The applications are brought to Plans Panel as the proposal is not fully compliant with the Development Plan and raises policy issues that go beyond that of local concern.
3. Member will recall that the applications were presented to Plans Panel as a position statement on 23rd November 2022 to inform Members of the detail of the proposals and to seek opinions on the on the co-living concept together with the detailed planning issues. The outcomes of the discussion were summarised in the minutes with specific answers to the questions put to Members:

- Do Members support the principle of co-living and the amenity offered by the development?

The majority of members agreed with this although a number wanted more information as to how it operated before giving an unqualified yes.

- Do Members support the approach to affordable housing provision for this co-living development?

A vote was taken on this and 7 supported the approach, 2 did not.

- Do Members support the design of the extension and works to the Grade II listed Burley Library?

A number of members felt that the design of the extension over dominated the smaller and listed building. Panel members expressed that they did not have major issues with the design but felt it needed to be 'lightened' in some way, such as material changes. However, another member commented on the bulk and massing of the building and a suggestion was put forward for Leeds City Council's design team to be involved in further considerations. A suggestion to

increase the height of the building was put forward, to allow for more room space, but this was not supported by Panel.

- Do Members support the parking provision and highway works associated with the development?

Members broadly supported the reduced parking provision. However, it was requested that monies to be provided for TROs in the area should be used for speed reduction measures, particularly on Alexandra Road.

4. It was agreed that officers would discuss the outcomes of the meeting with the applicants with specific emphasis on improving the design of the development and clarifying issues around parking arrangements.
5. Co-living is an emerging product within the housing market, and although there are some operational schemes in London, this is still new to most Core Cities. The product is targeted at the recent graduate market; consultancy-type workers who only need to be in a particular location for a few months; key workers who work in city centres, and also recent incomers to cities who don't necessarily want to rent on their own or know anyone to house share with. Occupancy in co-living schemes is not restricted to particular groups like students or key workers.
6. Co-living is not a fixed product but rather a range of different approaches which use the same model of studio units within a wider scheme with a range of amenity/shared facility provision. There is not a dedicated Use Class within the Use Classes Order for co-living and, as such, co-living use is a sui generis use (without a Use Class). Designs of different schemes differ e.g. some studios have kitchenette facilities within the studio, others don't. Shared amenity spaces are also distributed differently depending on the operator.
7. Although there are differences between different types of co-living there are some general characteristics which can point towards a co-living use:
 - Purpose-built shared living model aiming to provide a high standard of accommodation
 - Residents have a private room/studio (typically en-suite) within wider development which includes range of shared facilities (inc. kitchens, dining rooms, social spaces, workspaces, social spaces etc.)
 - Residents rely on / are actively encouraged to use shared facilities as part of the overall management and shared living approach
 - There's a single management regime and operator, on site concierge/management services, flexible tenancies, all-inclusive rent for utilities and access to services
 - Generally, co-living schemes are situated within town and city centres that are close to employment hubs and concentrations and near to transport networks.
6. The London Plan has an adopted policy on co-living schemes whereby schemes are only acceptable where they meet a range of criteria. In the absence of a specific co-living policy or guidance document it is considered this range criteria is useful to inform the requirements of the proposed co-living scheme. This criteria being:
 - Is the scheme of good quality and design
 - Does the scheme contributes towards mixed and inclusive neighbourhoods

- Is the development located in an area well-connected to local services and employment by walking, cycling and public transport, and its design does not contribute to car dependency
 - Is the development under single management
 - All units are for rent with minimum tenancy lengths of no less than three months
 - Communal facilities and services are provided that are sufficient to meet the requirements of the intended number of residents and offer at least: a) convenient access to a communal kitchen b) outside communal amenity space (roof terrace and/or garden) c) internal communal amenity space (dining rooms, lounges) d) laundry and drying facilities e) a concierge f) bedding and linen changing and/or room cleaning services.
 - The private units provide adequate functional living space and layout, and are not self-contained homes or capable of being used as self-contained homes
 - A management plan is provided with the application
 - It delivers a cash in lieu contribution towards conventional C3 affordable housing. Boroughs should seek this contribution for the provision of new C3 off-site affordable housing as either an: a) upfront cash in lieu payment to the local authority, or b) in perpetuity annual payment to the local authority
7. The specific background of this site and scheme submitted planning permission was granted in 2019 for the redevelopment of Burley Library for co-working space and a 6 storey extension to create 60 C3 residential apartments. The current application is for predominately the same proposal for the library and design and scale of the extension with the amendment to the accommodation changing this from C3 dwellings to co-living units.
8. The application was submitted in October 2021 at which point the Houses in Multiple Occupation, Purpose-Built Student Accommodation and Co-Living Amenity Standards draft SPD was progressing. While only limited weight could be given to this draft guidance the design and detail of the original scheme reflected the draft guidance on co-living schemes. Development Plan Panel (DPP) considered an update on the Houses in Multiple Occupation, Purpose-Built Student Accommodation and Co-Living Amenity Standards draft SPD on 2nd November 2021. Following discussions Members resolved that the co-living section of the SPD would be removed; that the revised draft SPD will be presented to DPP in January 2022, before Pre-Adoption.
9. Given this change in the draft SPD to remove guidance officers were of the view that co-living model did not have policy support and therefore could not be accepted. This view was strengthened by concerns with the scheme submitted. The proposal was for 98 units with majority of units being only 22 and 23 square metres, which reflected the deleted draft SPD guidance, and with shared accommodation that was not considered of an appropriate size and quality to create an acceptable level of amenity for future residents.
10. However, it is apparent that the co-living model does need further consideration. There are schemes coming forward in London and other Core Cities and with a number of schemes being considered for Leeds. A similar proposal, albeit on a larger scale, in the City Centre was taken to City Plans Panel in July 2022. Furthermore, the scheme has been amended to reduce the number of units to 78, increase the size of each unit to 30 square metres and to improve the quality of the shared living spaces by locating these to the front of the building with access balcony space.

11. Following discussion on the position statement and in response to the specific concerns with regards to the design of the development further work has been undertaken by the applicant to seek to respond to comments made to improve the overall design. Particularly the view that the extension was overbearing on the Library building and that the materials were contrasting with the older Library building, rather than being complementary and that the extension could perhaps 'frame the building more appropriately.
12. Further discussion has taken place with design officer with the advice being that the design of the scheme is very good and did not require significant amendments. Some suggestions were made as to how to lighten and better frame the Library building. As a result of these discussion the following amendments and updates have been made to the scheme:
 1. The projecting staircase on the northern elevation has been simplified in design in order to improve the balance of the extension. The view of the design officer was that this element was distracting to overall appearance of the extension and the way it sat with the library building.
 2. The plans have been further developed and CGIs updated in order to make the views of the extension and uses of material clearer and more legible. Additional CGIs showing the winter garden terraces and how these would operate have been provided.
 3. The floorplans have been further developed to show the details of the individual units and the communal spaces.
13. In the period since the application was last presented to Members the 'Technical Planning Guidance on Co-Living' document has been drafted and was presented to Development Plans Panel on 4th April. The purpose of this is to recognise that the co-living model is an emerging form of development and provide some clarity and guidance on how to deal with proposals within Leeds, with reference to existing policies and guidance, to ensure consistency in the absence of a specific policy within the Development Plan. The document can be given limited weight in considering the application.

Site and surroundings

14. The application site comprises the former Burley Library site is located on Cardigan Road. the site is in a mixed residential area surrounded largely by residential housing with a significant proportion of this housing in multiple occupation for students.
15. The immediate surrounding area has a variety of non-residential uses including retail and petrol station, cafes, community centres, shops and places of worship
16. The site is flanked by multi-storey student accommodation blocks to either side along Cardigan Road with The Glassworks to the north and the Embankment to the south, a railway line with former coal drops to the rear and petrol filling station opposite. Further west is Burley Park and further east is an area of terraced housing and community facilities with a small open green square.
17. Vehicular access to the rear is via the adjacent Iconinc Glassworks site and the underground car park belonging to The Embankment Building is to serve as access to the proposed accommodation basement car park.

18. The Library building is grade II listed and in a relatively intact condition, despite the fact that it has been vacant for over 3 years and then subsequently used as a construction site office. The front façade and roof are largely as originally designed. However, an adjoining building to the side has been demolished. Original windows remain and are to be retained and repaired.

Proposals

19. The application is for the retention and refurbishment of the Grade II listed Burley Library creating a co-working hub and 7 duplex co-living units with a 6 storey extension to the rear to create 71 co-living units and associated communal living space. Each unit is 30 square metres in sized and provides a single bedspace, en suite shower room and mini-kitchen. Communal living spaces are provided on each floor of the building provide larger kitchen facilities, communal living spaces and access to external balconies.

20. The scheme seeks to amend the previously approved development to alter the internal spaces to create the co-living model. The number of units has increased from 60 C3 apartments to 78 co-living units. The previously approved elevation design is retained with only minor changes to the rear elevations of the building. These consist of the removal of balconies and the slight repositioning of windows. All other aspects of the building design are to be retain as previously approved.

21. The listed Library building was designed to be at the heart of the design proposal and this remains exactly the same in the current proposal as that previously approved. The prominence of the original building on the streetscape remains as approved and there are virtually no significant changes to height, massing, finishes or fenestrations.

22. The proposal seeks to retain all the historic elements of the scheme as previously approved. This means the Library largely serves as a co-working space as previously approved. The proposal involves restoring and refurbishing the historic Library building which will create a distinctive create a historic point of interest in the streetscape. In order to further reinforce this concept, the proposed new apartment development is to be discernibly contemporary.

Relevant planning history

23. 18/00121/FU - Change of use of former library six storey extension to form 60 flats, with work hub to ground floor and basement car parking – Approved

24. 18/00122/LI - Listed Building application for alterations including six storey extension to form 60 flats with work hub to ground floor and basement car parking - Approved

Consultation responses

25. LCC Highways Transport Development Services: No objections subject to clarification on parking layout, Travel Plan and agreement and funding of TRO within the vicinity of the site.

26. LCC Flood Risk Management (FRM) – No objection subject to additional information on SudS drainage

27. Yorkshire Water – No objections subject to conditions
28. Environmental Studies Transport Strategy Team – No objections
29. LCC Contaminated Land Team – No objection subject to conditions
30. Influencing Travel Behaviour (Transport Development Services) – No objections subject to Travel Plan being included in S106 agreement
31. Network Rail – No objection subject to conditions
32. West Yorkshire Police – No objections
33. Leeds Civic Trust
34. The Trust supported the principle and broad aims of the scheme as presented in a previous application and note that this proposal is little changed from the previous scheme - we are particularly keen to see listed Burley Library building back into use. In this regard, our position remains unchanged.
35. We trust that a full analysis of the existing fabric will be undertaken and proposed repairs (for example to doors, glazing, paneling, flooring, tiling, windows, roof lanterns, external doors and railings) should be detailed prior to commencement. We would also support the retention of the existing front doors unless their removal can be properly justified.
36. The site's proximity to local transport routes (bus routes, Burley Park Station) means that car use should be at a minimum. Any reduction in car parking could be regarded as an opportunity for more amenity space.

Policy

Development Plan

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 for this proposal within the City Centre boundary, the Development Plan for Leeds currently comprises the following documents:
 - The Leeds Core Strategy 2014 (as amended by the Core Strategy Selective Review 2019)
 - Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
 - The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015)
 - Site Allocations Plan (Adopted July 2019)

Leeds Core Strategy (CS)

2. The Core Strategy sets out the strategic level policies and vision to guide the delivery of development and the overall future of the district. Relevant Core Strategy policies include:

- Spatial Policy 1 prioritises the redevelopment of previously developed land in a way that respects and enhances the local character and identity of places and neighbourhoods.
- Spatial Policy 8 supports a competitive local economy through (ii) enterprise and innovation in housing, leisure and tourism; (iii) Job retention and creation, promoting the need for a skilled workforce, educational attainment and reducing barriers to employment opportunities.
- Policy H4 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and character of the location.
- Policy H5 identifies affordable housing requirements.
- Policy H8 states developments of more than 49 dwellings should include support for Independent Living.
- Policy H9 refers to minimum space standards in new dwellings.
- Policy H10 identifies accessible housing standards.
- Policy EC3 safeguards existing employment land, stating that the loss of an existing Class B use in an area of employment shortfall will only be permitted where the loss of the premises can be offset sufficiently by the availability of existing general employment land and premises in the surrounding area.
- Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhance the district's historic assets in particular, historically and locally important buildings, skylines and views.
- Policy P11 states that the historic environment and its settings will be conserved, particularly those elements which help to give Leeds its distinct identity.
- Policies T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.
- Policy G9 states that development will need to demonstrate biodiversity improvements.
- Policies EN1 and EN2 set targets for CO² reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.
- Policy EN4 states that where technically viable major developments should connect to district heating networks.
- Policy EN5 identifies requirements to manage flood risk.
- Policy EN8 identifies electric vehicle charging infrastructure requirements.
- Policy ID2 outlines the Council's approach to planning obligations and developer contributions.

Saved Unitary Development Plan Review policies (UDPR)

Relevant Saved Policies include:

- Policy GP5 states that all relevant planning considerations are to be resolved.
- Policy BD6 states alterations and extensions should respect the scale, form, detailing and materials of the original building.
- Policy BD4 relates to provision for all mechanical plant on and servicing of new developments.
- Policy BD5 requires new buildings to consider both amenity for their own occupants and that of their surroundings including usable space, privacy and satisfactory daylight and sunlight.
- Policy N14 – N17 requires the preservation of listed buildings

Natural Resources & Waste Local Plan (NRWLP)

3. The NRWLP identifies where land is needed to enable the City to manage resources, like trees, minerals, waste and water and identifies specific actions which will help use the natural resources in a more efficient way.
4. Relevant policies include:
 - Air 1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated.
 - Water 1 requires water efficiency, including incorporation of sustainable drainage
 - Water 4 requires the consideration of flood risk issues
 - Water 6 requires flood risk assessments.
 - Water 7 requires development not to increase surface water run-off and to introduce SUDS where feasible.
 - Land 1 requires consideration of land contamination issues.

Site Allocations Plan (SAP)

5. The Site Allocations Plan was adopted in July 2019. Following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the green belt, has been remitted to the Secretary of State and is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight.
6. The site is not identified in the SAP.

Other material considerations

National Planning Policy Framework (NPPF)

7. The NPPF was updated in July 2021. Paragraph 11 states that decisions should apply a presumption in favour of sustainable development. Permission should be granted unless the application of policies in the Framework provides a clear reason for refusing the development; or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.
8. Chapter 5 identifies guidance for the delivery of a sufficient supply of homes.
9. Chapter 7 relates to measures to ensure the vitality of town centres to promote their long-term vitality and viability allowing them to grow and diversify, allowing a suitable mix of uses (including housing) and reflecting their distinctive characters.
10. Chapter 8 promotes healthy and safe communities aiming to achieve healthy, inclusive and safe places.
11. Chapter 9 identifies measures to promote sustainable transport. Paragraph 112 states that priority should be given to pedestrian and cycle movements; the needs of people with disabilities and reduced mobility addressed; creation of safe, secure and attractive spaces; allow for the efficient delivery of goods; and be designed to enable use by sustainable vehicles.

12. Chapter 11 states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
13. Chapter 12 identifies the importance of well-designed places and the need for a consistent and high quality, beautiful and sustainable buildings and places. Paragraph 126 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states that planning decisions should ensure that developments:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
14. Chapter 14 identifies the approach to meeting the climate change challenge. New development should avoid increased vulnerability to the range of impacts arising from climate change and should be planned so as to help reduce greenhouse gas emissions, such as through its location, orientation and design (paragraph 154).
15. Chapter 16 refers to the historic environment. Paragraph 197 states that local planning authorities should take account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
16. Paragraph 199 states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).” Paragraph 202 states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Supplementary guidance

- Accessible Leeds SPD

- Travel Plans SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD
- Neighbourhoods for Living SPG
- Transport SPD (revised draft)

- Houses in Multiple Occupation, Purpose-Built Student Accommodation and Co-Living Amenity Standards draft SPD. On 2nd November 2021 Development Plan Panel agreed that the co-living chapter from the draft SPD would be removed and that officers would consider bringing forward policy for co-living as part of Local Plan Update 2.

Issues

Principle of development:

17. The former Burley Library site is a brownfield site which is also located within the main urban area, close to public services, leisure and employment opportunities. Co-living is a form of long-term residential accommodation and the development would deliver 78 studio apartments which would represent a useful contribution towards the provision of new homes within Leeds. It is therefore considered that the principle of residential development on this site is acceptable subject to all other material planning considerations. These considerations are discussed below.

Co-living housing

18. Co-living developments aim to blend the benefits of self-contained apartments with the advantages of high-quality communal facilities to increase social interaction. There are currently no co-living housing schemes within Leeds and as such the applicant considers there is demand for this form of housing in that it allows for flexible lease terms; a more communal form of living; the convenient provision of services and facilities including utilities, WiFi, cleaning, alongside a concierge and security, all at an inclusive price.
19. Experience elsewhere shows that occupiers are typically city dwellers in their 20's and 30's; graduates; corporate employees; international workers or people new to a city; downsizers and / or anyone who wants to live in a central location. There is evidence that there are over 32,000 people in the core target market already living in Leeds.
20. In the absence of any specific policy with respect to co-living proposals, as a form of long-term residential accommodation it is considered appropriate to review and assess such proposals against more strategic policy ambitions including for accessibility, for sustainability and for the quality of life. Considerations relating to residential amenity, affordability, green space, accessible housing and sustainable transport set out in existing development plan policies are measures by which a systematic approach to co-living schemes can currently be addressed.

Density

21. CS Policy H3 requires housing developments in urban areas to be at least 40 dwellings per hectare. The proposals identify 78 residential apartments on a site area of approximately 0.15 hectares thereby significantly exceeding the minimum policy requirement and making efficient use of brownfield land in a highly sustainable residential location.

Housing mix

22. CS Policy H4 aims to ensure that new housing delivered in Leeds provides an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking account of preferences and demand in different parts of the city. With this

in mind the policy is worded to offer flexibility. Targets for the number of bedrooms in flats ranges from 10% for one and four bedroom apartments, 30% for three bedroom apartments, up to 50% with two bedrooms. The co-living accommodation is designed for single people and all apartments would have a single bedspace.

Space standards and residential amenity

23. CS policy H9 requires all new dwellings to comply with identified minimum space standards so as to create a healthy living environment for occupants. In this regard, the minimum size of a one bed, one person apartment identified in H9 is 37sqm if the flat has a shower room. The CS standards reflect the Nationally Described Space Standards which, in identifying the requirements, took into account the space required for all furniture, fittings, activity and circulation space, provided all the space and facilities required to ensure that all homes are functional.
24. Co-living intentionally takes a different approach to conventional C3 accommodation where households are self-contained, instead encouraging integration with other occupants of the development through the use of communal living spaces and kitchens.
25. 71 of the rooms are 30 square metres in size with 7 duplex apartments within the former library building on ground floor of at least 30 square metres. The rooms would be fitted with double beds with storage spaces below, a dressing area, full height wardrobes, a living area including a two-person settee and low table, a fold down table with two chairs for dining and workspace, low level storage units, a bookcase and storage cabinet, a bathroom pod with WC, sink and shower, an entrance lobby and a kitchenette.
26. While co-living places a large significance on the provision of communal amenity spaces and mechanisms around facilitating social environments, the studios need a degree of independence and self-sufficiency to create an environment to which residents are able to use as needed. The proposed kitchenettes in rooms take into account the anticipated usage such that a basic level of cooking can be undertaken within the studios themselves. The studio kitchen would provide a sink, fridge freezer, two ring hob, combination microwave oven/grill, extractor hood and waste bins, along with storage and shelving. The provision also takes into account the shared kitchen arrangements which provide additional space and equipment.
27. Each floor has a communal area for the use of all residents. Each communal area would have a series of workbenches allowing several residents to cook at any one time. Seating for 10-12 people would enable almost an entire floor to sit and dine together if desired. The provision of flexible seating would also allow the shared area to be used as social space during times when it may not be used for cooking, and seating provides an alternative space for residents to work during the day, or socialise generally. The space could also be used as a gathering space for small events. The breakdown of the facilities for each floor is as follows:
 - Basement: 143 square metre communal area (for use as a private gym and/or cinema) and 80 square metre back of house/servicing
 - Ground floor and Mezzanine: 7 duplex units with approx. 60 metres square of shared space and 199 metres square of co-working space (with the co-working space also open and accessible to the public)
 - First floor: 15 co-living units with 67 square metre communal area and 23 metres square of external balcony space.
 - Second floor: 15 co-living units with 57 square metre communal area and 20 metres square of external balcony space.

- Third floor: 15 co-living units with 73 square metre communal area and 20 metres square of external balcony space.
- Fourth floor: 14 co-living units with 88 square metre communal area and 23 metres square of external balcony space.
- Fifth floor: 12 co-living units with 51 square metre communal area and 21 metres square of external balcony space.

28. A small area of outdoor amenity space is provided to the rear of the building. This area is partly located under the building such cannot be considered to be the primary outdoor amenity space for the development. The principal amenity space is provided within the balcony and terraces accessed off each communal area. This glazing allows for the balcony to be completely sealed to create winter gardens or fully opened to be used for outdoor amenity. This provides additional flexible internal space to the communal areas and private units to the front of the building.

29. Residents of the proposed development will be eligible to use the co-working hub free of charge. In addition, they will be entitled to use all the communal facilities in The Glassworks. This includes, the gym, cinema, spa and amenity garden as well concierge services.

30. The scheme will be fully managed with and will be a staff presence 24 hours 7 days a week. The on-site team members will ensure that the building is secure throughout the day. Evening concierge staff will also operate from 7 pm until 7 am, allowing for 24/7 security and monitoring this allows residents to easily report any issues to a defined point of contact at all times.

31. Overall, in considering the balance of private and communal space it is considered the scheme proposed provides a co-living scheme that, when the living space is aggregated out across the scheme, exceeds the 37 square minimum of the nationally described space standards. When aggregated out across the development, specifically excluding the adjacent Glassworks PBSA, the development provides a total 38.4 square metres of private and communal living space for each occupant. Furthermore, the private units at 30 square metres are considered to be larger than other proposed schemes, both in Leeds and other Core Cities and exceeds the emerging guidance being drafted in other cities which generally refers to private units within co-living schemes of between 18 square metres and 27 square metres.

32. In addition to the size of the units, it is considered that the communal space is well designed. Each floor has communal space and facilities to the front of the building with terrace and balcony access directly off each area of communal space. In addition, occupants will have access to the co-working space within the former Library building together with the communal facilities within the adjacent Glassworks PBSA.

33. With regards to rent these are to be all inclusive with the following being included in the rental cost:

- All-inclusive bills, covering:
 - a. Electricity
 - b. Water
 - c. Phone/Internet/WiFi
 - d. Council Tax
- Access to all communal spaces within the development, and additional access to adjacent facilities at the Glassworks PBSA
- On site reception and concierge and 24/7 security staffing

- Co-working spaces
- On-site laundry via shared facilities
- Free breakfast supplied every morning
- Dedicated community and events manager with regular resident events being provided
- Bookable spaces (but without any booking costs):
 - Private dining room for hosting larger groups
 - Games Room
 - Cinema Room

34. Taking the overall offering of private space, communal space on each floor and the wider communal space offered to residents, it is considered that the development will provide good quality and attractive living environment.

Affordable housing

35. CS policy H5 sets a minimum target that 7% of new homes in major developments in this part of the city should be affordable housing with a mix of intermediate and social rents at benchmark rents. 78 apartments would generate the need for 6 affordable units based upon this policy which states that affordable housing provision should be on site, unless off site provision or a financial contribution can be robustly justified.

36. From discussions it is considered that the applicable policy basis that could translate to co-living relates to Build to Rent developments and specifically part iii of the policy which allows a commuted sum in lieu of on-site provision of affordable housing. Such an approach is adopted in London which, through the London Plan, seeks payment in lieu to fund traditional C3 affordable housing elsewhere. It is suggested that this approach is a more practical solution rather than attempting to introduce traditional C3 affordable housing within a co-living development which tends to be occupied on shorter tenancies; offers only single person accommodation, and the developer's ability to offer more affordable accommodation is more limited than for Build to Rent due to physical and management constraints associated with co-living developments. Further, there is currently no evidence that there is a demand for 'affordable' co-living accommodation in the city. It is therefore considered that the approach for a commuted sum in lieu of on-site provision of 6 units is appropriate in this case.

Design and conservation

37. The development seeks the conversion and extension to the Grade II listed Burley Library building: Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Listed Buildings Act 1990') provides:

38. "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

39. The design of the extension is considered to be high quality. The scale and form responds to its setting by appear to stand off and 'float over' the listed Library Building and with a broken form and a diminishing scale ensuring the extension does not compete with the Library and, while being a considerable extension, will not appear as an unduly prominent or dominant addition. This impact is further reduced as the

building will be largely obscured from most of Cardigan Road as it is set back behind the Glassworks and Embankment buildings

40. The proposed new apartment extension is to be discernibly contemporary to contrast with the traditional and simple form of the Library. It is designed to give the appearance that the extension is floating behind the Library building. The cantilevered balconies project slightly over the rear of the Library building. Then the upper levels are set back to reduce the overall massing.
41. It is proposed that the balconies are fully glazed in order to further reinforce the lightweight appearance to the building. This glazing allows for the balcony to be completely sealed to create winter gardens or fully opened to be used for outdoor amenity.
42. The scheme involves the retention of all significant elements of the listed library building. Works to the internal fabric of the building include:
 - Double storey coffered ceiling and moulded cornice to be repaired, restored and made good.
 - Oak pillars and cared panelled oak kiosk, bookcases and finished oak wall panels to be retained and restored.
 - Leaded and stained glass window to be repaired, cleaned and restored.
 - Panelled internal timber doors, glazed doors and architraves to be retained and restored.
 - Existing roof lanterns to be retained and restored.
 - Existing tile work to be restored.
 - Parquet flooring to be retained and restored where possible and replaced with similar where necessary.
 - New Crittall glass pods and wall panels to form work pods and internal partitions within the reception area.
95. External alterations include the retention and restoration of original brickwork and replacement brick work to the side elevation.

Landscape, public realm and biodiversity

96. Burley Library sits on a tight urban plot with limited scope to provide meaningful onsite public and private amenity space, landscaping or biodiversity improvements. As discussed, private amenity space is largely limited to the balcony areas and the small area of amenity space to the rear. In lieu of on site provision for public greenspace as required by CS policy G4 an off site commuted sum of £68,938 is required to provide additional or improved greenspace within the vicinity of the site.
97. There are number of local parks within very close proximity to the site providing future occupants a convenient access to good quality greenspace. Burley Park is located to the west of the site on the opposite side of the railway line with direct pedestrian access provided by the footbridge to the immediate north of the Glassworks PBSA building. Burley Lodge Park is located a very short distance to the west.

Highway safety and parking

98. With regards to highways and parking the proposal includes 19 surface and 18 basement parking spaces. The proposal includes a Travel Plan and a car share

scheme. Given the sustainable location close to Burley Park train station it is considered that this level of parking is considered acceptable in this context.

99. Traffic management has been consulted, and owing to the proposed development, a Traffic Regulation Order (TRO) would be required as follows:
- Double yellow lines on the northern side of Broadway Avenue to prevent on-street parking obstructing the footway
 - Double yellow lines at the junctions of Cardigan Road with Alexandra Road, Thornville Road and Burley Lodge Road.
 - amendment to the waiting restrictions on Cardigan Road along the frontage of the site to restrict loading/unloading.
 - Dropped kerb crossing with tactile paving on Broadway Avenue.
 - The redundant drop kerbs in front of the library's gates will also need reinstating to full height kerb.
100. The above can be delivered as part of off-site highway works will require minor S278 agreement to be fully funded by the developer.
101. As on-street parking is available in proximity of the site (and at high demand), future residents are likely to use free on-street parking instead should parking charges apply to residents. As such, the developer would be required to fund further TROs or Parking Permit Scheme in proximity of the site. This would be a S106 contribution, with relevant covenants to both the developer and the Council.

Accessibility and inclusion

102. Alongside the Accessibility SPD, CS policies P10(vi) and T2 require that developments are accessible to all users. Detailed landscape design should meet the standards set out in Approved Document Part M and British Standard (BS) 8300.
103. CS policy H10 requires that 2% of new homes should be adaptable to wheelchair user standards (M4(3)). This equates to 2 accessible studios which would be provided within the development and supported by the 2 parking spaces in the basement. A new lift would connect the basement with the main entrance lobby at ground floor. All other studios would be designed to comply with Part M requirements.

Sustainability and Climate Change

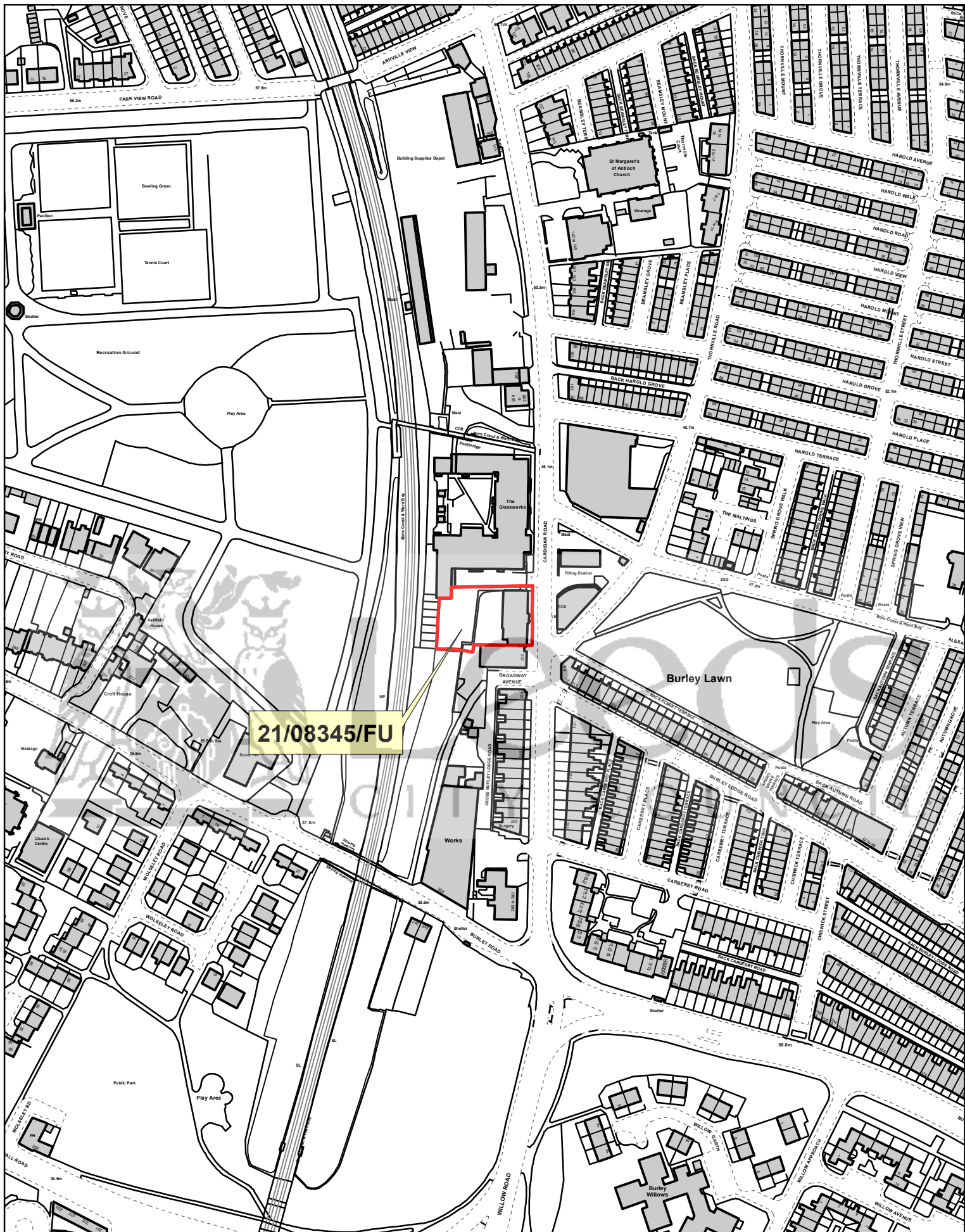
104. The CS sustainable development policies are designed so that new development contributes to carbon reduction targets and incorporates measures to address climate change concerns following the Council's declaration of a climate emergency in 2019. Policy EN1 is flexible, allowing developers to choose the most appropriate and cost-effective carbon reduction solution for their site. Where technically viable, appropriate for the development, and in areas with sufficient existing or potential heat density, major developments should propose heating systems, potentially connecting to the emerging district heating network (EN4(i)).
105. It is intended that the development will incorporate a series of sustainability measures. These would be achieved through the implementation of a wide range of strategies and measures including further consideration of the following:

- Retention and re-use of the existing building but with improved thermal performance
- Smart construction to avoid landfill waste
- Reduction in carbon emissions through sustainable energy usage/materials
- Introduction of electric vehicle charging points
- Biodiversity enhancement with new wildlife habitats, pollinating plant species and bird boxes

Conclusion

106. The emerging proposal for the use of the building as co-living accommodation is a new concept for housing provision within the City and, at the current time, is not the subject of any specific policy. Accordingly, with reference to more strategic considerations and overarching policy, at this time each case needs to be considered on its merits. Limited weight can also be given to the draft 'Technical Planning Guidance on Co-Living' document.
107. In weighing up the planning balance the absence of a specific policy within the Development Plan for co-living development and as the model specifically proposes private units below the nationally described space standards this weighs against the development as the scheme does not comply with H9 of the Core Strategy.
108. Weighing in favour of the development is the layout of the scheme which provides comparably large private units for a co-living development with associated communal space which is well designed and located throughout the development. When aggregated across the development, excluding any use of the facilities of the neighbouring Glassworks PBSA, the accommodation provides 38.4 square metres of living space for each occupant. This breaks down as 30 square metres of private space and 8.4 square metres of communal space. It is considered that this represents a good balance of private and communal space with the scheme seeking to provide larger private units when compared to other emerging schemes and technical guidance elsewhere. While it is important to consider each case on its merits, given this is the first scheme within Leeds that has reached the position for determination, it is noted that this scheme could influence and set the parameters for other co-living schemes as they come forward in Leeds as well as influencing emerging policy and guidance. It is considered that the proposal for larger private units is very positive in this regard. The applicant has also committed to post-occupancy surveys to allow for information to be gathered as to how occupant's experiences of living in co-living accommodation which can help shape emerging policy within Leeds going forward.
109. Also weighing in favour of the scheme is the sensitive and appropriate restoration and reuse of the Grade II listed Burley Library building. The proposal to convert this to building co-working space open to both the public and use for residents of the building, ensures that limited external or internal alterations are required to bring the building back into use including public access. The development will significantly enhance the appearance of what is an important building both within the street scene and within the wider community. This weighs significantly in favour of the scheme.
110. In addition to the re-use of the Grade II listed building, the design of the 6-storey rear extension is also considered to be high quality and sympathetic to its setting. The building will sit comfortably to the rear of the former library building without overly dominating the setting of this building.

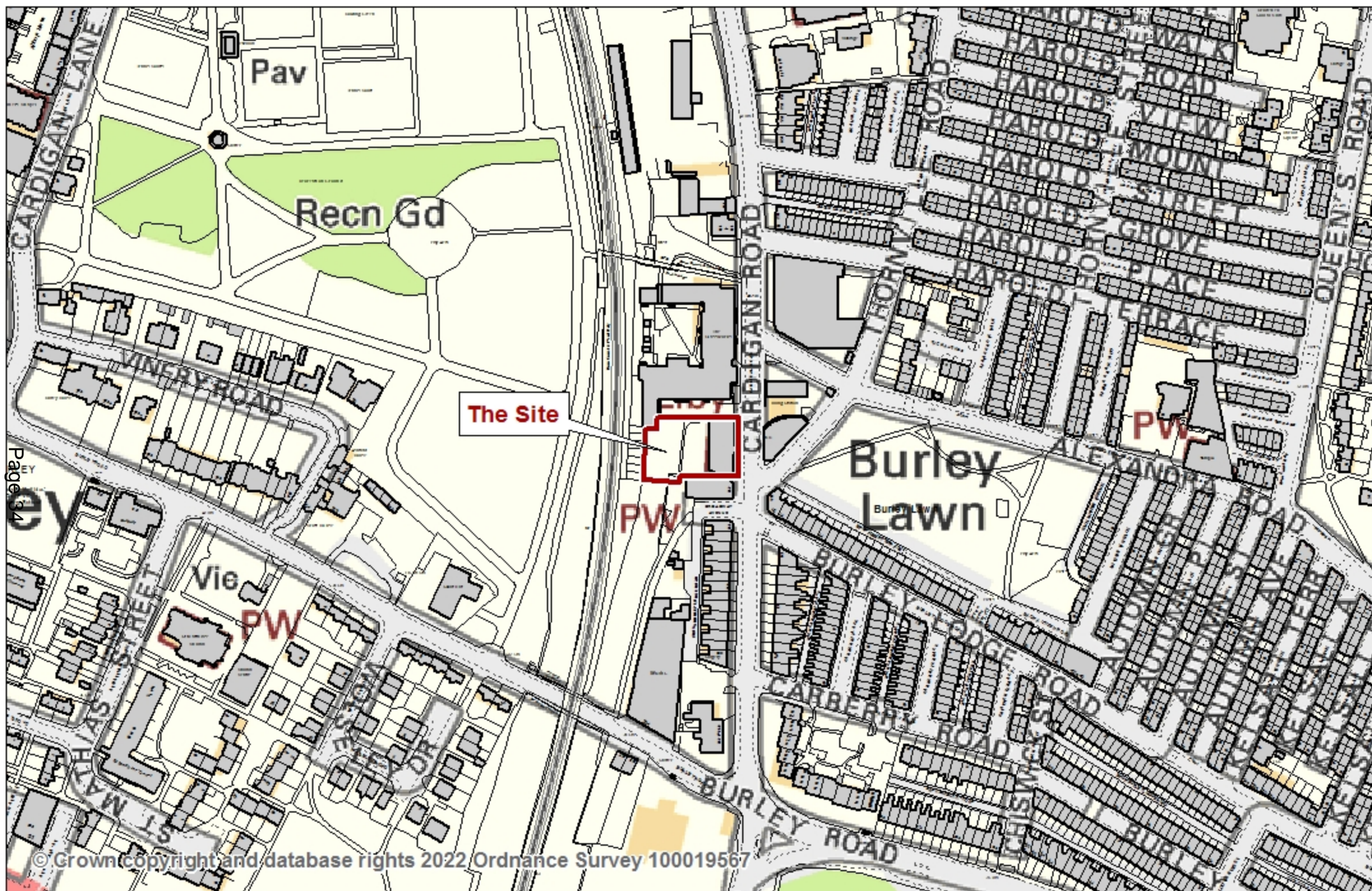
111. Also weighing in favour of the development is the creation of 78 residential units on a brownfield site located within the main urban area with excellent public transport links, close to public transport public services, leisure and employment opportunities.
112. In summary, while it is clear that there is currently no policy provision, either within the Leeds Development Plan or the National Planning Policy Framework, for co-living development it is also clear that this is an emerging model for housing development in Leeds and other Core Cities. In assessing the case on its own merits against the existing planning policy and guidance, it is considered that the benefits of the development outweigh any conflict with planning policy – in particular policy H9. As such, it is recommended that, subject to conditions and the completion of S106 agreement, planning permission and the associated listed building consent is granted.

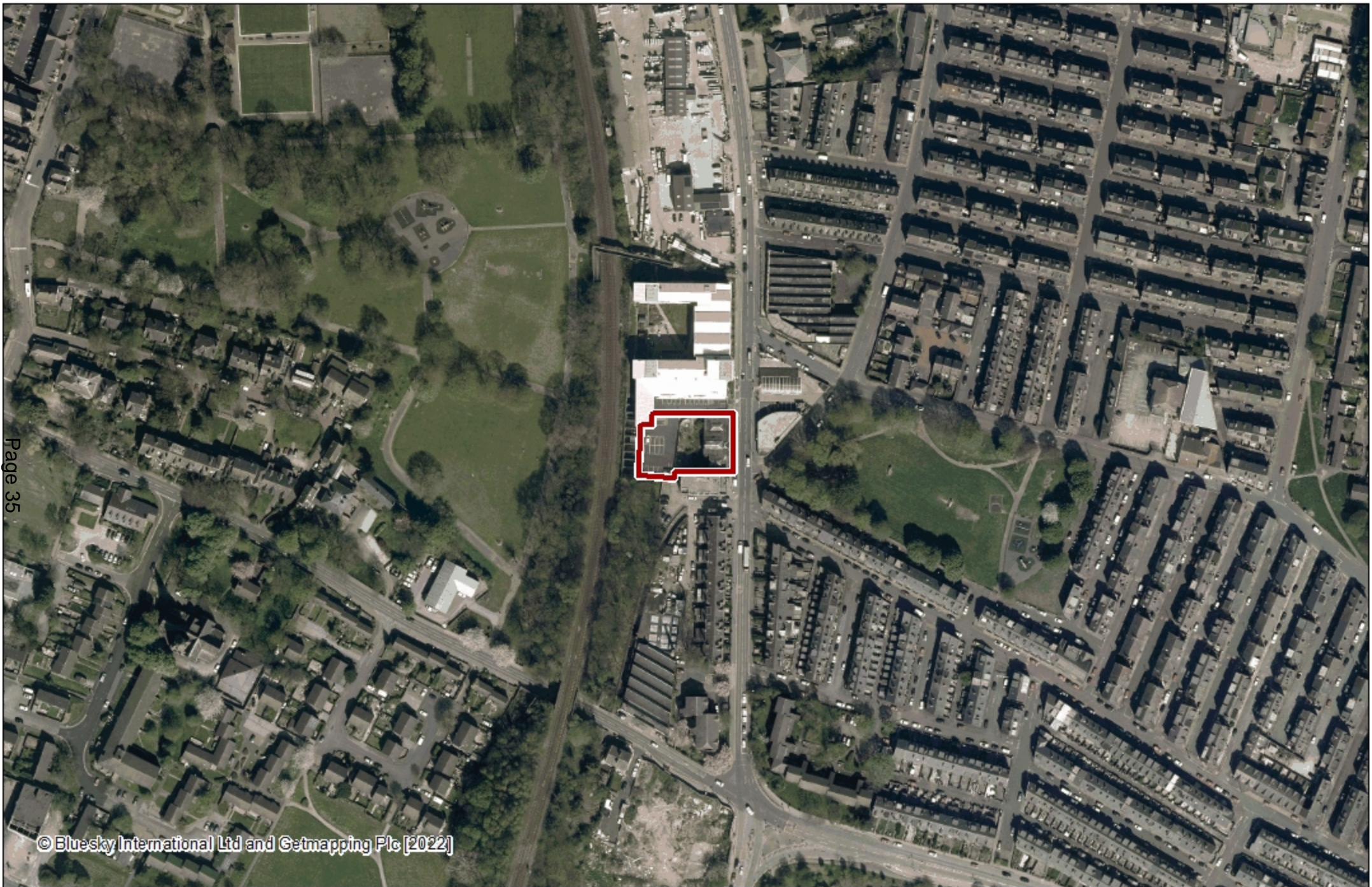


21/08345/FU

SOUTH AND WEST PLANS PANEL







© Bluesky International Ltd and Getmapping Plc [2022]

PLANS PANEL PRESENTATION

SCALE 1:2500



This page is intentionally left blank



Originator: Nigel Wren

0113 3788080

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

11th May 2023

Subject: 22/08014/FU - Construction of a Sixth Form College on land West of Kent Road with new vehicular and pedestrian access and parking, Pudsey

APPLICANT	DATE VALID	TARGET DATE
Luminate Education Group	1.12.22	TBA

Electoral Wards Affected:

Pudsey

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION in principle subject to referral to the Secretary of State & S106 agreement relating to the upgrading of off-site sports pitches in the catchment area, travel plan monitoring fee, off-site highway works to provide traffic calming measures, footpath widening works and TRO's & £40k contributions; and the following planning conditions:

Conditions

1. Time limit
2. Approved plans
3. Materials to be agreed
4. Surface Materials
5. Tree Protection measures
6. Arboricultural method statement
7. Landscaping
8. After for landscaping
9. Provision for contractors

10. Construction hours
11. Construction practice
12. Cycle parking
13. Motorcycle parking
14. Changing and showering facilities
15. EVCP
16. Car sharing spaces to be provided
17. Vehicle spaces to be laid out
18. Car parking and service management plan
19. Waste collection provision
20. Highway condition survey
21. Off-site highway works
22. Road safety audit
23. Drainage conditions
24. Bird nesting season
25. Implementation of biodiversity measures
26. Hedgehog protection
27. CEMP
28. BNG management plan
29. Biodiversity monitoring programme
30. Method statement relating to Japanese Knotweed
31. Land contamination conditions
32. Ventilation / extraction details
33. Plant details
34. Noise and dust controls
35. Close boarded fencing to be provided adjacent to access road & car park
36. Updated travel plan
37. BREEAM assessment report to be submitted on completion

INTRODUCTION:

1. The application is brought to Plans Panel at the request of all Ward Members and due to the statutory objection received from Sport England. This request by Members and the objection received from Sport England meet the constitution criteria set out for reporting the application to Plans Panel.
2. Cllrs Simon & Dawn Seary object to the development owing to its lack of sustainability in terms of access to public transport connections. Particularly, the transport statement and the assumption that 40% of prospective students will use public transport. Both Cllr's have noted that no direct existing bus services currently run between Priesthorpe Academy and Kent Road or West Leeds Academy and Kent Road and no catchment details have also been provided. Concerns are also raised in respect of creating an access point on Kent Road which would only serve to increase vehicle movements. The existing two schools on Kent Road already create traffic congestion at pick up and drop off times, with complaints regularly received about indiscriminate parking, including double parking, pavement and verge parking. Further concerns are raised in regard to the proposal being too close to existing residential properties. Kent Road is an extremely busy road with fast moving traffic. An increase

in vehicular movements will only cause greater safety issues for pupils and residents alike.

3. Members above also consider that the proposal would result in the overdevelopment of the site. They state in summary, whilst the principle of a college in the Pudsey area is welcomed, the development is currently unacceptable for all the above reasons.
4. Cllr Trish Smith supports the principle of the development but has raised concerns relating to the sustainability of the scheme in terms of access and availability of public transport and the inevitable reliance upon private car use. Cllr Smith has stated the need for a dedicated bus service to be provided or free travel cards offered to all pupils.
5. Cllr Smith has also raised an issue relating to the need for an internal pedestrian footpath link from Crawshaw School to be provided as originally proposed. In the absence of such a pedestrian link, this would inevitably lead to an over intensification of the use of the single point of access off Kent Road and consequently harmful to the living conditions of occupiers of surrounding properties with increased comings and goings. To eliminate this, and to help improve permeability and sustainability of the scheme, the original footpath connection should be reinstated. As part of the original public consultation exercise, members of the public were consulted and commented on this understanding. As a consequence of this, members of the public should be re-consulted as part of the applicant's community engagement exercise.
6. This is a full planning application for the proposed construction of a sixth-form college on land West of Kent Road with new vehicular and pedestrian access and parking. The proposed development would provide 600 students places from ages 16 to 18 to meet further education demand in the Pudsey area. The applicant has stated that there is a clear need for a sixth form college in the area, which is in response to the growth of 16-18-year olds forecasted in the catchment area over the next 10 years. The applicant states that such a facility will ensure that there are appropriate learning opportunities to serve pupils moving on from schools and academies in the area, including partner school Crawshaw Academy, Co-op Academy Priesthorpe and Leeds West Academy. Such a facility will provide a natural and integrated extension of the 11- 16 provision in these partner schools within the local community.
7. The Pudsey Sixth Form College (PSFC) would comprise of a Social Science Department, Humanities and English Department, Creative Arts Department and a Maths and Science Department providing courses with up to 26 subjects for young adults aged 16-18. The new Pudsey Sixth Form College is a partnership between Crawshaw Academy, Priesthorpe Academy and Leeds West Academy in response to growth in education needs of the further education sector.
8. It is understood the total number of secondary aged pupils in Leeds has grown every year since 2015-16, driven by two decades of rising births. Although the birth-rate has since started to fall back from recent highs of over 10,000 births per year, numbers entering the secondary phase continue to increase at pace as these larger birth

cohorts move through primary school, into the secondary phase and feed into post-16.

9. Demand for post-16 places in Leeds began increasing from 2015-16 onwards, with projected growth of 19.1% (3,203 places) expected by 2029/30. Increasing demand has already led to the opening of new post-16 provision in Leeds, with further places required in future years. This will ensure that there continues to be sufficient places and choice available for 16–18-year-old learners as the largest 10,000 plus birth cohorts begin to move through the secondary phase into post-16 education.
10. The proposal for a Sixth Form College, brought forward by Luminate Education Group in partnership with Crawshaw Academy, Leeds West Academy and Co-op Academy Priesthorpe, would not only provide additional post-16 places, but would also open an opportunity to increase the supply of secondary school places as these partnership schools close their own sixth form provisions in preparation for the new college opening.

PROPOSAL:

11. The application relates to the proposed erection of sixth form college (use class F1), access, parking, servicing and landscaping at Land West of Kent Road. The proposed development would comprise of a Social Science Department, Humanities and English Department, Creative Arts Department and a Maths and Science Department providing courses with up to 26 subjects for young adults aged 16-18.

SITE AND SURROUNDINGS:

12. The proposal relates to an irregular shaped parcel of land, situated to the west of Kent Road. To the south of the site is Chaucer Avenue where residential properties back on to the site with the gardens of the properties forming the southern perimeter of the site. To the east lies a mix of residential and commercial properties. To the north and west is Crawshaw Academy and its various sports pitches which comprises of a number of educational buildings, car parking and landscaping. The site itself is laid to grass and has a central plateau and embankments due to considerable changes in levels across the site. The site also includes land to the west of the Crawshaw Academy car park; and includes the existing internal access road which sweeps west to east within the Crawshaw Academy site.

RELEVANT PLANNING HISTORY

13. PREAPP/22/00279 – Issued 30.9.22
PREAPP/21/00265 - Issued 17.8.21
14. During pre-application discussions, Ward Members were extensively consulted and raised several issues for the applicants to consider. These included:
15. Concerns relating to the sustainability credentials of the development and the fact that the development will draw students from further afield and not just serve Crawshaw

Academy which is how the original proposal was envisaged. The site does not meet the accessibility criteria set out in Appendix 3 of the Core Strategy and is poorly served by public transport. Ward Members were of the view that this will lead to the excessive use of private vehicles and is unsustainable. Furthermore, it is anticipated that students will use their own vehicles, and this will lead to on-street car parking. The use of TRO's will simply push any parking issues into streets not covered by the order(s). The residents of the streets where TRO's are introduced will also be affected and restrictions imposed on them requiring permit parking and it will also cause issues for any resident visitors and their deliveries.

16. Although the site is not allocated as public open space it serves as valuable open space in a ward where there is an existing deficiency of such. Visually, the land helps break up the urban area and helps create a sense of space and openness. The removal and loss of the space to a large development is therefore a significant concern.
17. Operationally, Ward Members also raised concerns in relation to the proposed internal staff pedestrian access route to connect the development to Crawshaw Academy. It is considered inevitable that this would be left open and used by students from the college to short cut through Crawshaw Academy which will cause safeguarding and amenity issues.
18. As part of an original consultation exercise it was understood that an internal pedestrian footpath link from Crawshaw School would be provided. The removal of the pedestrian link would, inevitably, lead to an over intensification of the use of the single point of access off Kent Road and harmful to the living conditions of occupiers of surrounding properties with increased comings and goings. To eliminate this and to help improve permeability and sustainability the original footpath connection should be reinstated. As part of the original public consultation exercise, members of the public were consulted and commented on this understanding. As a consequence of this, members of the public should be re-consulted as part of the applicant's community engagement exercise.
19. More generally, other concerns were raised with the layout in relation to access to bins and relationship with the vehicular turning head for refuse vehicles. This needs further consideration. Details of deliveries and service arrangements are required and need to be undertaken outside of peak times but during the day. Landscaping will need to introduce native trees / shrubs and be a mixture of deciduous and evergreens. Ward Members also noted that a landscape management schedule should also be provided.

PUBLIC/LOCAL RESPONSE:

20. The application has been advertised by site notices on the 1st February 2023. At the time of writing 47 representations have been received, these include 26 in support, 18 objections and 3 neutral comments.

21. The comments made in support, albeit 9 of these are contributors from outside the locality, relate to the fact that the proposal will provide a much-needed new education facility on currently unused land, it would be an asset to the area bringing in lots of students from all walks of life. The social and economic benefits that will arise from having 600 students gaining quality education are huge and will boost their job prospects and the reputation of the area. The new college will also employ some 45 staff increasing job prospects in the area. It will serve local education needs and allow local children the offer of further education without the need to travel outside of the catchment and is sustainable. The current playing pitch is unusable and of a poor quality.
22. The objections relate to no need for the development, loss of playing pitch, increased water run-off and flooding, loss of privacy, overlooking, increased noise and disturbance, construction noise, air pollution, proposal is not carbon neutral, proposal will harm highway safety and increase already congested roads, increased on street car parking, the submitted transport statement is inaccurate, travel plan targets are not realistic, inadequate public transport serves the proposed development, comments of support are largely from people outside of the locality, inadequate community consultation has been carried out and the development will reduce property values.

CONSULTATION RESPONSES:

Statutory:

23. Sport England – Statutory objection. The proposal does not meet Sport England Policy Exception E1 as there is no clear excess of pitch provision and there are no details presented of any replacement playing field to meet exception E4. The mitigation offered by the applicant of proposing a figure of £25,000 for the improvement of one or more local pitches, which are the responsibility of Leeds City Council, to enhance the quality of these pitches is not acceptable and Sport England maintains its statutory objection.
24. It is also noted, should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the Planning Casework Unit.

25. Health & Safety Executive – No objection

Non-statutory:

26. Access officer – Updated access statement and details have been provided following initial comments relating to the need for inclusive and accessible school building design and a further re-consultation has been issued.
27. Children's Services - Given that post-16 demand is projected to continue increasing going forward, the Sufficiency and Participation team does not object to Luminate Education Group's bid to open a Sixth Form College at land West of Kent Road

28. Climate Change Team – Initial comments received related to the need for further clarity and details of energy strategy. Updated details received and are now acceptable subject to BREEAM assessment report on completion.
29. Contaminated Land – No objection subject to conditions
30. Design Team – No objection. Proposal reflects earlier design advice provided at pre-application submission.
31. Environmental Studies – No objection
32. Environmental Health – No objection subject to conditions
33. FRM – No objection subject to conditions
34. Highways – Initial comments received required more detail and revised plans to respond to sustainability and servicing of the development as well as off- site measures to help mitigate the impact of the development. Following receipt of further details and a package off draft off-site highway measures, the development is considered to be acceptable subject to conditions / contributions and related S106 agreement
35. Influencing Travel Behaviours – Initial comments sought further details relating to site audit and travel surveys. Following receipt of updated travel plan, the proposal is considered to be acceptable subject to S106 relating to travel plan monitoring fee.
36. Nature Team - Initial comments relate to the need for further details of how the other neutral grassland is to be created and managed in order to achieve moderate condition. Similarly, how the modified grassland is going to be enhanced and managed to achieve a moderate condition. Confirmation of what impact the development will have on the two sycamore trees identified as having bat roost potential.
37. Northern Gas Networks – No objection in principle
38. Landscape - No formal objection, albeit it is noted that the layout is uninspiring and lacks detailing to help integrate the development into the landscape. There appears to be little relief for hard structure in terms of human scale and a pupil friendly external environment. The building could be articulated to give form to the externals.
39. Local Plans - No response.
40. Yorkshire Water – No objection subject to condition
41. West Yorkshire Archaeology Service – No objection

42. West Yorkshire Police – Consultation currently under consideration.

PLANNING POLICIES:

43. The Site Allocations Plan was adopted in July 2019. Following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the green belt, has been remitted to the Secretary of State and is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight. The determination of this application is unaffected by the challenge to the SAP.

44. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Leeds is made up of the adopted Site Allocations Plan (2019), the Core Strategy (as amended 2019), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP), Aire Valley Leeds Area Action Plan (2017) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013 and any made Neighbourhood Plans.

45. There is no made Neighbourhood Plan that affects the site.

46. The application site forms part of a wider area designated as green space on the Policies Map (G1563) as shown in the Site Allocations Plan within the green space typology of outdoor sport.

Core Strategy

47. The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:

48. GS1 Greenspace

49. G3 Standards for open space, sport and recreation

50. G6 Protection of greenspace

51. G8 'Protection of important species and habitats' states development proposals that affect priority species or habitats will need to be assessed.

52. P10 Seeks to ensure that new development is well designed and respects its context.

53. P12 'Landscape' confirms the character, quality and biodiversity of townscapes and landscapes should be conserved and enhanced to protect distinctiveness.

54. Relevant saved UDPR policies include

55. GP5: Development proposals should resolve detailed planning considerations.

56. N6: Protected playing pitches

57. N19 Development adjacent to conservation areas should preserve or enhance the character and appearance of the area.
58. T5: Safe and secure access for pedestrians and cyclists to new development.
59. The following Natural Resources and Waste Local Plan policies are relevant:
60. LAND2: Relates to development and trees and requires replacement planting where a loss occurs.

Supplementary Planning Guidance:

61. SPD Street Design Guide
62. SPD Neighbourhoods for Living
63. SPG22 Sustainable Urban Drainage
64. SPD Transport

National Planning Guidance:

65. The revised National Planning Policy Framework (NPPF), published in February 2021, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.
66. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.
67. The Planning Practice Guidance (PPG) provides comment on the application of policies within the NPPF. The PPG also provides guidance in relation to the imposition of planning conditions. It sets out that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted; enforceable, precise and reasonable in all other respects. The Neighbourhood Planning Act 2017 requires that for all applications determined after October 2018 any pre-commencement conditions are agreed in advance with applicants.

68. Paragraph 93 of the NPPF supports the provision of community facilities and other local services in order to enhance the sustainability of communities: To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

69. Paragraph 95 attaches great weight to the need to create, expand or alter schools: The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools' promoters to identify and resolve key planning issues before applications are submitted.

70. Paragraph 99 relates to existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

71. In assessing school developments, the decision maker must also be mindful of a policy statement issued jointly by the Secretary of State for Education and the Secretary of State for Communities and Local Government on 15th August 2011. This sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. It states that the Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. It goes on to say that the Government believes that the planning system should operate in a positive manner when dealing

with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- i) There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- ii) Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision

KEY ISSUES

- Principle of development
- Design and visual impact
- Impact on residential amenity
- Highways
- Landscape
- Other matters
- Planning balance & conclusion

Principle of development

72. Section 38(6) of the Planning & Compulsory Purchase Act 2004 indicates that in considering planning applications the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

73. In terms of land use, the application site forms part of a wider area allocated as protected playing pitches by UDP Policy N6, which was designated some time ago. This is overlain by Policy GS1 in the Site Allocations Plan (site reference G1563 with the green space typology of Outdoor Sport).

74. Policy GS1 in the Site Allocations Plan (SAP) states “DESIGNATION/PROTECTION OF GREEN SPACE THE SITE ALLOCATIONS PLAN DESIGNATES SITES IN A GREEN SPACE USE IN ACCORDANCE WITH POLICY G6 OF THE CORE STRATEGY. THESE ARE SHOWN ON THE POLICIES MAP“

75. Core strategy policy G6 relates to the protection and redevelopment of existing green space and protects green space from development unless one of three criteria is met including

- (i) There is an adequate supply of accessible green space/open space within the analysis area and the development site offers no potential for use as an alternative deficient open space type, as illustrated in the Leeds Open Space, Sport and Recreation Assessment, or,

- (ii) The green space/open space is replaced by an area of at least equal size, accessibility and quality in the same locality; or
- (iii) Where supported by evidence and in the delivery of wider planning benefits, redevelopment proposals demonstrate a clear relationship to improvements of existing green space quality in the same locality.

76. Similarly, UDP Policy N6 relates to the development of playing pitches which will not be permitted unless one of two criteria are satisfied.

- i. THERE IS A DEMONSTRABLE NET GAIN TO OVERALL PITCH QUALITY AND PROVISION BY PART REDEVELOPMENT OF A SITE OR SUITABLE RELOCATION WITHIN THE SAME LOCALITY OF THE CITY, CONSISTENT WITH THE SITE'S FUNCTIONS.

Or

- ii. THERE IS NO SHORTAGE OF PITCHES IN AN AREA IN RELATION TO PITCH DEMAND LOCALLY, IN THE CONTEXT OF THE CITY'S NEEDS, AND CITY WIDE, AND DEVELOPMENT WOULD NOT CONFLICT WITH UDP POLICIES CONCERNING PROTECTION OF THE GREEN BELT, PROTECTION AND ENHANCEMENT OF GREENSPACE AND PROVISION OF ADDITIONAL GREENSPACE, URBAN GREEN CORRIDORS AND OTHER OPEN LAND (POLICIES N1 TO N5 INCLUSIVE, N8 TO N11 INCLUSIVE AND N32)

77. Policy P9 of the Core Strategy relates to the provision of community facilities and other services, including schools and colleges. New provision should be accessible by foot, cycling or by public transport in the interests of sustainability and health and wellbeing, and should not adversely impact on residential amenity and where possible be located in centres with other community uses.

78. It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015. Any formal consultation by the Local Planning Authority with Sport England is therefore considered to be a statutory requirement.

79. It is noted in the applicant's supporting planning document that it is understood that the site has not been used as formal playing fields in the short or long term and has not been used as formal space since at least 2003 for sports use or for any broader community use. It is also noted that for two summer terms in 2007 and 2008, the Academy attempted to use the pitch but did not require their use again, therefore the pitch has not been used at all for at least 14 years. The applicant therefore considers that the pitch does not contribute in any way to local sports provision.

80. As noted above, paragraph 99 of the NPPF relates to the development on existing sports provision including playing pitches which states:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

81. In regard to suffix a) of paragraph 99, considerable weight has been applied to the council's Green Space Background Paper (GSBP) which was used to form part of the evidence in regard to public and private space to underpin the greenspace designation policy within the SAP. The (GSBP) notes that the application site is located within Pudsey ward, which forms part of the wider Outer West HMCA. The document shows that 'Outdoor Sports' provision within education sites was not included in this calculation. The Pudsey Ward shows that there is 6.18ha of surplus 'Outdoor Sports' provision based on population. Clearly, if education sites were included this figure would be amplified to at least 13.07ha (when including the Crawshaw Academy site alone). In this context it is considered that suffix (a) of paragraph 99 of the NPPF is satisfied together with suffix (ii) of policy N6 of the UDPR and policies GS1/G6(i) of the Core Strategy.

82. The Council's Draft Playing Pitch Strategy is also referred to in the applicant's supporting statement and it is noted that Sport England has helped prepare the document and relies on it as part of its evidence base. It is further noted that the document is still in draft form and has not been through any form of public consultation and is not a formal statutory planning document and therefore holds limited weight. It is also considered that the document has been prepared to 'inform investment decisions' and cannot be relied upon to determine whether there is a shortage of actual playing pitches. The draft PPS identifies sports that have or have not sufficient pitch time for matches rather than actual number of pitches that are under or over provided.

83. As part of the planning process Sport England have been consulted. Sport England applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped. Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs.

84. With respect to disused playing fields/pitches it should be emphasised that the lawful planning use of a disused site is still that of a playing field until such time as there is a formal change of use or development occurs. It should be noted that a playing field does not have to be available for community use to fall within the definition of playing field. Neither the DMPO, NPPF or Sport England Policy make any distinction between private and publicly owned or used playing fields nor is there a positive obligation (under planning law) for any playing field to be actively used as such.

85. Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular Para. 99) and against its own playing fields policy, which states:

‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meet with one or more of their five specific exceptions (E1 – E5)’.

86. The proposal is for the construction of a sixth form college adjacent to Crawshaw Academy, with no playing field or other sports facilities proposed as part of the proposal. The proposed college would be constructed on land that forms part of the wider Crawshaw Academy playing field and was previously marked out for football and training grids. It appears with the construction of the artificial grass pitch to the north that this area has become disused, but it is unknown why this area has been unused. However, it should be noted that there is no positive obligation in planning law for a playing field to be actively used as such and the lawful use is still that of a playing field. The loss of playing field, approximately 5,417sqm (excluding embankments) needs to meet one or more of the 5 exceptions to Sport England’s Playing Fields Policy. It is noted the land is designated as ‘Protected Playing Pitch’ Policy N6 in the Leeds UDP, and this policy is largely consistent with Sport England’s Playing Fields Policy and paragraph 97 of the NPPF.

87. Sport England have noted that poor quality and lack of use is not a justification for loss of playing field land. In cases of redevelopment and/or change of use, Sport England look at two exceptions to policy to assess if either are applicable, these are:

1. E1 (surplus to requirement); and
2. E4 (replacement)

88. E1 – Surplus to Requirement

With respect to E1 (paragraph 99(a) of the NPPF), the Council’s 2017 Playing Pitch Strategy (PPS) is the document that sets out whether there is an excess or deficiencies of pitch provision in the analysis area. Leeds Playing Pitch Strategy (PPS) was completed in 2017 and an annual review was undertaken in 2018/19. This means the current PPS is up to date, albeit the pandemic has resulted in the delay of the 2020 and 2021 annual updates, with sporadic play having been undertaken over

that period. It is understood the council (Parks & Countryside) are commissioning a full review of the PPS to try and understand the current position and what impact Covid has had on pitch provision and usage.

89. The PPS shows significant shortfalls in pitch provision across most pitch sport types and sizes which are exacerbated when considering future demand. The land in question formed part of the Crawshaw Academy playing field, although clarification is required as to its current status and whether Section 77 of the School Standards and Framework Act 1998 (consent to dispose of school playing fields) has been obtained. With respect to education sites the 2018/2019 annual review highlighted existing education pitches largely at capacity and unable to take on any more teams. It was also noted that there are less and less grass pitches as schools are having building work or they become unplayable due to poor condition so are taken out of action. The conclusion was the main barrier to provision of pitches on school sites with the ability to accommodate community use is the poor quality. This is particularly evident at Crawshaw School with the PPS action plan identifying the following issues and recommendations:

90. The overall PPS conclusion is that:

"all currently used playing field sites require protection and therefore cannot be deemed surplus to requirements because of shortfalls now and in the future. Lapsed, disused, underused and poor-quality sites should also be protected from development or replaced as there is potential need for playing field land to accommodate more pitches to meet the identified shortfalls."

91. Recommendation C of the PPS seeks to:

"Maximise community use of education sites where there is a need to do so. It is recommended this is done by the Council and NGB's working with other partners to help maximise use of outdoor sports facilities and in particular grass pitches and AGPs. In order to maximise community use of educational facilities it is recommended to establish a more coherent, structured relationship with schools."

92. As there is no excess of provision identified in the PPS, then the site cannot be deemed surplus to requirement, and Exception E4 (paragraph 99(b) of the NPPF) must be applied if the site cannot be retained and brought back into use for sport. It should be noted that surplus to requirement in this policy context does not refer to surplus to the current owner/user's requirement but to meet a local community sport need across a wide range of pitch sport types. The playing field land could be used to address a deficiency in another sport.

E4 – Replacement

93. With respect to Policy Exception E4 this comes into play when Policy Exception E1 cannot be met. Both Sport England and national policy require an equivalent or greater quantity (playing field land, in this case 5,417 sqm) and equivalent or better quality (pitches and ancillary facilities where relevant). The applicant would need to

find a site that is not playing field, such as agricultural land or open space to bring into use as a playing field, or an extension to an existing playing field site. Qualitative improvements to existing pitches do not meet the policy requirements.

94. If appropriate land in an accessible location is identified, then an Agronomy Report will be required to ensure the works required to bring the land into use as playing field is viable. The Agronomy Report and any subsequent pitch specifications should be undertaken by a specialist sports turf consultant.
95. As currently presented Sport England are of the view that the proposal does not meet their Policy Exception E1 as there is no clear excess of pitch provision in the Analysis Area. Therefore, Sport England Policy Exception E4 will need to be complied with. In light of the above, Sport England object to the proposal because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF.
96. In response to this, the applicant has stated that they are unable to identify a whole new pitch to replace the application site. Whilst there is no realistic prospect of replacement pitch, the applicant was keen to propose an alternative approach and sought a meeting with Sport England to consider potential mitigation measures. The meeting was declined by Sport England on the basis that they had already issued four sets of comments and it was considered there was nothing further which could be added and as such it would not represent a productive use of Sport England's limited resources.
97. The applicant has however undertaken discussions with the Council's Parks and Countryside Team and identified a number of nearby playing fields which are in need of improvement to increase match play. There are a number of pitches within the locality, including those listed within Sport England's response that require various improvements to improve the quality to facilitate additional play. These include Houghside and Queens Park.
98. The applicant proposes to provide a financial contribution of £25,000.00 for the improvement of one or more local pitches which are the responsibility of Leeds City Council. The contribution can therefore be secured through a s106 agreement to provide mitigation for the loss of the playing field.
99. It is proposed the monies are used to enhance the quality of one or more pitches. The applicant has reviewed the Football Foundation's Football Assessment Report 2022 for both Houghside and Queens Park. A number of recommendations are made within each report for the various pitches ranging from mowing, scarification and decompaction to slitting and line marking. Associated costs have also been provided from the Grounds Maintenance Association via Leeds City Council although it is acknowledged that such monies cannot be used to subsidise the council's normal maintenance responsibilities.

100. A set of parameters are proposed in which the monies can be spent to ensure that they are directly related to the planning application. The parameters are such that the monies can be spent: - at either or both of the nearest two grounds, i.e. Houghside and/or Queens Park; - on pitch improvements which are graded as poor or basic.
101. In response to this Sport England were re-consulted, and their statutory objection is maintained. It is noted that Sport England's Playing Fields Policy resists the loss of playing fields where the only benefit being the investment and intensification of existing playing fields sites. This is to prevent a loss in quantity of playing fields overall, which if perpetuated countrywide would mean it would be impossible to resist a decline in all playing field sites save a few very high-quality pitches. Qualitative improvements to existing playing fields alone do not meet Sport England's Exception E4 nor paragraph 99 of the NPPF as only the quality element of the policies have been met and not the quantity.
102. It is also noted, that should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application must be referred to the Secretary of State.

Design and Visual impact

103. The proposal relates to a development offering 3,496 sqm of floor space arranged over 2 floors with a flat roof design. The building itself is configured in a rectilinear form.
104. In terms of the layout, the development would be located off Kent Road, on land directly adjacent to the existing Crawshaw Academy campus. To the front of the building on the southern flank, a car park and drop off arrangement is proposed with a bunded buffer beyond to the southern boundary. The car park immediately in front of the building provides a total of 20 student and visitor car parking spaces. A new 25 space staff-only car park has been introduced to the west of the site, which would be accessed via Crawshaw Academy. To connect this new car park to the proposed college, a new footpath is proposed from the staff car park to the main building entrance.
105. A turning head has been provided at the end of the car park for larger refuse and service vehicles which provides good access to the refuse areas.
106. The building would be located on an existing tiered plateau close to the northern boundary which forms an embankment. The building layout is framed around an atrium/dining space and multi-purpose hall which manifests itself externally with a central distinctive glazed feature and spanned by a louvred canopy which helps to articulate the building and also defines the entrance point. Although of a rectilinear form, the building would have two defined wings splayed from the central open core of the building. Both wings would have a mix of different types of classrooms and teaching space. The western wing is framed by the existing embankments and the eastern wing is framed by the northern embankment and existing trees along Kent Road.

107. Externally, due to the topography and proximity to the rear gardens of the Chaucer Avenue properties, the design will incorporate a landscaped embankment to the south of the site. This is to be planted with a mixture of trees and to help screen views from these residential properties as well as acting as a shield from potential noise and light pollution which may be generated from the day to- day college activity.
108. The appearance of the building reflects the urban designer's advice provided at the pre-application stage, in terms of straightforward architectural language and design, which is calm and settled and reinforced with a simple robust palette of materials.
109. Visual stimulation and architectural interest have been created in the main entrance area of the building with the aforementioned oversailing canopy which would be a striking façade feature. The broader elevations to both the east and west are mainly masonry, in buff brick with a protruding cladding system of anodised aluminium panels and punched with windows on each corner of the wings.
110. The strong brick emphasis creates a strong visual presence as well as it being a robust material resistant to damage. The fenestration detailing and the cladding system also help breakdown the scale and massing of the building and will cast shadows across the facade creating wider visual interest and stimulation. These aspects of the detailing provide a simple articulation to the elevations create a consistent architectural accent and rhythm and reflect pre-application design comments made by the council's urban designer.
111. In terms of scale and massing of the proposal, it is considered to be acceptable and responsive to the adjacent two storey residential context of the area. As described above, the design and architectural treatment is also calm and considered to be responsive to the existing urban context. The proposed materials are considered be durable and also positively respond to the character of the area.
112. In terms of roof plant, it is considered in terms of the visual impact of the plant, the equipment has been pushed back from the front elevation as much as possible and would be positioned behind a parapet wall feature which wraps around the building which will help reduce its visual impact .Whilst the plant may seem prominent when seen on a 2D drawing, in human scale, when viewed from ground level this will not be visible unless it is observed from long distance views when in such an instance would be obscured by the massing of the main building. The full details of the plant will be controlled by planning condition.
113. Overall, it is therefore considered that the proposed development represents an acceptable design solution and is not out of keeping with the character of the immediate area. In this context, the proposed scale and massing of the development has been assessed in relation to its surroundings, topography, and the general pattern of heights in the area as well as views, vistas and landmarks. It is considered that the proposal satisfies planning policies P10, BD5 and GP5 in this regard.
114. In terms of the wider works, relating to the provision of car parking, boundary treatments and other associated external works, these elements are considered to be acceptable from a visual perspective. It is considered that these proposed elements of the scheme will also cause no visual harm and planning policies P10 and GP5 are satisfied.

115. The proposed development has been considered in terms of its impact upon the residential amenity afforded to nearby residents.
116. The introduction of a new college accommodating up to 600 pupils, associated staff, servicing and parent / guardian comings and goings will inevitably change the dynamics of the area and there will be increased noise/activity and disturbance as a direct consequence. However, in the context of the site's urban location, developments of this nature are usually located in urban settings and this site is no different. Furthermore, and as previously described, to the south of the site (closest to existing residential properties on Chaucer Avenue), a raised green bund is proposed. The bund will be landscaped to help screen views from these residential properties and once established, act as a shield from potential noise and light pollution which may be generated from the day to- day college activity. Before the bund matures there will however remain a need to prevent, due to changes in land levels, headlights from vehicles shining into properties along Chaucer Avenue. To this end, it is recommended that an appropriately designed close boarded fence is introduced along the southern section of the car park / access road to avoid any such nuisance related issues.
117. In assessing the impact, the proposed development will have upon the living conditions of surrounding residents, it is considered that there are no direct overlooking /overshadowing issues and the separation distances involved are sufficient to protect the living conditions of surrounding occupiers and would exceed the standards as set out in Neighbourhoods for living if this were a residential proposal. The separation distance is some 38m from the proposed building to the nearest properties on Chaucer Avenue and in relation to the access road / car park elements some 14m.
118. The applicant has submitted a noise assessment and ventilation strategy. Colleagues in Environmental Health have reviewed these submissions and concluded that they have no objection to the findings of the supporting details subject to related planning conditions covering their detailed design and general amenity matters. Similarly, colleagues in the Environmental Studies team have reviewed a submitted Acoustic Strategy Report and also conclude they have no objection in relation to potential noise from any associated increased transport activity.
119. In this context it is considered that the living conditions of occupiers of neighbouring properties will not be adversely affected by the proposal sufficiently to justify the refusal of this application. It is considered that the living conditions of surrounding residents have been safeguarded in this regard and policy GP5 of the Revised UDP is satisfied.

Highways

120. The application has been assessed by the council's highway engineer. A transport assessment and travel plan have been submitted in support of the planning application.

121. The site does not meet the accessibility criteria set out in Appendix 3 of the Core Strategy. Therefore, sustainable infrastructure improvements and measures to promote sustainable travel amongst future pupils and staff will need to be provided.
122. A new vehicular access is proposed on Kent Road to serve the college. A 7-day (automatic traffic count) ATC survey undertaken on 27th September 2022 gave an 85th percentile speeds of 31.7mph northbound and 31.5mph southbound. The required visibility splay is 2.4 x 70m as Kent Road is a secondary distributor corridor which are achievable within the adopted highway.
123. There is a proposed ramp into the site. Turning facilities will be provided within the site for drop-off and for buses. Refuse storage is shown with a turning head for refuse vehicles. A pedestrian link at a gradient of 1:9 is shown towards the staff car park and to Crawshaw High School. A proposed gated access to Crawshaw High School is also proposed which can only be opened by staff. A pedestrian access from Kent Road is also provided.
124. The layout shows 45 parking spaces are proposed, which is acceptable as these accord with the Transport SPD standards. 10 drop off bays are proposed, which can also be used as visitor parking during school hours. The aisle width is 6.0m in both car parks. The parking bays are 2.4m by 5.0m which is acceptable except for EV bays which should be 2.6m wide. A revised site plan has been submitted to address this issue. It is acknowledged however that on-street student parking around the Kent Road entrance may occur, hence Traffic Regulation Orders will be required. Following consultation with the council's traffic team, it has been agreed with the applicant that a contribution of £40K would be made to introduce Traffic Regulation Orders and associated traffic management measures in proximity of the site to prevent adverse on street car parking impacts. The funding is to be secured via a S106 agreement.
125. Initial comments from highways also sought street lighting improvements to support active travel by students and that the 20mph speed limit on Kent Road should be extended past the site. It was also acknowledged that this would require traffic calming to be installed to bring vehicular speeds down.
126. The applicant has submitted a car park management plan which sets out controls on students and visitors using the car park off Kent Road. It states that the staff car park, which is to be accessed through Crawshaw High School will only be accessed by staff members with fobs.
127. Initial comments also acknowledged that in respect of EVCP spaces shown, 5No EV charge points must be provided in accordance with policy EN8. In addition, 5No cable enabled bays (for future provision) are also required. Revised details now address this point.
128. In terms of cycling provision, it was noted that for students, 12 short stay spaces and 60 long stay spaces are required. For staff, 2 long stay spaces are also needed in a separate location to students cycle parking space. Revised details now address this issue.

129. In relation to the transport assessment, it is noted that 238 pupils will travel to the school by bus. At the time of the original assessment this was not considered to be a credible assumption as the buses which stop within walking distance of the school are infrequent and do not travel from the direction of Priesthorpe Academy and Leeds West Academy catchment areas.
130. Initial highway comments also referenced that a dedicated school bus service should be provided (as a travel plan measure) to serve the areas where the bulk of students live. Appendices BGH5, BGH6 of the TA respectively show the walking and cycling catchments from the proposed school. However, it was noted that an assessment should be undertaken showing the catchments from which students will transfer, and whether this would reach the site in terms of public transport.
131. Section 7.5 of the TA details the methodology in which the development's modal split were calculated and the subsequent trip generation of the development. The methodology assumes a proportion of students at the proposed college will have siblings aged 11-16 attending Crawshaw Academy. It is unknown what this is based on, or if evidenced. It also assumes that all students who live within a 2 km walking distance would walk to the proposed college and 15% who live within 2km and 5km would cycle to the proposed college. The initial assessment carried out by the council's highway engineer suggested that such proportions are unlikely to be realistic, and the development is likely to generate more drop-off and linked trips (by car).
132. The council's highway engineer has raised no road safety concerns but has suggested that an independent stage 1 road safety audit should be undertaken and followed with a designer response.
133. In response to initial highway comments, revisions have been received which include tactile paving and dropped crossings across the proposed access, tactile paving across Acres Hall Avenue, footway widening to 3 metres from Chaucer Avenue to the new pedestrian crossing across Kent Road, 2 speed tables and 5 flat topped humps.
134. An updated Travel Plan has also been submitted and data for officers to assist in understanding the modal breakdown for students. This analysis indicates the methodology applied. The raw data shows a mode share of 26.5% for the bus with a high walking percentage of 41%. It is noted that the walking percentage is higher when only considering students of Crawshaw as it has a smaller catchment area. When considering the catchment area of another two schools and a much bigger pull factor of a new sixth form college, students will travel from further away, thus requiring another mode of transport. The applicant indicates that this is reflected in their final figures with the walking percentage decreasing and the bus percentage increasing.
135. The Travel Plan sets out highly ambitious targets for pupil mode of Travel, especially in relation to bus travel. Bus services across the district are regularly being reviewed, and therefore to ensure that the provision of services best serves the college, a commitment in line with Travel Plan measure 17 – Liaising with Public Transport Operators must be included within the Initial TP Action Plan and undertaken at least 6 months prior to occupation of the site. The responsibility for this action lies with the Luminate Education Group.

136. The updated details and revised plans have been considered following re-consultation and the council's highway engineer has raised no objection to the revisions described above subject to conditions and the delivery of off-site highway works and financial contributions. In respect of the updated travel plan, the council's influencing travel plan team have raised no objection to this latest iteration subject to securing a travel plan monitoring fee and conditions relating to cycle parking, motorcycle parking, car share spaces, showers, EV charging points. On this basis no highway objection has been received subject to S106/ planning conditions and development plan policies T2 and T24 are considered to be satisfied.

Landscape

137. The application has been assessed by the council's landscape architect following the submission of a landscape scheme and tree survey. A total of 24 trees and nine tree groups were identified and assessed as part of the Tree Survey. Trees T2-T8 in the north-west are within G25 covered by Tree Preservation Order (TPO). The Arboricultural Impact Assessment (AIA) indicates that T23, TG26 and T27 will need to be removed to facilitate the development and are regarded as having a low amenity value.
138. Initial comments raised concerns that the layout was bland and uninspiring with limited opportunity for social interaction or visual relief in landscape terms. In response the applicant has produced revised drawings which introduce additional timber and picnic benches outside the main entrance. The drawings have also been updated to include an outdoor teaching area to the east of the site. The teaching/social seating area has been designed to include timber teaching pods and it is considered that this provides sufficient opportunity to support class work in an external environment and will aid in the health and wellbeing of pupils.
139. Concerns were also raised in respect of the accessibility of the landscape bund to the south of the site. The applicant has noted that this has been purposely designed to be inaccessible for the benefit of the southern neighbouring properties who will be sensitive to any students who may otherwise wish to use this area. Moreover, it provides a natural buffer between the car park and the residents fronting onto Chaucer Avenue.
140. In terms of broader landscape consultation comments, concerns were also raised in regard to the establishment and management of proposed wildflower areas which are proposed north and south-west of the proposed college building. The applicant maintains the view that these can be successfully introduced and that similar schemes on other school sites have been satisfactorily managed and is integral to meeting the BNG target and creating an attractive amenity.
141. Landscape officer comments also note that trees should be introduced into car park areas to break up the expanse of tarmac using below ground load bearing root zone technology. This approach does not result in a reduction in parking numbers. It was requested that the AIA is extended to cover all aspects of the development noting the presence of trees covered by TPO to the north-west of the site.

142. In response the applicant has noted that the application site benefits from large areas of soft landscaping and therefore the proposals take advantage of this. Trees in hard paving can often struggle with tree pits which are not a requirement for a scheme of this nature. Moreover, the proposal has introduced 79 additional new trees to the site which is a significant visual and ecological benefit.
143. In terms of extending the AIA, the applicant has stated that an extension of tree survey is not required on this occasion. The red line boundary incorporates the existing access route to the west of the site to show the route that will be used by staff in accessing their designated car park. The route will remain as per the existing set up with no construction works taking place to impact any trees.
144. The applicant's response to these issues is currently being considered by the council's landscape architect following a re-consultation.

Other matters

145. The design of the building has sought to reduce its annual energy consumption, whilst providing energy in an environmentally friendly way to reduce its CO2 footprint. The Council has recently declared a Climate Change emergency. Existing planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact on non-renewable resources.
146. Core Strategy EN1 requires all major developments to reduce the total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate and provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.
147. In response, the applicant has produced a sustainability statement which would meet the requirements as set out in Part L2A of the Building Regulations. To satisfy planning policy EN1 it is understood the scheme has been designed to achieve an overall carbon reduction of 30.77% and a low carbon technology contribution of 32.13%. As part of the energy strategy it is proposed that photovoltaic panels will be introduced as well as highly efficient lighting and a heat recovery system. It is accepted the submitted sustainability strategy will ensure that the performance of the building exceeds Building Regulations standards (by 20%) in line with planning policy and would generate a minimum of 10% of its energy needs.
148. EN2 requires the development to a BREEAM rating equivalent to excellent. The submitted sustainability assessment proposes a target of an excellent rating and sets out the targeted credits.
149. Similarly, core strategy policy EN2 requires major development where feasible to reduce water consumption. The supporting statement states that the development will be designed to encourage less water consumption with flow reducing mechanisms such as low flush toilets and efficient water usage devices to taps and showers.
150. In response to comments made by the council's climate change team in respect of policy EN4 (ii), the applicant has reviewed the feasibility of utilising the district heating network but based on proximity of the proposed site to the existing network it has been ruled out based on both technical and financial viability. The applicant has designed an all-electric scheme as part of a wider de-carbonisation strategy. The scheme would have the benefit of an on-site heating network derived from a primary

plant source consisting of Air to Water Air Source Heat Pump technology, with no gas to site as part of the commitment towards de-carbonisation.

151. With regard to policy EN8, the applicant has confirmed that electric vehicle charging points would be provided in line with council policy.
152. Against this background it is considered that the development will satisfy planning policies EN1, EN2 and EN8.
153. Core Strategy policy G9 'Biodiversity improvements' requires that the design of new development, including landscape, enhances existing wildlife habitats and provides new areas and opportunities for wildlife.
154. The primary aims of Biodiversity Net Gain are to secure a measurable improvement in habitat for biodiversity, to minimise biodiversity losses and to help to restore ecological networks. The National Planning Policy Framework (NPPF) makes provisions for the delivery of biodiversity net gain. The applicant has submitted a Preliminary Ecological Appraisal (PEA) and an ecological impact assessment.
155. In summary, the findings of the report are accepted by the council's nature conservation officer, albeit, further details were sought in regard to how neutral grassland is to be created and managed in order to achieve moderate condition. Similarly, how is the modified grassland going to be enhanced and managed to achieve a moderate condition. The applicant has now provided these additional details which are currently being reviewed.
156. In terms of Biodiversity Net Gain calculations:

Baseline Habitat Units = 3.10 (2.02 to be lost, 0.12 retained, 0.96 to be enhanced)
Post-development Habitat Units = 3.42 (0.12 retained, 1.67 created, 1.63 following enhancement) The provided figures show an uplift of 0.32 habitat biodiversity units or a Biodiversity Net Gain of 10.42%.

Baseline Hedgerow Units = 0 Post-development Hedgerow Units = 0.27 (0.27 created) The provided figures show an uplift of 0.27 hedgerow biodiversity units or a Biodiversity Net Gain of 100%.
157. The Assessment indicates much of the post development habitat units will be delivered by the creation of other neutral grassland of moderate condition, and enhancement to modified grassland to achieve moderate condition.
158. The Preliminary Ecological Appraisal (PEA) states two sycamore trees are considered to have low bat roost potential. Nature Team have requested confirmation from an appropriately qualified ecologist as to whether the development will impact on these potential bat roost features.
159. The Appraisal states the vegetation on-site offers suitable nesting habitat and describes measures to avoid harming birds and their active nests if this habitat is removed. Measures to avoid harming breeding birds will be secured by planning condition (Biodiversity CEMP).

160. The PEA states vegetation on-site offers suitable habitat for hedgehogs and describes measures to protect them during the construction phases. These measures can be secured through condition (Biodiversity CEMP).
161. It is also considered that additional planning conditions should also be imposed requiring biodiversity improvements together with details of a construction environmental management plan. On this basis it is considered that there are no objections in this regard and the impact of the development upon the local environment and wildlife can be mitigated and enhanced with the planning conditions referenced above. Planning policy G9 is therefore satisfied.
162. In terms of drainage and flooding matters raised by objectors, the council drainage engineer has assessed this application together with supporting documentation. The application site is located within Flood Zone 1 and there have been no records of any recent flooding within the property or adjacent areas. An initial review has also identified that there are no known flood risks which require specific mitigation and would impact on the proposed development. To support the application, the applicant has submitted a Flood risk & Drainage assessment.
163. Initial comments from the council's drainage engineer required an assessment of ground conditions to consider the suitability of Sustainable Urban Drainage. As such a further supplementary site investigation was carried out on site, to confirm the nature of ground conditions and the level at which groundwater sat throughout the site. Given the presence of ground water and made ground, soakaways will not be conducive to the site conditions.
164. The potential of re use of rainwater was also raised as part of the initial assessment. Rainwater reuse was discounted due to lack of space for an additional storage tank of adequate capacity to be of use. In terms of alleviating flood risk, the applicant was also asked to provide a full set of drainage calculations to provide full details of the pipe network, and the 1 in 2 and 1 in 30 outputs demonstrating compliance with Leeds Min Development Control Standards for Flood Risk. In this regard, the applicant has provided full network calculations as part of a revised FRA/Drainage Strategy report and show the 1:2 year, 1:30 year and 1:100-year (plus climate change allowance) outputs. These revised details are now considered to be acceptable from an FRM standpoint.
165. In terms of other matters raised by objectors not already covered above, the issue of a lack of community engagement has been raised. In this regard it is noted that the applicant has submitted a statement of community involvement. The statement indicates the various stages of consultation and meetings undertaken as well as the distribution to over 1,300 local households, as well as coverage in relevant local and regional media outlets. In respect of the issue raised in respect of property devaluation, this is not a material planning issue. The application has been advertised in accordance with statutory planning procedures. Comments by commentators who support the application but live outside the locality have been noted in this report.
166. Issues relating to the hours of operation connected to the construction of the development and deliveries /parking associated with construction, will inevitably generate some disruption, inconvenience and noise. These are common issues

associated with most developments and particularly developments of this size. It is however considered that the impact of these issues can be reasonably controlled, albeit not totally eliminated, by imposing suitable planning conditions to safeguard and protect the living conditions of nearby residents whilst these operations take place. In regard to property devaluation, this is not a material planning issue.

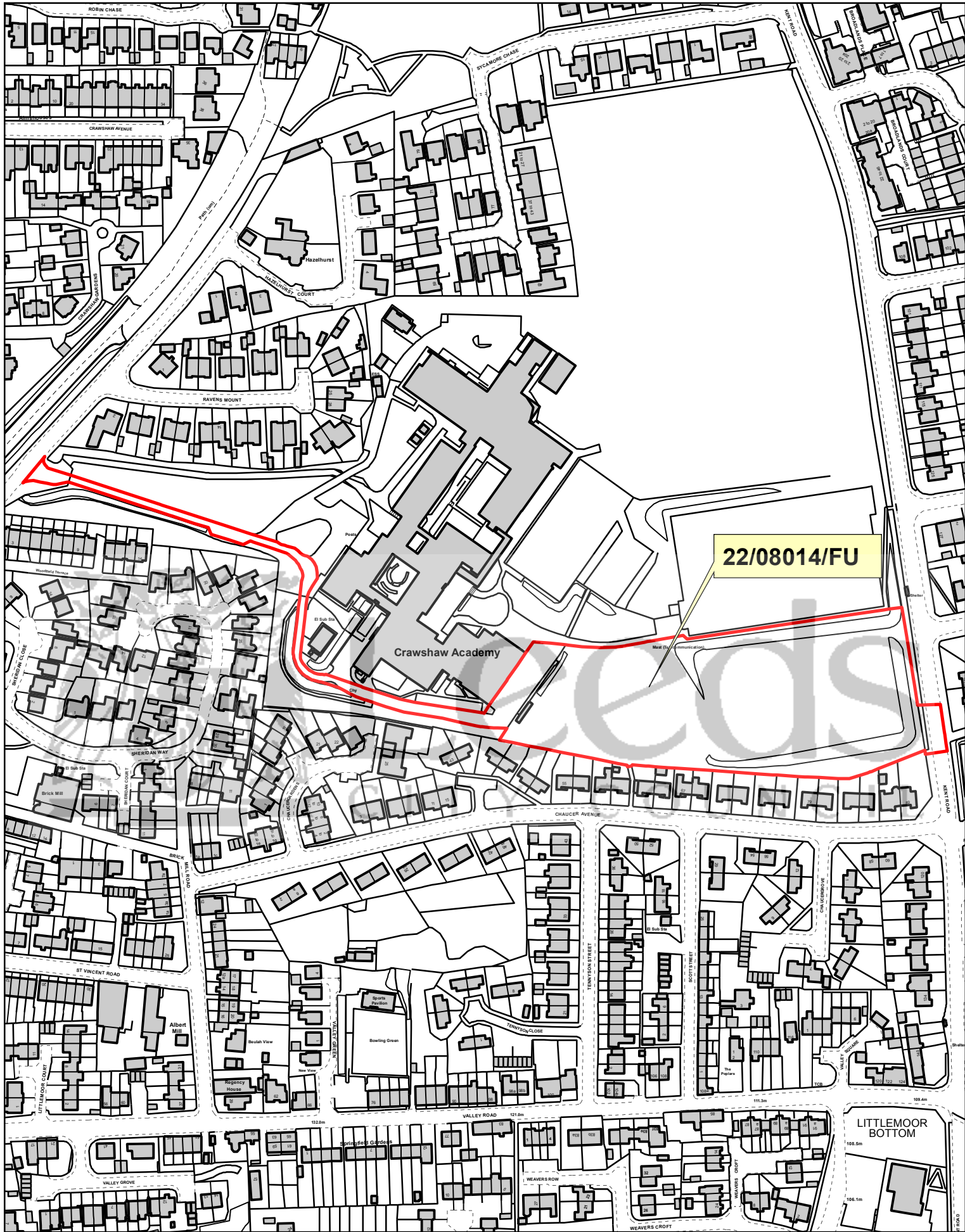
PLANNING BALANCE & CONCLUSION

167. As described above, it is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).
168. Sport England, as a statutory consultee, has objected to this application on the grounds set out above and considers the mitigation measures put forward by the applicant to be unacceptable in this instance. In such a situation, should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application can only be approved in 'principle' and referred to the Secretary of State to consider whether to 'call in' the application or allow the LPA to make the final decision.
169. In terms of assessing the loss of the playing pitch, the applicant states that this has not been used as formal playing fields in the short or long term and has not been used as formal space since at least 2003 for sports use. In such circumstances, the pitch does not contribute in any way to local sports provision and nor if this application was refused, is that situation likely to change.
170. Considerable weight should also be given to the council's Green Space Background Paper (GSBP) which was used to form part of the evidence in regard to the Leeds Development Plan. It notes that within the Pudsey ward, which forms part of the wider Outer West Housing Market Character Area, that for 'Outdoor Sports' that there is 6.18ha of surplus 'Outdoor Sports' provision based on population.
171. Although the proposal does not offer a replacement pitch to comply with Sport England's E4 policy requirement, the applicant has instead identified Houghside and Queens Park as pitches where various improvements to improve their quality to facilitate additional play could be carried out. The applicant proposes to provide a financial contribution of £25,000.00 for the improvement of one or more local pitches which are the responsibility of Leeds City Council. The contribution can therefore be secured through a s106 agreement to provide mitigation for the loss of the playing field.
172. It is accepted that qualitative improvements to existing playing fields alone do not meet Sport England's Exception E4 nor paragraph 99 of the NPPF as only the quality

element of the policies have been met and not the quantity. That said, the mitigation measures proposed will offer some betterment to the local community and help offset the loss of an allocated, albeit unused playing pitch.

173. In this context it is necessary to balance the need of the development against the loss of a protected playing pitch. As set above, it is noted from the comments received from Children's Services Sufficiency and Participation Team, that the total number of secondary aged pupils in Leeds has grown every year since 2015-16, driven by two decades of rising births. Although the birth-rate has since started to fall back from recent highs of over 10,000 births per year, numbers entering the secondary phase continue to increase at pace as these larger birth cohorts move through primary school, into the secondary phase and feed into post-16.
174. Demand for post-16 places in Leeds began increasing from 2015-16 onwards, with projected growth of 19.1% (3,203 places) expected by 2029/30. Increasing demand has already led to the opening of new post-16 provision in Leeds, with further places required in future years. This will ensure that there continues to be sufficient places and choice available for 16–18-year-old learners as the largest 10,000 plus birth cohorts begin to move through the secondary phase into post-16 education.
175. The proposal for a Sixth Form College, brought forward by Luminare Education Group in partnership with Crawshaw Academy, Leeds West Academy and Co-op Academy Priesthorpe, would not only provide additional post-16 places, but would also open an opportunity to increase the supply of secondary school places as these partnership schools close their own sixth form provisions in preparation for the new college opening.
176. In addition, the economic benefits of the development will result in some 600 students contributing to the local economy and employment of 45 teaching staff and non-teaching staff within the college.
177. Although the site is allocated as a playing field in the Leeds Site Allocations Plan, it is considered, as evidenced in the council's Green Space Background Paper (GSBP), that there are sufficient playing fields within the local area to meet local needs and therefore the loss of what is an unused playing field to deliver a required educational provision, is a factor which weighs heavily in favour of the development. As noted earlier in this report, it is considered that the development proposal satisfies suffix (a) of paragraph 99 of the NPPF together with suffix (ii) of policy N6 of the UDPR and policies GS1/G6(i) of the Core Strategy. In the alternative, even if none of the exceptions within paragraph 99 were satisfied, the council would still take the view that the development should be granted. Indeed, taking the benefits of the proposal as a whole and having regard to the development plan allocation, it is considered that these issues should be afforded weight such that would convincingly overcome the guidance contained in paragraph 99 of the NPPF and any harm associated with the development proposal.
178. In terms of wider planning issues, the proposed development is considered to be acceptable in planning terms and lies within an area of sufficient size to accommodate such a proposal without having a detrimental impact upon both the visual and residential amenity of the area as well as its general character.

179. In response to initial concerns raised by the council's highway engineer and influencing travel team, the scheme offers accepted travel plan measures and targets, off-site highway measures to improve both pedestrian safety and highway improvements which will help mitigate against any potential traffic impacts should they arise. The scheme also meets the council's policies in respect of biodiversity and climate change, and these are all factors that also weigh in favour of the proposal.
180. Against this background and although the development represents a departure from the development plan, it is considered that the public benefits of the proposed development outweigh the loss of the protected playing field by providing a purpose built 600 place 6th form facility which will meet current and future further education needs in the catchment area. This is a factor which weighs heavily in favour of granting planning permission.



22/08014/FU

Crawshaw Academy

SOUTH AND WEST PLANS PANEL







Page 67

© Bluesky International Ltd and Getmapping Plc. [2023]

PLANS PANEL PRESENTATION

SCALE 1:2500

This page is intentionally left blank