



CITY PLANS PANEL

**Meeting to be held in Civic Hall, Leeds on
Thursday, 14th March, 2024
at 1.30 pm**

Councillors

C Campbell
B Anderson
D Blackburn
K Brooks
P Carlill
D Cohen
K Dye
R Finnigan
C Gruen
A Khan
A Maloney
J McKenna (Chair)

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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 (link below) ahead of the meeting. The webcast will become available at the commencement of the meeting:

[Council and democracy \(leeds.gov.uk\)](https://www.leeds.gov.uk/council-and-democracy)

**Agenda compiled by:
Andy Booth, 0113 3788665
Governance Services,
Civic Hall**

Enquiries specific to
planning applications on
the agenda should be
directed to Panel Team;
Phone 0113 3786980
Email;
planspanel@leeds.gov.uk

A G E N D A

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

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION 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>	
6			<p>MINUTES - 15 FEBRUARY 2024</p> <p>To confirm as a correct record, the minutes of the meeting held on Thursday, 15 February 2024.</p>	9 - 16
7	Hunslet and Riverside		<p>APPLICATION 22/04852/FU - HOLDFORTH COURT, BRUSSELS STREET, LEEDS, LS9 8AT</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for proposed demolition works and erection of 10 storey building to create co-living residential development.</p>	17 - 68
8	Beeston and Holbeck		<p>APPLICATION) 22/04827/OT - LAND BOUNDED BY SWEET STREET, MEADOW ROAD, JACK LANE AND BOWLING GREEN TERRACE, LEEDS, LS11 9BX</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an outline planning application for the demolition of the existing substation and commercial buildings, creation of a mixed-use, multi-level development comprising residential (build to rent) commercial (offices and leisure), hotel and a travel hub.</p>	69 - 146

Item No	Ward	Item Not Open		Page No
9	Little London and Woodhouse		<p>APPLICATION 23/05271/FU - THE CORE SHOPPING CENTRE, THE HEADROW, KING CHARLES STREET AND LANDS LANE, LEEDS, LS1 6LT</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding demolition of the existing building and the erection of new buildings to accommodate retail and community uses at ground floor and purpose built student accommodation at upper floors together with associated access, accessible parking, cycle parking, landscaping, drainage and reinstatement works to boundary of adjoining multi-storey car park.</p> <p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 11 April 2024 at 1.30 p.m.</p>	147 - 190
10				

Third Party Recording

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

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- 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.
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Planning Services

To all Members of City Plans Panel

Ninth Floor East
Merrion House
110 Merrion Centre
Leeds LS2 8BB

Contact: Daljit Singh
Tel: 0113 3787971
daljit.singh@leeds.gov.uk

Our ref: City Site Visits
Date: 4.03.2024

Dear Councillor

SITE VISITS – CITY PLANS PANEL – Thursday 14th March 2024

It has been agreed with the Chair of City Plans Panel to undertake site visits on the morning of the next City Plans Panel meeting.

A 16 seater minibus has been booked for the site visits. To check numbers please can Members contact PlansPanel@leeds.gov.uk as soon as possible if they wish to travel via the minibus.

For those travelling by mini-bus please meet in the **Ante-Chamber, Civic Hall at 9.55am for a prompt start at 10.00am.**

Time	Ward	Site
10.00 am	MINIBUS DEPARTS FROM OUTSIDE CIVIC HALL ENTRANCE	
10.10-10.40	Beeston & Holbeck	Application reference 22/04827/OT – Proposed mixed use development at land at Meadow Road and Sweet Street, Leeds LS11 9BX
10.50-11.20	Little London & Woodhouse	Application reference 23/05271/FU – Proposed student residential accommodation and ground floor retail and community uses at the Core shopping centre, The Headrow , Leeds LS1 6LT

Please notify PlansPanel@leeds.gov.uk if you will be attending.

Yours sincerely

Daljit Singh

Group Manager
Planning Services

CITY PLANS PANEL

THURSDAY, 15TH FEBRUARY, 2024

PRESENT: Councillor J McKenna in the Chair

Councillors C Campbell, B Anderson,
K Brooks, P Carlill, K Dye, C Gruen,
A Khan, A Maloney, P Stables and
R. Stephenson

SITE VISITS: Councillors C Campbell, B Anderson, K Brooks, K Dye,
C Gruen, A Khan and J McKenna

58 Appeals Against Refusal of Inspection of Documents

There were no appeals.

59 Exempt Information - Possible Exclusion of Press and Public

There was no exempt information on the agenda.

60 Late Items

There were no late items.

61 Declaration of Interests

No declarations were made.

62 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors D Cohen and D Blackburn.

Councillors R Stephenson and P Stables were in attendance as substitutes.

63 Minutes - 18 January 2024

RESOLVED – That the minutes of the meeting held on 18 January 2024 be confirmed as a correct record.

64 Applications 23/01249/FU and 23/01250/LI - The Roundhouse, Wellington Road, LS12 1DR

The report of the Chief Planning Officer presented an application for the change of use and conversion of the existing Roundhouse building to provide indoor and outdoor leisure facilities for temporary use inclusive of Padel courts, changing/welfare facilities and external parking.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

The Panel was informed that the following wording should have been included at the end of the recommendation section in the first page of the officer's report:

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

Issues highlighted in relation to the application included the following:

- The proposals were for the installation of indoor and outdoor Padel courts. Padel was the fastest growing sport in the world and is popular in city centre locations.
- The site was allocated for housing in the Development Plan and was required to be determined by Panel as a departure from the Plan.
- The Roundhouse building was Grade II listed and was last used as a vehicle hire business.
- It was proposed for 5 outdoor courts on what was currently tarmac and hard standing.
- Details of access and car parking.
- Land to the front of the site would be used for cycle and pedestrian improvements including the footbridge.
- There would be five courts inside the building with changing areas, a café and a reception in the centre. There would not be any harmful building alterations.
- It was proposed that the Padel courts would be a temporary use for 10 years. The landowner was not currently offering the land for housing development.
- Benefits of the proposal included the safeguarding of a heritage building and provision of a leisure facility in a high density residential area.
- Floor plans showing the court layout and inside layout were displayed.
- There would be a one way vehicle system through the site. There would be up to 28 car parking spaces with 4 disabled spaces. There would also be cycle parking.
- There would be areas of landscaping.
- The large vehicle entrance doors to the Roundhouse would be removed and the original appearance to be reinstated.
- The lighting columns to the outdoor courts would be 6 metres in height.

In response to questions to officers and the applicant's representative, the following was discussed:

- There was no concern regarding the site not being used for housing. A higher number of units had been achieved in the city centre than what was suggested in the Site Allocation Plan. There was a health supply

of forthcoming housing with the majority under construction or having planning permission.

- Environmental Health had been consulted regarding noise disturbance from the site. It was recognised that there was noise disturbance from traffic due to the proximity of the A58. With regards to potential noise disturbance from the Padel courts, this was difficult to quantify as there was no track record to measure against. It was recommended that use of the courts be restricted until 9.00 p.m. Noise levels could be monitored when the site was in operation.
- The ramp towards the old railway line would be demolished.
- The time restrictions would help to mitigate the potential for noise disturbance so that residents were not disturbed when general background noise levels are likely to be lower.
- Energy use – there would be no heating requirements for the indoor areas and energy use would be relatively small. There was already a power supply to the roundhouse and the developer promoted the use of low energy lighting and sustainable energy.
- There was no evidence of what the impact of having an outdoor exercise facility close to a busy road would be with regards to air pollution. There would be a benefit for people exercising and other outdoor activities took place through the city such as jogging and cycling.
- The applicant would be providing free taster sessions and a program with schools. The facilities would be all inclusive and equipment could be provided. Community was high on the agenda and 10% of profits from the centre would be used towards local community projects.
- The exterior of the building would be cleaned and repaired. It was hoped to reinstate original fixtures where possible.
- There would be free sessions available to unemployed/people on low incomes and reductions to other groups including blue badge holders and NHS staff.

In response to comments from the Panel, discussion included the following:

- There was potential that noise disturbance could go on longer than after the terminal hour of use of the courts as people leave the site.
- This was an imaginative re-use of the building and an opportunity to preserve a heritage building.
- There could be a more creative approach to landscaping and use of greenspace.
- Although the site was allocated for housing it seemed reasonable to use the site for such a facility that was aimed at local people.
- There was scope across the site for more landscaping and planting.
- The proposals provided an excellent opportunity for re-use of the site in an area that would be heavily populated.
- The hours of use proposed had been decided in order to prevent noise disturbance to residents. Conditions could cover requirements for the time external lighting is to be turned off and for the operator to have a noise management plan.

- There were still ongoing negotiations with regards to the landscaping and there would be attempts to maximise the amount of planting on site.
- There could be flexibility with regards to the operating hours between the inside and outside courts. This could be monitored as part of the noise management plan.
- There was very little landscaping on the site at the moment and this development would make a significant improvement.
- The applicant was proposing to put in landscaping where feasible and extend planting proposals to the front of the building.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the specified conditions set out in Appendices 1 and 2 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:

- Travel Plan Review fee of £3,682
- Transfer of land for A58 footbridge improvement
- Monitoring fee

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

65 Application 23/06266/FU - Site to the North of Whitehall Road (land at the former Doncaster Monk Bridge Works)

The report of the Chief Planning Officer presented an application for the construction of an office building with associated facilities, parking and landscaping at a site to the north of Whitehall Road (land at the former Doncaster Monk Bridge Works) Leeds.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

Further issues highlighted in relation to the application included the following:

- The proposals were presented to Panel as a pre-application in August 2023.
- Initial outline consent was granted in October 2007.
- The proposals had the full support of a Local Ward Councillor.
- The proposals were for a 12 storey office building with a ground floor café and co-working spaces. There would be landscaping improvements and the provision of 10 car parking spaces which would all have electric charging and 138 cycle storage spaces.
- There would be a roof terrace with soft landscaping and a living wall.

- Details of the elevation treatments and materials to be used were displayed.
- There would be a landscaped buffer around the development which would include tree planting.
- There would be vehicular access to the site from Whitehall Road.
- Reference to the heritage of the site and how this would be included within the landscaping of the site. There would also be reference within the internal fabric of the building.
- Possibility for future connection to the Leeds District Heating Network.
- CGI images of how the development would appear were displayed.
- Wind mitigation proposals.
- The application was recommended to be deferred and delegated to the Chief Planning Officer for approval.

In response to questions to officers and the applicant's representative, the following was discussed:

- Concerns regarding security of the footpath towards the railway bridge running behind the screened off parts of the colonnade. It was reported that this path would be in addition to the pedestrian route to the front. The screens would be porous and there would be lighting.
- The screens on the colonnades were for wind mitigation and the area would be covered with CCTV and have lighting. There would be elements of natural surveillance to the area. There would also be 24 hour security at the building.
- There would be a maintenance plan for the landscaped areas and green walls. Rainwater would be used to feed the green walls. There would be monitoring of the maintenance agreement. The maintenance agreement would also cover the replacement of landscaping that had reached the end of its lifespan.
- There would be a bi-directional cycle path along Whitehall Road along with a footway.

In response to comments from the Panel, discussion included the following:

- The scheme was generally favourable but there were still concerns regarding the safety of the screened off area of footpath.
- The cycle path was part of the Active Travel Fund project and did not form part of this application.
- West Yorkshire Police had been consulted regarding the application and there was a condition relating to security.
- It was proposed that the application be deferred for further detail on the screened area of footpath.

RESOLVED – That the application be deferred to allow for further information to be provided with regards to security issues regarding the screened footpath and the permeability of the screens.

(Councillors B Anderson and R Stephenson left the meeting following the conclusion of this item)

66 Application 22/04852/FU - Holdforth Court, Brussels Street, Leeds, LS9 8AT

The report of the Chief Planning Officer presented an application for proposed demolition works and the erection of a 10 storey building to create a co-living residential development at Holdforth Court, Brussels Street, Leeds, LS9 8AT.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

Further issues highlighted in relation to the application included the following:

- Photographs of views to and from the site were displayed.
- It was proposed to have as much active frontage as possible to the building onto Brick Street and Brussel Street.
- The existing trees at the junction of Brick Street and Brussels Street would be retained and there would be opportunity for more tree cover around the site.
- Ground floor plans would include a gym, cycle storage and communal spaces.
- Pedestrian routes were displayed.
- Communal living schemes attracted contract workers on short term leases.
- Floor plans showing studio apartments were displayed. This would meet or exceed minimum space standards. There would be communal kitchen facilities on each floor and the studios would have basic cooking facilities.
- The top two floors would be in a recessed glass element and although they would meet space standard some of the space would not be usable.
- The location of the site in relation to Leeds Minster, Quarry House and the area designated for tall buildings.
- There was a further bat survey to be undertaken at the site and this could not be done until May 2025.

Representatives of Leeds Civic Trust addressed the Panel with concerns and objections to the application. These included the following:

- The site was in a pivotal location and any development would set a precedent for the area and needed a building that was well designed and would not act as a barrier to other areas.
- The area needed more green space.
- The building needed a full active and engaging frontage.
- The ground floor would not contribute to the street life and place making.
- Landscaping was insufficient.
- The architectural form was not inspiring.

- There would be an impact on the conservation area.
- This a key gateway site to the city and needs an exemplar building.
- In response to questions, the following was discussed:
 - The site was a key view from the Minster. More activity needed introducing around the ground floor level.
 - Balconies could give the building more texture and variety.
 - There was no direct access to greenspace or outdoor space for residents.
 - There was no opposition to a new building on this site but not of this design.

The applicant's representatives addressed the Panel. The following was discussed:

- There would be no impact on heritage assets in the area.
- The design of the building did enable engagement with Brick Street and Brussels Street.
- Not all aspects could be engaging at street level with the need for facilities such as bin and cycle storage.
- In response to questions, discussion included the following:
 - There had been close work with officers in the design of the building. The site was constrained with highways on three sides and this had influenced the design. The top two floors were designed with reflective glass which would help the building disappear into the skyline. There were also various other features in the design of the building.
 - There had been considerable changes to the initial proposals following discussion with officers.
 - There was need for this kind of accommodation in Leeds. This was based on issues including demographics, employment rate, university retention and property demands in the city.
 - Materials had not yet been finally decided and would be covered by condition.
 - The possibility of a green wall on the Brussels Street frontage could be considered. The applicant would be trying to do as much as possible with regards to landscaping.
 - The external amenity spaces did not usually remain open till late in the evening and would normally close around 10.00 p.m.
 - There would be small kitchenette areas within the studios.
 - A full sample panel of materials to be used could be made available.

In response to questions to officers, discussion included the following:

- All apartments would have access to daylight – the majority would have one large window and one smaller window.
- The apartments would have storage space as described in standard space requirements. These kinds of apartments tended to be on short term lets and residents may not need lots of storage.

- Existing parking restrictions in the area would remain.
- The proposals were good for a difficult shaped site – the design was simple and clear with the base, middle and top.
- The building will have to be artificially ventilated to prevent noise disturbance from the road and the railway. Installation of balconies would allow sound bleed and would not necessarily improve the amenity of the occupiers.
- Possible connection to the district heating scheme was covered by a condition to the application.

In response to comments from the Panel, discussion included the following:

- Concern that not all apartments met space requirements and there was too much corridor space and not enough living space.
- The design of the building was ok and not over dominant.
- Could the condition regarding affordable housing be specific to the Hunslet and Riverside ward?
- Could the stone setts be saved as part of pavement improvements?
- Concern that the co-living facilities on the ground floor would not be suitable for or used by all residents.
- The possibility of joining up the corner units to make 2 person studios.
- All apartments met minimum space standards although four apartments on the upper floors had some space that wasn't usable due to the shape. Guidance referred to the overall space and not whether it was usable. The communal spaces within the development would compensate for any shortfalls.
- Concern that the smaller apartments on the upper floors were not acceptable.
- Each floor had some communal space in the form of kitchens, dining areas and lounge areas.
- The principle of a co-living development at this site was acceptable.
- It was proposed to defer the application to allow for further discussion regarding the concerns of the Panel with regards to the size and layout of the smaller apartments.

RESOLVED – That the application be deferred to allow further consideration of the space and layout provided for the smaller apartments.

67 Date and Time of Next Meeting

Thursday, 14 March 2024 at 1.30 p.m.



Originator: Matthew Walker
0113 3788033

CITY PLANS PANEL

Date: 14th March 2024

Subject: 22/04852/FU - Proposed demolition works and erection of 10-storey building to create co-living residential development, Holdforth Court, Brussels Street, Leeds LS9 8AT

Developer: KMRE Group (Holdforth Court) Limited c/o ID Planning, Mr Andrew Windress, 9 York Place, Leeds, LS1 2DS

Electoral Wards Affected:

Hunslet and Riverside

Yes

Ward Members Consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE to the Chief Planning Officer for approval subject to the conditions set out at Appendix A and Section 106 agreement to secure the following:

Affordable Housing off site commuted sum (£742,633 tbc and subject to verification by the District Valuer)

Offsite highways contribution (£29,400)

CAVAT compensation amount for loss of trees (£77,809.00)

Residential Travel Plan Fund (£30,662.01) and travel plan review fee of £3815.00.

Mechanism to contribute £20,000 to Traffic Regulation Orders as required

Biodiversity Net Gain matters to be agreed (see report)

Bat survey to be undertaken, outcome assessed and conditions agreed if required

Provision of car club space

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

1.0 INTRODUCTION / PLANS PANEL MEETING 15TH FEBRUARY 2024 – RESOLUTION

1.1 The application was deferred at the 15th February 2024 City Plans Panel meeting to allow officers and the developer to address concerns that the Panel had expressed in relation to the size and layout of some of the units within the scheme. This is an update report focusing on the matter for deferral and the changes to the scheme and should be read in conjunction with the previous report to Panel which is attached at Appendix B and addresses all other planning matters.

1.2 Members raised concerns with regard to the following units within the 118 bed scheme.

- Four x 37sqm units sited at the top two floors where of the Gross Internal Area of the units, 7sqm of the unit was corridor.
- 16 x 37sqm units at the remaining floors where 3sqm was corridor.
- Comments were also made with regard to 16 x 41 sqm units which were also of a non rectilinear shape.
- Members also commented on whether the issue of the four units at the upper floors could be resolved by combining units to form two bedroomed units.

2.0 DESCRIPTION OF PROPOSED ALTERATIONS

2.1 The four units at the upper two floors have been amended and meet 37sqm Gross Internal Area excluding corridor space. This has been achieved by reorienting the curve radii of the glazing of the upper floor extension and relocating the former corridor space formerly within the unit externally.

2.2 No further amendments are made regarding the units at the lower floors, however further narrative is supplied in the assessment below to demonstrate that these meet the requirements members were seeking and provide additional clarity.

3.0 ASSESSMENT

3.0.1 As noted in the report at Appendix A, Leeds City Council has a Co-Living Advice note which recognises the need to consider co-living proposals subject to detailed amenity and infrastructure considerations. It forms a material consideration to the determination of applications for sui-generis to be considered – treating them as residential schemes. It does not, nor can it, introduce new policy asks and therefore carries limited weight. The relevant policies in the adopted Local Plan however carry full weight. The council's advice note states that the Council's approach to assessing Co-living proposals is informed by the Nationally Described Space Standards (NDSS) which state that the minimum space requirement for a single person studio type dwelling is 37sqm. Co-living private studios generally tend to be less than this. As a result the advice note goes on to state that where a lesser private space is proposed, the council will encourage the private space to be as close as possible to the NDSS and will consider the quantum of communal space based on aggregating out the shortfall of the private studio size against the Nationally Described Space Standards. Key to the consideration of this is the location, distribution, amenity, and quality of the communal spaces.

3.0.2 In this application all units would meet the NDSS spatial requirement of 37sqm for single person occupancy and are further complimented by the additional shared amenity space provision at each individual floor and ground floor to support the co-living concept.

3.1 **National Minimum Space Standards**

3.1.1 As noted at 3.0.1 of this report, the Co-Living Technical Advice Note in effect sets out that adherence to the National Minimum Space Standards is not a determinative factor in Co-Living proposals and that where proposals fail to meet the guidance, each case will be addressed on it's own merits by undertaking an aggregation assessment against communal spaces provided within the scheme. The adopted approach to Co-Living schemes recognises the need for flexibility in applying space standards depending on the dynamics of the individual product but sets out a clear approach where individual unit sizes fail to meet NDSS in order to ensure the quality of the residential experience is not compromised for those who choose this type of residential accommodation and, for consistency in decision making.

3.1.2 Notwithstanding the adopted approach advocated by the advice note, for members information NDSS requirements are set out below - along with commentary on how each unit within this specific scheme meets the NDSS requirements, noting specifically that the NDSS does not differentiate between the function of spaces within a residential unit with regard to corridors. It is considered by officers that this in part may be reasoned by corridors still be capable of being functional in terms of storage and day to day functions and depending on widths and extents are not valueless in terms of living functions and the residential amenities of the occupier. It is however accepted that in assessing all residential proposals, adherence to the NDSS is just one consideration which must be balanced against other considerations, including a qualitative assessment of layout.

3.1.3 The NDSS requires that:

a. the dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1 below (table omitted for brevity however the relevant figure for studio accommodation is a minimum of 1sqm of storage space)

The proposals meet this requirement

b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom

Not applicable to studio accommodation

c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide

The proposals at the upper two floors are open plan in format and therefore this figure corresponds to the width and depth of the entire unit, which the proposals achieve. Many but not all units within all floors are designed as open plan - however where the unit layouts tacitly define a sense of enclosure to a 'bedroom space' through internal features and furniture, all units proposed exceed these spatial requirements.

d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²

Not applicable to studio accommodation

e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide

Not applicable to studio accommodation

f. any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m² within the Gross Internal Area)

Not applicable to this scheme where units in their entirety meet 2.8 metres floor to ceiling as an absolute minimum

g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all

Not applicable to this scheme where units in their entirety meet 2.8 metres floor to ceiling as an absolute minimum

h. a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement.

The submitted floor plans demonstrate that the 1.0 square metre storage space can easily be achieved and sited within each unit without compromise to general circulation space.

i. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area

Not applicable to this scheme where units in their entirety meet 2.8 metres floor to ceiling as an absolute minimum

3.2 Resolution of the Four units to floors 8 and 9

At the 15th February meeting of City Plans Panel, members principle concern was the layout arrangement of four units sited at the upper two floors of the scheme as was presented. Officers were instructed to attempt to resolve the layouts with the applicant and lessen the quantum of space devoted to corridor within these units. The four units have now been redesigned to in effect remove the corridor space of concern. This has been achieved through a combination of extension of the internal corridors at each level (whilst still meeting travel distance requirements of other legislation distinct from the planning process) and revision of the angle of the roof top extension's curved element to maximise the internal floor area as far as practicable (whilst not creating a discernable difference to the overall design and appearance of the building which members advised they were satisfied with).

The proposals have therefore been re-assessed in consultation with the design officer. Whilst no differentiation of corridor space and other space exists within NDSS it has been noted that the proposed amendments would result in no perceivable change to the appearance of the building and in that regard can be accepted. The

proposals would still meet requirements of other legislation regarding safety and would increase the overall amount of floor space within the four units, meeting the NDSS in its purest sense by removing the more awkward arrangement members were concerned with and as a corollary of the change provide more floor area within a 100% open plan format with no corridor.

3.3 Resolution of 16 units with 3 metre internal floor area as corridor.

Although a secondary issue to the four units at upper floors addressed at 3.2 of this report, as comment was made on this matter at the 15th February meeting of City Plans Panel it is considered appropriate to provide members with further advice. The units in question meet all the requirements of NDSS however consistent with the assessment at 3.2 above, it is clear that members aspire to reduce corridor space within each unit where possible. In the case of these 16 units, there is not considered to be a method of achieving this without a fundamental redesign of the building as proposed. However, officers and the applicant have had regard to members aspirations, notwithstanding that all apartments have an element of corridor and the NDSS does not define this should be excluded from the GIA. In the case of these 16 apartments, the extent of corridor space is far less than was the case with the originally proposed 4 units at upper levels and is a very limited 3sqm. In principle, corridor space is not unusable space for a resident, hence the NDSS does not provide any differentiation of it within its criteria. In a practical sense, officers consider the limited amount of space given over to corridor should not be a determinative factor in the case of these 16 units and the scale relevant to them. Corridors are multi-functional, often providing space for wall storage, shoe storage and a space to pause within the dwelling. These functions are however predicated on this space being spatially usable. In this instance the corridor elements are 1.5 metres in width and 2 metres in length. It is considered that this would be sufficient space to allow for the pass and re-pass of a resident and some limited depth storage or wall / hanging storage to be provided.

Therefore, when considered against the NDSS (which is not a determinative requirements in isolation for co-living residences as set out in the advice note) the limited extent of corridor space relevant to each of these 16 units, the capacity to use that space for function other than transit and (notwithstanding all the above) the additional amenity provisions available to the residents in the building, the proposal concerning this 16 units have not been revised and officers consider remain acceptable in the format originally proposed.

3.4 Resolution of 16 Units of awkward shape at floors 1-7.

- 3.4.1 Again, this matter is included for completeness. At the 15th February meeting members noted the non-rectilinear format of 16 units spread over floors 1-7. To compensate for the shape of each unit, these units are provided with a Gross Internal Area of 41sqm, 4 square metres above the spatial GIA requirement of NDSS. Furthermore these units also meet the other provisions of NDSS set out at 3.1.3 of this report. On this basis, irrespective of the provision of additional communal facilities, officers consider these units would provide an acceptable level of residential amenity for the occupier.

3.5 **Clarification on the function of additional amenity space provisions in the building.**

3.5.1 For members benefit, given that the debate at 15th February Plans Panel included comment regarding how communal space would be used, the applicant has advised the following to aid members understanding of how the ground floor spaces can be used and managed to ensure they contribute and support the living experience of all residents .

- In terms of the overall use of the amenity space, the key with amenity space is flexibility as it will then be utilised by residents at different times of the day for a variety of uses. The 'cinema' room for example is not just a cinema in the evening but would be used for work presentations and yoga etc during the day. Furthermore, a cinema room is not just used for evening film screening but can be used as a games room, video gaming, a stand up comedy venue, karaoke events, sporting screening and residents meetings. It can also be used by external speakers coming in and holding events and sessions such as CV writing advice, wellbeing events, listen and learn sessions.
- The main reception desk where the concierge will be based is a hub of the building. This is where all residents connect with the onsite team and each other. This hub is used for checking in new residents, for residents to log any issues, and to book onto events etc. Its where parcels get collected and social events take place.
- A residents lounge can be used flexibly throughout the day and evening. It is utilised for meeting with potential residents when they arrive for a viewing and is comfortable place to work from. It can be used as an events space for a breakfast event or later in the day for evening drinks and networking opportunities. An example of this is business speed dating where residents can meet each other and see if there are any synergies in working together. It really adds value to the resident experience.
- The operator would typically launch a residents ambassador programme where some of the residents act as ambassadors for the building and meet with new residents and help the onsite team with events planning.
- Communal space is provided at each floor to provide and encourage interaction and provide specifically for day to day living functions, thereby supporting a co-living lifestyle.

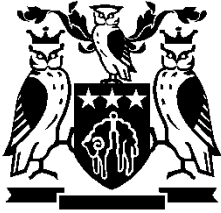
3.5.2 In response to this information, members are advised that the above points are considered consistent with the aspirations of the co-living guidance note and will be secured through condition 28 set out in appendix A of the Plans Panel report of 15th February so that the operational policy of internal spaces and their management can be properly understood alongside tenant management policies and assessed by officers alongside West Yorkshire Police.

4.0 **CONCLUSION**

4.1 The detailed planning balance matters addressing the proposal overall are set out in paragraph 11 of the report appended at Appendix A and are not affected by the changes proposed. In light of the additional information received, officers consider the changes now comprehensively overcome the identified issues set out by members at

the 15th February meeting and provide additional information to assist members understanding of the emerging policy context and provide further clarity on points raised on 15th February. Therefore, officers recommend the application be deferred and delegated to officers to address the matters set out at the head of this report.

APPENDIX A PLANS PANEL REPORT 15TH Feb 2024



Leeds
CITY COUNCIL

Originator: Matthew Walker
0113 3788033

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 15th February 2024

Subject: 22/04852/FU - Proposed demolition works and erection of 10-storey building to create co-living residential development, Holdforth Court, Brussels Street, Leeds LS9 8AT

Developer: KMRE Group (Holdforth Court) Limited c/o ID Planning, Mr Andrew Windress, 9 York Place, Leeds, LS1 2DS

Electoral Wards Affected:

Hunslet and Riverside

Yes

Ward Members Consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE to the Chief Planning Officer for approval subject to the conditions set out at Appendix A and Section 106 agreement to secure the following:

Affordable Housing off site commuted sum (£742,633 tbc and subject to verification by the District Valuer)

Offsite highways contribution (£29,400)

CAVAT compensation amount for loss of trees (£77,809.00)

Residential Travel Plan Fund (£30,662.01) and travel plan review fee of £3815.00.

Mechanism to contribute £20,000 to Traffic Regulation Orders as required

Biodiversity Net Gain matters to be agreed (see report)

Provision of car club space

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

1.0 INTRODUCTION:

The application site is located on a key and prominent gateway location and the building proposed is of relatively significant scale. The proposal involves a co-living residential use which is an emerging form of residential tenure for the City of Leeds. The proposals are therefore brought to members under subsection G of the exceptions list in the Officer Delegation Agreement where the Chair considers that the application should be referred to the relevant Plans Panel for determination because of the significance, impact or sensitivity of the proposal.

2.0 SITE AND SURROUNDINGS:

- 2.1 The planned location is 1,318 square metres (0.13 hectare) in size and almost triangular in shape. Brick Street to the east, Brussels Street to the north, Crown Point Road to the south, and Duke Street to the west define its boundaries in the South East of Leeds City Centre within the designated City Centre Boundary.
- 2.2 The current site is accessed via Brussels Street, which is an adopted highway which measures approximately 4.1 metres in width within the vicinity of the site and footways on both sides measuring circa two metres in width. The road and footway surfaces are well-maintained and considered to be in an acceptable condition but the building's architectural treatment and lack of active frontage in addition to the unkempt nature of landscaping present a harsh and somewhat unwelcoming presence to both Brick Street and Brussels Street for pedestrians. Opposite the site entrance and spanning the length of Brussels Street are a series of commercial uses housed within railway arches and their respective forecourts. Along Brussels Street, including the approaches to the proposed access and at junctions, there are extensive on-street parking restrictions enforced by double yellow lines and signage warning of 'no stopping at any time'. There are private parking spaces at the western end of Brussels Street which were appointed to the residents who used the site before closure in 2020.
- 2.3 The site sits at a 'crossroads' where the A61 and the viaduct intersect within an emerging residential area around Saxton Gardens and Mill Street. The building currently on site is the vacant four storey St. Anne's Community Service building which is proposed to be demolished. The existing building has a distinctive form characterised by a curved and stepped façade facing south and series of mono-pitched roofs. High sided boundary walling then spans the site boundary to Duke Street beyond which is a belt of mature trees and verge separating the site from the pedestrian and highway environment. The remaining boundaries are protected by a combination of railings and piers and low-level shrub planting and trees. Beyond Brussels Street to the north is the dominating presence of the east-west route Railway Viaduct.
- 2.4 In terms of the wider context, a series of taller buildings within areas identified within the Tall Buildings SPD are either consented or under construction to the east beyond the dominant highway structure of Marsh Lane. The immediate setting is also dominated by the presence of both the Gateway and Ibis hotel buildings due south of the site. Crown Point Bridge forms the key viewpoint of the site on approaches from the south and to the west of Crown Point Bridge is the Conservation Area and Grade I Listed Leeds Minster. The remainder of the land to the west of the site is either occupied by highway, large width central reservation / pedestrian routing to that highway which is landscaped or the parkland area opposite the Minster adjacent to the railway viaduct. Quarry Hill, it's emerging SOYO development and Northern Ballet

and Munro House are situated to the north, with a pedestrian route running under the railway viaduct from Brick Street / Brussels Street towards this area.

3.0 PROPOSAL:

Building

3.1 The proposed 10 storey building comprises common facilities such as laundry facilities, lounges, touchdown workspaces, cinema room, gym, bin / cycle storage and concierge on the ground floor, and 'co-living' studio apartments and shared kitchen and lounge spaces incidental to those apartments, to the upper stories.

Set over a 1,318sq.m (0.13ha) site, the proposed development provides the following:

- Secure cycle store, providing 120 spaces
- 342sq.m communal recreation space at ground floor (level 0)
- 70sq.m communal space on floors 1-7 at each floor
- 40sq.m communal space on floors 8-9 at each floor
- 118 no. 37sq.m (minimum) one person studio apartments
(Core Strategy Policy H9 Compliant for studio accommodation)

3.2 The main pedestrian entrance to the building would be situated on the corner of Brick Street and Brussels Street to provide a legible focal point / entrance and the principal route into the building. This entrance would provide access through the communal area to the main stair and lift core providing access to all floors within the building. A concierge desk and office are to be located within the main entrance lobby to provide a secure access control point, while creating a light filled internal foyer space. From here access is provided to the resident's communal facilities, creating an active frontage onto Brick Street.

3.3 The proposed external materials palette includes the use of a dark Red Brick, 'GRP' (Glass Reinforced Plastic) / Natural stone cladding, curtain wall glazing and feature copper panels.

Landscaping and planting

3.4 The proposals involve the retention of all trees which currently exist beyond the site perimeter and introduction of new street trees to Brick Street in partial mitigation for the loss of seven trees contained within the site boundary. The building has been pulled back from the pedestrian footway on both Brussels Street and Brick Street to improve the pedestrian flow and to reduce the impact of the building at street level. This in turn also helps to preserve two mature trees at the site's northeastern corner which provide amenity value to the street. To the south of the site, an external area with both paving and grass is provided as external amenity area and would be accessed from the communal area at ground floor.

Site Access and Parking

3.5 Within the ground floor accommodation, the design includes separate secure storage areas for cycles, with direct secure access to outside, as well as an internally accessed bin store allowing external access for servicing from Brussels Street. The scheme is car free given the highly sustainable location of the application site within close travelling distance to the city bus station and short distance to other transport amenities. The site includes a relocation of the existing turning head from Brussels Street to allow for servicing and deliveries.

4.0 RELEVANT PLANNING HISTORY:

99-20/63/92/FU - 4 storey hostel (approved)

5.0 HISTORY OF NEGOTIATIONS:

5.1 The application before City Plans Panel was submitted on 02.08.2022 and took the form of an 11 storey residential building comprising a wider variety of unit sizes, comprising 189 units and ground floor external parking. The initially submitted proposals were not considered acceptable to officers on the following basis:

- Poor relationship between non-descript shared amenity spaces and small unit sizes
- Poor elevational treatment and building form
- Failure of the building to respect the character and appearance of the area - building failed to respect the prevalence of Quarry Hill as part of a key gateway location (Tall Buildings Design Guide page 72).
- Poor relationship between the building and the street edges of Brick Street and Brussels Street
- Lack of natural surveillance to surroundings / dead frontages
- Lack of clarity on the day to day operation of the co-living product

A series of design focussed meetings and workshops then took place in late 2022 and early / mid-2023. Revised plans were then received in September 2023 which were then refined in January 2024. It is this latest and final revision series brought forward for consideration by members and determination by City Plans Panel.

6.0 RELEVANT PLANNING POLICIES:

6.1 Statutory Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making at this site, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014 and as amended by the Core Strategy Selective Review 2019)
- Saved Leeds Unitary Development Plan Policies (UDPR 2006)
- The Natural Resources & Waste Local Plan (NRWLP 2013) including revised policies Minerals 13 and 14 (2015).
- Leeds Site Allocations Plan (SAP 2019)

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

6.2 Development Plan

6.3 Leeds Core Strategy (CS)

Leeds Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The site is located within the City Centre boundary. The most relevant policies are set out below:

- Spatial Policy 1 Location and scale of development.
- Spatial Policy 2 hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture
- Spatial Policy 3 City Centre Development
- Spatial Policy 6 Housing requirement and allocation of housing land
- Spatial policy 7 distribution of housing land and allocations
- Spatial Policy 8 Economic development priorities
- Spatial Policy 9 Employment
- Spatial Policy 11 Transport infrastructure investment priorities such as pedestrian improvements
- Policy CC1 City Centre Development
- Policy CC3 Improving connectivity between the City Centre and Neighbouring Communities.
- Policy H3 Housing Density
- Policy H4 Housing Mix
- Policy H5 Affordable Housing
- Policy P10 Design
- Policy P11 Heritage
- Policy P12 Landscape
- Policy T1 Transport management
- Policy T2 Accessibility requirements and new development
- Policy H9 Space Standards
- Policy H10 Accessible Dwellings
- Policy EN1 Carbon dioxide reduction
- Policy EN2 Sustainable design and construction
- Policy EN4 District heating
- Policy EN5 Managing flood risk
- Policy EN6 Recycled materials
- Policy EN8 Electrical Vehicle Charging
- Policy G5 Open space provision
- Policy G8 Protection of important species and habitats
- Policy G9 Biodiversity Improvements

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

Relevant Saved Policies include:

- Policy GP5 all planning considerations
- Policy BD2 / BD5 design and siting of new buildings
- Policy LD1 landscaping

6.5 Leeds Natural Resources and Waste DPD

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

Relevant policies include:

- Air 1 management of air quality through new development
- Water 1 water efficiency including sustainable drainage
- Water 7 surface water run-off
- Water 2 protection of water quality

- Water 4 development in flood risk areas
- Water 6 flood risk assessments
- Land 1 contaminated land
- Land 2 development and trees
- Minerals 3 coal safeguarding

6.6 Relevant Supplementary Planning Documents/Guidance (SPD/SPG):

- SPD Tall Buildings Design Guide
- SPD Building for Tomorrow Today: Sustainable Design and Construction
- Transport SPD
- SPD Accessible Leeds
- SPG City Centre Urban Design Strategy

Other Considerations

- [Co-Living Technical Guidance Note– May 2023](#)
- HMO, Purpose-Built Student accommodation and Co-Living Amenity Standards SPD (Draft)

6.7 Site Allocations Plan

The site is unallocated within the Site Allocations Plan.

6.8 National Planning Policy Framework 2023 (NPPF)

The NPPF sets out the Government’s planning policies for England and how these should be applied (para 1) and is a material consideration in planning decisions (para 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (para 11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para 38).

The Framework sets policies on the following issues which are relevant to this planning application proposal:

- 2 Achieving sustainable development
- 4 Decision making
- 5. delivering a sufficient supply of homes
- 6 Building a strong competitive economy
- 7 Ensuring the vitality of town centres
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well designed places
- 14 Meeting the challenge of climate change and flooding
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

6.8 Other Legislation

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (the “Listed Building Act 1990”) reads:

“In considering whether to grant planning permission... for a development which affects a listed building or its setting, the local planning authority...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”

6.9 Consultations Undertaken

STATUTORY

6.9.1 Health and safety Executive (HSE) (Fire Safety – Planning Gateway One)

Health and Safety Executive have advised that they are content with the submitted proposals in respect of the fire safety strategy for the new building.

6.9.2 Coal Authority

The Coal Authority have noted the submission of up to date coal mining information for the majority of the site, which lies outside of the Development High Risk Area. The inclusion of a substation facility within the site envelope does however bring the overall development into the Development High Risk Area. The Coal Authority have advised that their information indicates a coal seam is conjectured to outcrop to the west of the site, dipping eastwards beneath the site, which may have been subject to historic unrecorded mining activity. Such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

As such, The Coal Authority consider it appropriate that intrusive investigations should be undertaken to establish the implications posed by possible coal mining legacy to the scheme of development now proposed. This matter will be controlled through a prescribed condition provided by the Coal Authority and will be a pre-commencement requirement.

6.9.3 Yorkshire Water

Yorkshire Water have advised no objections to the proposals, subject to a condition related to development being undertaken in accordance with the submitted / proposed Flood Risk Assessment for the site.

6.9.4 Natural England

No comments received in any of the three rounds of consultation undertaken.

6.9.5 Environment Agency

No comments received in any of the three rounds of consultation undertaken

NON-STATUTORY

6.9.6 Sustainability - Design Team / Conservation Team

The revised proposal being considered represent the outcome of a series of focussed design workshops. The workshops focussed on meeting the following suggestions to improve over the originally proposed building applied for as part of the application in 2022.

- Maintaining an appropriate scale and assessing the visual impact of that scale through adaptation to the design of upper floors
- Sympathetic materiality
- Simplified palette
- Activation of Brick street through glazing and landscaping
- Stepping of the building into the site slightly to maintain a street edge and provide space for street trees
- Concentration of areas of 'dead frontage' necessary to facilitate essential functions such as plant into the site itself rather than facing the public environment

6.9.7 Influencing Travel Behaviour (ITB)

No objections subject to the proposed provision of an Electrical Vehicle Charging enabled car club space on street to be secured via the Section 106 agreement along with provision of a residential travel plan fund sum of £30662.01 and travel plan review fee of £3815.00.

6.9.8 Flood Risk Management

Flood Risk Management advise no objections, the application has been accompanied by an acceptable Flood Risk and drainage assessment.

6.9.9 Highways

No objections subject to conditions, provision of a s278 works scoping plan / land dedication plan, further details on refuse collection and contributions secured via the section 106 agreement relating an offsite contribution for local infrastructure improvements (£29,400) and fees associated with retrofitting future traffic Regulation Orders (£20,000)

6.9.10 Contaminated Land

No objections subject to conditions concerning the submission of a phase 2 site investigation and the provision of verification reporting.

6.9.11 Wind and Microclimate Peer Review (Windtech Consultants)

The application has been supported by a Computational Fluid Dynamics (CFD) based Wind and Microclimate Assessment in accordance with the Draft Wind and Microclimate Toolkit requirement for a 30m tall scale of building. No safety impacts have been identified outside the application site with only one minor exceedance of safety criteria within the garden seating area within the site envelope. Windtech have advised the exceedance is very minor and can be addressed through a condition to provide details of low-level mitigation measures within the garden area which will address the low frequency minor exceedance.

6.9.12 Landscape Team

Trees around the periphery of this site are strategically important, with high public amenity value and are on the more heavily trafficked side of the application site where they undoubtedly make a contribution to mitigating the impact of the highway infrastructure in terms of air quality and carbon. The Landscape Officer has assessed the scheme and considers the proposals would likely involve the removal of 10 trees

in total within the site (7 are proposed for removal however taking into account the need for service ducting and construction 10 to be removed is a more realistic assessment). The inclusion of 5 replacement trees as mitigation is therefore considered insufficient in both amenity and climate change terms and regard must be had to removing mature trees and their replacement with newer specimens which take time to mature and yield carbon sequestration benefits.

Given the constrained nature of the application site, onsite mitigation for their loss cannot be delivered whilst still providing a viable footprint for re-development and therefore a financial contribution based on the CAVAT methodology is required as mitigation. This will then provide a sum for replanting / redeployment of trees in the locality. This mitigation sum must be secured through the section 106 agreement. Conditions are recommended in respect of full details of landscaping, sub ground conditions for new trees and protection details for retained trees.

6.9.13 Environmental Health Services (Pollution Control)

Full details of mechanical ventilation / sound insulation and impacts and mitigation relating to potential overheating will required. It is proposed to deal with these matters by condition.

6.9.14 Environmental Studies (Transport Strategy)

No objections subject to the submission and approval of glazing and ventilation details prior to occupation of the development, consistent with the site's location close to highway and railway infrastructure and the comments of Environmental Health.

6.9.15 Sustainable Development Unit (Climate Change)

The proposals are considered acceptable in that evidence has been provided that demonstrates the development will meet policies EN1 and EN2 within the Core Strategy. Conditions can be used to secure full details and ensure compliance.

6.9.16 West Yorkshire Police

The building and site layout has been designed to create a building which is a safe, and secure environment for residents, visitors and passers-by. It seeks to make a beneficial contribution to the prevention and fear of crime and promote enhanced security within and around the building through a range of measures. It is further recommended that access is controlled by phone QR codes; CCTV should cover all entrance and exit points and glazed areas are protected from vehicle strike. West Yorkshire Police agree with officer recommendations to closely assess the specifics on locations for lighting, CCTV and other safety provisions as part of the assessment of landscaping proposals at condition discharge stage.

6.9.17 Employment and Skills

No comments received

6.9.18 Access Officer

No objections, the scheme delivers accessible dwellings in accordance with Core Strategy Policy H10.

6.9.19 Ramblers Association

No comments received

6.9.20 Health Partnership

No comments received

6.9.21 Public Health

No comments received

6.9.22 West Yorkshire Ecology

No comments received

6.9.23 Local Plans

Detailed advice has been provided regarding the interpretation of adopted policy in respect of Co-Living proposals This advice is reflected in the commentary provided at 9.1 – 9.3 of this report.

6.9.24 District Heating

The District Heating team has advised this site is ideally placed for connection to the Leeds PIPES District Heating network. It is also noted that in combination with Solar PV and Air Source Heat Pumps, District Heating is identified as part of the overall energy solution for the new building. The team has been engaged with the applicant's energy consultant throughout the last year and has provided a connection proposal, which includes a commercial offer for heat sales. In accordance with policy EN4 (iv) details of reservation of space for a future connection to the District Heating Network will be controlled by condition.

6.9.25 West Yorkshire Archaeological Service (WYAAS)

WYAAS advise that the application site was developed as a hostel in the late 20th century on the site of an early 20th century tenement block, Marsh Street Garth Tenements, which was in turn built on earlier terraced streets and courtyards of workers' houses (West Yorkshire Historic Environment Record MWY7800).

Due to the lack of communal space the tenement had communal space on land to the west of the tenements, this had formerly been a graveyard. No graveyard is shown close by on historic maps and it is thought this must refer to St Peter's Church. Based on this information there are currently no significant archaeological issues associated with the proposed development.

7.0 Public Response

The application proposals were publicised in accordance with statutory requirements by Site Notice on 22.08.2022 and in the Yorkshire Evening Post on 05.08.2022. Two public letters of objection were received against the originally submitted proposals as follows:

Objection One

- 7.1 *'The featureless wall at ground/street level is of a very poor quality design. There should be active frontages here, or at least more visual interest.*

View 4 and View 5 show elevations almost void of windows. This also looks poor. The large blank walls look oppressive. More windows would create visual interest and would have an improved impact on the streetscene and the surrounding area. Amendments must be sought before planning permission is granted'

Objection two

- 7.2 *'A very disappointing proposal for a key gateway site into the east of Leeds city centre. There are two gable end walls that are blank which face key roads and offer very little in terms of architectural merit to the onlooker, whether it be on the train entering the city from the east, or on many of the roads which run past this proposal. The design is rather dated and as said, lacks architectural merit. If the height was taller and the blank walls had windows, balconies included, with improved materials externally, then this would improve the overall look.'*

- 7.3 Based on the originally submitted drawings, Leeds Civic Trust (LCT) provided the following letter of objection (although many comments are considered to be superseded by the substantial series of revisions, the comment is provided in full to provide members with context to LCT's second letter of objection which follows):

'The Leeds Civic Trust Planning Committee has considered the above Planning Application for proposed demolition works and erection of 11-storey building to create co-living residential development comprising of 189 apartments, and strongly objects to the proposal on the following grounds:

Although the applicant states that the site is adjacent to a tall building zone, it is neither adjacent as such, nor appropriate for tall buildings in the context of Brick Street and St Peter's Place on the other side of the railway arches. This is an area of heritage significance that should not be overshadowed by generic development. At best, the area is an area of transition between taller buildings to the east and more traditional lower rise buildings to the west. As such a building of half the height may be acceptable.

The proposal strategy should be designed to positively enhance the neighbourhood and interact with it. It is also very problematic in terms of its relationship with Leeds Minster, which should retain architectural prominence, especially in the context of aspirations shared by Leeds City Council and other stakeholders to regenerate the area through landscaping, considerable traffic and roadspace reduction measures and even the possibility of revealing Lady Beck, all as described in Leeds Civic Trust's Eastside initiative.

As a key building at the entrance to Leeds City Centre, the architecture has none of the characteristics that would define it as a landmark, least of all one that would represent Leeds. The diagram in page 42 of the Design and Access statement only serves to reinforce the importance that any new building in the area would have in terms of views from a number of different directions, and these need to address the architectural importance of the location.

As proposed, the architecture looks similar to any of the developments that have been built or proposed in the last two decades, and contributes little to the image of Leeds

as an innovative and pioneering city. There is no case made for enhancing the existing structure, which is also of a residential nature and should be appropriate for meaningful improvements, including the erection of two or three additional storeys and a more elaborate and distinctive outer skin. In the context of climate change and the rapid acknowledgement that retrofit and repurposing of existing buildings is inherently more sustainable in terms of carbon footprint, this should be a showcase for architectural innovation, at a fraction of the costs, not only in financial terms but more importantly in terms of impact on finite natural resources. The options for reuse of the existing structure should be properly explored as part of the application.

While we would, in principle, welcome a brief for co-living instead of student accommodation, the communal areas are currently very vague in terms of use, and located in such a manner that, instead of constituting a spatial heart for each floor, they are indistinguishable from private rooms and significantly distanced by long corridors in the majority of cases. The ground floor level in particular is almost exclusively dedicated to plant room and other utilitarian matters, and does not attempt to contribute to street life and place making - the building turns its back on the Minster and the city centre more generally rather than addressing it. There should be more active frontage, particularly to the South of the site, where future landscaping would be conducive to appropriation of landscape amenities during the summer months.

There could also be more active frontage on Brussels Street, taking into account of the architectural merits of the existing railway arches, are already partially occupied with some active uses and may become more active in future. In conclusion therefore, the proposal is not reflective of its intentions as a gateway and landmark building, and should be re-designed to take into account all the comments listed above.'

7.3 In addition to the above, a second letter of objection has been received from Leeds Civic Trust (LCT) as follows:

'The Leeds Civic Trust has reconsidered the above application for proposed demolition works and erection of 11-storey building to create co-living residential development comprising of 189 apartments, which has been considerably amended. Despite a new massing that is arguably slightly less generic than the previous iteration, our original grounds for objection still stand, particularly with regard to the treatment of the largely mute ground floor without meaningful relationship to the ground. We note that the new visualisations exclude a close up, which serves to acknowledge that the developer is aware of this fundamental absence of place making on a key gateway area. We also note that no views have been provided that take into account the context of the conservation area on the other side of the railway arches, nor that of the Minster. In both cases, this would highlight the fact that the massing is still disproportionate to its neighbours.'

8.0 KEY ISSUES

- Principle of development / Co-Living
- Housing Mix and Density
- Affordable Housing
- Design and Heritage considerations
- Residential Amenity
- Accessibility and Inclusivity
- Landscaping and Public Realm proposals / Green space
- Transportation Considerations
- Sustainability and Climate Change
- Biodiversity
- Wind and Microclimate Considerations
- Safety and Security / Management
- Planning Obligations and CIL
- Representations
- Planning Balance and Conclusion

9.0 APPRAISAL

9.1 Principle of development / Co-Living

- 9.1.1 The site is located within the designated City Centre and is unallocated within the Site Allocations Plan. CS Policy CC1(b) encourages residential forms of development in City Centre locations providing that the development does not prejudice the functions of the City Centre and that it provides a reasonable level of amenity for occupiers. The proposals are considered meet these criteria subject to the detailed planning assessments which follow. Leeds City Council has now also adopted a Co-Living Advice note which recognises the need to consider co-living proposals subject to detailed amenity and infrastructure considerations.
- 9.1.2 Policy H2 of the CS states that windfall sites will be acceptable in principle providing the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development. The site is sustainably located in terms of transportation and local amenities and would involve the re-use of a brownfield site, which is positive in respect of Spatial Policy 1 (requiring the largest amount of development to be located in the Main Urban Area and prioritising previously developed land and buildings). This is consistent with the requirements of paragraphs 123 and 124(c) of the National Planning Policy Framework.
- 9.1.3 Health Partnerships have been consulted on the application proposals however no formal response to the consultations have been received. Officers are however aware that Health Partnerships have (as part of the consultation process for recent applications at Quarry Hill) identified local GP practices and have very recently advised that the two closest surgeries (York Street and The Light) both currently have capacity, both are in close travelling distance to the application site and are accepting new patients.
- 9.1.4 Healthcare Partnerships have recently drawn officers' attention to the strategic need to future proof healthcare provision and the need for a plan to be put in place to respond to growth. The Health Partnership Team have advised that NHS GP funding operates as a "post hoc" mechanism in the NHS and there is currently no NHS mechanism that local NHS officers have at hand to "front load" capital infrastructure.

However, it was also advised that the impact of 'e consultation, "telehealth' and enhanced pharmacy functions mitigate some of the square footage requirements in the traditional doctors surgery model. ICB (NHS West Yorkshire Integrated Care Board) have also recently noted estate constraints emerging in local health infrastructure and it has been queried whether there is scope to secure capital support through more recent planning applications to support extensions in clinical space, specifically highlighting LSMP seeking to support and improve their provision through investment where possible. This request was also made in the response to the recent application 23/02335/FU for PBSA accommodation at 16-22 Burley Street, determined by members at City Plans Panel on 2nd November 2023.

- 9.1.5 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 regulation 122 (as amended in 2011 and 2019). This provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- a. necessary to make the development acceptable in planning terms,
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
- 9.1.6 Notwithstanding that there may be benefits for individual patients associated with expanding GP surgery estate to enable a wider range of primary care to be accommodated within a particular GP practice / service, no specific details have been provided of what is needed in the case of those practices wishing to expand their estate capacity and the likely costs involved. It is also important to note that the above identified local GP practices are known to be taking on new patients. In this context it is considered that in terms of Healthcare, the proposals are acceptable.
- 9.1.7 In terms of educational infrastructure, by its nature this Co-Living proposal would not attract family living. Unit sizes are too small to accommodate families and are targeted at the single occupier. Therefore, it is considered that the proposals meet the requirements of adopted policies in terms of educational infrastructure.
- 9.1.8 In the absence of existing formally adopted planning policy on co-living development Development Plans Panel agreed to the preparation and adoption of the technical advice note to aid consideration of co-living proposals in a consistent manner (reflecting existing adopted policies on residential use). The proposals are considered to accord with the guidance note as follows.
- 9.1.9 In the case of this specific development at Holdforth Court, the applicant has elected to provide individual unit sizes at the upper end of the range of scales seen in other national Co-Living Schemes. The units considered here in fact provide studio accommodation that would meet the adopted space standards for single person occupancy. Each unit in this scheme would contain all of the expected provisions for day to day living, with the operator intending to promote the aforementioned sense of community and deflect isolation of residents through their building and tenant management processes and provision of shared communal spaces.
- 9.1.10 In this case, the kitchen spaces would supplement and compliment generous individual scaled studios and there would be less reliance on the communal spaces to achieve a baseline and satisfactory level of amenity for the occupier compared to a scheme with small studio sizes. The proposals would also meet affordable housing requirements as set out in the guidance note as well as provide a travel planning regime and accessible units.

9.1.11 Access and provision of shared day to day living facilities/functions are evident and would be easily accessible to residents in the overall accommodation. Based on the submitted layouts, tenants would have easy and local access to shared facilities by floor and all private studios would be of sufficient size for sleeping, bathroom functions, general manoeuvring space and private storage. Remaining amenity considerations along with management considerations are set out below, however it is considered that in this regard, the use of the larger studio format meets the requirements of the advice note and provides an acceptable overall principle of development subject to the detailed controls set out in the conditions and remainder of this appraisal.

9.2 Housing Mix and Density

9.2.1 A minimum density policy is needed for Leeds to ensure sustainable housing development. This means efficient use of land in order to avoid more greenfield land being developed than is necessary and in order to achieve a higher population in proximity to centres. The proposals meet the requirements of adopted policy H3 and it's threshold of delivery of at least 65 dwellings per hectare.

9.2.2 The proposed development is 100% Flats. Paragraph 5.2.11 of the Core Strategy states that the:

'...The form of development and character of area should be taken into account too. For example, a scheme of 100% flats may be appropriate in a particular urban context...'

In this case it is felt that a 100% flat scheme is appropriate given the nature of the City Centre and the compact site to which the development relates.

9.2.3 As noted above due to the nature of the co-living proposal before members, the proposed housing mix differs from traditional residential schemes through the provision of 1-bed studio apartments throughout the scheme, creating private space for each occupant who would then access shared communal space on each floor as part of the co-living model. The proposal therefore unambiguously fails with regard to the targets set out in policy H4 of the Core Strategy with regard to two, three and four bed properties. Officers have not sought the revision of the scheme on the basis of this shortfall against the policy as multiple bedroomed units are simply not compatible with the residential co-living model. It should also be noted that the number of units fails to trigger the policy and adopted development plan's requirement for the submission of a Housing Needs Assessment at the scale and quantum of units proposed.

9.2.4 The Local Planning Authority does not yet have its own comprehensive dataset for assessing the need for co-living accommodation in the city. 2021 census data for the breakdown on house share data is not yet published, however given the known percentages weighted towards single and 2 person households (20 – 44 age group which in Leeds accounts for 37% of the city's population, one of the highest groups of working-age renters and the number of recorded private rented households is around 74,400) it can be reasonably concluded there is potentially a market (however limited) for this type of accommodation in Leeds. This perceived need has further manifested and evidenced with other co-Living proposals (albeit as variants to the specifics of the model here) being proposed to the Local Planning Authority at Headrow House and Burley Library in recent months.

- 9.2.5 The applicant has put forward data acquired and publicised by Savills as justification who estimate there are approximately 32,000 people within the core target market for Co-living in the city at the present time and given the demographic within that market (surveyed by the applicant as approximately 50% of the market at 25-34 years of age and approximately 25% being 18-24 years old) the mixed use nature and vibrancy of the City Centre, it's amenities and access to transportation and places of work make it an obvious location for this accommodation type. Also, 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, and also recent incomers to cities who don't necessarily want to rent on their own or know anyone to house share with. The occupancy isn't restricted however to particular groups like graduates or key workers. Again the city centre and it's periphery lends itself to addressing this need in terms of the character of the area and its facilities.
- 9.2.6 The Co-Living advice note makes clear that co-living proposals will not deliver a mix of unit sizes and accepts that co-living accommodation by it's nature is aimed at non family accommodation. Officers therefore consider that on its own merits, this scheme (although by default being non-compliant with policy H4) is acceptable on it's own individual case by case merit based upon the advice note and that the clear non-compliance against housing mix policy is in this case outweighed by the other identified planning benefits of the scheme which will be set out in the remainder of the report.

9.3 Affordable Housing

- 9.3.1 As noted in the Co-Living Technical Guidance note, the council have a clear expectation for major development (10 or more dwellings, or where the number of dwellings is not known, a site area of 0.5ha or more) to contribute towards affordable housing. In many cases, given the model's departure from more standard residential layouts and its dependency on shared facilities, it may be determined that the most appropriate approach for Co-living schemes to contribute is a commuted sum in lieu of onsite provision, which is also a common approach with Build to Rent developments within the City Centre and is supported by the advice note as an acceptable approach.
- 9.3.2 Policy H5 is identified as a relevant policy and on which the advice note's approach to affordable housing is based. Arm (iii) of the established policy allows for Build to rent type developments (which is the nearest approximation to Co-Living) to address the affordable housing requirement through a commuted sum where suitable justification against on-site delivery can be provided. In this case, the co-living nature of the scheme and the operators the applicant is engaged with have no experience in managing affordable dwellings within an entire scheme and therefore the applicant would like to select to address the affordable housing provision by way of contribution to allow for the units to be provided elsewhere in the city as need determines. The guidance note allows the approach to affordable housing to mirror that established in policy H5 for Build To rent schemes which share similarities in nature to co-living products.
- 9.3.3 From an operational view the provision of separate small number of affordable units spread across a larger development is known to be very difficult to manage even for experienced affordable housing providers within the context of the overall management of the whole development. The applicant has advised that Co-Living operators they are engaged with do not have the relevant experience/training with their staff resources and would look only to operate and manage the development

excluding the affordable units. Therefore; an approach consistent with policy H5 arm (iii) and in accordance with the advice note, the use of a commuted sum allows the applicant to be policy compliant in this regard.

- 9.3.4 The use of the benchmark rate for affordable rents for Build to Rent (BTR) developments is suggested within the Co-Living Guidance note as an appropriate approach for off-site contributions, given that the management, operation and anticipated occupancy of co-living developments are very similar to that of BTR. This is based on local earning levels and applied as a price per sqm. The applicant has proposed a commuted sum figure of £742,633. At the time of this report, this proposed sum and the methodology of it's calculation is in the process of validation through the District Valuer's office (as is standard procedure) and may be subject to amendment or variation through that process in due course.

9.4 Design and Heritage considerations

Townscape

- 9.4.1 As has been addressed in earlier discussions with the agent concerning this site, in terms of the wider context, the application site is identified as not being appropriate for a 'tall' building akin to those built, permitted or proposed to the eastern side of Marsh Lane and south of the site along the southern edge of Crown Point Road (Ibis/Gateway). The building is not within an identified area for tall buildings within the current adopted version of the adopted Tall Buildings SPD and therefore proposals for taller buildings are addressed through a contextual analysis of the surrounding area. The key townscape considerations in relation to the proposed building are considered to be as follows:
- 9.4.2 It is considered that based upon the topography of the site and surrounding area and in accordance with Quarry Hill's categorisation as a 'Gateway Location' in the Tall Buildings Design Guide, the dominant point of height in north-south and east-west views should be Quarry Hill. The proposed and revised 10 storey height and massing preserves this view in the key vista looking northward from Crown Point Bridge). Whilst the SOYO development and other planned developments will (and are) increasing the overall apex of Quarry Hill in the wider townscape it is important that this site and sites immediately adjacent remain visually subordinate to the context of Quarry Hill. The proposed materiality of building (predominantly brick and glazing) is considered appropriate given the diverse tapestry of materials in the emerging and long-established built context around the site to the east and to provide some visual anchorage to Quarry House which sits in the backdrop of views northward from the south.
- 9.4.3 The area between the application site and Leeds Minster/High Court is considered to be an area of relief from buildings and built form, with a lower scale buildings (2-4 storeys) along the southern edge of Kirkgate representing a step down from south to north from taller buildings to the southern edge of The Calls towards this area of 'respite and calm' in the setting of the Minster. The building is set out at 10 floors in total, with the ground floor providing the developments ancillary functions, such as cycle stores and residents facilities, and the next 9 floors providing dedicated and well considered residential accommodation, with a large 70/40sq.m resident's lounge/kitchen on each floor. The proposed building is clearly separated from the green parkland area and pedestrian routes around the minster by wide extents of highway infrastructure, but also shows a definitive drop in height from the taller context to the east towards the respite area around the minster.

9.4.4 It is considered the application site should perform a similar spatial function in grading down the height of buildings from the established and emerging taller environment to the east beyond Marsh Lane and this lower area in the setting of the Minster and should also offer some symmetry with Munro House's lower scale at the southern edge of Quarry Hill, beyond which, to the north buildings then step up in height to the identified point of height of Quarry Hill/SOYO. In response to the local surroundings and the existing built forms, the development's mass has been designed to provide 10 storeys addressing Marsh Lane and Brick Street, substantially lower than the approved neighbouring schemes at Saxton Lane which sits at 19 and 21 storeys – providing a clear step down in height between south to north and east to west towards the viaduct whilst broadly mirroring the massing heights of Northern Ballet and the approved extension to Munro House in views along Marsh Lane / New York Street. Although taller than the existing forms of development immediately the southern edge of the viaduct it is considered that the proposed height would be harmonious with the existing forms of development, serve to provide a visual transition in height between the taller character of adjacent new buildings and the southern edge of Quarry Hill and is acceptable in townscape terms.

9.4.5 Heritage Considerations

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings.

The application site is approximately 185 metres due east of the Leeds Minster and whilst of a lower scale than its adjacent peers would be recognisable as part of the prevailing modern character incorporating the Ibis (155 metres separation to the Minster) and residential buildings to East Street (127 metres) as well as the Gateway Residential Complex (177 metres) as noted above, the road infrastructure (in particular Crown Point Road and Duke Street) provide at least 4 lanes of roadway as separation distance to the landscaped public route forming an important green buffer to the environment around the Minster. It is not considered that with this level of separation and the site's placement amongst a much more recognisably modern context, the proposals would not affect the setting of Leeds Minster or the Conservation Area.

9.4.6 Building Design

The ground floor has a floor to ceiling height of between 2.45m and 3.45m with a split-level ground floor which follows the topography of Brick Street. The concentration of shared ground floor spaces to the eastern edge of the ground floor is a deliberate design device intended to increase levels of natural surveillance to what is a visually dead area / frontage at present - with the intention of activating Brick Street and introducing greater surveillance onto a route which is likely to become more intensively used given its proximity to the emerging SOYO residential led development at Quarry Hill and a key route between that area, the riverside and onward connections to Crown Point, Meadow Lane and the South Bank.

The feature band at first floor level visual breaks the building at circa 4.3m, with a second break defining the "middle" brick element of the scheme at circa 23m. The building then steps in with fully glazed top floors completing the development and a roof level approximately 30m above ground. The change in materials and fenestration pattern clearly define the 'top, middle and bottom' approach to the scheme and the glazed format of the roof levels will assist in lowering the overall dominance of the building in respect of the wider townscape.

With the help of precedent-setting materials and architectural details from the emerging adjacent neighbourhood, the building has been designed to produce a high-quality, contemporary addition that blends in with the surroundings. Modern features include angled reveals, decorative brick detailing, copper-coloured metal façade panels, feature slot windows and glazed top floors.

The primary elevations are proposed to include angled reveals and slot windows that emphasise vertical elements, resulting in a rhythmic fenestration pattern. The building's crown of reflective glass completes the last two stories, which are set back from the main elevations. This change from a solid (ground) to a lighter top helps to diminish the building's perceived mass. The building has been considered in respect of the approved schemes at Saxton Lane, where the emphasis on elevational design is placed heavily on vertical slit windows. Conditions will be employed to finely control the quality of facing materials, depths of window reveals; and construction standard drawings will be required at condition discharge stage to specifically analyse a number of junctions and proportions of the buildings tertiary architectural features.

9.5 Residential Amenity

- 9.5.1 Notwithstanding the Co-Living format proposed, the assessment of amenity is a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space.
- 9.5.2 In spatial terms it is considered in this case that the individual residential units would provide for acceptable levels of internal space and a good standard of residential amenity irrespective of consideration of the buildings additional shared facilities. The submitted plans clearly demonstrate each unit has capacity for hosting all expected day to day facilities required for self-contained accommodation listed above and provide for acceptable levels of outlook and light receipt. Units commonly feature two external facing windows per unit and concentrate the principle living areas for cooking and cleaning where natural light would be more desirable towards the exterior face of the building and bedroom / toilet spaces to the interior core. Views out of windows commonly involve vistas of the adjacent street and highway infrastructure and do not presently involve any proximate buildings which may adversely impact upon the privacy of the occupier. The expectation is that the future development of any surroundings for residential or other uses would have to have regard to the placement of windows within this proposed residential building as adjacent redevelopment would be the agent of change and would need to be designed to accommodate and preserve the residential amenity of the occupiers of this building should proposals come forward in the surroundings in future years.
- 9.5.3 Supplementing these private spaces are shared lounge / kitchen facilities at each floor equating to 70 sqm per floor. Each kitchen space is shared with 14 units per floor and will allow for the congregation, cooking, collective endeavors and activities commensurate with the Co-Living model and contributing to a framework for communities to organically form amongst residents. It is considered that the further additional facilities at ground floor would further reinforce and promote that sense of community amongst residents and the applicant has had clear regard to the provision of a variety of functions rather than an anonymous extent of unspecific shared space.
- 9.5.4 Following a substantial revision in regard to building design and layouts received in September 2023, an updated noise report has been issued. The updated noise report details baseline measurements of environmental noise and recommendations on glazing and mechanical ventilation to provide acceptable internal sound levels – of

importance due to the proximity of heavy road infrastructure and the adjacent environment of the railway.

- 9.5.5 The noise report demonstrates that closed windows will be required along with the provision of MVHR to meet Approved Document F for background ventilation. Further information is required that quantifies overheating risk via dynamic thermal modelling along with a narrative on how overheating will be further minimised in units that are at risk whilst maintaining acceptable internal noise levels. This information will be controlled through conditions.

9.6 Accessibility and Inclusivity

- 9.6.1 New build schemes should incorporate an inclusive design approach which recognises that people are all different and accommodate this diversity by placing people at the heart of the design process from the outset, creating solutions that provide choice as to how people access and use buildings or spaces, and enable everyone to use the development safely, easily and with dignity. This approach is in accordance with the Equality Act 2010 and the associated Public Sector Equality Duty.
- 9.6.2 Policy H10 requires that 30% of residential dwellings within Building C meet M4(2) standards and 2% of dwellings meet the higher M4(3) 'wheelchair' user standard of part M of the Building Regulations. The proposals meet this policy requirement in full.

9.7 Landscaping and Public Realm proposals / Green space

- 9.7.1 The site is located in the city centre and is covered by Core Strategy Policy G5 which seeks open space provision on sites over 0.5ha. The site is 0.13ha so falls below the requirement, but provision of any external green space is still encouraged as an essential amenity for the proposed residents. Holdforth Court is located on a tight urban plot with limited scope to provide meaningful onsite public and private amenity space, landscaping or biodiversity improvements, but this matter has to be clearly weighed against the status of the site as Brownfield Land in a sustainable location and existing urban context which local and national planning policy and guidance suggests should be prioritised for development in sustainability terms.
- 9.7.2 There is a significant belt of Green Infrastructure including trees and other vegetation to the South West. These are strategically important, with high public amenity value and are on the currently more heavily trafficked side of the application site - where they undoubtedly make a contribution to mitigating the impact of the highway infrastructure in terms of air quality and carbon sequestration. These trees are outside of the application site boundary and are to be retained along with two mature trees at the site's northeastern corner which have high amenity value and will in conjunction with newly proposed street trees along Brick Street provide for an improved public environment within an area likely to see increased public footfall in future years given the emerging context of high density residential development in the locality, including at Quarry Hill.
- 9.7.3 It is noted that in order to facilitate both the increased footprint of the proposed building and create a meaningful amenity space for residents which receives good levels of sunlight, a series of trees within the site boundary are programmed for removal. In this case, the site cannot accommodate their relocation given its compact nature and the proposed level of street trees the adjacent environment is capable of hosting does not equate to the 3 for 1 ratio of replacement commonly used to mitigate, nor would

the environment of brick street and it's limited overall width and the need to maintain a viable pedestrian footway width allow for the use of non-columnar trees which provide the best amenity and biodiversity/climate change benefits. Notwithstanding, new street trees are proposed as some benefit is considered to be better than none and despite a lack of significant benefit in terms of carbon sequestration, new trees will provide improved amenity value to Brick Street and provide a better setting at the human scale than the existing arrangement (in accordance with NPPF paragraphs 96 and 136 which place emphasis on active frontages and the provision of tree lined streets where practicable).

In this case, it is considered that the proposed level and nature of loss cannot be accepted without further mitigation beyond the replacements / new trees proposed. The Landscape Team have provided a CAVAT valuation of the affected trees which equates to £77,809.00 to be secured through the Section 106 agreement. These funds can be used to provide additional planting offsite to offset the tree loss in both amenity and climate change terms and make the development acceptable in planning terms. Whilst tree retention is always the clear preference, in this case, it is considered that a viable activation of the site for residential use without significant tree loss would not be achievable and that this mechanism is proportionate and can deliver wider planning benefits which outweigh the loss.

- 9.7.4 The site is under half a hectare in size and located within the designated city centre boundary. Therefore, in accordance with Core Strategy Policy G5 open space provision is not sought.

9.9 Transportation Considerations

- 9.9.1 Through conditions and the associated legal agreement the scheme is considered to constitute an improvement to the present pedestrian and vehicular environment. 3m footways are provided along the frontages of the building which is in accordance with the adopted Transport SPD and the accommodation of new street trees and active frontage will allow for improved natural surveillance.
- 9.9.2 No vehicular parking (beyond provision of a disabled parking space) is proposed which raises no concerns in principle considering this site meets the accessibility standards set out within the Core Strategy and is located within the city centre core area. Streets immediately around the site contain TROs, however there may be opportunities for residents to park on-street further away. In order to prevent unforeseen parking problems the developer is required to carry out a survey on roads within 800m of the site showing existing on-street parking levels. If the council believe a parking problem has occurred due to vehicles associated with the site a 2nd survey may be required. A fee of £20,000 will be secured through the Section 106 agreement to mitigate against future parking issues caused by the development and to assist in amending existing Traffic Regulation Orders to accommodate a new Car Club bay detailed below.
- 9.9.3 A Travel Plan has been provided which details a series of incentives and the provision of information to residents concerning transport modes which are alternative in nature to the private car, encouraging the use of public transport, cycling and walking and taking advantage of the sites highly sustainable location in terms of bus and train use. A car club space on street in the locality is also to be provided through this consent. Officers are presently working with the developer and the Influencing Travel Behaviour Team to identify a suitable set down location for an Electrical vehicle enabled space for this provision. It is expected that the Car Club bay will be provided

on the eastern side of Brick Street behind the existing loading bay and feasibility work on this matter is ongoing. This will be secured through the S106 agreement.

- 9.9.4 The application is supported by a Transport Statement and drawings which advise the provision of 108 cycle parking spaces. This figure falls slightly short of according with the requirement of the Transport SPD which suggests 118 spaces as an acceptable figure. Of the cycle parking spaces provided 14 are shown to be Sheffield stands which equates to around 11% however a minimum of 30% of the overall provision must be in the form of Sheffield stands and this matter along with the finer detail of facilities will be controlled through conditions. As always, higher quality cycle parking will be preferable to quantity therefore the number of Sheffield stands should be increased and this will be insisted upon through the condition mechanism. At the time of this report, a proposal has been suggested by the applicant for a series of rental bike spaces to be also made available as part of the overall provision. This will be given consideration prior to any formal approval, appropriate controls applied and the required level of detail attained.

The developer has agreed to contribute towards the improvement works at the Kirkgate / High Court junction and along High Court as this will improve the environment for residents of the site. The scheme will extend the cycle lane on Kirkgate and provide a new zebra crossing across Kirkgate which will improve safety of residents heading into Leeds city centre from the application site. Footways around the junction are also to be widened which will improve the environment for pedestrians.

The scheme will cost £1,500,000, the developer is expected to contribute 1.96% of the overall cost of the scheme, which equates to £29,400. This contribution will be secured through the section 106 agreement and will assist in mitigating the impacts of the development on the pedestrian network locally through the increased footfall the development will bring to the area.

9.10 Sustainability and Climate Change

- 9.10.1 Members will be aware that the Council has declared a Climate Emergency. Existing planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact of non-renewable resources.
- 9.10.2 The proposals are stated to meet the requirements of planning policies EN1 and EN2 to reduce 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). The applicant is proposing to utilise a connection to the District Heating Network in order to meet the requirements of EN1(ii) and EN4 – conditions will be used to control the details of the connection or details of a viable alternative to the connection through other measures should the connection not be possible, albeit engagement between the District Heating Team and the applicant would suggest that a connection in this location can be provided. Details of the location and timescales proposed for a connection must be submitted prior to commencement of construction on site and will be controlled by condition. Full details of water calculations to ensure compliance with EN2 will be achieved will also be controlled through conditions. The applicant has advised that as well as a planning policy requirement the specifications required to achieve the 110 litre per person per day are also controlled under the building regulations to that effect and therefore has every intention to deliver this.

As required by the NPPF, proposed new developments should contribute to, protect, and enhance the natural and built environment. A holistic look at the whole life cycle carbon emissions favors re-use and refurbishment of existing building stock. Not retaining whole/ parts of the existing building would obviously add to the carbon emissions of the scheme. The following rationale is considered to justify the demolition of the building.

- The existing layout is based on small rooms (former hostel use). Many of the rooms are subdivided with structural walls and are therefore not suitable for conversion or would require significant built intervention at a substantive cost.
- The existing layouts include lots of areas of dead space, based on previous use and would be difficult to bring into use.
- The existing building is c.30 yrs old and would require a substantive thermal upgrade, again affecting layouts/unit numbers and therefore the viability of a residential scheme.
- Existing massing , number floors would not allow sufficient units to make it viable to re-use. The new proposal involves more floors and reaching the critical mass needed to make a redevelopment of a brownfield city centre site such as this possible.
- The existing fenestration and window apertures are poor where measured against current standards and the expectations for residential accommodation to deliver a high standard of residential amenity in accordance with policy.
- Plant space requirements would take up much of the existing ground floor plate, again affecting the number of units that can be realistically achieved.
- Utility upgrades will be required in order to suit modern needs – the existing configuration is not adequate. A new substation and a connection to the district heat network would take up too much space affecting units/layouts.
- The Existing floor to floor levels not conducive to incorporating the latest and most efficient M&E standards/requirements, such as sprinklers/District Heating network connection.
- Fenestration /openings/facade not conducive to addressing noise and MVHR requirements which is of particular importance given the building's location close to heavy transport infrastructure.
- In allowing demolition of the building, a recycled waste strategy will be controlled by conditions in accordance with policy EN6.

9.11 Biodiversity

The site is subject to assessment in accordance with the NPPF and adopted local policy Core Strategy Policy G9, whereby the development needs to demonstrate a net gain in terms of Biodiversity. However, given that the application has been under consideration for some time, the site is not required to demonstrate the 10% uplift required by new national policy which comes into force on 12th February 2024 as required by section 90A of the Town and Country Planning Act 1990 as amended by

the Environment Act 2021. At the time of this report, metric calculations are being undertaken by the applicant who has committed to provide a positive uplift in terms of net gain and if this cannot be provided on site, has committed to the purchase of an offsite credit in accordance with the new national policy. In the event this was required, this would be secured through the section 106 agreement.

9.12 Wind and Microclimate Considerations

9.12.1 Due to the scale of the proposed buildings and their largely exposed location there is a significant potential for the generation of strong winds around the development. The applicant engaged wind consultants at the commencement of the design process to provide advice regarding the safety and comfort of the wind environment resulting from the development. As summarised in the consultation responses above a CFD assessment was made as part of the process (in line with the requirements of the Draft Wind and Microclimate Toolkit) and the findings were peer reviewed on behalf of Leeds City Council by Windtech Consultants. Only low-level mitigation within the application site itself will be required to address a very minor exceedance against safety standards affecting and limited to the garden area of the development site. This matter will be controlled by condition. In all other respects the application proposal is not considered to introduce wider impacts in terms of safety.

9.13 Safety and Security / Management

9.13.1 CS policy P10(v) identifies that developments should create safe and secure environments that reduce the opportunities for crime and the NPPF states that developments should be safe and accessible so that crime and disorder, and the fear of crime, do not undermine quality of life. On this basis, two phases of consultation have taken place with Yorkshire Police's Architectural Liaison Officer.

9.13.2 The proposals identify a predominantly car-free development that would result in a significant number of people walking and cycling to the site. Off-site public realm works to improve the pedestrian and cycling corridor north-west of the development will bring additional movement and activity. These improvements will link with similar proposals on neighbouring sites which will result in a significantly improved environment and which should reduce the fear of crime as noted by West Yorkshire Police within their initial consultation / discussions, whilst encouraging use by pedestrians and cyclists, creating a hospitable environment and promote natural surveillance.

9.13.3 West Yorkshire Police have made further recommendations concerning the need for either the use of bollards or fixed planters to the Brick Street / Brussels Street elevations of the site given the prevalence of glazing to the ground floor areas. This is noted, however it is considered features should be integrated with the proposed new footway and landscaping treatment / street trees where possible. The specific details will be controlled by condition and can be assessed by West Yorkshire Police, the Landscape Team and highways officers through that process to identify optimum locations, species details in the event planters are to be employed and to ensure pedestrian movement through the widened pedestrian route is not compromised and the benefits of the new pedestrian environment the scheme delivers is not diluted by their inclusion.

9.13.4 Based on comments received in both phases of consultation, CCTV surveillance will be required and will be provided around and within the site. This matter will be controlled by condition to allow for further direct consultation with West Yorkshire Police - to ensure optimum locations for lighting and CCTV are employed and to

ensure CCTV equipment provides suitable legibility and recording of images for reporting purposes. It is expected that the quality of CCTV recording equipment must accord with the British Standard as should all specifications for lighting, doors, windows, encrypted key fob access for cycle storage and building access. It is considered these matters can be secured through conditions.

- 9.13.6 Subject to detailed design to be secured by a security strategy condition and details of all built security measures the development would accord with CS policy P10.
- 9.13.7 The Co-Living advice note advises that conditions should be sought to ensure that the health and wellbeing of residents is properly considered and that regard is given to the high frequency of residents that may move in and out. Clearly the adoption of larger unit sizes within the scheme and proximate communal spaces close to private spaces will provide facilities for residents to in effect co-habit and mingle. However it is considered that due regard be also given to the potential for friction and dissonance between residents which are potential natural corollaries of communal living in any form of shared accommodation. Given that resident safety is to be addressed in terms of the building and it's wider environs as detailed above following advice from West Yorkshire Police it is considered the same regard must be had for securing appropriate procedures for resident safety within the building, how issues of resident behaviour are to be addressed and to ensure a single management regime remains in operation for the lifetime of the development to maintain comprehensive oversight of resident welfare. A management plan will be controlled by condition to address the operation of on site management, access control procedures, details of refuse collection and on site procedures for addressing anti-social behaviour.

9.14 **Planning Obligations and CIL**

- 9.14.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 (as amended in 2019). These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms,
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

The proposed scheme produces the need for the following obligations which it is considered meet the legal tests:

- Leeds City Council Travel Plan Review fee of £ 3815.00
 - Provision of Leeds City Council Car Club provider parking space
 - Provision of a Residential Travel Plan Fund of £30,662.01
 - Offsite affordable housing commuted sum of £ 742,633(This sum will be subject to independent valuer verification)
 - Compensation sum for loss of trees and offsite replanting £77,809.01
 - Contribution towards High Court / The Calls Improvement Scheme (£29,400)
 - Provision for TRO amendments (£20,000)
 - Section 106 management fee
- 9.14.2 This development is liable to the Community Infrastructure Levy (CIL) and is likely to generate a CIL charge of £10014.12 This figure is presented for information only and should not influence consideration of the application. The infrastructure requirements for this development are likely to relate to public transport and public space provision.

Consideration of where any Strategic Fund CIL money is spent rests with the Council's Executive Board and will be decided with reference to the Regulation 123 List (or Infrastructure Funding Statement as the case may be) at the time that decision is made.

10.0 REPRESENTATIONS

10.1 As noted at paragraph 7.0 of this report, two public letters of objection have been received. These objections relate principally to the originally submitted design and layout, which has now been substantially revised through negotiation and a comprehensive redesign of the scheme over the past 18 months.

10.2 Leeds Civic Trust have provided two letters of objection. Again, many issues raised in their first letter are considered to be superseded by the substantial redesign of the building. However, LCT maintain the objection in principle and a combination of retained issues from their first objection and the content of their second objection are summarised and addressed as follows:

- a) Largely mute ground floor treatment - the ground floor level in particular is almost exclusively dedicated to plant room and other utilitarian matters, and does not attempt to contribute to street life and place making
- b) Lack of provision of wider CGI views which address the impact upon Leeds Minster or the Conservation Area
- c) Massing is disproportionate to neighbours

10.3 In response

- a) In effect the building has three exterior public facing elevations and as much of the active uses such as lounge areas and workspaces have been directed to the external public facing of the building (where surveillance and a sense of visual activity have wider benefits to the overall streetscape and creation of a sense of place). It is acknowledged that cycle storage and bin storage by their nature create dead frontages, however in this case, this equates to less than 1/3 of the exterior frontage of the building with the vast majority of non-active frontage facing into the site itself. Behind these areas of frontage are necessary facilities for residents and facilities to ensure a residential use can be properly supported in transportation and amenity terms. It is therefore considered that whilst not a perfect arrangement which delivers 100% active frontage, given the shape of the site envelope and need to deliver supporting functions, the proposed arrangement is acceptable and makes best use of the street scape and floor plate of the building in this regard.
- b) It is considered that the application site's clear separation from the conservation area by virtue of partition by the large-scale highway infrastructure and the site's placement within a more modern setting of tall buildings as a backdrop to the East ensure the building and its immediate environment are clear and distinct from the conservation area and do not adversely affect it's setting, nor that of Leeds Minster at approximately 170 metres separation from the application site.
- c) It is acknowledged that the new building is taller than its predecessor and immediately adjacent neighbour however for reasons set out at section 9.4 of this report the proposals are acceptable in townscape terms.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 In summary, while it is clear that there is currently no adopted policy provision, either within the Leeds Development Plan or the National Planning Policy Framework specific to co-living development; it is also clear that this is an emerging model for housing development in Leeds and other Core Cities and it is likely other similar schemes may come forward for consideration in this near future. Leeds City Council has recently adopted an advice note to assist in addressing Co-living proposals and in the absence of a specific planning policy for this emerging form of accommodation it is a material consideration. The proposals are considered to meet the guidance. In assessing this individual case on its own merits against the existing planning policy context and available guidance, it is considered that the benefits of the development outweigh any potential conflict with planning policy as the adopted advice note does not seek compliance with Core Strategy Policy H4 concerning Housing Mix. The proposals would involve a predominantly car free residential development and a scheme which allows for prioritisation of sustainable transport modes within a mixed-use city centre location (where in placemaking terms improvements to the adjacent street scene can be secured by association).
- 11.2 Tree loss whilst regrettable would activate the site for redevelopment and can be appropriately compensated and mitigated - allowing for redirection of planting to more public areas and therefore a provision of wider amenity benefits. The scheme would contribute towards much needed affordable housing in the city and would deliver a high standard of amenity for the occupier - whilst redeveloping an urban brownfield site with a building that will accord with and can be controlled to meet adopted policies on sustainability and climate change.
- 11.3 The scheme would provide further choice within the expanding portfolio of residential types and tenures in the city centre setting but would not compromise on the quality of accommodation in doing so when assessed against adopted standards for more conventional residential tenures. Furthermore; the proposals have been assessed against the requirements of adopted heritage policies and legislation and have found to be without detriment to the city's important and designated heritage assets by virtue of the clear separation of the site from Leeds Minster and the character of the site's immediate locality.
- 11.4 Accordingly, it is recommended that the scheme should be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in Appendix A (including any amendment to the same or addition of further conditions as the Chief Planning Officer deems appropriate) and the completion of a Section 106 agreement.

Background Papers: Application file 22/04852/FU, two letters of objection, two objections from Leeds Civic Trust, Appendix A – Conditions and Appendix B - Operator Information

APPENDIX A – Draft Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans and Specifications above.
For the avoidance of doubt and in the interests of proper planning.
- 3 The development shall be carried out in accordance with the details shown on the submitted plan, "Flood Risk Assessment' 600512 (rev V02) prepared by Hexa, dated 4/07/2022", unless otherwise agreed in writing with the Local Planning Authority. (In the interest of satisfactory and sustainable drainage)
- 4 If remediation is unable to proceed in accordance with the approved Remediation Strategy, or where significant unexpected contamination is encountered, or where soil or soil forming material is being imported to site, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing. An amended or new Remediation Strategy and/or Soil Importation Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Strategy. Prior to the site being brought into use, where significant unexpected contamination is not encountered, the Local Planning Authority shall be notified in writing of such.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that any necessary remediation works are identified to make the site 'suitable for use' with respect to land contamination

- 5 The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development (excluding demolition) shall not commence until a Phase II Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority. Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development (excluding demolition) shall not commence until a Remediation Strategy demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Strategy shall include a programme for all works and for the provision of Verification Reports.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' with respect to land contamination.

- 6 Remediation works shall be carried out in accordance with the approved Remediation Strategy. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be 'suitable for use' with respect to land contamination."

- 7 Prior to the commencement of the above ground building structure an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme comprising:
- a. Recycled material content plan
 - b. Site Waste Management Plan
 - c. Energy plan showing the amount of on-site energy produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand for each building, including product specifications
 - d. finalised location of future district heating connection point or proposals of alternative methods to demonstrate compliance with Core Strategy Policy EN1
- The development shall be carried out in accordance with the approved details

Within 6 months of first occupation of the development, a post construction review statement including evidence of implementation of the low water usage target 110 litres/person/day, shall be submitted to and approved in writing by the Local Planning Authority. The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post completion review statement and certification.

In the interests of ensuring the development meets the requirements of the adopted energy policies within the Core Strategy.

- 8 Within 6 months of first occupation of the development, a post construction review statement including as-built evidence of compliance with Core Strategy Policies EN1 and EN2, shall be submitted to and approved in writing by the Local Planning Authority. The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post completion review statement and certification."

In the interests of ensuring the development meets the requirements of the adopted energy policies within the Core Strategy.

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

To protect nesting birds in vegetation and built structures in accordance with the Wildlife & Countryside Act 1981 (as amended) and BS 42020:2013.

- 10 (Pending Biodiversity Net Gain resolution, may be removed) Prior to the completion of the above ground building structure, a Plan shall be submitted to and approved in writing by the LPA of: integral bat roosting and bird nesting features (for species such as House Sparrow and Swift) within buildings. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a timetable for implementation and commitment to being installed under the instruction of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained thereafter.

To maintain and enhance biodiversity in accordance with Core Strategy Policy G9, NPPF, and BS 42020:2013.

- 11 No above ground works shall be commenced until a ventilation and overheating mitigation scheme in accordance with Noise Report C10677/NIA/1.0 for rooms where windows need to be kept closed to prevent excessive noise levels shall be submitted to and approved in writing by the Local Planning Authority. The ventilation and overheating mitigation scheme shall include the following information:

- Identify which rooms referenced back to the approved Noise Assessment require specific overheating mitigation
- The acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded
- The ventilation scheme must demonstrate that the air intake is located away from the sources of noise and/or poor air quality.

All works which form part of the approved scheme for each apartment shall be completed prior to occupation of the aforementioned apartment and retained thereafter.

The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. Rating level and background sound level are as defined in BS 4142:2014+A1:2019.

- 12 Prior to occupation, a post completion sound test including method statement detailing sampling locations to confirm compliance with specified criterion shall be submitted for approval. Testing shall only commence following approval of the method statement. Following approval of the method statement and subsequent testing process, in the event that sound levels exceed the specified limits, the applicant shall undertake corrective action and re-test. Once compliance can be demonstrated the results shall be resubmitted for approval.

The specified criteria are: noise rating BS8233 (35db/30db day/night) in bedroom between 23.00 and 07.00

In the interests of residential amenity

- 13 Commercial deliveries to and from the premises including loading and unloading and refuse collection, shall be restricted to 08.00 to 20.00 hours Monday to Saturday and 09.00 to 18.00 hours on Sundays and Bank Holidays.

In the interests of amenity.

- 14 a) prior to works concerning the installation of landscaping, no landscaping works shall take place until full details of the load bearing cell type rooting zone using proprietary structures has been submitted and approved in writing by the local planning authority. Details shall be fully in accordance with LCC guidance on urban tree planting (available on Landscape Planning website).

Details shall include:

- o proprietary soil cell structures to support paving over extended sub-surface rooting areas.
- o Soil cell volume /soil volume calculations.
- o specification of topsoil including additives and conditioners. Tree grilles and guards and means of anchoring root balls. Built-in Root Irrigation Pipe system with end cap and aeration system.
- o Passive and / or active irrigation including directed use of grey water / roof water or surface water infiltration to benefit planted areas. Details of distribution system and controls.
- o Tree grill details.
- o drainage system for tree pits.
- o Where applicable details of protection measures for statutory utilities and drainage.
- o Works shall then be carried out in accordance with the approved details.
- o Confirmation of Manufacturer supervision on site (free service).

b) To ensure full compliance, a brief report on the installation of the rooting zone system, including supporting photographic evidence, shall be submitted to the Local Planning Authority (LPA) when the works are still "open" to allow LPA inspection prior to any finish surfacing works. Seven days written notice shall be given to the Local Planning Authority that the rooting zone structures are in place to allow inspection and approval of them as installed. Confirmation is required that the installation has been overseen by the manufacturer of the system.

NOTE-this item cannot be discharged until post inspection approval is confirmed.

c) AA three-year irrigation programme for the trees (in accordance with BS 8545-2014 Trees from Nursery to Independence) shall be submitted to the Local Planning Authority (LPA) for approval in writing. Confirmation of irrigation compliance shall be submitted to the LPA on a quarterly basis for the full three-year programme period.

To ensure the provision of amenity afforded by appropriate landscape design and its cultural requirements are integrated into the development scheme.

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

To ensure the provision of amenity afforded by appropriate landscape design.

- 16 Hard and soft landscaping works shall not commence until full details of both hard and soft landscape works, including an implementation programme and any temporary

treatments required have been submitted to and approved in writing by the Local Planning Authority.

Hard landscape works shall include:

- a. proposed finished levels and/or contours.
- b. boundary details and means of enclosure.
- c. other vehicle and pedestrian access and circulation areas.
- d. hard surfacing areas.
- e. Lighting.
- f. CCTV and access controls
- g. proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
- h. access controls and site security measures.

Soft landscape works shall include.

- i. planting plans.
- j. written specifications (including soil depths and quality to BS 3882:2015, cultivation and other operations associated with plant establishment).
- k. schedules of plants noting species, planting sizes and proposed numbers/densities.
- l. details of tree pits and root cells.
- m. details of green roofing
- n. A scheme for management and maintenance of the publicly accessible areas
- o. long term landscape management plan.
- p. Finalised locations of external cycle parking.
- q. tree protection measures for existing trees and a methodology for their retention

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

In the interests of amenity, highway and public safety and to ensure the provision of amenity afforded by appropriate landscape design

- 17 No works shall commence until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:
- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
 - b) the routes to be used for constructions vehicles;
 - c) measures to control the emissions of dust and dirt during construction;
 - d) measures to mitigate the impact of construction on other parts of the development including any trees proposed to be retained:
 - e) location of site compound and plant equipment/storage; and
 - f) how this Statement of Construction Practice will be made publicly available by the developer.

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

- 18 Prior to any construction works a Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Authority. It shall include but, not be limited to, details regarding:
- o Hours of operation.
 - o The number of daily HGV movements via the SRN.
 - o Delivery scheduling that should, wherever practically possible, ensure deliveries to and from site via the SRN are not undertaken during peak hours.
 - o HGV holding areas, that should not be located on or within close proximity of the SRN.
 - o Wheel Washing facilities.

As the carrying out of the development could result in significant harm to the amenities of local residents and/or highway safety and accordingly details of construction practice is required to be agreed prior to the commencement of works in order to protect such interests.

- 19 Development shall not be occupied until all areas shown on the approved plans to be used by vehicles, including roads, footpaths, cycle tracks, loading and servicing areas and vehicle parking space have been fully laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway.

- 20 Notwithstanding the approved details, the building shall not be occupied until full details of cycle parking and facilities have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking and facilities shall be provided prior to first occupation of the building and retained thereafter for the lifetime of the development.

In the interests of highway safety and promoting sustainable travel opportunities.

- 21 Development shall not be occupied until the Electric Vehicle Charging Point has been provided in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be retained for the lifetime of the development.

In the interest of promoting low carbon transport.

- 22 No part of the development hereby permitted shall be occupied until details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use of that phase commences and shall be retained thereafter for the lifetime of the development.

To ensure adequate measures for the storage and collection of wastes are put in place. In the absence of appropriate measures residential amenity could be adversely affected.

- 23 Prior to the installation of any external facing material, full details including a sample panel of the relevant external facing materials, roofing and full details of glazing types for that building to be used shall be constructed on-site and approved in writing by the

Local Planning Authority. The external materials, roofing and glazing materials shall be constructed in strict accordance with the sample panel(s). The sample panel(s) shall not be demolished prior to the completion of the development, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

- 24 Prior to the construction of the following elements of the proposed building, full 1 to 20 scale working drawing details of the following for that phase shall be submitted to and approved in writing by the Local Planning Authority:
- a. soffit, roof line, eaves and any external plant area treatments.
 - b. junctions between materials.
 - c. each type of window bay proposed.
 - d. ground floor frontages.

Development shall then be undertaken in accordance with the approved details. In the interests of visual amenity.

- 25 Prior to the installation of the wind mitigation measures full visual and locational details of the proposed wind mitigation measures, method of affixment and control of delivery shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and maintained thereafter.

In the interests of creating a safe wind environment, adequate mitigation and public safety.

- 26 Prior to installation of the agreed wind mitigation measures a scheme for testing and assessing the effectiveness of the approved mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate details and timescales for the implementation of any further mitigation measures where these are found to be necessary by the testing exercise and shall be implemented in accordance with the details and timescales thereby approved. Removal of the required mitigation measures shall only be accepted following the submission of evidence and appropriate testing justifying removal, submitted to and approved in writing by the Local Planning Authority.

In the interests of creating a safe wind environment, adequate mitigation and public safety.

- 27 Prior to the installation of any extract ventilation system or externally mounted mechanical plant, details of such systems, including where relevant details of odour and smoke filtration for hot food uses, shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall aim to achieve the criteria set out in Leeds City Council Planning Consultation Guidance 'Noise and Vibration' dated December 2019.

- 28 Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The rating level of noise from any externally mounted plant or equipment is to be no higher than the existing representative background noise level (LA90) when measured at noise sensitive premises, with the measurements and assessment of calculation made in accordance with BS4142:2014.

In the interests of amenity.

27 Prior to first occupation, a sound insulation scheme related to any amenity space within the amenity areas of the building hereby approved to be used as a gym or spa shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve internal residential noise levels of no higher than noise rating NR20 in bedrooms between 23.00 and 07.00, and NR25 in all habitable rooms between 07.00 and 23.00. Associated plant noise from the amenity spaces shall achieve a BS4142:2014 rating level of no higher than the background at the nearest noise sensitive receptors, including the character corrections for tonality, impulsivity and intermittency as appropriate.

In the interest of amenity.

28 Prior to first occupation, a security and building management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail how tenant management between residential units will be addressed and what safety measures and procedures shall be implemented to ensure that tenants can co-habit safely. The development shall then be undertaken in accordance with the approved details

In the interests of public safety and residential amenity

29 Notwithstanding the details shown on the approved Proposed Site Layout, the parking area shall not be laid out or be brought into use until a revised Proposed Site Layout demonstrating the provision of disabled car parking has been submitted to and approved in writing by the Local Planning Authority, (in accordance with current British Standard BS8300 unless otherwise agreed in writing). The agreed layout shall be implemented prior to occupation and retained for the lifetime of the development.
To ensure the provision of disabled parking.
Development shall not commence until a survey of the condition of Brick Street and Brussels Street has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the development (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented six months of the remedial works being agreed with the Local Planning Authority. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24hours from the applicant being notified by the Local planning Authority.
As traffic associated with the carrying out of the development may have a deleterious effect on the condition of the highway that could compromise the free and safe use of the highway.

30 Prior to occupation of the development, the off-site highway works as shown on plan 21034-p401c comprising re-aligned turning head, provision of street trees and footway improvements at Brick Street and Brussels Street shall be fully delivered.
To ensure the free and safe use of the highway.

31 No development shall commence (excluding the demolition of existing structures and site clearance) until;

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

In the interests of safety and coal mining legacy

32 Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

In the interests of safety and coal mining legacy



VERVLIFE

VervLife specialist operators in co-living and build to rent. We get involved with clients as the earliest stage of a project, advising on viability, feasibility, design and layout. With the aim to ensure that buildings are as efficiently designed and built as possible, putting resident experience at the forefront, but also ensuring that the operating costs are kept within an acceptable level. We then move through the different stages of the project, working on a leasing and marketing strategy, setting rental levels, mobilising the scheme and taking it into day to day operational management. We strive to improve the wellness, health and happiness of our residents whilst they are living with us, as well as enhancing the value of our clients investments. VervLife have a number of co-living and build to rent schemes under management

GROUND FLOOR



HOLDFORTH COURT – CO-LIVING

Co-living is a different way of renting. Allowing residents flexibility not only from the length of time they can chose to rent for, short or long term, but also because of the way the building in managed and the offerings available. Holdforth Court will have an onsite team and the scheme will provide a secure bike store, secure parcel storage, a laundry, co-working space, residents lounges, a gym, roof terraces and a shared kitchen on each floor. Rents are all inclusive of utility bills and broadband which gives residents the comfort of knowing their monthly expenditure will remain at a constant level with no unexpected costs.

Community - From earliest opportunity building a sense of community is critical for the success of the scheme. Group viewings will be undertaken so that potential residents can meet each other and get a feel for what the experience of living at Holdforth Court will be like. Community doesn't just mean within the four walls of Holdforth Court, but extends out into the wider community and partnering with local businesses to offer resident discounts and forming strong bonds with the local community

Engagement – Having regular engagement and communication with the residents is critical to create the community. By using our Residents app we will be able to promote residents events and share local community benefits and discounts. The app also allows residents to access their tenancy documents, home user guides and pay rent.



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Environment – Smart metering will allow for monitoring of energy use both within the apartments and also the amenity spaces. The apartments will be well constructed and insulated which will reduce energy use. The roof terraces will be designed to encourage biodiversity and encourage wildlife. Holdforth Court has minimal car parking spaces and a large number of bike racks which is environmentally friendly and allow residents to cycle around the City to and from work.

COMMUNAL KITCHENS

The shared kitchens on each floor could be themed as seen in the examples from The Collective, Old Oak Co-living scheme as seen below. These kitchens allow for residents to have the opportunity to cook and eat together. Bringing different nationalities and ages of residents together socially.



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The below shows examples of how laundry facilities can be brought into communal spaces such as café space which will bring residents together.



The Collective – Old Oak – London



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The below shows examples of well equipped gym which allows residents the opportunity to exercise without needing to leave the building and is a good social space which is an important offering for health and wellbeing.



Blackhorse Mills – London



Duet – Manchester



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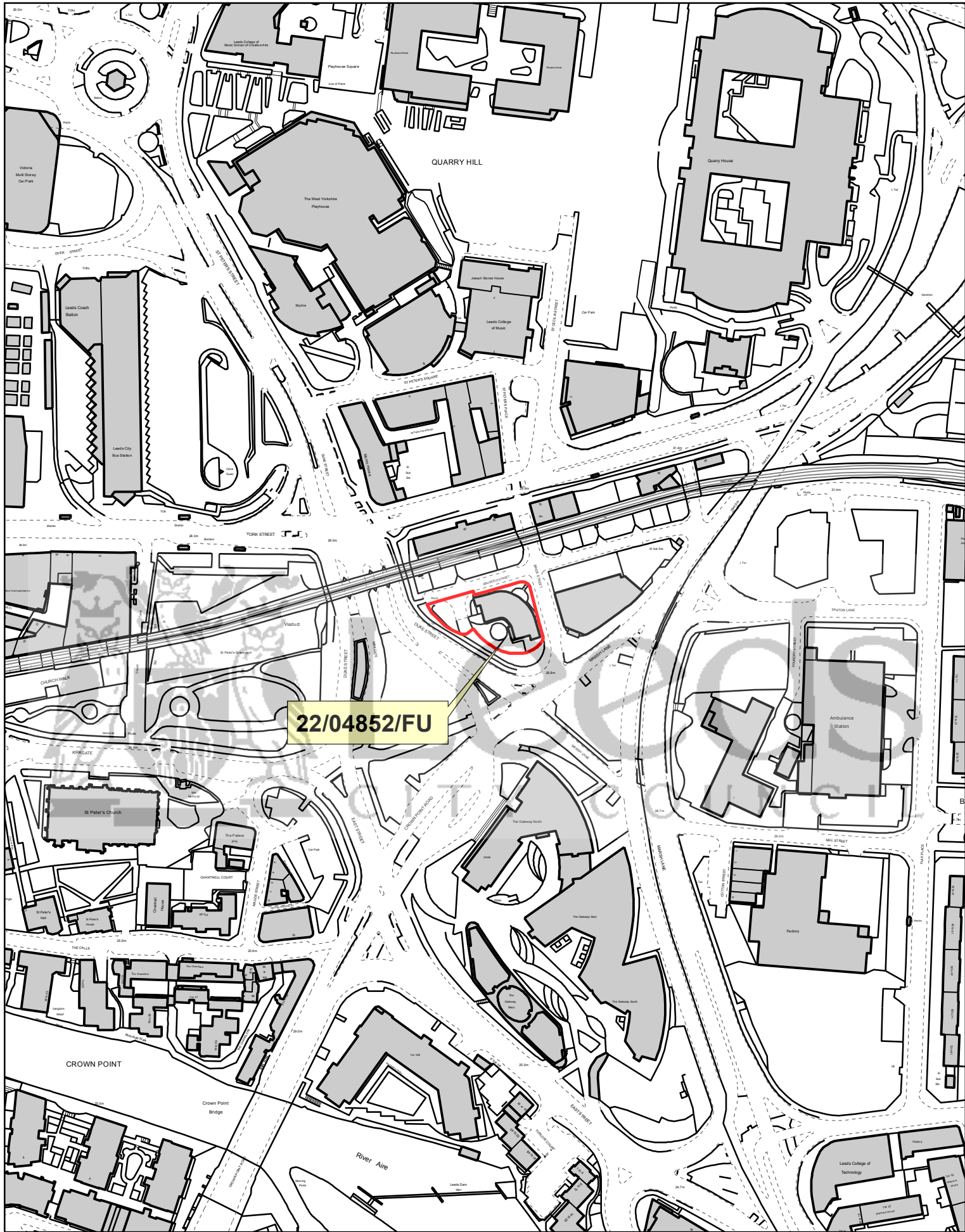
Well design Co Work space offers residents the opportunity to work from home, but in a social environment. These spaces can also double up to be utilised for residents events and social meet up.



Wembley Ark – Wembley, London



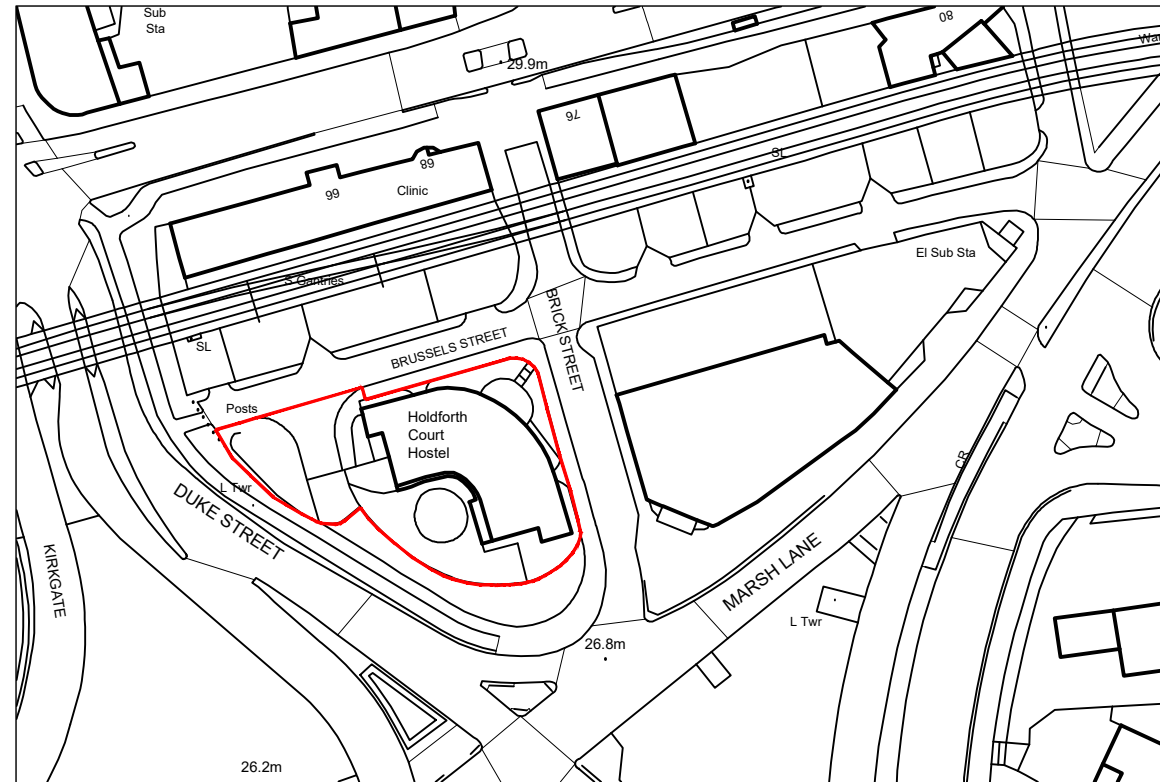
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22/04852/FU

CITY PLANS PANEL

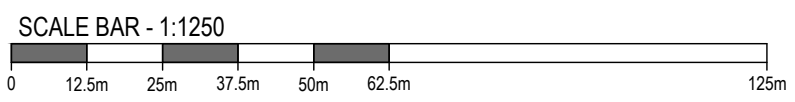
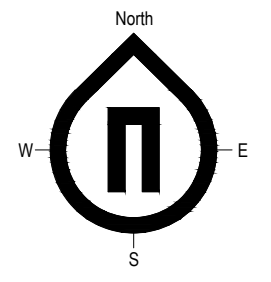




NOTES
 Do not scale from this drawing. Only figured dimensions are to be taken from this drawing.
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DRAWING STATUS/TYPE KEY
 F Feasibility SK Sketch L Landscape C Construction
 P Planning M Marketing S Survey AB As Built
 T Tender TNT Tenant OS Ordnance Survey

SURVEY NOTE
 The original building survey was undertaken by a third party. NW Architects accepts no responsibility for any errors, omissions or discrepancies.



REV	DESCRIPTION	DRAWN	DATE	CHECKED	DATE
REVISIONS					

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PROJECT
 Marsh Lane / Holdforth Court
 Leeds

DRAWING TITLE
 Site Location Plan
 Existing

Scale	Drawn By	Date Drawn
1:1250 @ A3	RS	02-08-22
	Checked By	Date Checked
	NW	02-08-22

Drawing No. **21034-S101** Revision **-**

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Originator: Tim Hart

Telephone: 3788034

Report of the Chief Planning Officer

CITY PLANS PANEL

14th March 2024

Outline Planning Application for the demolition of the existing substation and commercial buildings, creation of a mixed-use, multi-level development comprising residential (Build to Rent), commercial (offices and leisure), hotel and a travel hub on land largely bounded by Sweet Street, Meadow Road, Jack Lane and Bowling Green Terrace, Leeds LS11 9BX

Applicant – Caddick (City One) Ltd

Reference - 22/04827/OT

Date valid – 12th July 2022

Target date – 31st March 2024

Electoral Wards Affected:

Beeston and Holbeck

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the completion of an acceptable Road Safety Audit and specified conditions set out in Appendix 2 (and any amendment to these and addition of others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:

- Affordable housing provision – Build to Rent residential buildings either 7% of dwellings at benchmark rates, or 20% of dwellings at 80% of local market rent, or commuted sum;
- Compliance with agreed Travel Plan measures and travel plan review fee of £27,012 (indexed);
- Residential travel plan fund £492,312.75 (indexed);
- Provision of 2 Leeds City Council Car Club provider parking spaces;
- Contribution of £6,000 (indexed) per parking space lost towards loss of pay and display revenue;
- Works to improve pedestrian and cycling routes to the City Centre £927,700 (indexed)

- City Centre highway package £761,614 (indexed)
- City Bikes docking station £32,000 (indexed)
- Alterations to Traffic Regulation Orders £10,000
- Air quality damage cost mitigation (contribution calculated with reference to number of vehicular trips and mitigation by sustainable travel measures)
- Biodiversity net gain contribution £51,250 (indexed)
- 24-hour public access through the open areas of the site and a scheme for public access through enclosed routes
- Local employment and training initiatives; and
- Section 106 monitoring fee.

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

1.0 Introduction

- 1.1 The development, referred to as City One, proposes a major, mixed-use, development on a brownfield site at the southern gateway to the City Centre. The majority of the site is allocated for mixed use development in the Site Allocations Plan and has been the subject of several planning permissions for major development, albeit none of these schemes have commenced. The vision is to deliver a transformational project, integrating a new network of pedestrian-focused streets and high-quality public realm, in a residential-led, mixed-use, development that strengthens connections with both longstanding and emerging neighbouring communities.
- 1.2 Members will recall the presentation of the pre-application proposals for development of this site to City Plans Panel on 24th February 2022. In general, whilst Members welcomed the principal of the development the majority of Members were of the view that not enough useable greenspace was being provided relative to the scale of the development and that there was more work to be done in terms of design and massing of the scheme; that more details were required in terms of the development's provisions for transportation, connectivity and security and regarding the approach to sustainable development. A copy of the minutes of that meeting is attached at Appendix 1.
- 1.3 The proposals have been revised in response to City Plans Panel comments. In particular, a large green space has been introduced towards the centre of the site with new blocks lining the edge of this public space. Taller buildings would principally be situated to the north of the square to maximise sunlight and daylighting in the green space, whilst a linear park would be delivered along the Sweet Street frontage. The maximum number of residential units has reduced from 2,200 to 1,925 dwellings whilst the development schedule now accommodates the potential for buildings containing retail, leisure and community uses to support the new and more established local population. Whilst still in outline, the application is accompanied by a detailed design code to guide and control the form of proposals which would come forward at Reserved Matters stage. Additionally, comprehensive proposals for access and connectivity around the development have been identified and agreed following thorough consideration by Highway officers.
- 1.4 The planning application is submitted in outline other than for the identified access details. It is intended to shortly commence procurement of the previously-approved enabling works with a view to being on site with these works in the third quarter of

2024. Further, it is intended to submit a Reserved Matters application for the first phases of the development whilst the enabling works are being procured.

2.0 Site and surroundings

- 2.1 The site lies just inside the southern boundary of the designated City Centre, albeit an equivalent distance south of the railway station as the Civic Hall is to its north. It is bounded by Sweet Street to the north, Meadow Road to the east, Jack Lane to the south and Bowling Green Terrace to the west. The site area extends to 3.79 hectares. The northern third of the site is effectively level with ground levels then rising closer to Trent Street towards the south. The highest point, in the south-western corner of the site, is 6.0m higher than the north-east corner. High pressure gas mains run below ground across the northern fringe and south-east corner of the site limiting types of development in these areas. A Yorkshire Water easement runs close to the north-western boundary.
- 2.2 Trent Street runs east to west across the middle of the site as far as a large primary substation located towards the centre of the site. Halfords superstore and autocentre is located in a two storey building in the north-east corner of the site. The remainder of the site primarily comprises cleared land. Areas of wildflower meadow along with a pedestrian footpath, remain towards the centre of the site. Following the removal of 20 trees around the site during Autumn 2021 groups of trees, now protected by Tree Preservation Order (No 7) 2021, remain on the north-east, north-west and southern boundaries of the site, supplemented by trees in planters. The A653 Meadow Road frontage south of Halfords is enclosed by 2-3m high solid site hoardings, along with several taller commercial advertising hoardings. A traffic-free cycle path runs alongside the west side of Meadow Road between Holbeck Moor Road and the Meadow Road / Victoria Road junction to the north.
- 2.3 Meadow Road is the main distributor to the City Centre from the M621. Noise from vehicles using Meadow Road, in particular, is evident across much of the site. Low rise industrial and light-industrial units lie to the south across Jack Lane and to the west of Bowling Green Terrace. Land beyond the north-west boundary of the site is cleared and vacant. The Clayton Hotel (9 storey), Lateral offices (5 storey), Leodis Square apartments (part 6, part 12 storey), Holiday House offices (8 storey), and most recently the Pin Yard apartments (part 8, part 12 storey) are located on the north side of Sweet Street opposite the site. There are offices on Apex View on the east side of Meadow Road.
- 2.4 The southern extent of Holbeck Conservation Area is located 120m to the west at the junction of Sweet Street West and Marshall Street. The conservation area includes a number of listed buildings including the Grade I listed Temple Works on the west side of Marshall Street. The former Holbeck Library (Grade II listed building) is situated 150m to the west of the site at the junction of Marshall Street and Ninevah Road.

3.0 Proposals

- 3.1 The planning application is submitted in outline with all matters reserved except for the access into and around periphery of the site. This approach allows future development of City One to respond to changes that may occur during its implementation, for instance market changes, changes to building regulations and construction practices, and technological and social changes. The Parameter Plans allow for change but ensure that the essential components and character of place remain. The outline details submitted for approval comprise the following:

- setting out and constraints' plan;
- demolition plan confirming the demolition of the Halfords' building and the potential future demolition of the primary substation;
- development zone plan and public realm plan identifying four zones where development is allowed and the minimum dimensions of public spaces and routes;
- building lines confirming the maximum and minimum footprint of buildings, including minimum gaps between buildings;
- parameter plans identifying maximum and minimum building heights, including details of the minimum separation between taller buildings;
- potential servicing or car parking access zones into buildings;
- active frontages and potential uses for buildings;
- possible basements;
- retained trees and vegetation;
- detailed design code identifying through written and graphic rules how zones may be broken down, buildings articulated, and spaces designed; and
- outline development schedule confirming potential uses and the maximum floor space of each use

3.2 The Setting out and Constraints plan confirms the location of a Yorkshire Water easement zone in the north-west corner of the site; the boundary of the NPG primary substation in the centre of the site; a high pressure gas pipe running east-west parallel to Sweet Street within the northern edge of the site; and a high pressure gas pipe running east-west along Jack Lane immediately to the south of the site and their respective easement zones.

3.3 It was initially intended that access would be a Reserved Matter. 6 vehicular access locations were identified around the periphery of the site on the Access Plan:

- North-west corner providing access onto Sweet Street from an existing access point which would be upgraded
- From a southern spur of the existing roundabout on Sweet Street at the junction with St Barnabas Road
- In the north-east corner from Sweet Street modifying an existing access into the Halfords' site
- North from Trent Street opposite Bowling Green Terrace
- From Trent Street
- Midway along the eastern side of Bowling Green Terrace

There would be no vehicular access into the development from either Jack Lane or Meadow Road.

3.4 Following discussion, the Access Plan has been superseded by detailed drawings demonstrating how the accesses referred to above would be designed, taking into account other requirements. Consequently, details are also provided confirming footways, verges and cycleways around the periphery of the site including a bi-directional 3.0m wide westbound cycleway on the south side of Sweet Street and passing through the proposed linear park beyond the roundabout; a two-way cycleway along the west side of Meadow Road; and a 3.0m wide eastbound cycleway on the north side of Jack Lane. Such details would be subject to detailed design secured through a section 278 agreement and further to submission of detailed proposals with regard to the siting of buildings and detailed landscaping proposals.

- 3.5 The Parameter Plans provide the framework for clear and defined routes, spaces and places to be brought forward at Reserved Matters stage. The Development Zone and Public Realm plan identifies 4 building areas (DZ1-4) and confirms the number and minimum number of breaks between buildings within each building zone. The drawing also confirms the minimum distance between building zones and the interrelated minimum public realm dimensions. The principal area of public realm, City One Square, would be located towards the centre of the site, north of Trent Street. Excluding surrounding infrastructure which could be used by vehicles, albeit also providing pedestrian space and areas of landscaping, City One Square would be a minimum of 101m long and 36m wide at its western end, reducing to a minimum of 24m wide at its eastern end.
- 3.6 The extent of the building zones and public realm is further defined by the Building Line plan which allows for flexibility in the footprint of buildings. Many of the building lines show the maximum extent but allow for this position to be reduced by up to 17m. As an example, the minimum dimension between the building plot (DZ1) on the north side of City One Square and the Sweet Street boundary is confirmed as 23m whereas it could be 10m wider with the flexibility allowed by the Building Line plan, though no narrower (+0m/-10m). As a second example, DZ2 and DZ4 would sit west and east of a route through the site. The eastern end of DZ2 could move 10m in or out from its illustrative position (+10m/-10m) whereas the west edge of DZ4 could be 5m wider or 10m narrower (+5m/-10m). Whilst allowing for this potential flexibility in building lines, the plan stipulates that the minimum distance between DZ2 and DZ4 would be 16m-19m.
- 3.7 The Building Heights parameter plan identifies the maximum and minimum heights of buildings, together with gaps between buildings at upper levels within the respective development zones. Recognising that the existing ground levels vary between 28.3mAOD and 33.7mAOD the tallest buildings (up to 176m AOD and 163.5m AOD, equivalent to 45 and 40 storeys) would be located in DZ1 and DZ2 either side of City One Square. In general, the height of buildings would fall towards the east, west and south with the lowest building being situated close to the junction of Jack Lane and Bowling Green Terrace (70.5m AOD, approximately 6 storeys).
- 3.8 The Servicing Plan identifies locations where direct access to parking for servicing within development zones could be located whilst also confirming where access points would not be permitted.
- 3.9 The Frontages and Potential Use Plan confirms primary active frontages, primarily to the northern and southern side of DZ1, where retail, food and drink, community or leisure uses are intended to be concentrated. The secondary active frontages define areas where office accommodation, building entrances and retail accommodation could be located. The Plan includes a table defining which primary uses could be located within each building zone. As an example, the northern third of DZ4a (closest to the junction of Meadow Road and Sweet Street), could be primarily used as offices, residential or hotel accommodation.
- 3.10 The Basement Plan confirms the maximum extent of basements which could extend beneath each of the development zones, including beneath City One Square.
- 3.11 The Outline Development Schedule confirms the potential uses within the completed development and also their potential scale. There would be a maximum (Gross External Area) of 171,000sqm (up to 1,925) residential apartments (Use Class C3); a

maximum of 70,000sqm of office space (Use Class E(g)(i)(ii)); a maximum of 28,000sqm (up to 450 beds) of hotel floor space (Use Class C1); a multi-storey travel hub and/or basement car parking providing a maximum of 722 car parking spaces; up to 2,850sqm of ground floor Use Class E(a-g) floorspace (comprising up to 1,475sqm of Class E(a) use with single retail units limited to 465sqm) with a minimum provision of 1,000sqm of Use Class E(a-g) floorspace across the development. For information, Class E(a) relates to retail uses (other than hot food); Class E(b) uses are for the sale of food and drink for consumption on the premises; Class E(c) uses are financial and professional services; Class E(d) uses are for indoor sport, recreation and fitness; Class E(e) uses are for the provision of medical or health services; Class E(f) uses relate to nurseries or day centres and Class E(g) uses are those other uses which can be carried out in a residential area without detriment to its amenity such as offices and research and development. The cumulative maximum floorspace exceeds the maximum overall development cap so as to enable flexibility in the scale and types of uses to be delivered across the site.

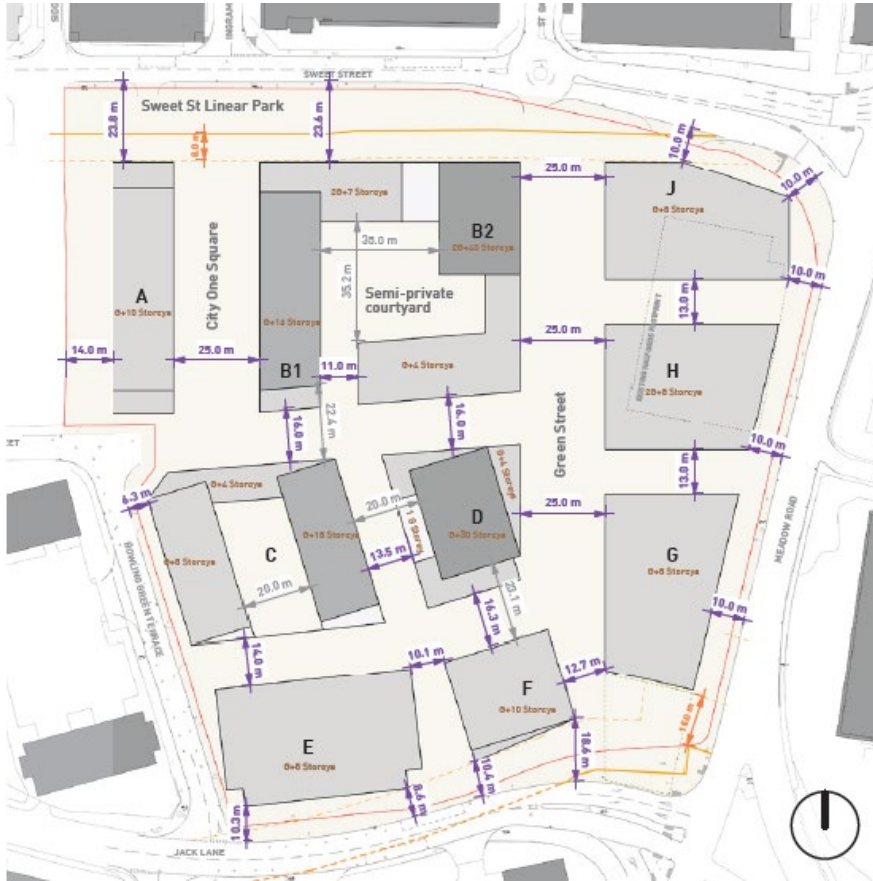
- 3.12 Whilst not referred to in detail within this report due to the complexity and range of the detail the Design Code provides comprehensive guidance with regard to the development zones, including breaks between the zones, their juxtaposition, public realm minimum widths and public routes. Given the flexibility allowed by the horizontal parameter plan the code also includes a section on building lines so as to ensure appropriate and complementary alignment of street edges, building line continuity and definition of public realm. Further, the Design Code provides overarching guidance regarding building heights and massing with regard to such issues as separation and breaks between buildings at upper levels, distances between different uses and stepping of building masses. The code also identifies requirements with regard to access, servicing and basements and their interplay with ground levels so as to ensure active frontages. Furthermore, the Design Code provides specific guidance with regard to each development zone. Consequently, whilst the application is made in outline (other than for access), the code provides detailed guidance to inform future Reserved Matters and to deliver successful, considered and well detailed design and materials.
- 3.13 The phasing of delivery for the individual development plots will be determined by future market demand, both in terms of use and sequence of delivery, so it is not possible to give a definitive delivery sequence for the overall Masterplan at this time.
- 3.14 The application is also supported by the following statements and technical reports:
- Affordable Housing Statement
 - Air Quality Assessment
 - Arboricultural Impact Assessment
 - Daylight & Sunlight amenity impact statement
 - Design & Access Statement and Sustainability Statement
 - Design Code
 - Ecological Impact Assessment and Biodiversity Net Gain Assessment Report
 - Fire Statement
 - Flood Risk Assessment and Drainage Strategy
 - Geoenvironmental Desk Study Report and Coal Mining Risk Assessment.
 - Heritage Impact Assessment
 - Housing Need Assessment
 - Noise Impact Assessment
 - Planning Policy Statement

- Retail Sequential Assessment
- Statement of Community Involvement
- Transport Assessment
- Travel Plan
- Tree Survey
- Wind Assessment Report

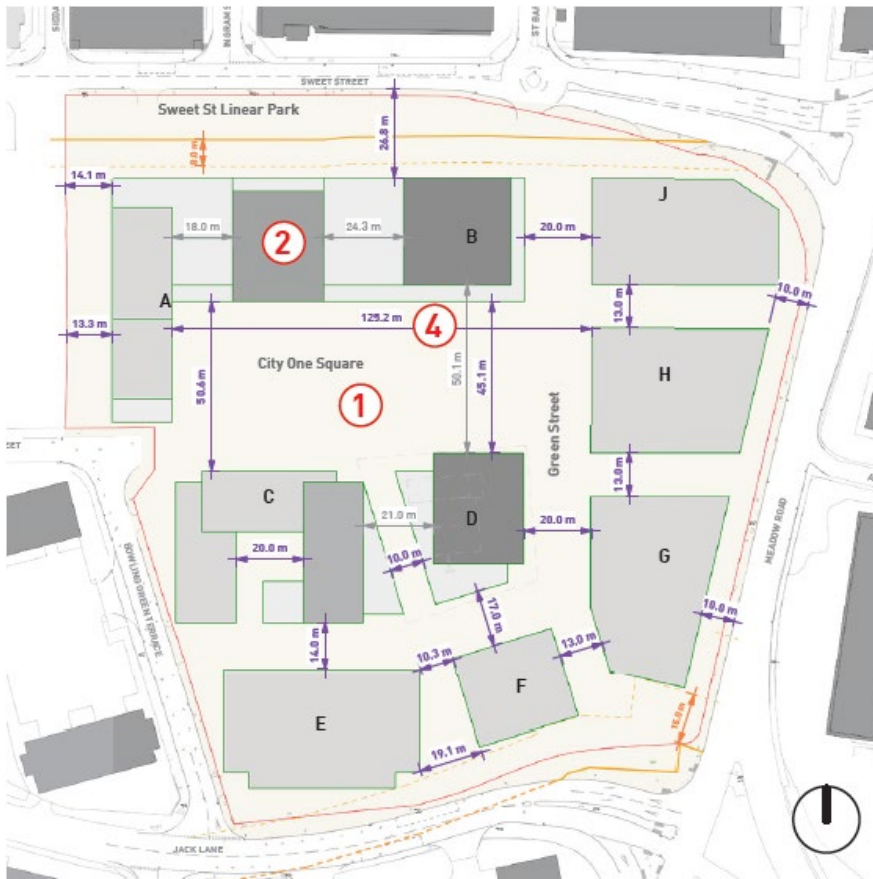
4.0 Relevant planning history

- 4.1 Outline planning permission for a 22 storey hotel and casino, offices, Use Class A1 and A3 floorspace and a multi-storey car park was granted on 20th January 2004 (20/476/02/OT) but not implemented.
- 4.2 Outline planning permission for 450 flats, offices, hotel, casino, transport hub and Use Class A1, A3, A4 and A5 floorspace in a multi-level development up to 40 storeys was granted on 19th September 2006 (20/517/04/OT). The scheme was not commenced.
- 4.3 Outline planning application for redevelopment for Use Classes B1, D2, C1, C3 (up to 296 residential units) and ancillary A1, A3, A4 and A5 uses, including associated works for formation of site access roads was granted on 12th April 2013. Building heights ranged up to 40 storeys but were predominantly circa 7-9 storeys (10/00923/OT). The scheme was not commenced.
- 4.4 Use of open areas of the site as a temporary car park (742 spaces) together with associated works and landscaping was approved on 16th March 2012 (11/05281/FU). The permission was renewed on 25th April 2017 (16/07820/FU) and the planning permission expired on 25th April 2022.
- 4.5 Trees on the northern and southern boundaries of the site are protected by Tree Preservation Order TPO 2021 (007).
- 4.6 The pre-application proposals were presented to City Plans Panel on 24th Feb 2022 (PREAPP/21/00324). A copy of the minutes of that meeting is attached at Appendix 1.
Key changes between the pre-application scheme and the current application proposals are illustrated in the images below:

Pre-application layout presentation to City Plans Panel



Current application proposed layout



4.7 Planning permission for enabling works on the site comprising the erection of site hoardings, temporary landscaping, earthworks, establishment of new Green Street north and south with a hardcore surface finish, surface water and foul water drainage, relocation of low-pressure gas main and live power supplies, demolition of the Halfords' building was approved on 22nd March 2023 (22/07121/FU). The permission which allows initial enabling works for the current, outline proposals, has not been implemented.

5.0 Public / local response

5.1 The application was advertised in the Yorkshire Evening Post on 5th August 2022 and site notices advertising the application were erected around the site on 9th August 2022. Following receipt of a revised wind report further site notices were erected around the site on 23rd January 2024. The following representations have been received:

5.2 Support

5.2.1 One person commented that the scheme represents a great proposal for some larger buildings in the area.

5.3 Objections

5.3.1 One person commented that Leeds needs more residential accommodation for sale, not to rent.

Response – the planning system does not seek to control the tenure of housing but seeks to maintain a supply of deliverable housing developments as a whole.

5.3.2 Jet2, who are located in Holiday House on the north side of Sweet Street opposite the site raise the following issues:

- there is significant potential for the tall buildings proposed to impact adversely upon daylight/sunlight levels on existing buildings to the north of Sweet Street, including Holiday House. Jet2 therefore objects to the lack of a Daylight/Sunlight Assessment accompanying the Application and considers the Council cannot reasonably assess the impact of the proposal and its compliance with policy without such an assessment. A Daylight/Sunlight Assessment should therefore be submitted and considered by the Council.

Response – whilst an initial sunpath study was provided in the Design and Access Statement primarily as an indication of the impact on public realm within the development this has been supplemented by a Daylight and Sunlight assessment which focused on the impact of the development upon residential accommodation in the vicinity of the site which is considered to be more sensitive to daylight and sunlight changes. Non-domestic buildings, such as those in office use, such as Holiday House are not considered to be sensitive receptors for planning purposes.

- the Wind Report appears to have been based on the minimum height parameters rather than the maximum. Jet2 considers that the Council cannot draw any conclusion about the potential adverse impact of the development and, in particular, whether safe wind conditions in and around the buildings and the

surrounding highway would be achieved, unless a Wind Report is prepared on the basis of maximum parameters.

Response – given that this is an outline application enabling a wide array of permutations the wind analysis has studied the impacts of the illustrative Masterplan as this is a deliverable scenario. It is not possible to fully develop the maximum parameters of each development zone given limitations within the Outline Development Schedule and the Design Code document. Ultimately, as detailed designs for buildings come forward in Reserved Matters applications, they will be supported by wind studies relating to the specific development proposed.

- the maximum number of parking spaces proposed (722) is significantly lower than the maximum provision which would be permitted by LCC having regard to the land use parameters. Jet2 note that the Council's Highways Team has stated that the applicant will need to present a detailed case for the number of parking spaces to be provided in any Reserved Matters Application and agree the quantum with LCC Highways. However, Jet2 retain a concern about the potential for pressure on car parking in the area and therefore consider that minimum parking parameters should be fixed at the outline stage.

Response - The site is in the City Centre core parking area where the car parking levels are set out as a maximum in the Transport SPD. The maximum level of parking permissible would be 2475 spaces, based on the maximum development parameters, but are proposing 722 spaces, which is 29% of the policy maximum.

Paragraph 441 of the Transport SPD states:

Within the Core and Fringe, the guidelines are stated as the maximum that would be permissible. Accordingly, there is no expectation that a minimum level of spaces should be provided, as long as it can be demonstrated that this would not result in detrimental problems on the local highway or for disabled users or residents of the development.

The Reserved Matters applications will need to demonstrate the proposed level of parking meets the needs of the development and would not cause a problem on the local highway, but there is no policy basis to insist on a minimum provision for general car parking.

- Jet2 comment that any revised documentation should be made publicly available and affected parties should be afforded sufficient time to review and comment on it.

Response – a revised wind study was submitted on 18th January 2024; revised design and access statement, design code and parameter plans on 6th February 2024, and a Daylight and Sunlight Amenity Impact Statement on 16th February 2024.

- Jet 2 is concerned about the impact of construction works upon its operations at Holiday House in terms of noise, dust and highways impact. Without prejudice to the points made above (and any further submissions) Jet2 would expect to see a Construction and Environmental Management Plan conditioned and properly enforced as an integral part of any planning permission, should it be granted.

Response – a condition requiring a construction management plan is proposed in the draft conditions (condition 14).

6.0 Consultation responses

6.1 Statutory

- 6.1.1 Coal Authority (CA) – having reviewed the submitted coal mining risk assessment CA suggest conditions to secure intrusive site investigations and to ensure that the site is, or has been made, safe and stable.

Response – conditions added (condition 12).

- 6.1.2 Environment Agency (EA) – the EA has no objection to the application. As the development could involve more vulnerable uses it is necessary for the application to pass the sequential test and be supported by a site specific flood risk assessment to demonstrate that the development will be safe for its lifetime. The EA also issued standing advice in respect of flood warning and emergency response, signing up for flood warnings and air quality.

Response – the site is allocated for a mixed use development, including residential development, in the Site Allocations Plan (MX1-20) such that a sequential test is not required at this stage. A flood risk assessment has been submitted which has been agreed by the Flood Risk Management team. Informatives are proposed in respect of flood warning and emergency response, signing up for flood warnings and air quality.

- 6.1.3 Historic England (HE) - in this case HE is not offering advice.

- 6.1.4 HSE (Fire) – has no comment to make at outline planning application stage. A condition is recommended requiring the submission of a satisfactory fire statement with any reserved matters application which the HSE should be consulted upon.

Response – condition added (condition 66).

- 6.1.5 HSE (Land Use Planning) – HSE do not advise against the granting of planning permission on safety grounds in respect of proximity to two major gas pipelines. However, the linear park should not provide facilities that would encourage people to gather in the space such as playgrounds or sports pitches.

Response – details of the layout and facilities to be provided within the linear park will be agreed through the Reserved Matters and condition discharge process. Play facilities are now proposed in City One Square.

- 6.1.6 LCC Highways – No objection subject to Conditions and section 106 Agreement, revised offsite-highway plans and satisfactory Stage 1 Road Safety Audit and Designer's response.

Accesses are agreed to and from the development for this outline application whilst the internal layout can be addressed at Reserved Matters stage. The stopping up of Trent Street and to have private roads through the development is not supported. If there is any realignment of Trent Street this must be done through S247 of the Town & Country Planning Act. Any statutory undertaker's equipment will need to be diverted or easements agreed with the relevant undertaker.

The internal roads should be built to adoptable standards and offered for adoption under Section 38 of the Highways Act. The speed limit for the proposed development should be 20mph in accordance with the Transport SPD. For the avoidance of doubt the cost of road markings, signage and appropriate speed limit Orders should be fully funded by the developer (inclusive of staff fees and legal costs). Any amendments to the existing highway e.g. at connection points for vehicular and/or footways will require a S278 agreement with the Council.

Adequate provision will be required for servicing and deliveries which will need to be set out in a Servicing and Delivery Management Plan. A detailed case for the number of parking spaces to be provided is required in any Reserved Matters application (in conjunction with the Travel Plan measures to support sustainable travel choices). In turn, the quantum of parking will need to be agreed. This will require a detailed car parking management plan, secured and approved by condition. Electric Vehicle Charging Points (EVCP) provision and Accessible Spaces will be required. Any basement or multi-storey car park included in the development will need to comply with the requirements set out in the Institution of Structural Engineers Car Park Design guidance document. Car Club spaces and cycle parking provision will need to accord with the Transport SPD.

The principle of wind mitigation measures in the highway, at Siddall Street and Ingram Street, is accepted in this instance, though wind monitoring is required as the development is built to ascertain if on-highway wind mitigation is actually required as indicated by the modelling. In addition, the highway layout along Sweet Street must maintain a 7.5m wide carriageway so as not to fetter delivery of any potential Highways and Transportation schemes along this corridor. A cycle route is now proposed within the site, but footway provision within the site may also be required.

The results of the trip generation assessment conclude that the increase in traffic flows associated with the development using the Consistent Approach trip rates can be accommodated satisfactorily. Nevertheless, the development will result in a direct impact on the operation of the Meadow Road Gyratory, confirming that a highway contribution is justified. Consequently, cumulative impact contributions, in line SAP site requirements, Transport SPD and with the emerging City Centre Transport Strategy and South Bank proposals, are required. These will be towards Holbeck Urban Village traffic management, streetscape and pedestrian improvements, and towards transport interventions for Meadow Lane, Victoria Road and Neville Street as part of the City Centre Package.

The estimated cost of improvements on all surrounding streets within the Holbeck Urban Village amount to £14.3 million. However, based on the walking route to the station southern entrance, the amount required is £927,700.

The City Centre Package (CCP) indicative costs are £78.8 million including Armley Gyratory. Based on the cumulative impact policy calculation, and proportionate to the estimated trip generation from the development, a contribution amounting to 2.07% of the CCP cost, excluding the Armley Gyratory, is required. Therefore, a contribution to the CCP of £761,614 is required.

Additionally, payment for the loss income due to the loss of any pay by phone/ P&D car parking spaces along Trent Street/ Bowling Green Terrace/ Jack Lane is required at a rate of £6,000 per space. Additionally, provision of space for a City Bikes docking station is required, along with a contribution of £32,000 for the provision. Amendments

to Traffic Regulation Orders are required to prevent loading on surrounding streets at a cost of £10,000.

Response – the suggested highway conditions with regard to visibility splays, vehicular access, cycle facilities, loading, laying out of vehicle space, car park and servicing management plan, highway condition survey, provision for contractors, off-site highway works, electric vehicle charging point provision and wayfinding are captured in the draft conditions (conditions 23-32). Obligations are identified in the draft section 106 agreement with regard to the suggested highway related contributions.

- 6.1.7 National Highways (formerly Highways England) – no objections to the application on the basis that conditions are attached to the planning permission to secure a construction traffic management plan and to control parking within the site.

Response – conditions added (conditions 14 and 29).

6.2 **Non-statutory**

- 6.2.1 LCC Children's Services – If the maximum number of apartments are delivered, comprising 960 two or three bedroom apartments a yield of approximately 48 primary pupils or 7 primary pupils per year group ($48 \div 7$) is predicted at this time. The proposed development is situated in the Holbeck primary planning area. The nearest primary schools to the proposed development are Lane End, Beeston Hill St Luke's and New Bewerley Primary Schools, with Lane End Primary School being located closest at approximately 0.3 miles (straight line distance) from the centre of the site. In total there are nine primary schools within 1 mile of the site. The nearest secondary school to the site is the Ruth Gorse Academy.

Current projected demand and available capacity in nearby schools and schools across the wider area indicates that there will be sufficient capacity available to meet an increase in demand for school places from the development.

- 6.2.2 LCC Climate and Energy - The Sustainability Strategy is found to be sound at this stage and needs to be supplemented with detailed energy statement, daylight - sunlight analysis, BREEAM Pre assessment report to assess compliance with EN1, EN2 and EN4 at the reserved matters stage. High level commentary on the Sustainable Design and Construction Supplementary Planning Document (SPD) and BREEAM Ene04 are satisfactory. These should be substantiated with details and evidence at the reserved matters stage. Overall, from an energy efficiency point of view, the aspirations by the developer for this scheme are commendable and it is hoped that they can fulfil these in the interests of sustainable development and the city's ambition for net zero.

Response – conditions added regarding requirements at Reserved Matters stage (conditions 63-64).

- 6.2.3 LCC Conservation – the key views demonstrate that the proposed outline development has the potential to sustain and enhance the significance of the Holbeck Conservation Area and provide further enhancements to the setting of nearby listed buildings including the grade II former Holbeck Library, Temple Works and the Commercial Inn.

Response – condition added regarding requirement for further assessment at Reserved Matters stage (condition 65).

- 6.2.4 LCC Contaminated Land Team - the proposed development includes sensitive end uses and numerous potentially contaminative former uses have been identified both on and in the vicinity of the site. The submitted desk study is acceptable. Conditions requiring an interpretative site investigation report are required. Depending on the outcome of the Phase 2 Report a Remediation Statement may also be required.

Response – conditions added (conditions 8-11).

- 6.2.5 LCC District Heating - Leeds PIPES network is not currently available in this part of the city centre. However, the council's vision for the network is highly ambitious, and it is anticipated that in the next 3 - 5 years the network will be extended to the South Bank and will be able to provide low carbon heat and/or hot water. It is also possible that there will be a standalone network available sooner. It is recommended that potential for connection to a network be explored thoroughly.

Response – further to Climate and Energy requirements a condition is added to secure future connections to the district heating network (condition 64).

- 6.2.6 LCC Environmental Health – Conditions recommended relating to sound insulation, external plant and extract ventilation, entertainment noise, noise mitigation scheme for Class E uses, deliveries and waste collection provision and hours of use, use of roof terraces, statement of construction practice.

Response – recommended conditions added (conditions 51-52).

- 6.2.7 LCC Environmental Studies (Air Quality) - there are no objections to this development with regard to local air quality. The air quality assessment submitted as part of the application indicates that air quality objective levels will not be exceeded at any relevant receptor locations (in this case residential dwellings) as a result of the development. However, a short-term monitoring survey undertaken as part of the assessment found that air quality at the site boundary along Meadow Road (A653) currently exceed the NO₂ annual objective level. Whilst emissions from vehicles are expected to improve over time through modernisation this will be offset to some extent at this particular location by forthcoming changes to the road network in the city centre which will significantly increase vehicle flows along Meadow Road. Therefore, should the layout of the site alter so that residential dwellings are located along the eastern boundary of the development plot further assessment of air quality will be required to ensure compliance.

The team support the recommendation made in the air quality report to assess the impact from vehicle trips associated with the development (car parks and construction traffic) within the Reserved Matters Application, once relevant traffic data are established.

The proposal is classified as a 'major' development for the purposes of the West Yorkshire Air Quality and Emissions Technical Planning Guidance (part of the West Yorkshire Low Emission Strategy). As such a cost damage calculation needs to be submitted to establish the appropriate level of mitigation required for the increase in vehicle emissions resulting from the scheme, including a list of costed mitigation measures equivalent to the damage costs associated with the development.

In relation to concerns from point sources it has been determined that the risk of dust and particulates during the demolition and construction works will not be significant at

sensitive receptors, subject to mitigation in accordance the IAQM guidance. Therefore, a condition is recommended to require dust mitigation measures to be implemented prior to works beginning on each phase and maintained for the duration of the development.

It is also stated that heating and hot water demand for the proposed development will likely be met through a combination of emission free plant equipment, namely air source heat pumps and PV. While these will not give rise to any on-site emissions at this stage it appears this is only a proposal. Therefore, should there subsequently be a combined heat and power combustion system a revised Air Quality assessment should be required to determine the impact on sensitive receptors.

Response – an obligation is identified in the draft section 106 agreement with regard to calculating and securing any damage costs and conditions added regarding dust mitigation and on-site emissions (condition 14).

- 6.2.8 LCC Environmental Studies (Transport) – the submitted Noise Impact Assessment identifies acceptable proposals for glazing and ventilation specifications to ensure that transportation noise is mitigated to acceptable levels throughout the development.

Response – condition added to secure the proposed glazing and ventilation specifications (condition 51).

- 6.2.9 LCC Flood Risk Management (FRM) – no objections subject to conditions with regard to sustainable drainage; undertaking the development in accordance with the submitted flood risk assessment; details and implementation of a foul drainage scheme; details of interim and temporary drainage measures; and details of non-adopted drainage features.

Response – conditions added (conditions 44-49).

- 6.2.10 LCC Influencing Travel Behaviour (ITB) – the submitted travel plan meets the travel plan criteria. The Travel Plan should be included in the Section 106 Agreement along with the following:

- a) Leeds City Council Travel Plan Review fee of £27,012, subject to an annual increase in April each year in line with general income inflation.
- b) Provision of 2 Leeds City Council Car Club provider parking spaces (with EV Charge Points and a short stay cycle space (Sheffield stand) must be provided adjacent to the car club spaces).
- c) Provision of a Residential Travel Plan Fund of £492,312.75, of which £146,375 is to be expended on Leeds City Council Car Club free trial membership and usage package.

Conditions should cover cycle parking, motorcycle parking, car share spaces, showers, electric vehicle charging points.

Response – the obligations are identified in the draft section 106 agreement and the suggested conditions added (conditions 25-26).

- 6.2.11 LCC Landscape - the submitted Arboricultural Method Statement is acceptable and the illustrative layout is accepted subject to conditions and full details being provided. The detailed design will be reviewed at Reserved Matters and should include play facilities within the proposals.

Response – several landscape conditions added (conditions 34-39).

- 6.2.12 LCC Nature Conservation – the development would result in a net loss of biodiversity units and, to off-set this loss and provide a 10% gain, along with the provision of on-site habitat units a commuted sum contribution of £51,250 should be paid for delivery of off-site units. Conditions are also required with regard to the agreement of a Biodiversity Enhancement and Management Plan (BEMP); provision of a Biodiversity Monitoring Programme and Monitoring Report; the design and provision of brown and biodiverse green roofs; and provision of integral bat roosting and bird nesting features.

Response – a clause requiring the commuted sum has been inserted into the draft section 106 agreement and the relevant conditions included in the draft conditions (conditions 16-18).

- 6.2.13 Northern Gas Networks (NGN) – NGN are concerned about the resulting large population which will eventually occupy the locality, once this proposal comes to fruition. This aspect is further exacerbated by virtue of the fact that adjacent plots are now being put forward for large development proposals.

NGN is obliged to comply with the applicable regulatory regime and also, with the recognised overseeing industry standards as they apply to High Pressure Gas Transmission pipelines. In particular, the Institution of Gas Engineers and Managers (IGEM) publish industry standards. IGEM TD 1 precludes the laying (and subsequent operation) of such gas pipelines, in central areas of towns or cities, with high population density resulting from a combination of multi-story buildings, hospitals, major transport hubs, public meeting places etc..

From the outset NGN has been concerned that, the proposed development at this location in Leeds will place NGN in an untenable position, given the route of the pipelines through the development area. It has recently been confirmed by IGEM that the construction of City One would mean that NGN would be contravening its industry standard, should it continue to operate the 2 pipelines in question at their current maximum pressure.

Whilst HSE do not advise against this development, the narrow consultation distances and the methodology utilised by HSE in assessing the proposal, only addresses the periphery of the development plans and hence is not a holistic approach. NGN have regular interactions with the HSE and NGN are sure that they would want an explanation as to why NGN was operating the HP pipelines outside the accepted Industry Recommendations.

Additionally, in the event that there is an incident involving one of these assets and a catastrophic gas release occurs, the likely ensuing devastation and number of casualties would clearly be unacceptable. NGN is responsible for maintaining and operating its network in a safe manner pursuant to the Pipeline Safety Regulations 1996 and its Safety Case, amongst other requirements, and the HSE would be duty bound to investigate and if necessary, prosecute NGN if it judged that NGN had breached these requirements, notwithstanding the fact (the HSE), does not object to the development proposal.

Given the significant costs that NGN would incur in downrating the pipelines and reinforcing the wider gas network in order to compensate for the resulting reduction in

the operating capacity NGN maintains its objections to the application on safety grounds.

Response - the 2 high pressure pipelines in question are located along the northern and southern edges of the site and are instrumental in providing bulk gas supplies to Leeds and the wider West Yorkshire gas network. HSE has confirmed that their advice (in not objecting to the proposal) does not override concerns raised by NGN as the pipeline operators need to show compliance with the health and safety duties on the operator.

Whilst NGN objected to the previous application on the site and also to the more recent application on land south of Sweet Street West (22/04400/FU), it has previously been concluded, on balance, that the desirability of higher density developments in a highly accessible and sustainable location should take priority.

Both the City One and land south of Sweet Street West sites are allocated in the SAP for mixed use development and significant development is also planned in the wider South Bank area. The proposed residential-led mixed use development involves high densities to make efficient use of land and in so doing to make a major contribution towards housing delivery in this sustainable location so as to accord with CS policies SP1, SP3, CC2 and H3. Recognising that downrating, diverting or reinforcing the two pipelines would be a significant, costly and lengthy exercise it is suggested that a strategic response to gas infrastructure improvements could be warranted. Planning Policy Officers have commenced discussion with NGN on this basis albeit it is recognised that such a process could take a protracted period to conclude. Additionally, NGN could also seek funding for downrating, diverting or reinforcing works from the regulator. Such an approach reflects the long-held principle that local planning authorities should not duplicate the function of other regulatory bodies or controls.

- 6.2.14 Tobermory (Peer Wind Review) - there are no concerns over the modelling approach which uses a mixture of CFD and Wind Tunnel modelling to examine the wind conditions across the site and its surroundings.

Analysis of the conditions for the current site shows that there is an existing, offsite wind safety exceedance in the roadway near the junction of Siddall Street and Sweet Street north-west of the site. Winds exceed 15m/s for 4 hours a year, against a threshold value of 2. Wind speeds are also strong at the end of Ingram Street but exceed 15m/s for just 1 hr/yr and thus are below the adopted Lawson threshold. The CFD modelling provides a clear demonstration of the cause of the windiness in Siddall St and Ingram St. For winds blowing from the south through to the west, the air is channelled down the streets, causing localised spots of wind acceleration that exceed the Lawson safety limit.

On construction of the full Illustrative Masterplan in the existing surrounds, conditions generally become windier across the site and in the surrounding area. Wind safety exceedances are generated at six different locations on-site, and conditions are worsened off-site, to the north: winds exceed 15m/s for up to 8 hrs/yr at the end of Siddall St and 6 hrs/yr in Ingram St. The off-site deterioration occurs because more of the wind is deflected north of the site, and therefore blows towards Siddall St and Ingram St, causing wind acceleration in those areas.

The construction of the cumulative surrounds results in a slight calming of the wind conditions across and around the site, probably mainly due to the large Sweet Street

West Development (22/04400/FU) which lies to the west of the site and provides significant blockage against the prevailing winds. This removes safety exceedances in Siddall St and at one of the on-site locations. Safety exceedances remain in Ingram St and at five locations on-site.

The analysis has demonstrated that wind mitigation measures are needed, in order to remove on-site and off-site wind safety and wind comfort exceedances. A comprehensive campaign of CFD modelling and wind tunnel testing was performed by the Applicant's modellers (Buro Happold initially, and then ArcAero in a follow-up campaign), in order to identify the most effective measures for controlling the on-site and off-site wind conditions. A wide range of measures was tested, included changes to the building shapes and massing, removal of one or more buildings, and addition of screens, canopies and other devices.

The final chosen scheme comprises a set of baffles and porous screens in the northern half of the site, all at ground level, as well as adjustments to the building shapes, locations and massing. The scheme also requires a number of off-site measures, in order to control the wind speed in Siddall St and Ingram St. The majority of these are at the side of the carriageway, at the end of Siddall St, and these have been the focus of considerable discussion between the Applicant and LCC.

The impact of the proposed measures is significant in the existing surrounds scenario. All of the onsite safety exceedances are removed; the frequency of exceedance in the existing off-site safety exceedance location is reduced from 4 to 3 hours per year (against a threshold of 2 hrs/yr); and conditions remain safe in Ingram St. There is therefore just one residual safety exceedance left, and the size and duration of this exceedance is judged to be minor and better than the existing conditions.

Turning to wind comfort, the results for the existing scenario (with wind mitigation) show that conditions are generally acceptable in the thoroughfares, building entrances and amenity spaces, with the following exceptions:

- Worst season conditions on the onsite thoroughfares between blocks B&J and A1&C are just into the "uncomfortable" category, and so will feel windy for pedestrians. The exceedance is minor, but this will need to be addressed in the Reserved Matters phase for the buildings.
- Comfort conditions are one category too high at the main entrance to block E. Whilst the exceedance is again minor, this will also require assessment at Reserved Matters stage.
- Summer comfort conditions are one category too high in the SE part of the outdoor seating area, to the S of blocks A2 & B. The modellers note, however, that trees have been omitted from the modelling, and that these are likely to calm wind speeds in the seating area, and therefore make the comfort conditions suitable. This is accepted.
- Summer comfort conditions are two to three categories too high in the raised terrace (amenity space) between blocks A2 and B, and this space will therefore require careful consideration and further mitigation in order to make it suitable for use. The report discusses a range of potential measures (parapets, pergolas, screens and landscaping), but the details of this will be determined at Reserved Matters stage.

There is no data provided for the proposed masterplan with mitigation in cumulative surrounds, but the earlier findings are expected to be replicated, namely that there will

be a slight calming of the wind conditions across and around the site, and that the residual safety exceedance in Siddal St would be removed.

Conclusions

The wind assessment has demonstrated that implementation of the Illustrative Masterplan design for the Development would result in broadly acceptable wind conditions across the site and its surroundings, provided that a range of on-site and off-site wind mitigation measures are implemented. These measures are necessary to remove wind safety exceedances from six on-site locations and one off-site location in Ingram Street. However, they cannot fully control the existing wind safety exceedance in Siddall Street, which remains in place, albeit with a reduced duration (3 hrs/yr, compared to 4 hrs/yr in the existing scenario and a threshold of 2 hrs/yr) and a smaller footprint. There are also a small number wind comfort exceedances that will need addressing at Reserved Matters stage for each building.

Overall, given the challenging nature of the wind conditions at the site, the proposed Illustrative Masterplan and wind mitigation scheme seems to provide an acceptable wind environment, and there is no obvious way for the scheme to be improved significantly, providing that the proposed mitigation measures are acceptable to LCC and that the comfort exceedances are addressed at Reserved Matters stage.

Response – condition added (condition 70).

- 6.2.15 West Yorkshire Archaeology Advisory Service - there are no currently or significant archaeological issues apparent or associated with the application site which appears to have comprised terraced housing from before 1850 until the mid-20th century. These dwellings were demolished by 1948 and the site redeveloped. The site does not require further archaeological investigation.
- 6.2.16 West Yorkshire Combined Authority - The Combined Authority and the Leeds City Region Enterprise Partnership (LEP) have a shared economic vision for economic growth throughout West Yorkshire. Since 2016, our Strategic Economic Plan (SEP) has set out our priorities for growth and development. The Strategic Economic Framework (SEF) now builds on the SEP, to provide the context for investment and decision making in the future. The Combined Authority is also responsible for the West Yorkshire Transport Strategy (WYTS), which now sits within the SEF.

The aim of the SEF in relation to planning is ‘to develop complementary spatial plans that collectively reflect a shared ambition to tackle the climate emergency, achieve inclusive growth and well-designed places, and to support delivery of this growth through investment in an active portfolio of strategic sites’.

To achieve the region’s ambitions to reduce carbon emissions, improve air quality and address the climate emergency, new developments play an important role in shaping places that are not car dominated and offer alternatives such as high-quality bus services and rail connectivity, as well as active travel modes where possible.

To encourage use of the public transport services available, the developer should contribute to Leeds’ Residential Travel Plan Fund. This should be secured through a Section 106 agreement.

Response – the Residential Travel Plan Fund provision will be secured by the section 106 agreement.

6.2.17 Yorkshire Water (YW) - There are water mains that cross the site. The 76.2mm and 101.6mm mains can be abandoned with end Wash outs installed in the highway near the boundary of the new development. The 450mm main will require trial holes to ascertain if the new development buildings are the above stand-off distance of 5 metres from the centre-line of the asset. It may be possible for the main to be diverted under s185 of the Water Industry Act 1991 although these works would be carried out at the developer's expense and may be prohibitive. A supply can be made available. Any supply issues can be resolved under the provisions of the WI Act 1991. Due to the height of the new development it is recommended that internal storage and pumps are installed to provide sufficient pressure to all levels off the new buildings. Conditions recommended in respect of water supply and waste water.

Response – The parameter plans identify the easements around the site. The recommended conditions are added (conditions 42-47).

7.0 Policy

7.1 Development Plan

7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making 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 (as amended) (Adopted September 2015)
- Site Allocations Plan (as amended) (Adopted 2024)
- Holbeck Neighbourhood Plan (2014)

7.2 Leeds Core Strategy (CS)

7.2.1 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. (iv) Prioritises new office, retail, service, leisure and cultural facilities in Leeds City Centre.
- Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region by (i) promoting the City Centre's role as the regional capital for major new retail, leisure, hotel, culture and office development; and (iv) Comprehensively planning the redevelopment and re-use of vacant and under-used sites and buildings for mixed use development and new areas of public space.
- 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; and (vii) developing the City Centre as the core location for new retail, office and other town centre uses.

- Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility and provision for people with impaired mobility.
- Policy CC1 outlines the planned growth within the City Centre. Part B encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers. Part G supports town centre uses within the City Centre boundary.
- Policy CC2 states that areas south of the river in City Centre South will be prioritised for town centre uses, particularly large-scale office development, residential and leisure uses.
- Policy CC3 states new development will need to provide and improve walking and cycling routes connecting the City Centre with adjoining neighbourhoods and improve connections within the City Centre.
- Policy H3 states that housing development should meet or exceed 65 dwellings per hectare in the City Centre.
- 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 change of use on sites which were last used or allocated for employment to other economic development uses will only be permitted where the proposal would not result in the loss of a deliverable employment site necessary to meet employment needs or existing buildings and land are considered to be non-viable or the proposal will deliver a mixed-use development which continues to provide a range of employment opportunities.
- 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.
- Policy P12 states that landscapes, including their historical and cultural significance, will be conserved and enhanced.
- 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 G5(iii) requires mixed use development on sites over 0.5 hectares in the City Centre to provide the greater area of either 20% of the total site area, or a minimum of 0.41 hectares per 1,000 population of open space.
- 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.

7.3 **Saved Unitary Development Plan Review policies (UDPR)**

7.3.1 Relevant Saved Policies include:

- Policy GP5 states that all relevant planning considerations are to be resolved.
- Policy BD2 requires that new buildings complement and enhance existing skylines, vistas and landmarks.
- 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 LD1 sets out criteria for landscape schemes.
- Policy N19 requires new buildings adjacent to conservation areas to preserve or enhance the character or appearance of the relevant areas.
- Policy N25 boundary treatments

7.4 **Natural Resources & Waste Local Plan (NRWLP)**

7.4.1 The NRWLP sets out 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.

7.4.2 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.
- Land 2 requires that development conserves trees where possible.

7.5 **Site Allocations Plan (SAP)**

7.5.1 The majority of the site is allocated for mixed use development (MX1-20) identifying a site capacity of 296 residential units and 95,570sqm of office space (directly referencing planning permission 10/00923/OT). The north-west corner of the site is unallocated.

7.6 **Holbeck Neighbourhood Plan (HNP)**

7.6.1 The site lies in the north-east corner of the HNP area. The primary vision of the HNP is to make Holbeck a more attractive and healthier place for everyone with a thriving local centre including a range of community facilities, a choice of quality but affordable housing, a variety of local job opportunities, all set in a green environment, respecting

the heritage and local character of the area, and well connected to the City Centre and adjoining neighbourhoods.

- 7.6.2 The provision of affordable housing on site is particularly encouraged though where a contribution is justified this should be made within the HNP area (H1). Single bedrooms and larger family houses should be prioritised (H2). In the area south of Sweet Street there are mixed use opportunities for residential, employment and local service uses. Any development should seek to achieve a high-quality environment and public realm (H4). Pedestrian and cycle links which facilitate safe and easy movement to the remainder of Holbeck; a local green corridor, building entrances and active frontages along Sweet Street are encouraged (H5).
- 7.6.3 Commercial development should include secured by design principles and provide suitable landscape treatment including trees (E3). Development alongside proposed local green corridors should include the provision of greenspace and/or planting appropriate to the scale of development including street trees, safe cycling routes and footpaths (G1). LGC4 identifies land alongside the south side of Sweet Street as such a corridor. New development should enhance the public realm, where appropriate increasing tree cover. Development proposals should demonstrate how building design and landscape proposals contribute to the quality of its wider setting (G4). Any new building should aim to achieve excellence in design, reducing reliance on non-renewable resources and recognising and enhancing local distinctiveness and character (HC7). New development should give priority to pedestrian routes and cycleways including from Holbeck Moor Road to Meadow Road (T1). Development should include measures to reduce air pollution including a reduction in vehicle traffic generation (T2). Development of residential areas should include measures to enable easy and safe use by pedestrians, cyclists and those with impaired mobility (T3).

Other material considerations

7.7 National Planning Policy Framework (NPPF)

- 7.7.1 The NPPF was updated in December 2023. 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.
- 7.7.2 Chapter 5 identifies guidance for the delivery of a sufficient supply of homes.
- 7.7.3 Chapter 6 references the benefits of a strong, competitive economy. Planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.7.4 Chapter 7 relates to measures to ensure the vitality of town centres stating that decisions should support the role that town centres play by taking a positive approach to their growth, management and adaptation. A suitable mix of uses should be allowed recognising that residential development often plays an important role in ensuring the vitality of centres.

- 7.7.5 Chapter 8 promotes healthy and safe communities aiming to achieve healthy, inclusive and safe places. Decisions should promote social interaction, for example through mixed use developments; should be safe and accessible; and enable and support healthy lifestyles (paragraph 96). Decisions should promote public safety and take into account wider security requirements (paragraph 101).
- 7.7.6 Chapter 9 identifies measures to promote sustainable transport. Paragraph 109 prescribes, for the purpose of promoting sustainable transport, that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 110 states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access provided for all users; and any significant impacts on the highway mitigated. Paragraph 116 identifies 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.
- 7.7.7 Chapter 11 promotes the effective use of land in meeting the need for homes and other uses. Decisions should give substantial weight to the value of using suitable brownfield land and promote and support the development of under-utilised land and buildings (paragraph 124). Local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand (paragraph 127).
- 7.7.8 Planning decisions should support development that makes efficient use of land taking account of the need for different forms of development and the availability of land suitable for accommodating it; local market conditions and viability; the capacity of infrastructure and services; the desirability of maintaining an area's character or of promoting regeneration and change; and the importance of securing well-designed places (paragraph 128).
- 7.7.9 Chapter 12 identifies the importance of well-designed places and the need for a consistent and high quality standard of design. Paragraph 135 states that decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where

crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 7.7.10 Paragraph 136 states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.
- 7.7.11 Chapter 14 identifies the approach to meeting the climate change challenge. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 157). 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 159).
- 7.7.12 Chapter 15 identifies guidelines for conserving and enhancing the natural environment. Paragraph 180(b) states the natural and local environment should be contributed to and enhanced by recognising the benefits of trees and woodlands. Paragraph 180(e) states that new and existing development should not be put at unacceptable risk or be adversely affected by unacceptable levels of soil, air, water or noise pollution. Paragraph 189 states decisions should ensure that a site is suitable for its proposed use taking account of contamination. Paragraph 191 states new development should be appropriate to its location taking account of the likely effects of pollution on health and living conditions; and that potential adverse effects of noise be mitigated.
- 7.7.13 Chapter 16 refers to the historic environment. Paragraph 203 states that:

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

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

Paragraph 205 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

7.8 **Planning practice guidance (PPG)**

7.8.1 Guidance including air quality, climate change, design, effective use of land, fire safety, flood risk, healthy and safe communities, historic environment, land affected by contamination, natural environment, noise, renewable and low carbon energy, travel plans and transport assessments, tree preservation orders, and water supply.

7.9 **Supplementary guidance**

- Accessible Leeds SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD
- Neighbourhoods for Living SPG
- City Centre Urban Design Strategy SPD
- South Bank Regeneration Framework SPD
- Tall Buildings Design Guide SPD
- Transport SPD
- Connecting Leeds Transport Strategy
- Air Quality and Emissions Technical Planning Guidance (West Yorkshire Low Emissions Group)

7.10 **Other Relevant Legislation**

Whilst the site is not in a conservation area S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 reads:

“In considering whether to grant planning permission [or permission in principle] 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.”

8.0 **Issues**

- Principle of the development
- Townscape, design and heritage
- Landscape, public realm and biodiversity
- Transport and connectivity
- Housing and residential amenity
- Accessibility, equality and inclusion
- Sustainability and Climate Change
- Wind environment
- Flood Risk
- Safety and security
- Planning Obligations and CIL

9.0 **Appraisal**

9.1 Principle of the development

9.1.1 Much of the City One site has been vacant, brownfield, land for some time and has been the subject of a series of planning permissions for mixed use redevelopment, none of which have been implemented. The HNP identifies that the area south of Sweet Street, including the application site, presents opportunities for residential and employment uses. Whilst the SAP allocation does not extend to the full extent of the site, the majority of the site is allocated for mixed use development (MX1-20) identifying a site capacity of 296 residential units and 95,570sqm of office space

(directly referencing planning permission 10/00923/OT). However, the capacities identified in the SAP are indicative, acknowledging that the scale of uses identified in planning applications may be higher or lower and applications will be judged on their own merits against other material considerations.

- 9.1.2 Although the outline parameters allow for flexibility, the current proposals involve a significantly greater amount of residential development than envisaged by the SAP and a reduced amount of office space. However, this is not a concern from a planning policy perspective. The site is brownfield and located in a sustainable location within the designated City Centre. The site area is also larger than the SAP allocation, allowing for additional development. The proposed development would bring forward a mix of uses as identified at paragraph 3.11 to create a dynamic and socially sustainable environment which would align with the overall spatial strategy set out in CS policy SP1, the role of the City Centre set out in CS policy SP3, and CS policy CC2 which states that the areas of development opportunity south of the river will be prioritised for town centre uses so as to better integrate with the north half of the City Centre. Further, CS policy CC1(b) encourages residential development in City Centre locations and CS policy CC2 states that there is substantial opportunity for residential development in this area. The development would deliver up to 1,925 residential apartments which would represent a significant contribution towards the Core Strategy's aim to provide 10,200 new homes within the City Centre over the plan period.
- 9.1.3 The development could also deliver up to 70,000sqm of office space. Whilst less than the SAP allocation this would be a significant contribution to meeting the growth target of at least 655,000sqm of office floorspace within the City Centre identified by CS policy CC1. At the same time, the provision of office development in this location would accord with a raft of other policies including CS spatial strategies 2 and 3 which direct office development to City Centre locations and CS policy CC2 which prioritises City Centre South for town centre uses, particularly large-scale office development.
- 9.1.4 The Outline Development Schedule envisages the delivery of a hotel (up to 450 beds) within the development. In addition to contributing to the mix of uses and adding additional vitality and vibrancy to the streets such a use would support and enhance the local economy (CS policies CC1 and SP8). Similarly, between 1,000-2,850sqm of ground floor Use Class E(a-g) floorspace is proposed. Such uses, such as shops, restaurants, financial and professional services, indoor sport and recreation, medical or health services and children's nurseries would both support the development itself, provide a range of local employment opportunities, and contribute towards the creation of a vibrant community in the area.
- 9.1.5 Up to 1,475sqm of the Use Class E(a-g) could be in Use Class E(a) retail with single units limited to 465sqm.. A sequential assessment has been submitted with the application which reviews alternative sites within and on the edge of the Primary Shopping Quarter, as well as the Great George Street, New Dock and Wellington Street Local Centres. The assessment identifies three available units within the Primary Shopping Quarter of an equivalent size to the largest retail units enabled in the application which, if considered together, would provide the maximum 1,475sqm retail floorspace sought. However, it is inappropriate to separate elements of a scheme on the basis that they are part of a holistic neighbourhood development, with the commercial units intended to operate primarily for the benefit of the future residents, visitors and workers. The available units are also not located together, and form part of the established retail centre, and it is concluded that it would not be reasonable to expect to deliver the comprehensive mixed use development proposed

with these units (and that the land assembly required would likely impact on the role of existing units in this area). Consequently, these units are discounted as reasonable alternatives.

9.1.6 The LGI site allocation (MX2-15) which sits on the edge of the Primary Shopping Quarter is also considered in the sequential assessment. However, this site is discounted on the basis that part of the site is intended for a new healthcare and the retention of the Grade I Listed Buildings on the site would result in insufficient remaining land to accommodate the development as a whole, and also because the site is currently in active healthcare use and not currently available for redevelopment. No other suitably sized available sites or vacant units are identified in the nearby Local Convenience Centres, and no other centres lie within the 5 minute drive time. On this basis, it is concluded that there are no sequentially preferable sites that are suitable and available to accommodate the proposed development. As such, the sequential assessment is passed.

9.1.7 In summary, the outline proposals identify a mixed-use redevelopment and re-use of a largely vacant and under-utilised site at a key gateway into the City Centre. The proposals would make more effective use of this brownfield site and in doing so provide both a significant amount of housing in a sustainable location and provide employment opportunities for people living in nearby communities and beyond. The principle of the development therefore accords with the Development Plan as a whole and the NPPF.

9.2 Townscape, design and heritage considerations

9.2.1 The current appearance of the site with boundary and advertising hoardings, palisade fencing, boarded up buildings, a large substation and cleared expanses of land detracts from the wider townscape. The retained trees and soft landscaping represent the only positive features at this key southern gateway into the City Centre. The southern extent of Holbeck Conservation Area is located 120m to the west. The conservation area includes a number of listed buildings whilst the Grade II listed former Holbeck Library is situated 150m to the west. Given the proximity of the site to these assets, special regard needs to be paid to the desirability of preserving the setting of the listed buildings and special attention needs to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

9.2.2 Recognising this context and pivotal location, the majority of the site was identified as part of a Prestige Development Area in the UDPR where large scale developments were encouraged to reflect the importance of these locations at the entrance to the City Centre. Following on from this designation the Tall Buildings SPD identified the area to the south and east of Bridgewater Place, including the City One site, as being part of a gateway area where there is an opportunity for a cluster of tall buildings. These designations are reflected in a series of planning permissions which have included tall buildings on the site. Most recently, outline planning permission was granted for buildings ranging up to 40 storeys on the site (10/00923/OT) albeit none of the schemes has been implemented.

9.2.3 As noted, the Parameter Plans provide a flexible framework for future comprehensive development of the site within agreed parameters. The Parameter Plans allow for change but ensure that the essential components and character of place remain. In response to City Plans Panel comments at pre-application stage the focus of the scheme is now based upon the provision of a significant area of greenspace close to the heart of the development with surrounding building zones dissected by a series of

interconnected and diverse spaces and pedestrian routes. A green amenity space along the Sweet Street frontage would reflect the allocation (LGC4) as a green corridor in the HNP. Such routes and spaces across the site would reinforce north-south routes to the City Centre and towards Holbeck to the south, whilst east-west routes would improve connectivity from the emerging Temple area to the west and Leeds South Bank to the east.

- 9.2.4 Alongside these spaces and routes, consideration of the juxtaposition of the site in relation to the City Centre and the southern gateway, existing buildings to the north of Sweet Street and the highway infrastructure to the east has helped to inform the placement of buildings and uses. Sunlight and daylight considerations, as well as the prevailing westerly and south westerly winds, have also been recognised and acknowledged in developing the masterplan.
- 9.2.5 Given the parameters allow flexibility with regard to layout, scale, appearance and landscaping, a multitude of potential development compositions are possible, albeit carefully controlled by reference to the Design Code document. Consequently, for illustrative purposes, a scheme has been developed which is indicative of what could be brought forward in accordance with the parameters.
- 9.2.6 The illustrative masterplan illustrates a scheme comprising approximately 1,470 residential units, 48,000sqm of office space, a 220 bedroom hotel, a travel hub and undercroft parking providing 600 spaces and areas of public realm. As it may not be possible to relocate the substation the masterplan takes into consideration and provides options both for its retention and also for its redevelopment.
- 9.2.7 The illustrative masterplan identifies the following arrangement of buildings, spaces and uses:
- A linear park along the Sweet Street frontage 25m in depth and 130m in length. The space would provide wide footpaths to draw people into the development. A route would also be provided across the frontage for service vehicles. Existing trees, protected by TPO, would be retained and supplemented. The scale of the space would be designed to accommodate formal and informal seating though the presence of the gas pipe beneath the space prevents the provision of formal play areas in this area. City One Terrace would primarily be a landscaped pedestrian route running along the north-west boundary to the west of Block A1 linking Bowling Green Terrace with Sweet Street and Siddall Street beyond.
 - Along Sweet Street, a common building line is formed set back beyond the linear park. Block A1, in the north-west corner, would extend between Bowling Green Terrace and the linear park. The residential building would comprise 15 storeys with lower shoulders at the northern and southern flanks. The building would be located a minimum of 14m from the site boundary so as not to prejudice future development of the site to the west. Block A2 would be positioned in a central position on the southern edge of the linear park. It would rise up to 30 storeys. A north-south pedestrian route would be provided between Blocks A1 and A2 to link City One Square with the linear park. To the east of Block A2, beyond a rooftop private amenity space, Block B would complete the run of buildings fronting the linear park and, responding to its pivotal location at the entrance to the site from Sweet Street, would be a gateway marker rising up to 40 storeys.
 - A lower datum line has been developed for any buildings excluding the tall buildings fronting the linear park so as to relate to the existing developments to the north of Sweet Street.

- City One Square would be a large expanse of greenspace to the east and south of Block A. Excluding peripheral landscaped beds, paths and vehicular routes the lawned space would be 90m x 23m, albeit when extended to the building edges surrounding the square it would measure 125m x 50m. Much of the space would sit over a basement car park. The body of the square would be an extensive lawned area with tree planting around the periphery. Children's play facilities would be incorporated within the space itself and along its southern edge. A colonnaded walkway running at the base of buildings on the northern side of the square would abut commercial units which could have seating areas spilling out into the greenspace.
- Block C would comprise a group of 3 linked buildings located to the south-east of the junction of Trent Street and Bowling Green Terrace. The block is split into three linear forms that increase in height from west to east (24 storeys), with a private courtyard space in the middle. The massing composition has been developed in response to the prevailing westerly wind conditions and to create a step up in height towards Block D which is a tall building at the eastern end of the Development Zone on the site of the existing Substation. Block D, if it comes to fruition, would at 35 storeys mark the south-east corner of City One Square and also signify the southern gateway when viewed from the junction of Jack Lane with Meadow Road.
- Considering it is likely that the substation will remain in-situ for the foreseeable future, given its prominence, the Masterplan embraces this existing constraint to ensure it is integral to both the architectural and landscaping strategy for the development. The Design Code identifies the need to replace the existing boundary palisade fencing, possibly using materials taking reference from the adjoining block or the public realm. Boundary planting would reduce the visual impact of the main structure which should be refurbished with works which could include replacement of the roof, brickwork cleaning and new doors.
- Block E would form the south-west corner of the development. In the illustrative Masterplan it is proposed as a 6 storey multi-storey car park, primarily providing parking for the hotel and commercial uses. An active ground floor frontage is proposed to animate the junction of Jack Lane and Bowling Green Terrace.
- Block F, to the east of Block E is identified as an 11 storey hotel. The building mass would address the prominent route into Leeds from the south.
- Blocks G, H and J would be large footplate office buildings 9, 10 and 10 storeys high respectively, commensurate with the height of the Clayton Hotel on the north side of Sweet Street. They would be set back a minimum of 10m from Meadow Road beyond a new line of street trees and a new dedicated cycling route. The 10m wide strip would be integrated with cycling and pedestrian routes along Meadow Road and Jack Lane. Due to the changing topography the ground levels of Blocks G and J would be at a similar level to Meadow Road enabling active frontages on their eastern elevation augmenting the main entrances facing west. The central building, Block H, would be more elevated and if the internal arrangement does not enable an active frontage onto Meadow Road a green wall is intended. Gaps between the buildings would be soft-landscaped.
- The south-east corner of the site, currently referred to as Meadow Place, would be a landscaped area immediately north-west of the junction of Meadow Road and Jack Lane. It would be designed as a threshold into the site and incorporate and reconfigure the existing area of pavement and highway verge so as to promote access into the site and announce a high quality entrance at this southern gateway into the City Centre.
- Within the site, Green Street North would run in a southerly direction from the roundabout on Sweet Street at the junction with St Barnabas Road between Blocks B and J and past the eastern end of City One Square. In the Masterplan

it is identified as a 20m wide greened boulevard. It is intended that vehicular movement within the street is subservient to its use as a landscaped amenity space. Beyond Block D (or the substation if it were to be retained) it would sweep west as Green Street South to meet Bowling Green Terrace between Blocks C and E.

Masterplan retaining substation

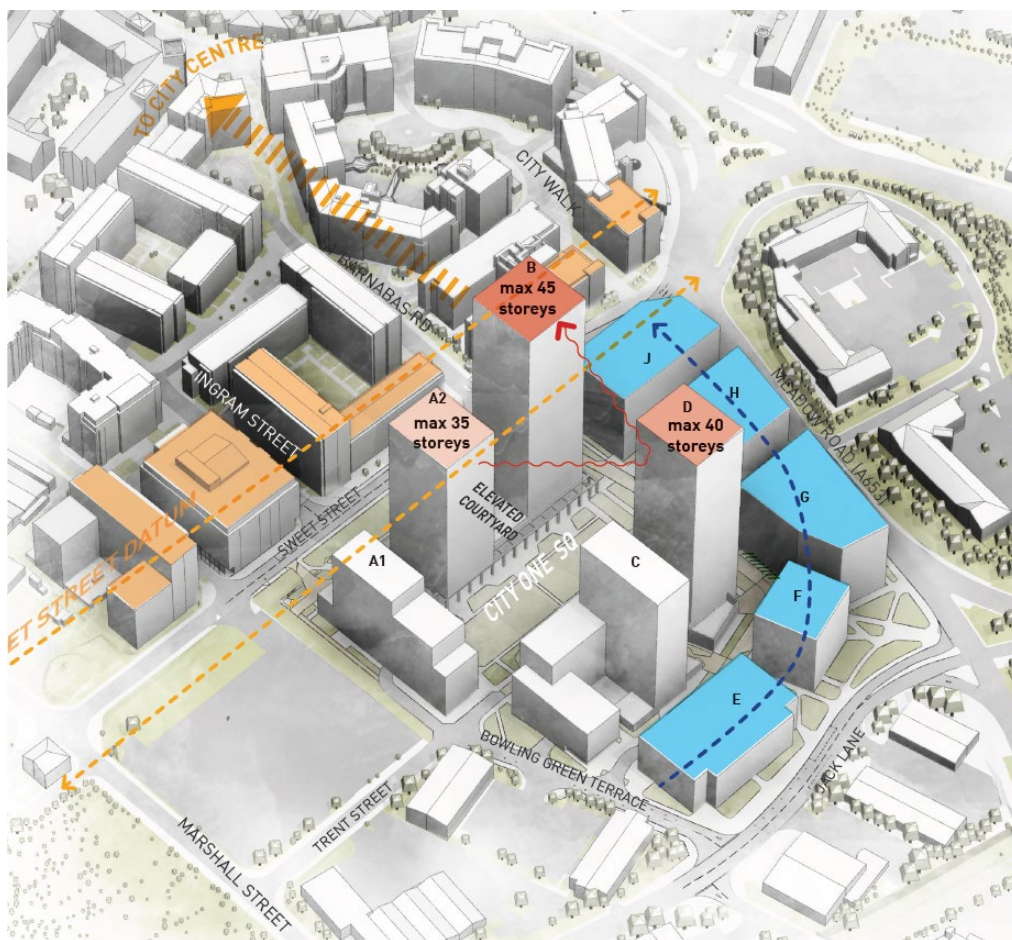


Masterplan with substation redeveloped



- 9.2.8 It is considered that the general arrangement of spaces, routes and buildings defined by the parameter plans and depicted, as examples, in the illustrative layout drawings is a positive and appropriate response to its context, the permeability and connectivity sought across the site, and thereby enabling the delivery of a distinctive, residential-led, mixed-use destination at the southern gateway to the City Centre.
- 9.2.9 Taller buildings within the development have the potential to be landmark structures that are prominent on the skyline and contribute to the wider architectural character of the city. Such taller elements can therefore take on more individual characteristics and draw on other material precedents from the wider city context.
- 9.2.10 The site is located 500m directly south of Bridgewater Place which, at 32 storeys, is a significant tall building within the South Bank area. This building sits along an existing north-south spine of tall buildings running through the City Centre which terminate with the cluster of tall buildings close to the Leeds Arena. The Tall Buildings SPD included the City One site as being part of a gateway area at the southern end of the north-south spine where there is an opportunity for a cluster of tall buildings such that the proposals for up to three tall buildings within the site would accord with this vision.
- 9.2.11 Taking the context of the site, neighbouring uses and environmental conditions into account the key scale concepts comprise:
- Medium to high-rise residential cluster to the north-west of the site
 - Low to medium-rise commercial buildings wrapping around to the south and east of the site
 - Marker building announcing the site and providing connection back to the City Centre to the northern edge of the site, interacting with Sweet Street and announcing arrival from St Barnabas Road
 - Scope for complementary tall buildings along the northern edge and within the centre of the site
 - Commercial buildings to step up in height from south to north, to transition scale of existing buildings along Jack Lane to Sweet Street
 - Lower scale development along the western edges of the site to help mitigate prevailing wind issues
- 9.2.12 Each of the three tall buildings (A2, B and D) would front City One Square, responding to the scale of spaces created to the north and south.

Illustrative Masterplan scale and massing



- 9.2.13 Recognising the potential wider city views of tall buildings and the resulting potential impacts upon the setting of listed buildings, the Heritage Impact Assessment considers the relationship and impact of the proposed building masses on the sensitive heritage assets in the Holbeck / Temple area, in particular. Whilst a glimpse of grade I listed Temple Works is currently available from the central point on the western boundary of the application site, the view was only made possible by the demolition of intermediate single storey industrial buildings. Any future development in this location would obstruct this glimpsed view. This means that despite its proximity the site is generally experienced as being separate from Temple Works. Conversely, by redeveloping the site, the development would reactivate Bowling Green Terrace, provide public benefits, and enhance the setting of Temple Works and the Holbeck Conservation Area.
- 9.2.14 On the route towards the grade II listed Former Holbeck Public Library from the north and east the current unattractive appearance of the site makes a negative contribution to the wider setting of the library albeit views of the site from the library itself are not achievable due to intervening buildings. Given its scale, the proposed development would be visible from the immediate setting of the Former Holbeck Public Library but would not impact the view north towards Temple Works. Although it would be visible from within the immediate setting of the Former Holbeck Public Library, the regeneration of the largely cleared site and the reintroduction of a residential development nearby to the library would enhance its wider setting.
- 9.2.15 When viewed from alongside the former Commercial Inn, a non-designated heritage asset, the redeveloped site would enhance the journey to, and the setting of, the Commercial Inn. As such, it would enhance the significance of the asset. Looking

west along Sweet Street from close to the proposed site entrance, the existing character of the site and the nature of its current use means that it makes a negative contribution to the character and appearance of the Holbeck Conservation Area to the west and detracts from its significance as a designated heritage asset. The proposed development would introduce planting and landscaped spaces, high-quality design and mixed-use buildings to the neighbourhood, enhancing the setting of the Holbeck Conservation Area as well as making a positive contribution to views out of the Conservation Area.

9.2.16 When looking south-east from Marshall's Mill, the proposed development would be seen as a background element, stepping up above the intervening built form which is of negligible visual merit. The likely massing of the tall buildings would create a stepped effect away from the Conservation Area and Temple Works and given the intervening distance and built form it is considered that the development would have a neutral impact upon the character of this view. A similar outcome would arise when viewed from a little further south along Marshall Street close to the Temple Works Counting House where the taller buildings would be observed emerging above the Pin Yard development. When viewed from the junction of Manor Road and Marshall Street the development would be seen as a background element in the context of a variety of modern building forms south-east of this junction.

9.2.17 In common with the analysis of the heritage consultant and the Conservation Officer it is concluded that the key views demonstrate that the proposed development would affect the setting of listed buildings to a minor degree. Through regeneration of the cleared site with high quality buildings and public realm the development has the potential to sustain and enhance the significance of the Holbeck Conservation Area and provide further enhancements to the setting of listed buildings in the area including the grade II former Holbeck Library, grade I Temple Works and the non-designated Commercial Inn. A further heritage impact assessment will be required at reserved matters stage to review the acceptability of the detailed proposals upon heritage assets. A condition (65) is proposed in this respect.

9.2.18 Tall building proposals within the tall building zone identified by the SPD will not be allowed to exceed the surrounding scale unless a proposal can make significant gateway or landmark contribution. In this regard the Design Code requires that tall buildings must:

- Be of exemplary architectural design quality
- Be designed in relation to one another
- Have well designed bases that appropriately address and frame public spaces
- Contribute to the Leeds skyline
- Consider impact on key viewpoints and long distance views when determining options for the final form of the tower elements, and
- Consider microclimate effects; especially wind.

9.2.19 Tall buildings should also:

- Act as marker buildings
- Be designed with consideration of form/composition and Base Middle Top
- Consider setbacks in the upper levels to create slender profile and silhouette
- Have clearly legible and articulated main entrances that are generously proportioned.
- Have well-proportioned windows relative to the height and scale of the building.

- Have the potential to take on more individual characteristics as they are seen in the broader city context.

- 9.2.20 The Design Code also considers the hierarchy of the proposed tall buildings to ensure a logical and appropriate response to each other and the emerging townscape. In this respect the code confirms that Building B should be the tallest building unless Building D is at least 5 storeys taller than Building B. The code also stipulates the zone in which the tall building could sit, and the shape and proportions of the footprint. Consequently, it is considered that the incorporation of up to three tall buildings on the site is a positive and acceptable response to its context, supported by its sustainable location within the City Centre.
- 9.2.21 As this is an outline application the design and appearance of individual buildings will be the subject of further design work and Reserved Matters applications to be considered by City Plans Panel at a later date. Notwithstanding, the Design Code provides guidance on appearance and materiality, recognising that the architecture across the Masterplan must be controlled and cohesive. The code proposes a material palette for buildings that references the industrial heritage of Holbeck with brick, glass, metal, and terracotta being the predominant building materials. The palette will provide variety, robustness, and a high-quality finish, creating a collection of buildings that are ordered and tailored to their context.
- 9.2.22 The Design Code requires that building designs should be of high-quality, with strong attention to detail. Form and composition considerations will be applied alongside conventional architectural principles of base, middle and top articulation in all buildings to deliver clear architectural order. Lower and mid-rise elements of the scheme should primarily be articulated in masonry, taking reference from the generally brick-based historic context to establish a sense of solidity, permanence, and longevity. Office buildings could have more glass, however building design should be considered and complimentary across the development.
- 9.2.23 The Design Code directs that a clear, legible, rhythm of windows in walls or frames should be considered for elevations with reveal depths appropriate to the proportion and scale of the building. Commercial buildings may have a formal regular grid to create a more civic character, whilst residential buildings could have a similar underlying grid but a little more relaxed in appropriate areas. One-off uses, such as the Travel Hub, could borrow from this grid type approach but be allowed more freedom to abstract the concept.
- 9.2.24 The phasing of delivery for the individual development plots will be determined by future market demand, both in terms of use and sequence of delivery, so it is not currently possible to give a definitive delivery sequence for the overall Masterplan.
- 9.2.25 The Masterplan has been designed as a diverse, interconnected, and hierarchical network of well-defined spaces providing a clear and flexible structure for development. The location, orientation and height of tall buildings, as well as the relationships and hierarchies between them, have been carefully considered and controlled through parameters and Design Code guidelines. Naturally, buildings of such a scale have an environmental impact beyond the site but, recognising the relationship of such buildings to surrounding spaces and the benefits to the scheme of such buildings of scale, it is considered that the impact would be acceptable from a townscape and design perspective. Massing of other buildings would generally be lower towards the edges of the site thereby establishing a positive relationship with the immediate context. The regeneration of the site would also be likely to enhance

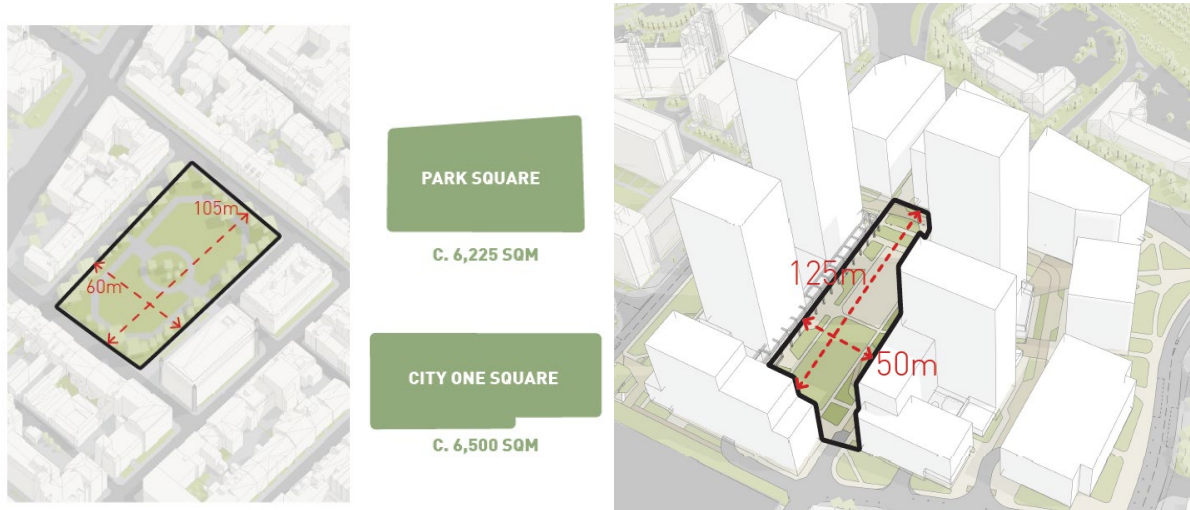
the significance of the Holbeck Conservation Area and provide further enhancements to the setting of nearby heritage assets.

9.3 Landscape, public realm and biodiversity

- 9.3.1 City One is located in a strategically important position on the southern edge of the current City Centre. While the existing open space provision in the area is relatively poor, recent and forthcoming developments at Tower Works, Temple (CEG) and South of Sweet Street (Platform) will help to improve this position, supplementing and better connecting with existing facilities at Holbeck Green and Holbeck Park.
- 9.3.2 Much of the interior of the application site currently comprises cleared land such that it presents an unappealing appearance. However, its impact is mitigated, to an extent, by a wildflower meadow and trees in planters provided as temporary features as a condition of the planning permission for commuter parking. These are supplemented by more established trees located around some peripheral edges of the site, many of which are now protected by TPO.
- 9.3.3 The Constraints plan identifies the retention of the majority of trees in the ground, including those on the north-west frontage to Sweet Street, the trees along the north-west boundary and the majority of trees facing Jack Lane. The retention of existing semi-mature trees would help to assimilate the scale of the proposed built form into the local urban context as well as providing other environmental benefits. The future condition of retained trees would be enhanced by additional rooting areas where possible. It is proposed that, where appropriate, trees in raised planters would be planted as part of the new provision around the site to enable their long-term survival. The proposed scale, form and re-levelling does not allow for the retention of the wildflower meadow in the reconfigured site.
- 9.3.4 Further to the City Plans Panel comments at pre-application stage the applicant analysed recent and more historic spaces across the City Centre to inform the extent, size, shape and scale of the spaces to be provided by the development. In particular, it was found that many of the squares studied had perimeter fences or peripheral roads such that the greenspace was often an island, cut off to pedestrian access. As a result, the Masterplan presents a hierarchy of spaces, representing points of arrival, transition and areas to dwell and play, which seek to ensure that they are fully accessible. As noted at paragraph 9.2.3 the proposed development proposes a range of open spaces and public routes around the site.
- 9.3.5 Four key arrival points are intended, creating defined gateways predominantly at the corners of the site. These include an area at the south-east corner of the site where Meadow Road and Jack Lane meet. The space, circa 35m by 38m and referred to as Meadow Place, would provide an open, inviting, visual and physical route for pedestrians and cyclists into the site. Existing green infrastructure along Jack Lane itself would be supplemented, including with new tree planting and species-rich grass. Building zone DZ4 would be set back a minimum of 10m (similar to the existing Halfords building), and potentially 20m, from the existing footway alongside Meadow Road. The space between the buildings and road would accommodate ornamental and shrub planting close to the building edge, a pedestrian footpath and a separate 2-way cycle lane, whilst a line of semi-mature street trees would be planted within areas of soft landscape along the length of the site frontage. Large feature trees would be utilised to mark pedestrian entrances into the development between buildings within DZ4.

- 9.3.6 Beyond the gateways, routes through the site would be designed with a strong pedestrian focus. The primary route through the site is referred to as Green Street (North) running due south from the Sweet Street roundabout until turning west to meet Bowling Green Terrace (Green Street South). Green Street North would be a minimum of 20m wide (ie the width of Briggate) and Green Street South a minimum of 14m wide. Whilst the route would accommodate vehicles servicing the development on a narrow service road (circa 4m) supplemented by laybys, it would be designed to ensure pedestrian movement remains the priority such that vehicles are subservient to the use as an amenity space. SuDS infrastructure and planting would be provided along the entire length of the street. The street would be framed by large trees and trees would also be carefully positioned to help slow vehicular movement. The interface with City One Square could be a legible, porous, primarily hard space incorporating opportunities for pop up events and spill out seating.
- 9.3.7 City One Walk would be a north-south pedestrian connection linking Jack Lane with the centre of the development. It would primarily be a movement route with amenity planting to create an inviting pedestrian route. The southern half would be likely to include biodiverse planting whereas the northern half, beyond Green Street South, would be likely to include perennial planting, with seating areas providing the potential to dwell. Detailed design of the route should include tree planting to further improve the pedestrian environment and also connect to the wider green infrastructure network. City One Walk could also support secondary entrances to the buildings.
- 9.3.8 In the north-west corner of the site City One Terrace would link Trent Street and Sweet Street Linear Park. The southern end of the space could incorporate vehicular access into the basement of DZ1 but existing boundary planting would be supplemented to create an inviting pedestrian route and connect to the existing green infrastructure along the site boundary.
- 9.3.9 Two primary dwell spaces are proposed within the development, Sweet Street Linear Park and City One Square. Sweet Street Linear Park would be located across the northern edge of the site. The space (25m in depth and 130m in length) would be sufficiently large to provide wide footpaths to draw people into the development; a generous, ecologically rich environment along Sweet Street, and to provide an attractive setting for the proposed development. Its scale would also have the capacity to accommodate spill-out areas from potential retail and food and drink uses located on the ground floor of the neighbouring building. It would also enhance the outlook for residents living on the narrow streets to the north of Sweet Street and protect and reinforce the established green character on the south side of Sweet Street to accord with the HNP.
- 9.3.10 A staggered grid of pedestrian routes across the development would all lead into City One Square, the primary public space at the heart of the development. City One Square would be a city-scale green space offering amenity to the local residents and workers and creating a significant destination in the South Bank of Leeds. In terms of scale the space (125m x 50m) could possibly be best-compared with Park Square:

PARK SQUARE, LEEDS



- 9.3.11 There would be clear interaction with ground floor uses on all sides, offering opportunities for internal uses to spill out into City One Square. There would be substantial planting around the space with larger trees to the southern and eastern edges and a large lawn at its centre. The central lawn area is intended as a flexible space which, given its scale, could be used for a variety of uses. Areas for fixed play facilities are identified within the main square and along its southern edge, utilising the change in levels between the central lawn and highway. A condition (75) is proposed seeking agreement of play areas and facilities within the wider City One Square space.

City One Square



- 9.3.12 The Illustrative Masterplan was developed with consideration of sunlight and daylight issues for public spaces (and buildings) around the development. In particular, the taller linear building elements are predominantly orientated along the north-south axis to reduce the extent of shadows cast across the development and beyond. Locating tall buildings to the north and south-east of City One Square would minimise overshadowing of the central space as much as possible. Given the scale of the space access to sunlight could be enjoyed somewhere within it throughout the whole day. Sweet Street Linear Park would be generally more shaded than City One Square but would enjoy sunshine at various points throughout the day. Ground floor uses such as food retail and community facilities would help to activate this type of space. Green Street North, the primary pedestrian route through the development, would also be

orientated north-south, such that it would benefit from sunlight throughout large periods of the day.

- 9.3.13 CS policy G5(iii) requires mixed use development on sites over 0.5 hectares in the City Centre such as this to provide the greater area of either 20% of the total site area, or a minimum of 0.41 hectares per 1,000 population of open space. 20% of the site area would be 0.76 hectares, whereas if the maximum number of apartments (1,925) were to be constructed there could be up to 4,900 occupants, resulting in a requirement for 2.009 hectares of public realm. City One Square and Sweet Street Linear Park alone would extend to 0.98 hectares, 23.5% of the site. As noted, these primary dwell spaces would be supplemented by other areas of public realm such as City One Terrace and Meadow Place, which would offer additional amenity for residents, routes through the site and an attractive setting for the proposed buildings. In total, the illustrative masterplan identifies 2.01 hectares of public realm. Consequently, the development would accord with the requirements of CS policy G5.



- 9.3.14 In addition to the public spaces additional private areas are likely to be provided on roof terraces for residents, providing peaceful environments or gathering opportunities for people with good aspect and shelter. 5 potential locations are identified within the Design Code. Within DZ1 between Plot A2 and Plot B a private outdoor space, accessible from within the building but visible from City One Square and Sweet Street, is intended. It could provide informal amenity for residents and a play space for younger members of the new community. The 20m x 15m courtyard for Plot C within DZ2 would be a semi-private outdoor space located within the building mass. It would be accessible from Green Street South near the junction where it meets Bowling Green Terrace.

- 9.3.15 Whilst a detailed landscape scheme would follow as part of a Reserved Matters application the illustrative masterplan identifies 191 new trees within the open spaces and along streets around the site. These are in addition to the retained existing trees around the site. The provision would exceed the minimum 3:1 replacement requirement required by the NRWLP and help to enhance the quality of the landscape in accordance with CS policy P12.
- 9.3.16 CS policy G9 requires an overall biodiversity net gain, although there is an aspiration of achieving a 10% biodiversity net gain (BNG) within the completed development to reflect recently adopted national requirements for planning applications made from 12th February 2024. Largely through the removal of the wildflower meadow (which was planted as a temporary feature pending redevelopment of the site) the scheme would result in a net loss of biodiversity units. To off-set this loss and to provide a 10% gain, along with the provision of on-site habitat units, the section 106 agreement secures a commuted sum contribution of £51,250 would be paid for delivery of off-site units. In addition to new areas of planting which would provide shelter and foraging opportunities and new habitat for birds, insects and other local wildlife, integral bird nesting and bat roosting features will also be sought in buildings around the development to satisfy CS policy G9.
- 9.3.17 In summary, it is concluded that the combination of new, legible routes through the site, public realm around the development including a new public space for the city, and extensive areas of green infrastructure, would fundamentally improve its appearance and permeability resulting in a significant amenity for intended occupiers of the development and existing communities around the site. In doing so, it would accord with CS policies SP11, P12, G5 and G9, saved policy LD1 of the UDPR and LGC4 of the HNP.

9.4 Transportation and connectivity

- 9.4.1 Whilst the site is located adjacent to Meadow Road, the main distributor to the City Centre from the M621 which accommodates high volumes of vehicular traffic, it is located in a sustainable City Centre location less than 1km from Leeds City Station via a network of footways, albeit some of these routes require improvement. As noted in the Holbeck Neighbourhood Plan the area has a strategic importance in linking Holbeck and the City Centre whilst CS policy CC3 requires developments to improve routes connecting the City Centre with adjoining neighbourhoods to improve access to jobs and services, to make walking and cycling easier, and to encourage greater usage by making these routes safer and more attractive.
- 9.4.2 The application is supported by a Transport Assessment and Travel Plan, and subsequent addendums which have been subject of detailed consideration and discussion with Transport Development Services, National Highways and Influencing Travel Behaviour colleagues. As a result, detailed proposals for access provision around and into the site for vehicles, pedestrians and cyclists have now been agreed, alongside a package of measures to improve active travel around the site and to improve connections between the City Centre and neighbourhoods to the south. These include a contribution of £927,700 towards works to improve pedestrian and and cycling routes towards the City Centre and a contribution of £761,614 towards highway infrastructure in the City Centre Package as a result of the cumulative impact of growth proposed within Leeds.

- 9.4.3 The proposed off-site works are focused around the periphery of the site and include an informal crossing on Sweet Street connecting pedestrian and cycling routes from the site towards the City Centre via Ingram Street; and an informal crossing on Jack Lane connecting pedestrian and cycling routes from the site to desire lines along New Princess Street leading towards Holbeck. A segregated footway and cycleway would be provided parallel to Sweet Street, passing through the linear park to provide separation from traffic. The existing pedestrian and cycling infrastructure along Meadow Road would be replaced by a segregated footway/2-way cycleway along the site frontage. The provision of street trees and other landscaping proposed along this corridor would make it a more attractive route for pedestrians and cyclists. Similarly, a segregated footway and 2 way cycleway would also be provided along the northern side of Jack Lane making it more usable for both cyclists and pedestrians.
- 9.4.4 The proposed access points around the site are considered acceptable albeit they are currently the subject of a road safety audit. It is also recognised that the flexibility afforded by the parameter plans for the location of buildings could result in minor adjustment to these details. As noted at section 9.8 below, it is possible that wind mitigation would be required on the north side of Sweet Street close to the junctions with Siddall Street and Ingram Street. The principle of such features is acceptable in this instance, subject to Sweet Street maintaining a 7.5m wide carriageway so as not to fetter delivery of any future highway schemes along this corridor. The potential off-site wind mitigation arrangements are also the subject of the road safety audit.
- 9.4.5 The masterplan identifies a largely orthogonal arrangement of buildings on a north-south and east-west grid within the site enabling the provision of a network of routes through intervening spaces that would provide enhanced connectivity for all users through the site. Green Street North would be a natural extension southward from the Sweet Street roundabout with St Barnabas Road towards Jack Lane. East-west routes would be maintained along Trent Street, with an additional route parallel route along Green Street South providing additional permeability. A servicing route is also intended on the northern edge of DZ1 so as to limit the need for such vehicles to penetrate the heart of the site.
- 9.4.6 The masterplan illustrates one-way sections of road intended to prioritise the pedestrian environment. Whilst this may be acceptable for some sections, the internal network could become blocked by service (or other) vehicles stopping on the carriageway and preventing other vehicles from passing. Therefore, further consideration needs to be given at detailed design stage to ensuring that adequate space is provided for vehicles. Further to the above, Highway Officers remain of the view that the internal road layout should be constructed to adoptable standards and offered for adoption.
- 9.4.7 The vehicular routes would be supplemented by a network of routes which would add an enhanced level of permeability through the site for active travel users. These include north-south routes through DZ1 linking City One Square and the Sweet Street linear park; and through DZ2 and DZ3 providing traffic free connections between Jack Lane and City One Square. East-west routes would also be provided through DZ4 enabling access between Meadow Road and Green Street North, supplementing a primary pedestrian entrance into the site at the junction of Meadow Road and Jack Lane. A route along the north-west edge of the site would link Bowling Green Terrace with Sweet Street further improving north-south connectivity through the site and beyond. As a result, whilst detailed design is to be confirmed at Reserved Matters stage, the development delivers a fine network of routes significantly improving connectivity and permeability across this large expanse of brownfield land.

- 9.4.8 The outline proposals are intended to provide flexibility in detailed design. This could enable the delivery of a multi-storey car park (within DZ3) or basement parking areas or a combination of both. However, the parameters are accompanied by a development schedule which controls both the types of uses, floorspace and volumes. As a result, the maximum number of car parking spaces would be 722. Whilst the number of parking spaces is below that permitted by the Transport SPD a detailed case for the number of parking spaces needs to be provided and justified in subsequent Reserved Matters applications.
- 9.4.9 In determining the provision of car parking at the development the provision of electric vehicle charging points and disabled person parking spaces to meet the Transport SPD requirements will need to be taken into account. Similarly, long and short-stay cycle parking facilities for both residential and commercial elements of the development will need to be confirmed. Two car club spaces will be secured by the section 106 agreement within the development so as to reduce the need for residential and commercial parking.
- 9.4.10 The application is supported by a Travel Plan which confirms the arrangements to manage sustainable travel planning for the development and the initiatives that would be made available to promote sustainable transport choices. These include pre-occupation travel planning; a clear communications strategy; provision of new walking and cycling routes through and around the perimeter of the site and provision of a range of measures and facilities to encourage such uses; support for trips by public transport; limiting the amount of car parking below the levels allowed by the Transport SPD and promotion of alternatives including through the provision of space for two car club vehicles. Space will also be provided for a City Bikes docking station, supported by a contribution of £32,000 for its provision. A Residential Travel Plan Fund of £492,312.75 will be secured by the section 106 agreement to support the travel plan initiatives, of which £146,375 is to be expended on Leeds City Council Car Club free trial membership. The details of the Travel Plan have been agreed by National Highways and LCC Influencing Travel Behaviour team.
- 9.4.11 Consequently, whilst detailed proposals for the interior of the site remain to be agreed, the scheme involves a comprehensive package of measures which would help to deliver significant improvements to connectivity and permeability. Subject to completion of a satisfactory Stage 1 Road Safety Audit the detailed arrangements around the periphery of the site for access and connectivity are acceptable. A range of travel plan measures have also been agreed to support sustainable transport choices. As such, the development would accord with CS policies T1, T2 and CC3 and the Holbeck Neighbourhood Plan.

9.5 Housing and residential amenity

- 9.5.1 The development would provide up to 1,925 residential apartments which are likely to be focussed around the main public square whilst commercial uses would primarily be situated along the eastern and southern periphery of the site as an extension of the existing spine along Victoria Road and Meadow Road to the north. Such an arrangement helps to provide physical separation and distance between the major traffic routes into the City Centre and industrial uses to the south and west and the proposed residential accommodation, thereby helping to attenuate noise and pollution arising from such activities.

- 9.5.2 CS policy H2 refers to educational, health and transport infrastructure requirements for new housing development on non-allocated land. The majority of the site is allocated such that it could be inferred that policy H2 is not directly applicable to much of the site. Notwithstanding, Children's Services has confirmed that there will be sufficient capacity in nearby schools and schools across the wider area available to meet an increase in demand for school places arising from the development, whilst the Outline Development Schedule allows for the provision of medical or health services within the development should there be such a demand. The Council is intending to work with the Clinical Commissioning Group to undertake research to look at housing growth across the City Centre as a whole, with the intended output then being to ensure sufficiency of primary care capacity for all residents. Transport infrastructure proposals are considered in Section 9.4 above.

Density

- 9.5.3 CS policy H3 requires housing developments in the City Centre to meet or exceed 65 dwellings per hectare. The application proposes up to 1,925 residential apartments on a site area of 3.79ha thereby significantly exceeding the minimum policy requirement and making efficient and effective use of brownfield land in a highly sustainable City Centre location.

Housing mix

- 9.5.4 Policy H4 of the Leeds Core Strategy 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. Due to the denser character of the City Centre, the requirement for houses is not applicable. Targets for the number of bedrooms in flats ranges from 10% for one and four bedroom apartments to 50% with two bedrooms.
- 9.5.5 The application is supported by a Housing Needs Assessment which identifies the greater need for smaller units alongside a lower demand for three bedroom units. Notwithstanding, the development commits to providing a minimum of 10% of the units as 3 bedroom, suggesting that up to 960 of the new apartments would be two and three bedroom with almost 200 being three bedroom. Such provision of three bedroom units would reflect the ratio recently agreed on the Platform development towards the west end of Sweet Street (22/04400/FU).
- 9.5.6 Given the outline status of the application it is not surprising that the detailed ratio of 1, 2, 3 and 4+ bed dwellings has not yet been developed. Consequently, a condition is proposed which requires an appropriate mix of dwellings to be agreed as reserved matters applications involving residential accommodation come forward, alongside a requirement that a minimum of 10% of the units in each residential phase are three bedroom (condition 68).

Affordable housing

- 9.5.7 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. 1,925 apartments would generate the need for 135 affordable units based upon this policy. Alternatively, Build to Rent developments such as this can provide either 20% of total dwellings as "Affordable Private Rent" dwellings on site with rents 20% lower than market rents in the local area and

agreement of eligibility criteria with secure arrangements that continue in perpetuity; 7% of dwellings on site with a mix of intermediate and social rents at benchmark rents; or a commuted sum in lieu of on-site provision of affordable housing.

- 9.5.8 CS policy H5 does not outline a hierarchy or preferred approach, instead confirming that each of the three options are appropriate and accepted for developments of this nature as alternatives. This offers full flexibility for the applicant to choose in the case of Build to Rent schemes whether to provide the affordable housing requirement on site or to offer an off-site contribution in lieu of on-site provision. The rationale for this approach was set out in the report to Executive Board in March 2017 which stated at paras 3.1-3.12:

‘...it is proposed that the Council recognises that the payment of a commuted sum in lieu of on-site provision is likely to be more in line with the funding model which underpins Build to Rent delivery. Further, that the Council accepts that the Build to Rent funding model can be taken into account as a justification which supports the financial contribution. This would reflect the practicality of delivering Build to Rent housing whilst supporting the delivery of affordable housing within the city centre housing offer as a whole. Significant resources could be generated through the acceptance of Commuted Sums for investment in affordable housing...The authority can use these resources alongside other funding to maximise investment in affordable homes.’

- 9.5.9 National Government Guidance also accepts that Build to Rent schemes are a ‘specific asset class’ with a funding model that is distinct from Build for Sale developments. The specific guidance offered on provision of affordable units, set against commuted sums, is as follows:

‘It is expected that developers will usually meet their affordable housing requirement by providing affordable private rent homes. However, if agreement is reached between a developer and a local authority, this requirement can be met by other routes, such as a commuted payment and/or other forms of affordable housing as defined in the National Planning Policy Framework glossary. The details of this must be set out in the section 106.’

- 9.5.10 In the Affordable Housing Statement the developer has confirmed that the development would comprise Build to Rent apartments with an element of affordable housing on site. The draft section 106 agreement captures the requirement for affordable housing as set out in CS policy H5.

Space standards and residential amenity

- 9.5.11 CS policy H9 requires all new dwellings to comply with the identified minimum space standards so as to create a healthy living environment. The developer has confirmed that all units will be designed to conform with these requirements. Floorplans and details will be provided for consideration with any Reserved Matters application containing residential accommodation (condition 67).

- 9.5.12 Whereas the detailed layout of the development remains to be confirmed as Reserved Matters applications come forward, the parameter plans confirm the potential building use types. In particular, residential uses would not be permitted within the majority of the development zone 4 so as to remove the potential for noise and disturbance from traffic on Meadow Road to buildings within that area and to provide a buffer between such traffic noise and residential accommodation within the development. The

submitted noise impact assessment confirms the level of sound reduction required by building envelopes to protect occupants from excessive environmental noise ingress and provides limiting levels for mechanical plant to see that the occupants of nearby noise sensitive buildings are not subject to excessive plant/activity noise levels. Given the outline nature of the application draft Conditions 49-54 supplement these requirements.

- 9.5.13 The commercial uses proposed in development zone 4 also ensure that air quality objective levels would not be exceeded in residential dwellings as a result of the development.
- 9.5.14 In addition, the parameter plans and Design Code document considers the juxtaposition of dwellings so as to limit the potential for overlooking and to ensure adequate daylighting and outlook is delivered for future occupants. For example, a minimum separation of 18m must be provided between any courtyards where the primary use of buildings is residential whereas a minimum distance of 16m is required between all residential buildings, increasing to a minimum distance of 20m for tall buildings (over 25 storeys).
- 9.5.15 Communal amenity spaces could be provided within residential buildings, for example, in the form of enlarged reception areas, libraries, gyms and lounges to supplement apartment space. Projecting balconies could also be used on residential buildings to provide private amenity spaces and to articulate facades. Additionally, communal roof terraces could be provided for use by occupants to augment the public realm areas to be provided at ground level.

Impact on neighbours

- 9.5.16 The site has remained largely undeveloped since the properties on the north side of Sweet Street were constructed albeit there have been long-term aspirations, Development Plan proposals and planning applications for its development. In this respect, it is noted that the previous outline permission on the site, whilst not an extant permission, enabled the westernmost building on the site to be 16 storeys and a proposed hotel opposite St Barnabas Road (between Lateral and Leodis Square) to be up to 40 storeys in height. The residential buildings north of Sweet Street post-date this decision whilst the office buildings were under construction when the most recent application was considered.
- 9.5.17 There are presently 5 buildings on the north side of Sweet Street opposite, or close to, the site. From the north-west to north-east, these comprise Pin Yard (residential), Holiday House (offices), Daniel's House / Leodis Square (residential), Lateral (offices) and the Clayton Hotel. Each of these, other than for the hotel, have windows directly facing Sweet Street. These buildings are set back between 5m and 11m from the Sweet Street carriageway.
- 9.5.18 Whilst tall buildings are proposed fronting Sweet Street in DZ1 (ranging in maximum height from 37m to 148m) the proposed buildings would be set back a minimum of 23m (maximum 33m) from the Sweet Street carriageway. Whilst existing buildings on the north side of Sweet Street are not set back such a distance as that proposed on the City One site, Holiday House would be a minimum of 35m (maximum 45m) from the closest building within the development. The Pin Yard apartments are off-set to the north-west from the proposed development (corner to corner a minimum distance of 45m), whilst the closest apartments to the development would be in Leodis Square, a minimum of 38m north of the development. Whilst there would be some impact on

the south-facing residential apartments in terms of overshadowing and daylighting at different times of the day and year in the context of a dense City Centre character it is not considered that such a relationship would be unacceptable. Additionally, the spacing of those buildings alongside each other (11.5m from Pin Yard to Holiday House; 16.4m from Holiday House to Leodis Square; 24.6m from Leodis Square to Lateral; and 18.5m from Lateral to Clayton Hotel) reflects both an indication of typical distances found between buildings in the City Centre whilst also reinforcing the grain of buildings in the area.

- 9.5.19 The application is accompanied by a Daylight and Sunlight Amenity impact technical statement which is informed by the Building Research Establishment's (BRE) good practice guidance which, although not mandatory, provides an objective means for evaluating daylight and sunlight amenity impacts in the built environment. However, it is noted that as the guidance relates to low density suburban situations it is not directly applicable in high density, City Centre locations such as this. Notwithstanding, when applying such guidance it is noted that the most significant impact of the development in terms of both daylight and sunlight would be likely to be upon south-facing apartments within Leodis Square, whilst other existing nearby residential developments would not experience a significant impact. The magnitude of change would be greater than would usually be expected as the apartments currently experience open outlooks over an undeveloped site which, given previous planning permissions on the site and Development Plan proposals, should be considered as a temporary position. Further, the likely daylight and sunlight conditions are likely to be comparable with other existing parts of Leodis Square which have previously been considered to be acceptable. Additionally, the adverse effects of the reduction in daylight and sunlight is also balanced by the improved amenity arising from redevelopment of a cleared site which has only been used as commuter car parking over recent years
- 9.5.20 It is not considered that the existing office uses north of the site are as sensitive to reduced levels of sunlight or daylight as residential uses such that the physical impact of the development would not have an unacceptable impact upon them. A predominantly blank gable wall on the Clayton Hotel faces the site such that the impact upon that property would be negligible. Properties on the east side of Meadow Road, Apex House and Enterprise House, are in use as offices. The intervening distance between DZ4 and these properties, combined with their use and existing soft landscaping which significantly filters views, is such that the impacts on the proposed development on them would be negligible. Premises on the south side of Jack Lane and west side of Bowling Green Terrace are in light industrial uses such that the impacts of proposed buildings within DZ2 and DZ3 would not be adverse.
- 9.5.21 A range of conditions are proposed to ensure that noise from the development, including construction of the development, would not unacceptably affect the amenities or use of surrounding properties. Matters relating to wind impacts and highway impacts of the development are referenced in the respective sections elsewhere in the Appraisal.
- 9.5.22 In summary, the proposed development would provide up 1,925 residential apartments which would represent a significant contribution towards the Core Strategy's aim to provide 10,200 new homes within the City Centre over the plan period. Good standards of amenity would be provided for all future occupants whilst the impacts upon existing neighbours would be outweighed by the benefits of the development. As such, the development would accord with CS policies SP3, SP6, P10, H3-H5 and H9, and saved policy GP5 of the UDPR.

9.6 Accessibility, equality and inclusion

- 9.6.1 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. The illustrative proposals confirm that gradients within external spaces will be accessible with gradients not exceeding 1:40 where possible. Where there would be extended sloping routes, a choice of alternative, shorter, routes with appropriately designed steps would be provided. Routes to, and the location of, key-accessible facilities would be clearly indicated as part of the overall signage strategy for the development.
- 9.6.2 The proposed buildings are at an early stage in the design process. However, the developer has confirmed the development would provide accessible accommodation in line with the Accessible Leeds SPD, BS8300 and Building Regulations standards. For each building, accessible entrances would be created and lift access would be provided to all floors.
- 9.6.3 CS policy H10 requires that 30% of the new homes should be accessible and adaptable dwellings (Building Regulations standard M4(2)) and 2% of homes should be adaptable to wheelchair user standards (M4(3)). The developer has confirmed that the detailed design will be compliant with these standards and a condition (69) is proposed to ensure that such accommodation is provided. Disabled car parking requirements will be determined as detailed proposals come forward but will accord with the guidelines set out in the Transport SPD. Consequently, whereas limited details are available at this stage due to the outline nature of the application, Reserved Matters details will come forward which should ensure that the development is fully accessible both with external spaces and within buildings.
- 9.6.4 Section 149 of the Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. Taking into account all known factors and considerations, the requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report. The proposals are not considered to raise specific implications in these respects and as such a full Equality, Diversity, Cohesion and Integration Impact Assessment (EDCI) is not required.

9.7 Sustainability and Climate Change

- 9.7.1 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. Major developments also need to meet the BREEAM Excellent standard if feasible (EN2). 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)).
- 9.7.2 The developer remarks that as the City One proposals span a 10 year time period, so will see further changes in technologies, policy objectives/targets and economic conditions. Consequently, the commitments and level of detail that can be provided at outline stage are therefore broad and in principle only, committing to provide further

details of measures to meet these targets at the Reserved Matters stage. Notwithstanding, the developer has confirmed a commitment to making City One a benchmark of sustainable development in Leeds, according with and, in many cases, surpassing CS policies.

9.7.3 The sustainability strategy focuses on six key themes:

- Energy – Fabric-first efficiency. Low or zero carbon energy sources. Carbon off-setting
- Embodied Carbon – Whole life carbon assessments. Low carbon materials and construction methods
- Transport – Sustainable travel. EV charging. Connectivity for pedestrians and cyclists
- Climate Resilience – Water efficiency and flood resilience. Adaptable to future climate changes
- Place for People – Green, accessible, healthy indoor and outdoor spaces. Employment and leisure provision on site
- Functional Adaptability – Design of buildings, spaces and infrastructure to consider flexibility in use

9.7.4 With reference to the CS policies the primary targets are to:

- Prioritise passive design principles to reduce energy demand and overheating. Reduce operational energy and carbon emissions (CS policy EN1) to improve U-values, reduce thermal bridging and improve air-tightness. Electric space heating and air source heat pumps would be used instead of gas boilers for hot water. Photovoltaic panels on roofs would provide renewable energy.
- BREEAM rating of Excellent as a minimum (CS policy EN2).
- Water use will be targeted to be less than 110 litres per day per person. The development would utilise sustainable drainage solutions (SuDS). Whilst flood risk is low, building levels would be positioned above the 1 in 100 year plus climate change level (CS policy EN2).
- Future Homes Standard and Whole Life Carbon Assessments would be undertaken to reduce embodied carbon impact during construction and operation of the development.
- The development will continue to explore opportunities to connect to the Leeds Pipes network as it extends to the south of the City Centre (CS policy EN4).
- Waste would be segregated during demolition and construction to divert it from landfill wherever possible. It is targeted to have no waste going to landfill.
- A minimum of 40% of all parking spaces would have electric vehicle charging facilities with safeguarding for 100% provision (CS policy EN8).

9.7.5 In addition to the above targets the developer is also targeting the following environmental criteria:

- BRE Home Quality Mark 4-star certification (A standard that adopts high standards for running costs, health and wellbeing benefits and environmental footprint associated with living in the home)
- 3* Fitwel accreditation
- Net Zero Operational Carbon by 2030

9.7.6 The sustainability strategy, however, recognises that all aspects of the development including sustainable economic growth; sustainable transport and movement;

sustainable design; sustainable energy; sustainable waste management and sustainable material and resources are all important components of ensuring the delivery of a truly sustainable development. The current strategy provides the necessary flexibility to allow for the requirements of investors and end users to be designed into the scheme, whilst at the same time providing sufficient certainty and a clear commitment that the overall objective of delivering an exemplar project of sustainable development will be achieved. Recognising this intent a planning condition is proposed which requires the submission of updated and detailed sustainability statements with each Reserved Matters application for a phase of development (condition 63).

9.8 Wind environment

- 9.8.1 Due to the likely scale of some of the proposed buildings and their exposed location to prevailing westerly and south-westerly winds there is a significant potential for the generation of strong winds around the development. The applicant initially engaged Buro Happold at the commencement of the design process to provide advice regarding the safety and comfort of the wind environment resulting from the development. Subsequently, Architectural Aerodynamics (ArcAero) were appointed by the applicant to appraise Buro Happold's findings and to conduct further wind tunnel and Computational Fluid Dynamics (CFD) studies. In total, the applicant has undertaken over 150 CFD runs and has spent 30 hours in the wind tunnel over a number of tests. The Council appointed Tobermory Consultants early in the process to advise on the review process and ultimately to peer review the wind report findings.
- 9.8.2 The wind studies analysed the proposals identified in the illustrative masterplan given this is a deliverable scenario, recognising that it is not possible to build a scheme based upon all of the maximum parameters due to the restraints imposed by the Outline Development Schedule and Design Code Document. Ultimately, as the development is likely to come forward in a series of phases, wind testing will be required at each stage to confirm that the development would not have any unsafe wind impacts and would achieve appropriate thresholds in terms of wind comfort. In accordance with standard practice the wind study assessed several scenarios to understand existing site conditions, the impacts of the proposed development and other developments in the vicinity, and the benefits of mitigation proposals.
- 9.8.3 It has been established that whilst the majority of the site and surroundings currently satisfy the wind criteria and are suitable for existing uses, that wind safety and comfort thresholds are already exceeded at the southern end of Siddall Street (between the Pin Yard apartments and Holiday House). The implementation of the proposed development would result in windier conditions in some areas within the site, including several areas in the northern half of the development where wind safety criteria would be exceeded. Additionally, safety exceedances would occur at the southern end of Siddall Street and also at the southern end of Ingram Street to the east side of Holiday House. When committed developments in the area are added (cumulative surroundings) the number of wind safety exceedances within and outwith the site reduce, and at the southern end of Siddall Street conditions would be comfortable for walking all year round. Wind conditions further east along Sweet Street would deteriorate a little with marginally windier areas south of Ingram Street and at the entrances to Daniels House, albeit not creating safety issues.
- 9.8.4 In response to the above findings, in particular with regard to off-site conditions at the southern end of Siddall Street and Ingram Street, a multitude of options were tested including redistribution and remodelling of building masses around the development

site and also a wide range of on-site mitigation measures. However, wind safety issues remained or deflected slightly further along Sweet Street. As a result, off-site wind mitigation features were developed and tested for areas at the southern end of Siddall Street and Ingram Street (the proposed development in existing surroundings with mitigation measures).

- 9.8.5 The Siddall Street mitigation measures tested in the most recent wind tunnel comprise six perforated screens and a totem on the west side of the street close to Pin Yard apartments, and five perforated screens and six elevated screens on the east side of the street outside Holiday House. A single perforated screen was identified close to the south-east corner of Holiday House close to the junction of Sweet Street and Ingram Street. A number of screens were included within the site principally to the south, east and west of buildings within DZ1.
- 9.8.6 Following the introduction of mitigation measures, the safety criteria are met within the site and surrounding area. A sole exception to this persists at the south end of Siddall Street (location 145), however the level of exceedance at this location is lower than that for the existing condition and could potentially disappear when the cumulative developments have been constructed. In terms of comfort, a calmer environment within the study area exists and conditions are generally suitable for intended uses. However, minor exceedances of target comfort criteria still occur in isolated areas. The roof terrace between Blocks A2 and B is likely to be a fair-weather space but would be designed to maximise the usability of the space. This is likely to include raised parapets, covered areas (e.g. protected by pergolas with a semi-solid roof), screens and landscaping. With this in place, conditions would be expected to improve to the extent that standing criteria conditions can be substantially achieved in accessible areas at all times. Residual windy areas are likely to be limited to inaccessible planted regions. This (and any other roof) terrace would be designed in detail and mitigation methods validated through further wind testing at Reserved Matters stage.
- 9.8.7 More recently, following concerns raised by Highways regarding the need to narrow sections of Sweet Street to ensure acceptable sight-lines are maintained for vehicles emerging from Siddall Street and Ingram Street once the proposed off-site screens have been installed, further scenarios have been tested which involve deletion of four screens which would be located in visibility splays. It was established that removal of three screens immediately north-west of the junction of Sweet Street and Siddal Street would not significantly change the wind conditions relative to the scenario with all screens in place. As they would offer no material benefit to wind conditions, these screens are not carried forward in the off-site wind mitigation proposals. However, it was found that removal of the screen proposed immediately north-west of the junction of Sweet Street and Ingram Street would result in an increase in wind speeds such that it is retained as part of the off-site wind mitigation proposals. Whilst the highway would need to be modified around the junction to accommodate the screen and to maintain visibility, details have been provided which demonstrate that Sweet Street would not need to be narrowed through the provision of a footway and cycleway though the linear park.
- 9.8.8 As noted, detailed and extensive wind testing has been undertaken which has established that acceptable wind conditions can be achieved via mitigation. Ultimately, wind testing will be required at each Reserved Matters stage to confirm that the development would not have any unsafe wind impacts and would achieve appropriate thresholds in terms of wind comfort.

9.9 Flood Risk

- 9.9.1 The site is primarily within Flood Zone 1 with a low risk from flooding. The proposed development reflected on the illustrative masterplan is at a low risk of flooding. There is a low to medium risk from groundwater flooding in the lower ground floor level that could include car parking, cycle storage, the development's substation and back of house facilities. However, detailed design will ensure that the development in these areas is safe from potential water ingress. All finished floor levels and entrance levels to the lower ground floor would be above the 1 in 100 year flood event, plus an allowance for climate change and freeboard. This will ensure that the development is safe from flooding for users now and in the future.
- 9.9.2 The Design and Access Statement confirms that the development would utilise Sustainable Urban Drainage Systems (SuDS) across the site, in particular along the Green Street which would run through the heart of the development. Associated rain gardens would be incorporated to store surface water and slow the rate of run-off from surrounding hard surfaces.
- 9.9.3 A flood risk assessment has been submitted in support of the application which has been agreed by the Flood Risk Management team and draft condition 44 reflects the need for the detailed proposals to accord with the assessment. Subject to the identified mitigation measures the risk of flooding from all sources is considered to be low and the proposed development will not increase the risk of flooding elsewhere. Consequently, the development would accord with NRWLP Water policies and saved policy GP5 of the UDPR.

9.10 Safety and security

- 9.10.1 CS policy P10(v) identifies that developments should create safe and secure environments that reduce the opportunities for crime and the NPPF states that developments should be safe and accessible so that crime and disorder, and the fear of crime, do not undermine quality of life.
- 9.10.2 The proposals identify a development that would result in a far more populous use of the site than presently. A new network of streets would provide new pedestrian routes through the site and the parameters dictate that the dimensions of the spaces have capacity to accommodate good quality landscape design to help create a quality environment that should engender a perception of safety. Lighting would be planned as an integral part of street and footpath layouts. The position of lighting and its supports would be designed so as not to obstruct pedestrian routes. Light fittings would be positioned so that they do not cause glare by being in the direct line of vision or cause reflections or deep shadows that could be confusing or mask hazards. Information and directional signage would be considered early in the design process and not as a retro-fit or post-completion.
- 9.10.3 The Ground Floor Active Frontages parameter plan confirms the intended minimum primary and secondary active frontages within the development. Primary frontages, which could include retail, food, community and leisure uses, would be focused on the north elevation of DZ1 so as to address the linear park and create a more active streetscene along Sweet Street; and along the southern elevation of DZ1 so as to take advantage of the southern aspect over City One Square. Secondary frontages (which could include building entrances, lobbies and some retail uses) are identified along the north, east and west elevations of buildings in DZ2, the south-west and eastern edges of DZ3 and the majority of DZ4 so as to activate corners and public routes. The

Design Code also confirms that each building block in the Meadow Lane frontage (DZ4) where levels may challenge active frontages must include some element of activity at ground level. Where this is not possible landscape, such as feature green walls, would be encouraged to augment new planting and proposed street trees along the Meadow Road corridor so as to create a positive and inviting appearance.

- 9.10.4 Above ground level the introduction of a residential community of the scale envisioned across the development, should give rise to a significant amount of passive surveillance around both the interior and periphery of the site. Such surveillance would be supplemented by commercial uses during their operating hours.
- 9.10.5 Consequently, subject to detailed design to be secured by a security strategy condition the development would accord with CS policy P10.

9.11 Planning Obligations and CIL

9.11.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 (as amended in 2019). These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms,
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

9.11.2 The proposed scheme produces the need for the following obligations which it is considered meet the legal tests:

- Affordable housing provision – residential buildings either 7% of dwellings at benchmark rates, or 20% of dwellings at 80% of local market rent so as to accord with CS policy H5
- Implementation of the Travel Plan and Leeds City Council Travel Plan Review fee of £27,012 (indexed) so as to accord with the Transport SPD;
- Provision of a Residential Travel Plan Fund of £492,312.75 (indexed) of which £146,375 is to be expended on Leeds City Council Car Club free trial membership and usage package so as to accord with the Transport SPD;
- Air quality damage mitigation (contribution calculated with reference to number of vehicular trips and mitigation by sustainable travel measures) to accord with NRWLP policy Air 1 and West Yorkshire Air Quality and Emissions Technical Planning Guidance;
- Biodiversity net gain unit contribution £51,250 (indexed) to accord with CS policy G9;
- Provision of 2 Leeds City Council Car Club provider parking spaces to accord with the Parking SPD;
- Contribution of £6,000 (indexed) per parking space lost towards loss of pay and display revenue;
- Contribution of £927,700 (indexed) to towards highway/environmental improvements to improve pedestrian and cycling routes to the City Centre access to accord with the CS policies SP11, T2 and CC3 and the Transport SPD;
- Contribution of £761,614 (indexed) towards City Centre highway package
- Contribution of £32,000 (indexed) towards City Bikes docking station
- Alterations to Traffic Regulation Orders £10,000
- 24-hour public access through the open areas of the site and a scheme for public access through enclosed routes so as to accord with CS Policy CC3;

- Local employment and training initiatives so as to accord with Core Strategy Spatial Policy 8; and;
- Section 106 monitoring fee.

9.11.3 This development will be liable to pay the Community Infrastructure Levy (CIL) although the liability will be calculated on the day that the final Reserved Matter for each phase is approved. The infrastructure requirements for this development are likely to relate to public transport and public space provision. Consideration of where any Strategic Fund CIL money is spent rests with the Council's Executive Board and will be decided with reference to the Infrastructure Funding Statement at the time that decision is made.

9.12 Planning balance and conclusion

9.12.1 The City One proposals identify the regeneration of a large and prominently located brownfield City Centre site which has been largely vacant, underutilised and awaiting redevelopment for a number of years. The scheme would be likely to deliver a significant number of new homes (up to 1,925 including up to 960 two and three bed homes); offices (up to 70,000sqm); and provision for retail, leisure and community uses (2,850sqm), and visitor accommodation which would provide significant employment opportunities (10,000 during construction and 4,000 once completed), which would make a major contribution to the local economy.

9.12.2 The proposals would create new extensive areas of public realm across the site which, in combination with new pedestrian and cycling routes across and around the periphery of the site, would help to connect the site with the City Centre and the established communities to the south, whilst providing new amenities for existing and intended residents. Whilst retained trees would be protected, over 150 new trees would be planted and almost 3,000sqm of species-rich wildflower grassland created to deliver a net gain to biodiversity and other environmental benefits.

9.12.3 The location, orientation and height of tall buildings have been carefully considered and controlled through parameters and Design Code guidelines. Whilst buildings of such a scale would have an environmental impact beyond the site, for example through overshadowing and wind, recognising the relationship of such buildings to surrounding spaces and the benefits to the scheme and city of such buildings of scale and density, alongside mitigation proposals, it is considered that the overall impact would be acceptable from a townscape, safety and amenity perspective. Lower buildings located towards the south, east and west edges of the site would help to establish a positive relationship between the development and its immediate context. The regeneration of the site would also be likely to enhance the significance of the Holbeck Conservation Area and provide further enhancements to the setting of nearby heritage assets.

9.12.4 As a result, the development would accord with the Development Plan as a whole and, accordingly, it is recommended that the scheme should be deferred and delegated to the Chief Planning Officer for approval subject to the completion of an acceptable Road Safety Audit, the conditions specified in Appendix 2 (including any amendment to the same or addition of further conditions as the Chief Planning Officer deems appropriate), and the completion of a Section 106 agreement.

Appendix 1 – Minutes of City Plans Panel 24th February 2022 - PREAPP/21/00324

The Chief Planning Officer submitted a report which set out details of a pre-application presentation for proposed development comprising residential apartments, commercial (offices and leisure), hotel and a travel hub on land largely bounded by Sweet Street, Meadow Road, Jack Lane and Bowling Green Terrace, Leeds, LS11 9BX

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

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

- Site / location / context
- The site area extends to 3.79 hectares
- The "City One" site lies within the southern part of the designated City Centre. It is bounded by Sweet Street to the north, Meadow Road to the east, Jack Lane to the south and Bowling Green Terrace to the west.
- The south-western corner of the site is 6.0m higher than the north-east corner. High pressure gas mains run below ground across the northern fringe and south-east corner of the site resulting in no build zones in these areas. Trent Street runs east to west across the site providing access to a large primary substation located towards the centre of the site.
- Meadow Road is the main distributor to the City Centre from the M621
- The southern extent of Holbeck Conservation Area is located 120m to the west at the junction of Sweet Street West and Marshall Street. The conservation area includes a number of listed buildings.
- Major mixed use development scheme
- The proposed development seeks the construction of up to 11 buildings ranging in height from 5 - 42 storey's in height - Residential apartments (2,200 maximum), commercial (offices and leisure) up to 70,000sqm, hotel (450 beds) and a multi-storey travel hub and /or basement car parking providing a maximum of 691 car parking spaces; up to 2,850sqm of ground floor use Class E(a-g) floorspace (with single retail units limited to 465sqm) with a minimum provision of 1,000sqm of Use Class E(a-g) floorspace across the development.
- New Masterplan
- Proposed new network of streets, including new green street
- Key constraints: Gas lines and electricity sub-station (Alternative configuration if sub-station removed)
- Landscaping strategy, tree lined public open space, introduction of rain gardens
- Pedestrian priority environment, connectivity and permeability at the heart of the masterplan
- Timescale – Commence latter 2022 with completion of first phase towards the end of 2025

Members raised the following questions to the developer's representatives:

- This is a large development, possibly up to 4,000 residents, are there any amenities provided or located nearby: eg doctor's surgeries, nurseries and schools
- The scale of this development is difficult to grasp. Could the areas of greenspace be combined to form larger, discrete areas of public realm rather than linear streets.
- Do the large linear buildings and spaces have the potential to cause wind tunnelling.
- Meadow Road filters into the M621, was sufficient planting been provided to combat particulates from vehicles

- In respect of the electricity sub-station, were there any plans to relocate it, and if it was to be moved, would it be your intention to build on it or could it be greenspace.

In responding to the issues raised the developer's representatives said:

- The Applicant confirmed that commercial space was available within the development for such amenities as a doctor's surgery. In terms of nearby schools, it was confirmed there were existing schools within the locality
- The Architect said the intention was to create a sense of openness with some of the streets being 25m in width. There would also be huge areas created with streets largely being given over to amenity space.
- The Architect reported that no safety issues had been identified following wind modelling, the massing of the buildings was deliberately organised to address wind impact
- The Architect said the buildings along Meadow Road would be set back 10m, there would be a 3m wide planting strip and there would also be a 3m cycle path, the intention was to provide a series of soft landscape filters to help combat poor air quality
- The applicant confirmed that relocation of the electricity sub-station was being considered and if it could be removed, the area would be redeveloped. Responding to a question, what if the sub-station was to remain, Members were informed the brickwork and door would be refurbished and then covered with a landscaped screen.

In offering comments, Members raised the following issues:

- In general Members welcomed the principal of the development
- The majority of Members were of the view that not enough useable greenspace was being provided relative to the scale of the development. The proposed linear pieces of greenspace were "underwhelming" and were not the same and as useable as a green square
- There was more work to be done in terms of design and massing. Architectural treatment needs to make a contribution to the spaces, with a variation in building design.
- Too many people were being crammed onto a small site
- A policy compliant housing mix needs to be provided
- This is a large development and needs to cater for all ages with appropriate facilities, a depth of vision is required
- Ideally the electricity sub-station requires removal and turned into greenspace
- Possible wind implications, was a concern
- More details about site security and connectivity both to the City Centre and neighbouring communities were required

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

- Members were not supportive of the proposed scale and form of development

- Members considered the emerging approach to landscape and public realm was not acceptable; more greenspace was required
- Members considered that more details were required in terms of the development's emerging provisions for transportation and connectivity
- Members were not supportive of the emerging approach to sustainable development, more detailed information was required

The Chair thanked the developers for their attendance and presentation suggesting that Members appeared to be generally supportive of the principle of the development, but there were a significant number of issues to address.

RESOLVED –

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

Appendix 2 – Draft conditions

1 Approval of the following details (hereinafter referred to as the Reserved Matters) shall be obtained from the Local Planning Authority, in writing before the first phase of development is commenced.

- Layout
- Scale
- Appearance
- Landscaping
- Access within the site

Plans and particulars of the Reserved Matters shall be submitted utilising a planning application form and shall be carried out as approved.

As only outline details have been submitted of the Reserved Matters, they are reserved for subsequent approval by the Local Planning Authority.

2 Application for approval of all Reserved Matters for the first phase of development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Applications for any subsequent phases of development shall be made within five years of the date of this permission. The respective phases of development shall be begun within two years of the approval of the last of the Reserved Matters to be agreed for that phase.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 Reserved Matters applications shall be submitted in accordance with the limits specified in the approved parameter plans, codes and schedules:

- 10327-SHP-ZZ-A-B5D9-F900-PL-XX-001 P03 Setting out and constraints
- 10327-SHP-ZZ-A-B5D9-F900-PL-XX-002 P03 Development zones and public realm
- 10327-SHP-ZZ-A-B5D9-F900-PL-XX-003 P02 Building lines
- 10327-SHP-ZZ-A-B5D9-F900-PL-XX-004 P02 Maximum and minimum building height
- 10327-SHP-ZZ-A-B5D9-F900-PL-XX-006 P02 Servicing access
- 10327-SHP-ZZ-A-B5D9-F900-PL-XX-007 P02 Active frontages
- 10327-SHP-ZZ-A-B5D9-F900-PL-XX-008 P02 Basements
- 10327-SHP-RP-B5D9-DC01 REV 01 Design Code
- 10327-SHP-ZZ-A-B5D9-F900-SC-XX-501 P01 Development schedule

In order to control the development and for the avoidance of doubt.

4 A phasing plan identifying the building plots to be developed; roads, cycling and pedestrian routes to be provided within the site, and open space and landscape to be laid out within each phase shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of any application for the approval of Reserved Matters. The sequencing of the development shall thereafter be carried out in accordance with the approved plan, unless otherwise approved in writing by the Local Planning Authority.

For the avoidance of doubt.

5 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

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

6(a) Prior to the commencement of any phase (including any demolition, site clearance, groundworks or drainage etc.) all existing trees to be retained within the development or adjacent to that phase of development site shall be fully safeguarded during the course of the demolition, building works and landscaping in accordance with the details identified in the Arboricultural Method Statement ARBTECH AMS 01 C. Such measures shall be retained for the full duration of any demolition and/or approved works.

(b) No works or development shall commence until:

(i) Evidence has been submitted, such as a written appointment (including site specifics), to the Local Planning Authority that confirms that a qualified Arboriculturist/competent person has been appointed to carry out the Arboricultural monitoring/supervision for each relevant phase.

(ii) A Site Supervision Schedule i.e. a list of site visits and the operational specifics related to trees for the full construction duration has been submitted to the Local Planning Authority. Each visit shall be reported back to the Local Planning Authority immediately after each site supervision intervention (written & photographic).

(c) Seven days written notice shall be given to the Local Planning Authority that the protection measures for that phase are in place prior to demolition/ construction works commencing, to allow inspection and approval of the protection measures as implemented on site.

(d) No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services/drainage, without the prior written approval of the Local Planning Authority.

To ensure the protection and preservation of retained on and off-site trees during construction work.

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

To protect nesting birds in vegetation.

8 The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development (excluding demolition) shall not commence until a Phase II Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development (excluding demolition) shall not commence until a Remediation Strategy demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Strategy shall include a programme for all works and for the provision of Verification Reports.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' with respect to land contamination.

9 If remediation is unable to proceed in accordance with the approved Remediation Strategy, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing. An amended or new Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Strategy. Prior to the relevant phase of development being brought into use, where significant unexpected contamination is not encountered, the Local Planning Authority shall be notified in writing of such.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that any necessary remediation works are identified to make the site 'suitable for use' with respect to land contamination.

10 Remediation works shall be carried out in accordance with the approved Remediation Strategy. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The relevant phase of development shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

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

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

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

12 No development shall commence until;

(a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

- (b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

To ensure that the risks posed to the development by past coal mining activity are investigated and mitigated.

13 Prior to the first occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

To ensure that the risks posed to the development by past coal mining activity are mitigated.

14 No works shall commence on the relevant phase of development until a Statement of Construction Practice for that phase has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- (a) construction traffic management including details of the construction vehicle routing, the means of access, location of site compound, storage and parking (including workforce parking), means of loading and unloading of all contractors' plant, equipment, materials and vehicles and associated traffic management measures;
- (b) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development;
- (c) measures to control the emissions of dust and dirt during demolition and construction; and
- (d) how this Statement of Construction Practice will be made publicly available by the developer.

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

In the interests of amenity and highway safety.

15 The hours of demolition or construction, including deliveries and waste collection, for each phase of development shall be restricted to 08:00 to 18:00 hours Monday to Friday, 08:00 to 12:00 hours on Saturdays, with no activities on Sundays and Bank Holidays, unless otherwise agreed in writing in advance by the Local Planning Authority in exceptional circumstances.

In the interests of amenity.

16 Prior to the commencement of each phase of development a Construction Environmental Management Plan (CEMP (Biodiversity)) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall put in place measures to retain and protect 0.43 Biodiversity Units as shown on Biodiversity Metric dated 11th December 2023 and include the following:

- (a) Risk assessment of potentially damaging construction activities;
- (b) Identification of biodiversity protection zones;
- (c) Method statement for control and eradication of Cotoneaster plant;
- (d) Measures to avoid or reduce impacts during construction;
- (e) Location and timings of sensitive works to avoid harm to biodiversity features, including nesting birds;
- (f) The times during construction when specialist ecologists need to be present on site to oversee works;
- (g) The role of a responsible person (Ecological Clerk of Works) and lines of communication; and
- (h) Use of protective fences to BS 5837:2012, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To ensure the protection of existing biodiversity features.

17 Prior to the commencement of each phase of development a Landscape and Biodiversity Net Gain Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall confirm the measures to deliver a minimum of 5.44 Biodiversity Units as shown on Biodiversity Metric dated 11th December 2023 and include details of the following:

- (a) Description of features to be managed to include Baseline Metric calculations of Biodiversity Units with Condition assessments and UKHab mapping
- (b) Extent and location/area of proposed habitats and Biodiversity Units on scaled maps and plans using UKHab mapping, with Target Condition assessments and Metric calculations
- (c) Ecological trends and constraints on site that might influence management
- (d) Aims and Objectives of management to include Target Biodiversity Units and Condition Criteria
- (e) Appropriate management Actions for achieving Aims and Objectives
- (f) An annual work programme (to cover an initial 5 year period following completion of each phase of development)
- (g) Details of the specialist ecological management body or organisation responsible for implementation of the Plan
- (h) How the Plan is to be funded and confirmation from the landowner that it can be delivered
- (i) For each of the first 5 years of the Plan, a progress report sent to the Local Planning Authority within 3 months of each year being completed, by an appropriately qualified ecological consultant reporting on progress of the Annual Work Programme and confirmation of required Actions for the next 12 month period
- (j) Confirmation that habitat monitoring will be carried out in years 1, 3, 5, 10, 20 and 30 following completion of each phase of development and how this will be funded
- (k) The Plan shall set out how contingencies and/or remedial action will be identified, agreed and implemented when necessary
- (l) The Plan will be reviewed and updated every 5 years and implemented for the lifetime of the development

The approved Plan shall be implemented in accordance with the approved details.

To ensure the long-term protection and enhancement of biodiversity.

18 Biodiversity Net Gain Habitat Monitoring Reports shall be carried out by an appropriately qualified ecological consultant in the years 1, 3, 5, 10, 20 and 30 following completion of each phase of development, and shall be submitted (within 3 months of each year being completed) and agreed in writing by the Local Planning Authority. The Biodiversity Net Gain Habitat Monitoring Reports will include the following:

- (a) Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to the 5.44 Habitat Units identified in the Biodiversity Metric 3.0 – Calculation Tool, dated 11th December 2023.
- (b) Where the Target Condition is not yet met provide an assessment of time to Target Condition for each habitat and any changes to management that are required
- (c) How the monitoring is funded and the appointed specialist ecological body

Where remedial measures or changes in management are required these shall be addressed in updates of the Landscape and Biodiversity Net Gain Management Plan and its Annual Work Programmes.

To ensure Biodiversity Units are delivered as agreed in the approved BEMP for perpetuity.

19 No phase of development, including demolition, shall commence until a survey of the condition of Sweet Street, Marshall Street, Trent Street and Bowling Green Terrace has been submitted to and approved in writing by the Local Planning Authority. Following completion of the relevant phase of development a survey of those highways shall be submitted identifying their condition, together with a schedule of remedial works to rectify damage identified as a result of construction traffic associated with the relevant phase of the development to the highway identified between the two surveys. The approved mitigation works shall be fully implemented prior to first occupation of the relevant phase of development. In the event that a defect is identified during other routine inspections of the highway that is considered to be as a result of construction traffic associated with the relevant phase of the development and a danger to the public it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local Planning Authority.

To ensure the free and safe use of the highway.

20 Any Reserved Matters application comprising a built phase of the development shall be accompanied by typical detailed 1:20 scale (or other appropriate scale) working drawings of the following features.

- (a) ground level entrances and external doors;
- (b) soffits;
- (c) glazing, including framing and curtain walling;
- (d) windows including heads, cills, reveals and perforated screens and vents;
- (f) material junctions;
- (g) parapet detail, rooftop balustrades and rooftop equipment;

The works shall be constructed in accordance with the approved details thereby approved.

In the interest of visual amenity and in providing a high quality design.

21 Details and samples of all external facing building materials for each phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the above ground superstructure of each building within that phase. The samples shall include the erection of a full-size mock-up panels on site or in an agreed location.

The external surfaces of the buildings in that phase shall be constructed in accordance with the details thereby agreed.

In the interests of visual amenity.

22 If the substation is retained in first phase of development full details of design improvements for the substation building, grounds and boundary treatment, shall submitted to and approved in writing by the Local Planning Authority prior to commencement of such works. The approved improvements to the substation shall be completed prior to the first occupation of the first phase of development.

In the interests of visual amenity.

23 The relevant phases of development shall not be occupied until all areas shown on the approved plans to be used by vehicles, including roads, footpaths, cycle tracks, loading and servicing areas and vehicle parking spaces for that phase have been fully laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway.

24 The off-site highway works shown on drawing 3410-100-P-0001-A: General Arrangement (or alternative 3410-100-P-0020-: General Arrangement) comprising access, footway, cycleway and environmental improvements shall be implemented and completed prior to first occupation of the first phase of development.

In the interests of amenity, connectivity and to ensure the free and safe use of the highway.

25 Full details of cycle parking and facilities for each phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works above the ground floor slab of each respective phase of development. The relevant phases of the development shall not be occupied until the approved cycle parking and facilities have been provided. The approved facilities shall thereafter be retained for the lifetime of the development.

In the interests of sustainable travel.

26 No phase of development containing car parking shall be occupied until full details and a scheme for provision of Electric Vehicle Charging Points, cable enabled spaces and associated infrastructure have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided prior to first occupation of the relevant phase of development, retained and maintained thereafter as approved for the lifetime of the development.

In the interest of promoting low carbon transport.

27 No phase of development shall be occupied until a plan showing details of dedicated space for loading, unloading and parking of service/delivery vehicles has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation of the relevant phase and the space shall be retained for the lifetime of the development.

To ensure the free and safe use of the highway.

28 No phase of development shall be occupied until a Servicing and Delivery Management Plan (including timescales and detailed loading bay proposals) for that phase has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented and operated in accordance with the approved timescales.

To ensure the free and safe use of the highway, to protect the amenities of nearby residents and to ensure coordination with other operations.

29 No phase of development containing car parking shall be occupied until a Car Park Management Plan, including details of proposed parking provision, parking controls and management procedures to ensure that the car parking is only utilised by residents of the development or staff / visitors to commercial premises within the development, has been submitted and approved in writing by the Local Planning Authority. The approved measures shall be implemented for the lifetime of the development and car parking spaces shall not be leased / sold to off-site users.

To ensure appropriate provision of car parking and as commuter car parking would be contrary to sustainable transport objectives.

30 Prior to the first occupation of the development all existing redundant accesses to the development site shall be closed off and made good in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

To ensure the free and safe use of the highway.

31 Notwithstanding the details shown on approved plan reference 3410-100-P-0001-A: General Arrangement (or alternative 3410-100-P-0020-: General Arrangement), no development shall take place until a plan showing visibility splays of 2.4m x 43m has been submitted to and approved in writing by the Local Planning Authority. The approved visibility splays shall be laid out to an adoptable standard prior to occupation and retained for the lifetime of the development.

The use of a substandard access, including by construction traffic, would be detrimental to the free and safe use of the highway.

32 The development shall not be occupied until a wayfinding scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details and location of pedestrian and cycling signage between Sweet Street and Water Lane. The works shall be carried out in accordance with the approved details within a timescale that shall have first been agreed in writing by the Local Planning Authority.

To ensure pedestrian and cycling safety and legibility.

33 Prior to the commencement of the cladding of each building in each phase of development details shall be submitted to and approved in writing by the Local Planning Authority of integral bat roosting and bird nesting features (for species such as House Sparrow and Swift) within the relevant building. The agreed details shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a timetable for implementation and commitment to being installed under the instruction of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the relevant phase of the development and retained thereafter.

To maintain and enhance biodiversity.

34 No development above the ground floor slab of each phase shall take place until details of on and off-site hard and soft landscape works for each respective phase has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- (a) proposed finished levels and/or contours;
- (b) boundary details, gates and railings;
- (c) pedestrian access and circulation areas;
- (d) hard surfacing areas;
- (e) walls and retaining walls including to proposed planters;
- (f) minor artefacts and structures (e.g., street furniture including seating and bicycle anchor points, balustrades, bollards, directional signs, external lighting, CCTV and litter bins including recycling bins);
- (g) freestanding wind baffles;
- (h) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes etc.).

Soft landscape works shall include:

- (i) planting plans;
- (j) written specifications (including cultivation and other operations associated with plant and grass establishment);
- (k) tree pit and planter details including soil volumes in areas of soft landscape, hard landscape and above basements;
- (l) schedules of plants noting species, planting sizes and proposed numbers/densities;
- (m) details of interim landscaping for undeveloped phases;
- (n) details of proposals for the linear park which will be compatible with its relationship with the gas pipeline; and
- (o) implementation programme.

Temporary landscape works details shall include:

- (p) details of all temporary hard and soft landscaping proposals as set out at parts a-o of this condition for remaining areas of the site which have not been developed and which do not form part of the relevant phase of development.

To ensure the provision of amenity afforded by appropriate landscape design.

35(a) Further to condition 34 full details of the load bearing cell type rooting zone using proprietary structures for trees in hard landscape shall be submitted and approved in writing by the Local Planning Authority. The details shall be fully in accordance with Leeds City Council guidance on urban tree planting and shall be completed in accordance with the implementation programme. The details shall include:

- (i) Proprietary soil cell structures to support paving over extended sub-surface rooting areas;
- (ii) Soil cell volume /soil volume calculations;
- (iii) Specification of topsoil including additives and conditioners;
- (iv) Tree grilles and guards and means of anchoring root balls. Built-in Root Irrigation Pipe system with end cap and aeration system;
- (v) Passive and / or active irrigation distribution system and controls including directed use of grey water / roofwater or surface water infiltration to benefit planted areas;
- (vi) Drainage system for tree pits;
- (vii) Tree grill details; and

(viii) Where applicable, details of protection measures for statutory utilities and drainage.

(b) To ensure full compliance, a brief report on the installation of the rooting zone structures, including supporting photographic evidence, shall be submitted to the Local Planning Authority when the works are still “open” to allow Local Planning Authority inspection prior to any surfacing works.

(c) A 3 year irrigation programme for the trees (in accordance with BS 8545-2014 Trees from Nursery to Independence) shall be submitted to the Local Planning Authority for approval in writing. Confirmation of irrigation compliance shall be submitted to the Local Planning Authority on a quarterly basis for the full 3 year programme period.

To ensure the provision of amenity afforded by appropriate landscape design and its cultural requirements are integrated into the development scheme.

36 All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations and BS 8300:2009 +A1:2010 Design of buildings and their approaches to meet the needs of disabled people. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable and accessible landscaping.

37 The relevant phase of development shall not be occupied until a plan, schedule and specification for landscape management for the lifetime of that phase of the development has been submitted to, and approved in writing by, the Local Planning Authority. This shall include reference to planting and hard landscaped areas, including paving, seating and other features. The schedule shall identify the frequency of operations for each type of landscape asset and reflect the enhanced maintenance requirement of planted areas.

To ensure successful establishment and aftercare of the completed landscape scheme.

38 All hard and soft landscaping works shall be carried out in accordance with the implementation programme approved pursuant to condition 29 above. On completion of those works a Verification Report(s) that clearly demonstrates that the approved landscaping works have been fully implemented as approved shall be submitted to the Local Planning Authority in accordance with the approved implementation programme. The development, or phase of a development, shall not be occupied until such time as the submitted verification information has been approved in writing by the Local Planning Authority.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the landscaping works are fully implemented as agreed in the interest of securing an appropriate landscaped setting and to enhance bio-diversity and opportunities for the creation of natural habitats.

39 No approved retained tree or hedge shall be cut down, uprooted or destroyed nor any tree be pruned, topped or lopped or suffer root severance (other than in accordance with the approved plans and particulars) without the prior written approval of the Local Planning Authority.

In view of the tree preservation order and in the interests of the character and amenities of the area, the best interests of nature conservation and biodiversity.

40 If, within a period of five years from the planting of any trees or plants, those trees or plants or any trees or plants planted in replacement for them is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective another tree or plant of the same species and size as that originally planted shall be planted at the same place in the first available planting season, unless the Local Planning Authority gives its written consent to a variation. If such replacements die within twelve months from planting these too shall be replaced, until such time as the Local Planning Authority agrees in writing that the survival rates are satisfactory.

To ensure the maintenance of a healthy landscape scheme.

41 No building or other obstruction including landscape features shall be located over or within 5 metres either side of the centre line of the water main i.e. a protected strip width of 10 metres, that enters the site. If the required stand-off distance is to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

In order to allow sufficient access for maintenance and repair work at all times.

42 No building or other obstruction including landscape features shall be located over or within 6 metres either side of the centre line of the public sewer i.e. a protected strip width of 12 metres, that crosses the site. Furthermore, no construction works in the relevant areas of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

In the interest of public health and maintaining the public sewer network.

43 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

In the interest of satisfactory and sustainable drainage.

44 Before development of the first building commences, a detailed sustainable urban drainage system (SuDS) based surface water drainage scheme based on the principles of The SUDS Manual (C753) with design criteria as set out within the Council's current Minimum Development Control Standards for Flood Risk should be submitted and approved in writing by the Local Planning Authority. The details should include suitable drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as set out below and as set out within the current validation requirements:

The maximum rate of discharge, off-site, shall not exceed 69.21l/s for any storm event or where a complex flow control is adopted the maximum discharge rate shall be 68.41l/s for the 1 in 2 year event, 77.01 l/s for the 1 in 30 year event and 81 l/s for the 1 in 100+45% and be

in line with the drainage strategy as set out within Buro Happold Drainage Strategy – ref 0045919-BHE-XX-XX-RP-C-0001 dated 08/11/2022 Rev P03, or shall be consistent with the Council’s Minimum Development Control Standards for Flood Risk and the LLFA’s requirements for Major Development unless otherwise agreed with the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention

45 No phase of the development shall commence until details and a method statement for interim and temporary drainage measures for that phase of the demolition and / or construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. Where temporary discharges to a sewer are proposed, written confirmation from the sewer owner that these have been accepted shall be provided. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority.

To ensure satisfactory drainage and pollution prevention during the demolition and construction phases.

46 The development shall be undertaken in accordance with the Buro Happold Flood Risk Assessment reference 0045919-BHE-XX-XX-RP-CW-0004 P04 dated 18/11/2022 unless otherwise submitted and approved in writing with the Local Planning Authority. The works shall be fully implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention.

47 There shall be no discharges of foul water from any phase of the development until a foul drainage scheme including details of provision for its future maintenance (e.g. adoption by the Water Company) for that phase has been implemented in accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority. In addition, written confirmation shall be provided from Yorkshire Water or any other third party involved to allow the laying of any sewer across third party land and discharge of the design foul flows to the sewer.

To ensure satisfactory drainage and pollution prevention.

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

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

49 No development above the ground floor slab of any building containing residential accommodation shall take place until a scheme demonstrating that the proposed background

mechanical ventilation in the relevant building would provide sufficient thermal cooling and comfort to future occupiers has been submitted to and approved in writing by the Local Planning Authority. The scheme thereby approved shall be installed prior to first occupation of the respective building and shall thereafter be retained and maintained at all times in accordance with the approved details.

In the interests of residential amenity.

50 Each Reserved Matters application involving residential accommodation abutting commercial uses in the development shall include details of the floor slab and party walls, including confirmation that the sound insulation performance of such features will achieve a minimum of NR25 between 0700 to 2300 hours and NR 20 between 2300 to 0700 hours within the dwellings.

In the interests of residential amenity.

51 No development above the ground floor slab of any building containing residential accommodation shall take place until a scheme of sound insulation works has been submitted to and approved in writing by the Local Planning Authority. Such scheme of works shall:

- a) Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
- b) Be capable of achieving the following noise levels: Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours); Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours); Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours); Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Prior to occupation of the relevant building, a post-completion sound test to confirm compliance with the above specified criterion shall be submitted for approval. If sound levels exceed the specified limits, the applicant shall undertake corrective action and re-test. Once compliance can be demonstrated the results shall be re-submitted for approval.

In the interests of residential amenity.

52 Any mechanical ventilation / air conditioning system shall limit noise to a level no higher than the existing background noise level (L90) when measured at noise sensitive premises, with the measurements and assessment made in accordance with BS4142:2014. The rating level shall include the addition of any character corrections as appropriate. If the character is unknown at the design stage or cannot be evidenced then a penalty of 5dB should be applied to take into account of potential corrections. The system shall be installed and maintained in accordance with the approved details and retained for the lifetime of the development.

In the interests of residential amenity.

53 Prior to the occupation of any commercial unit, details of any external plant/extract ventilation system shall be submitted and approved in writing by the Local Planning Authority prior to its installation and the system shall be installed and maintained in accordance with the approved details and retained for the lifetime of the development. The equipment associated with the use shall limit noise to a level no higher than the existing background noise level (L90)

when measured at the nearest noise sensitive premises (including residential within the development) with the measurements and assessment made in accordance with BS4142:2014.

In the interests of residential amenity.

54 The LAeq of any entertainment noise from any commercial unit will not exceed the representative background noise level LA90 (without entertainment noise), and the LAeq of entertainment noise will be at least 3dB below the background noise level LA90 (without entertainment noise) in 1/3 octaves between 63 and 125Hz when measured at the nearest noise sensitive premises (including residential within the development).

In the interests of residential amenity.

55 Before any Use Class E(b) E(d) E(f) or E(g)(ii) and E(g)(iii) commercial unit is brought into use, a noise mitigation scheme for such uses shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the noise mitigation measures that will be used at the proposed development to control noise from the proposed use and it shall demonstrate that the noise in nearby noise sensitive premises will not exceed:

NR 20 in bedrooms (2300 to 0700 hours); (Where low frequency noise is a particular concern then NR15 at 63 and 125Hz octaves should be achieved in bedrooms) and NR 25 in all habitable rooms (0700 to 2300 hours). Noise rating curves should be measured and assessed against a 15 minute linear Leq at the octave band centre frequencies 31.5 to 8 KHz

The approved scheme shall be implemented before the relevant development is brought into use and retained thereafter.

In the interests of residential amenity.

56 The operating hours of commercial uses shall be restricted to 0800 to 2300 hours Monday - Saturday and 1000 to 1600 hours on Sundays unless otherwise agreed in writing by the Local Planning Authority prior to occupation of the relevant premises.

In the interests of residential amenity.

57 Any public, communal or commercial use of rooftop terraces or external commercial spaces (such as outside restaurant seating) shall cease between 2300 and 0700 hours unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt there shall be no external speakers in any of the commercial premises.

In the interests of residential amenity.

58 Deliveries and waste collections shall be restricted to 0800 to 1800 hours Monday to Saturday. No deliveries or waste collections shall take place on Sundays or Bank Holidays.

In the interests of residential amenity.

59 The development hereby permitted shall not be occupied until details for the provision of bin stores for each phase of development (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use commences and shall be retained thereafter for the lifetime of the development.

To ensure adequate measures for the storage and collection of wastes are put in place. In the absence of appropriate measures residential amenity could be adversely affected.

60 No phase of development containing a combined heat and power combustion system shall commence until a revised Air Quality assessment determining the impact on sensitive receptors and including the identification of any necessary mitigation, has been submitted and approved in writing by the Local Planning Authority. The relevant phase shall not be occupied until any approved measures have been implemented. Any such measures shall thereafter be maintained and retained.

In the interests of amenity.

61 No external lighting in the relevant phase of development shall be installed unless a scheme for such has previously been approved in writing by the Local Planning Authority. No lighting fitment shall be installed on the site in such a way that the source of light is directly visible from nearby residential properties or is a hazard to users of adjoining or nearby highways. The scheme shall be installed and retained thereafter in accordance with the approved details.

In the interests of amenity and highway safety.

62 Prior to the commencement of the above ground superstructure of any building over 100m AOD, a medium intensity obstacle lighting scheme designed for the safety of air traffic shall be submitted to and approved in writing by the Local Planning Authority. The approved system shall be installed prior to first occupation of such buildings and thereafter maintained in accordance with the approved details.

In the interests of aircraft safety.

63 (i) Each Reserved Matters application containing a built phase of development shall include a detailed energy and sustainability statement for that phase of development confirming the proposed measures and actions to comply with Core Strategy Policies EN1, EN2 and EN4.

(ii) Within 6 months of the first occupation of the relevant phase of development a post-construction review statement for that phase shall be submitted and approved in writing by the Local Planning Authority.

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

To ensure the inclusion of appropriate sustainable design measures.

64 Unless otherwise agreed in writing by the Local Planning Authority each phase of development should be designed and implemented so as to enable a future connection to the district heating network.

In the interests of sustainability.

65 Each Reserved Matters application comprising a built phase of the development shall be accompanied by a heritage impact assessment.

To enable assessment of the impact of the development on heritage assets when detailed proposals are identified.

66 Each Reserved Matters application including residential development of 18 metres or more in height or 7 or more storeys shall include a fire statement for each respective building within that phase of development.

To ensure that satisfactory fire safety information is submitted and appropriate fire safety measures incorporated in that phase of development.

67 Each Reserved Matters application including residential accommodation shall include plans and details demonstrating how each respective building will comply with Core Strategy policy H9 with regard to meeting relevant residential space standards. The development shall be constructed in accordance with the details thereby agreed.

To provide an appropriate layout and space for the amenity of residents.

68 Each Reserved Matters application including residential accommodation should provide an updated Housing Needs Assessment and identify a housing mix in accordance with the guidance of Core Strategy policy H4 and Holbeck Neighbourhood Plan policy H2. A minimum provision of 10% of units in each residential phase should be three bedroom units. Each phase of residential development shall be constructed in accordance with the housing mix details thereby agreed.

In the interests of providing a sustainable development and housing mix.

69 Following completion of 50 per cent of the dwellings within any residential building within each residential phase of development and secondly at the stage of the final completion of the remaining 50 per cent of the dwellings in that phase, a post-construction Accessible Housing Certification Table containing the full details of the following matters shall be submitted to and approved in writing by the Local Planning Authority:

Which and how many dwellings within the development have satisfied M4(2) accessible and adaptable dwellings standards contained within Part M Volume 1 (Approved Document) of The Building Regulations 2010, or any such Approved Document or Regulations for the time being in force, including any modification, extension or re-enactment of the same and including all instruments, orders, regulations and directions for the time being made, issued or given under the Approved Document or Regulations (or deriving validity from the same).

The accessible dwellings shall be provided in accordance with the agreed details and shall be retained as provided for thereafter.

In the interests of ensuring access and accommodation for all people.

70(i) Each Reserved Matters application containing a built phase shall be accompanied by a quantitative wind tunnel assessment for the whole development, including the detailed development proposed for that phase. Any mitigation measures thereby approved for the relevant phase shall be incorporated into the design of the scheme and constructed prior to the completion of the external facing materials for building in that phase. Any necessary mitigation measures shall be retained as such thereafter or until such a time that wind studies confirm that the mitigation measures are no longer required.

(ii) In the event that any quantitative wind tunnel assessment demonstrates the need for off-site wind mitigation features in the highway, details of such proposals, together with

arrangements for monitoring of the wind speeds in such locations, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such features shall be provided prior to the completion of the external facing materials for building in that phase and shall thereafter be retained and maintained by the developer unless it is demonstrated to the Local Planning Authority through monitoring that the need for the off-site wind mitigation features has ceased.

(iii) In the event that off-site wind mitigation features are introduced into the highway and any development subsequently takes place on land to the west of the site up to the railway viaduct which crosses Sweet Street West a further quantitative wind tunnel assessment reviewing the impact of such development upon the wind conditions in the Sweet Street corridor shall be submitted to and approved in writing by the Local Planning Authority. Should the approved assessment demonstrate that the off-site wind mitigation features are no longer required the features shall be removed within 6 months and the land reinstated in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of highway and pedestrian safety.

71 The existing advertising hoardings along the Meadow Road and Jack Lane frontage shall be removed prior to first occupation of any building within DZ2, DZ3 or DZ4.

In the interests of visual amenity.

72 Prior to the commencement of the construction of each phase a Security Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Security Plan, which shall be prepared in conjunction with advice from the RSES (Register of Security Engineers and Specialists) shall set out measures to control access to the relevant phase; to protect the structure and fabric of the buildings and also the public realm around the site following completion. The measures thereby approved shall be implemented prior to first use of each phase of the development and thereafter retained and maintained.

In the interests of security and public safety.

73 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use of any Use Class E premises to C3 residential accommodation, as detailed in the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking or re-enacting that Order with or without modification.

In order that the Local Planning Authority can retain control over the mix of uses and in the interests of amenity.

74(i) The development shall not exceed the following maximum gross external area (GEA) floorspace or unit levels at any time:

- a) 1,925 residential units / 171,000 sqm (use class C3)
- b) 70,000sqm office floorspace (use classes E(g)(i) and E(g)(ii))
- c) 450 bedroom hotel / 28,000 sqm floorspace (use class C1)
- d) 722 car parking spaces
- e) 2,850sqm town centre uses (use class E (a-g)) of which no more than 1,475sqm shall be class E(a) retail and no class E(a) retail unit shall exceed 465sqm

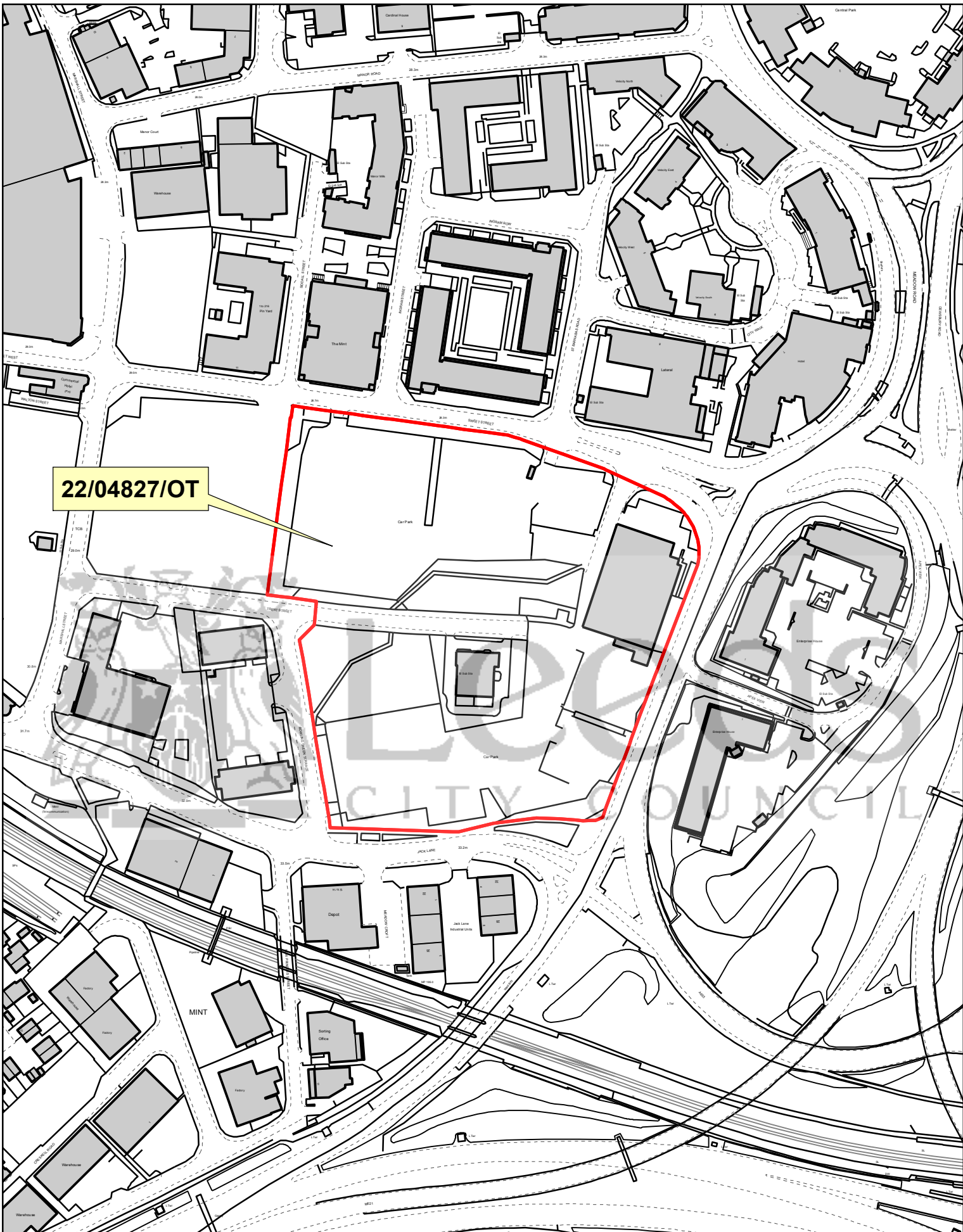
(ii) The development shall comprise a minimum gross external area (GEA) of 1,000sqm use class E(a-g) ground floor floorspace.

(iii) Each Reserved Matters submission containing a built phase shall include an up-to-date reconciliation table which identifies the floorspace/units proposed in the phase and the cumulative total floorspace to confirm the total floorspace and residential units which are being developed relative to the overall planning permission.

In order to define the permission and to protect existing retail centres.

75 Notwithstanding the detail in the approved Design Code Document, no development above the ground floor slab of the first phase of development containing residential accommodation shall take place until details of fixed play facilities to be provided within City One Square have been submitted to and approved in writing by the Local Planning Authority. Such play facilities shall be provided in accordance with the approved details prior to first occupation of the residential phase and thereafter retained and maintained.

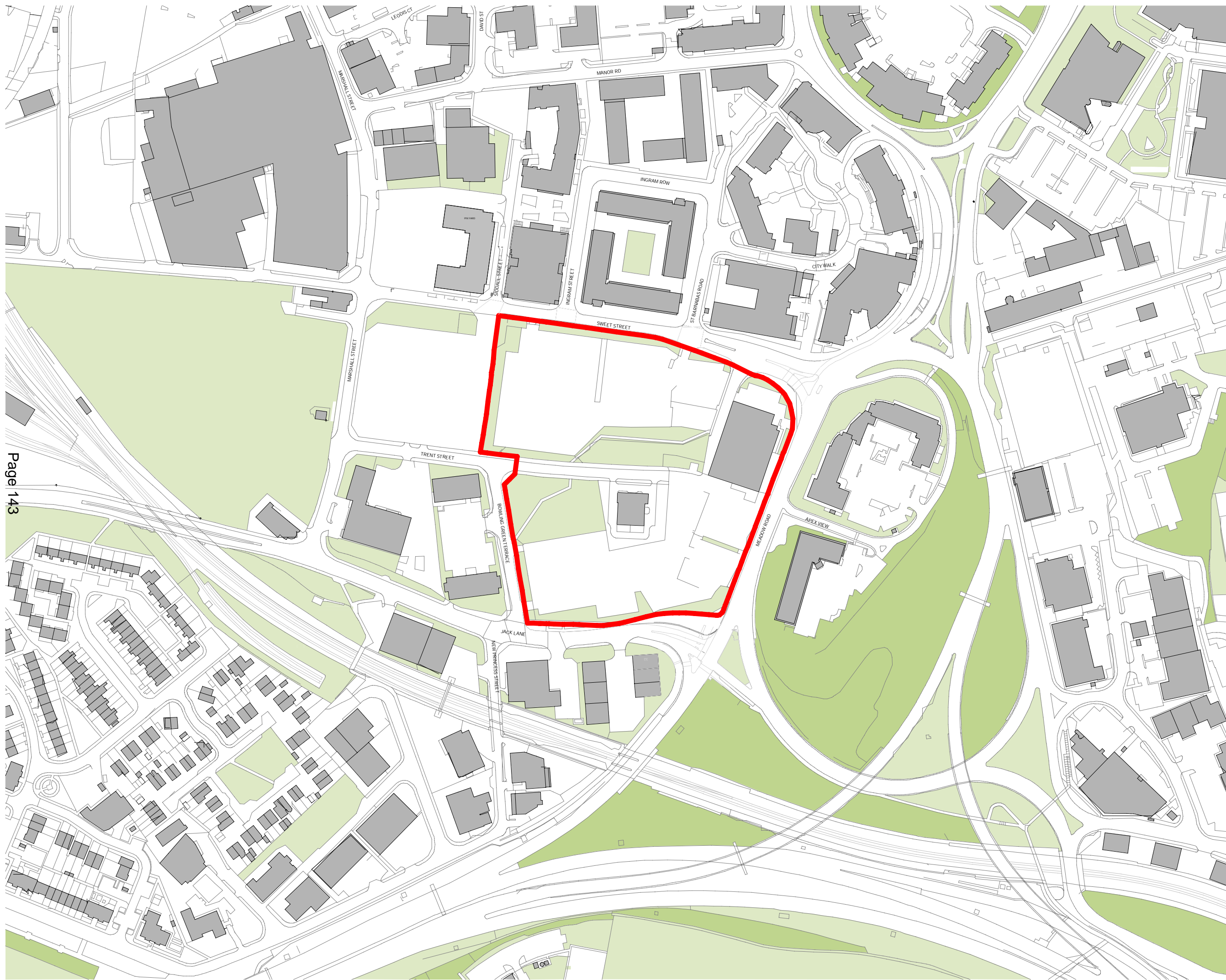
In order to provide suitable play facilities in appropriate locations within the development.



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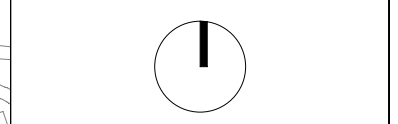
CITY PLANS PANEL





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Do not scale off dimensions.
All dimensions to be checked on site by contractor.
Contractor to report any dimensional discrepancies,
errors or omissions prior to commencing on site.

NOTE:
KEY
— Planning Application Boundary



Rev	Date	Description
P01	2022-07-06	Outline Planning Submission
P02	2024-01-25	Updated Outline Planning Submission

Project Title
**CITY ONE
LEEDS**

Drawing Title
Existing Location Plan

Status Planning	
Project No 10327	Scale 1:2500 @ A3
SHP Drawing Code 10327-SHP-Z0-A-B5D9-G000-XP-XX-002	Revision P02

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Originator: Jessica Ashton
0113 3787719

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 14 March 2024

Subject: 23/05721/FU – Demolition of the existing building and the erection of new buildings to accommodate retail and community uses at ground floor and purpose-built student accommodation at upper floors together with associated access, accessible parking, cycle parking, landscaping, drainage and reinstatement works to boundary of adjoining multi-storey car park at The Core Shopping Centre, The Headrow, King Charles Street and Lands Lane, Leeds, LS1 6LT

Developer: AFAS The Core Ltd & Fusion Global Management LLP

Electoral Wards Affected:

Little London and Woodhouse

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE to the Chief Planning Officer for approval subject to the resolution of technical highway matters identified at paragraphs 10.10.18 to 10.10.20 below, the specified conditions set out in Appendix A (and any amendment to these and addition of others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:-

- Leeds City Council Travel Plan Review fee of £8,888
- On site green space provision
- Contribution for green space commuted sum £106,284.56
- Contribution towards:
 - o the proposed Woodhouse Lane Gateway scheme (£405,114)
 - o altering/creating new Traffic Regulation Orders (TROs) (£20,000)
 - o upgrade wayfinding signage (£22,000)
 - o traffic enforcement camera (£60,000)
- Control of student occupancy
- Section 106 monitoring fee

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

1 INTRODUCTION

- 1.1 This report relates to a planning application which was received on 29 August 2023 for the proposed:

“Demolition of the existing building and the erection of new buildings to accommodate retail and community uses at ground floor and purpose-built student accommodation at upper floors together with associated access, accessible parking, cycle parking, landscaping, drainage and reinstatement works to boundary of adjoining multi-storey car park”

- 1.2 The application is brought to Panel under the scheme of delegation exception criterion (g) *“where the Chair considers that the application should be referred to the relevant Plans Panel for determination because of the significance, impact or sensitivity of the proposal”*.
- 1.3 The applicants are Tri-7, a Real Estate investment and asset management firm and Fusion Students an operator and developer of purpose-built student accommodation.

2 SITE AND SURROUNDINGS

- 2.1 The Core Shopping Centre (formerly known as the Headrow Shopping Centre) stands on the site of the former Schofields Department Store. It is bounded by The Headrow to the north, Lands Lane to the east, King Charles Street to the west with the southernmost section of the western elevation adjoining the NCP multi storey car park, the rear of buildings fronting Albion Place form the southern boundary.
- 2.2 It lies within the north of the designated City Centre and within the UDP Prime Shopping Quarter. To the north this section of the Headrow is predominantly retail with commercial business occupying upper floors. Dortmund Square is directly to the north and leads to the St Johns Centre. To the south of the site there are commercial and retail premises with a mix of historic properties and contemporary additions such as Trinity Shopping Centre. To the west lies the City Varieties Music Hall and a series of historic shopping arcades which lead through to Briggate. To the north west is The Light with an entertainment and food and beverage focused offer. To the west, retail gradually gives way to office, bars and civic uses with residential uses also featuring.
- 2.3 The buildings along the north of the Headrow are of a generally greater scale than those to the south at between 5-10 stories. The Basilica residential development at 13 stories is an exception to the typical scale of buildings along the south side of the Headrow which range from 4-5 to the west and around 3-4 stories to the east. Lands Lane and Albion Place are typically 3 storey buildings and King Charles Street ranges from 2 – 4 stories.
- 2.4 The site is within the Leeds City Centre ‘Central Area’ Conservation Area and there are several listed buildings in the vicinity:
- 1 Albion Place, Grade II
 - 1A Albion Place, Grade II
 - Leeds Club Premises and Basement Railings, 3 Albion Place, Grade II*
 - 4 Albion Place and attached railings, Grade II

- 5 Albion Place, Grade II
- 26 Lands Lane, Grade II
- Bollard at west end Swan Street, Grade II
- Thorntons Arcade, Grade II
- Queens Arcade, Grade II
- City Varieties, Grade II*
- Thorntons Buildings, Grade II
- The Horse and Trumpet Hotel, Grade II

- 2.5 The Church of St John, Grade I listed is to the north of the site within the Grand Quarter Conservation Area but separated by The Broad Gate building. The Town Hall, Grade I listed, is located circa 350m to the west.
- 2.6 The site area extends to approximately 0.67 hectares. The site is on the brow of a hill and slopes from west to east, and north to south. The highest point, in the north-western corner of the site, is around 6m higher than the lowest point in the south-east corner.
- 2.7 The Core Shopping Centre comprises four levels and a basement. It was constructed in the late 1980s in a postmodernist 'Leeds Look' style in red brick with horizontal string course detailing, a pitched grey slate roof, chamfered corners, and vertical windows in a range of shapes and sizes. The Headrow elevation is of a symmetrical nature with a key feature being a large central entrance into an internal 'Mall'.
- 2.8 The NCP car park abuts the south west of The Core and has bridge connection to the building. It provides vehicular access to roof top car parking from an entrance on Albion Street. The Core is currently primarily serviced from the basement which is also accessed through the NCP car park through vehicular entrance on Albion Street.
- 2.9 The Core is in use but has been significantly impacted by changing retail trends and shopping habits as well as the construction of Trinity and Victoria Gate Shopping Centres to the south and east. Previous attempts to rejuvenate the centre include a major £17m refurbishment in 2007 and subsequent interventions to improve access, maximise lettable space and diversify the focus of the centre away from pure retail as evidenced by the introduction of The Gym Group and the Hot Room Yoga Studio. Despite these efforts the Centre remains significantly underused with only around a third of the building occupied. Many key stores are vacant, significant sections are totally vacant and a number of other occupiers have confirmed their intention to vacate the building when their leases end.

3 PROPOSAL

- 3.1 The application relates to a proposal for the demolition of the existing building and the erection of new buildings to accommodate retail, commercial and community uses at ground floor and purpose-built student accommodation at upper floors together with associated access, accessible parking, cycle parking, landscaping, drainage and reinstatement works to the boundary of adjoining multi-storey car park.
- 3.2 The development proposals involve a collection of three buildings occupying a similar footprint to that of the current Core building and will provide 3,037sqm Commercial and community floorspace at ground floor level as well as 807 student bedspaces in total which are made up of 232 cluster flats and 511 studio flats.
- 3.3 The development reinstates an historic east west connection through the site and creates two new streets linking Lands Lane with King Charles Street, providing

pedestrian permeability and reinstating more of a fine urban grain typical of Leeds' historic core.

- 3.4 The three buildings reduce in scale from north to south, and generally also from west to east responding to the topography of the site and surrounding townscape character.
- 3.5 Building A fronting the Headrow is proposed at nine storeys with a height of approximately 32m at the highest point. There is a six storey main element, storeys seven and eight are accommodated within a mansard roof which is slightly set back from the main elevation, the ninth floor is accommodated within a part glazed part mirrored structure set back again.
- 3.6 Building B is the central block and proposed at eight storeys comprising of: a five storey main element, a sixth storey setback in brick, a seventh storey accommodated within a mansard roof and the eight storey set further back from the Lands Lane elevation in a light weight glazed/mirrored structure with a height of circa 29m.
- 3.7 Building C is the southernmost building and is proposed at seven storeys, with a height of circa 25m. The building has a five storey main element to Lands Lane, a sixth storey set back from Lands Lane in brick and the seventh storey is set back further and in a contrasting material.
- 3.8 Blocks A and B are rectangular at ground floor level with the upper floors representing an inverted horseshoe shape accommodating a first floor outdoor landscape courtyard/amenity space. Block C is an inverted horseshoe shape with an outdoor courtyard provided at ground floor level.
- 3.9 The buildings are proposed to be constructed predominantly in traditionally laid brick, with light brick feature detailing. Upper floors are to be metal cladded mansard with a reflective / lightweight top floor.
- 3.10 The buildings are linked by two connecting bridges of a lightweight construction located toward the western edge.
- 3.11 Running between the three new buildings are two new streets, the street to the south is the narrower of the two at approximately 8.5m with the street to the north being a width of approximately 12m accommodating tree planting, street furniture and landscaping.
- 3.12 The main entrance to the student accommodation is at the corner of King Charles Street and the Headrow. Ground floor retail and commercial units feature throughout each of the buildings providing active frontages to the Headrow, Lands Lane, part of King Charles Street as well as frontages to the north and south of each of the two new streets created by the development.
- 3.13 The existing basement is to be predominantly infilled and connection to the NCP sealed off. Refuse stores, cycle storage and some plant are accommodated within the ground floor of the units with refuse collection and servicing from King Charles Street and the new southern most street King Charles Croft.

4 RELEVANT PLANNING HISTORY

- 4.1 There is an extensive planning application history associated with the site as would be expected for a centre of this scale dominated by shopfront and signage applications. The following details the key applications of note in the sites recent history:

4.1.1 The current building gained planning permission in 1986 under application ref H20/505/85 to

'Demolish existing department store and erection of part 4 storey and part 3 storey shopping centre, comprising 51 shop units, 10 kiosks with court and seating area, coffee court with kiosk, sculpture court, public toilets, basement stores, loading bays and plant rooms and roof top plan areas and 44 car parking spaces'.

4.1.2 The 2007 refurbishment gained consent under application 07/00528/FU 'Change of use of retail unit to food court, alterations to frontages, 3 storey extension and reconfiguration of internal shopping area to form new and enlarged retail units'

4.1.3 Subsequent evidence of efforts to adapt and diversify the offer within the centre can be evidenced by the following applications:

4.1.3.1 18/06192/FU 'Change of Use of Unit RU1 to a mixed Retail (A1) and Leisure (D2)' Approved 2018

4.1.3.2 18/06534/FU 'Change of use and alterations of retail units to hotel (Use Class C1), incorporating restaurant and creation of mezzanine floor' Approved 2019

4.1.3.3 20/02821/FU 'Change of Use of Unit SU1.1 and 2.1 to a Flexible/Mixed Use Comprising Restaurants and Cafes (A3 with ancillary A5), Drinking Establishments (A4 with ancillary A5) and Assembly and Leisure (D2) Use' Approved 2020

5 HISTORY OF NEGOTIATIONS

5.1 Preapplication advice was sought in July 2022 under reference PREAPP/22/00217 and an in-depth pre-application process was undertaken with close involvement from Highways, Conservation and Design Colleagues in particular.

5.2 The scheme was presented to Leeds City Plans Panel on 18 May 2023. Members supported the principle of the development, and the scale and form (subject to the outcome of wind testing at applications stage) and requested further detail regarding: amenity and space standards, public realm and servicing.

5.3 Discussion at Panel highlighted:

- Positive development in this historic context, the introduction of new streets through the site an improvement
- Importance of outdoor areas, including incorporating planting and seating areas into the landscaping
- Improvement to the through route to Albion Street,
- Potential for a community space within the development
- Potential for a wider pallet of materials including stone.

5.4 Formal Environmental Screening Opinion under PREAPP/23/00279 confirmed that an Environmental Impact Assessment is not required.

5.5 A formal preapplication was undertaken with Historic England.

5.6 A presentation was delivered to the Leeds Civic Trust Planning Committee in May 2023 and a wider public consultation exercise was undertaken in Spring.

- 5.7 Ward Members were briefed on 19 April 2023. Ward Members were positive about the proposals and highlighted the importance of supporting employment opportunities for local people within the Ward.
- 5.8 The planning application is accompanied by Certificate C due to parcels of land of unknown ownership within the site boundary for which a newspaper notice was required. The applicants lawyer advised:

“The red line boundary has always included land of unknown ownership. A SIM search was undertaken which did not identify any registered title affecting the unknown parcels. A review on Orbital Witness which maps Land Registry data onto a GIS system shows no registered title overlapping these unknown parcels. This land is therefore unregistered. The parcels are small areas bounded entirely by the property and public highway. They physically form part of the property. There is no obvious third-party land to which the parcels might attach of whom enquiries might be made. Indeed, the parcels may simply be a result of mapping errors over time. There are no reasonable other steps which might be undertaken to identify the owners of the land. Hence Certificate C is, and has always been, the appropriate one in the circumstances”.

- 5.9 A long leaseholder was not formally notified of the application initially but this was resolved and formal notice was issued on 28th October 2023 to the relevant party. However, as a result of further investigations by the applicant’s lawyers, a number of other parties were identified as having interest in land forming part of the application site. The applicant therefore issued new Article 13 notices to the relevant parties dated 4th January 2024, and submitted a revised Certificate C. The Council’s legal team have advised that, in their opinion, the applicants have met with their duty under section 65 of the Town and Country Planning Act 1990 and article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to take reasonable steps to notify all owners of the site. They have further advised that because the correct certificate has now been submitted and the correct consultation process has been carried out Leeds City Council can now proceed with determining this application.

6 RELEVANT PLANNING POLICIES

6.1 Statutory Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making at this site, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014 and as amended by the Core Strategy Selective Review 2019)
- Saved Leeds Unitary Development Plan Policies (UDPR 2006)
- The Natural Resources & Waste Local Plan (NRWLP 2013) including revised policies Minerals 13 and 14 (2015).
- Leeds Site Allocations Plan (SAP 2024)

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

6.2 Development Plan

6.2.1 Leeds Core Strategy (CS)

Leeds Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The site is located within the City Centre boundary. The most relevant policies are set out below:

- Spatial Policy 1 Location and scale of development
- Spatial Policy 2 Centres first
- Spatial Policy 3 Role of Leeds City Centre
- Spatial Policy 8
- Policy CC1 City Centre Development
- Policy CC3 Improving connectivity between the City Centre and Neighbouring Communities
- Policy H2 New housing development on non-allocated sites
- Policy H6 Houses in multiple occupation, student accommodation and flat conversions
- Policy P10 Design
- Policy P11 Heritage
- Policy P12 Landscape
- Policy T1 Transport management
- Policy T2 Accessibility requirements and new development
- Policy G1 Enhance and extend green infrastructure
- Policy G2 Creation of new tree cover
- Policy G9 Biodiversity Improvements
- Policy EN1 Carbon dioxide reduction
- Policy EN2 Sustainable design and construction
- Policy EN4 District heating
- Policy EN5 Managing flood risk
- Policy EN6 Strategic waste management
- Policy ID2 planning obligations and developer contributions

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

Relevant Saved Policies include:

- Policy GP5 all relevant planning considerations are to be resolved.
- N14 Listed building and preservation
- N18A & B Conservation area and demolition
- N19 Conservation areas new buildings
- S4 Retention of Retail Character
- CC22 Conservation
- Policy BD2 requires that new buildings complement and enhance existing skylines, vistas and landmarks.
- 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 LD1 sets out criteria for landscape schemes.
- Policy N25 boundary treatments

6.2.3 Leeds Natural Resources and Waste Local Plan

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

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.
- Land 2 requires development to introduce new tree planting as part of creating high quality living and working environments and enhancing the public realm.

6.2.4 Relevant Supplementary Planning Documents/Guidance (SPD/SPG):

- Accessible Leeds SPD
- Transport SPD
- Draft HMO, Purpose-Built Student accommodation and Co-Living Amenity Standards SPD
- Draft Wind Microclimate Wind Toolkit SPD

6.2.5 Site Allocations Plan

The site is unallocated in the Site Allocations Plan.

Lands Lane allocated as greenspace/civic space as part of the 'Central Leeds Pedestrian Shopping Precinct' designation under reference: G2369 (CVC13).

6.2.6 National Planning Policy Framework 2023 (NPPF)

The NPPF was updated in December 2023 and sets out the Government's planning policies for England and how these should be applied (para 1) and is a material consideration in planning decisions (para 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para 38).

The Framework sets policies on the following issues which are relevant to this planning application proposal (including section numbers):

- 2 Achieving sustainable development
- 4 Decision making
- 5. Delivering a sufficient supply of homes
- 6 Building a strong competitive economy
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well designed places
- 14 Meeting the challenge of climate change and flooding
- 15 Conserving and enhancing the natural environment

16 Conserving and enhancing the historic environment

6.2.7 Other Legislation

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (the “Listed Building Act 1990”) reads:

“In considering whether to grant planning permission... for a development which affects a listed building or its setting, the local planning authority...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”

Similarly, Section 72 of the Listed Building Act 1990 reads:

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the planning Acts and Part I of the Historic Buildings and Ancient Monuments Act 1953 and sections 70 and 73 of the Leasehold Reform, Housing and Urban Development Act 1993

7 CONSULTATIONS

7.1 Statutory

7.1.1 Historic England

Advice offered:

- No objection to the demolition of the existing buildings on the site.
- Introduction of streets and public space between the blocks is positive.
- Scale of the proposed buildings is generally acceptable, although the increased height of block A could have an impact on the setting of adjacent listed buildings on The Headrow and should be considered by the Conservation Officer.
- Attention should be paid to securing an improvement to the setting of the rear of the listed buildings on Albion Place, in particular the interface with GII* Leeds Club.
- Use of red brick is welcome across three blocks, but query whether the differentiation between blocks is too subtle. Greater distinction in architectural character/language or materials introduced to differentiate blocks further.

7.1.2 Health and safety Executive (HSE) (Fire Safety – Planning Gateway One)

Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

7.1.3 Coal Authority

The Coal Authority has no objection to the proposed development subject to the imposition of conditions.

7.1.4 Active Travel England

Recommends approval of the application, subject to the agreement and implementation of planning conditions and/or obligations.

7.2 Non-Statutory Consultees

7.2.1 Yorkshire Water

Object to the development layout as currently shown due to the potential for proposed trees to impact on the Yorkshire Water assets within Lands Lane.

Response: The applicant has engaged directly with Yorkshire Water and it is understood that Yorkshire Water are intending to withdraw their objection however this has not been received at the time of writing the report. A verbal update will be provided at the Panel meeting.

7.2.2 Sustainability - Design Team

The proposal has been subject to an in-depth preapplication process, it is considered to represent a positive development of a strategically important and centrally located site and is supported with regard to architectural approach and detailing, massing and scale and materiality.

7.2.3 Conservation Team

The proposal is a high-quality design which responds positively to the heritage context. Whilst there are some minor adverse effects on the Thornton's Building, this affect is mitigated by the overall quality and by the overall enhancement of the setting of the listed buildings and character and appearance of the conservation area.

7.2.4 West Yorkshire Archaeology Advisory Service

The Archaeological desk-based assessment has been reviewed and records checked and there is no requirement for further archaeological work.

7.2.5 Access Officer

The Core shopping centre has a Changing places toilet facility, efforts should be made to ensure the equipment within the facility is retained and offered for use elsewhere in the city.

The proposed new public streets should be designed to be accessible to all users.

7.2.6 Landscape

The revised landscaping proposals address previous concerns regarding the design approach to Victoria Arcade and King Charles Croft, primarily accessibility issues with highly contrasting paving patterns, feature steps, obstacles and long detours for people who require level access along the edge of buildings. Concerns regarding the location of proposed trees along Victoria Arcade have also been addressed by positioning trees along the centre of the street.

Street lighting for Lands Lane is currently installed on the façade of The Core avoiding street clutter. Re-providing street lighting on the new building facades would be preferred to installing street lighting columns.

7.2.7 Highways

Supportive in principle subject to resolving technical matters. See paragraphs 10.10.18 to 10.10.20 below.

7.2.8 Influencing Travel Behaviour (ITB)

A revised Travel Plan has been received and is considered to be robust. A travel plan monitoring fee should be secured through the Section 106 Agreement.

7.2.9 Flood Risk Management

The site is within Flood Risk Zone 1 and there have been no records of historic flooding within the application site or adjacent areas.

Subject to the works being completed in accordance with the submitted information, Flood Risk Management as Lead Local Flood Authority, have no objection to the proposed application.

7.2.10 Contaminated Land

The Tier 1 Desk Study Report has concluded that a site investigation is required for the proposed development therefore a Phase 2 Site Investigation report is required to be submitted.

It is preferable to receive the Phase 2 site investigation report prior to recommending conditions however relevant Conditions and Directions have been recommended which will allow for appropriate documentation to be submitted. The scope of the site investigation should be submitted for approval in writing prior to the works being undertaken.

7.2.11 Nature Team

The figures provided in the Biodiversity Net Gain Assessment indicate the scheme will result in a net gain of 0.57 BU in area habitats and 0.11 BU in hedgerow habitat. Net gain exceeds 10% net gain in biodiversity value.

Preliminary Bat Roost Assessment determined existing building had a low potential to support roosting bats. Dusk emergence survey undertaken on 19 June 2023 saw no bats emerging from or entering the building. Common pipistrelles were observed flying onto the site from the west and using the south-east and west of the site for foraging and community.

Proposed development could result in disruption from increased artificial light pollution. New lighting should be designed to minimise potential disturbance and fragmentation to foraging and commuting bat habitat. Conditions recommended relating to the provision of integral bat roosting and bird nesting features, lighting design strategy, no removal of built structures between 1 March and 31 August, without a check of structures for active bird nests to protect nesting birds.

7.2.12 Environmental Health Services (Pollution Control)

Detail required of the proposed design outlined in the BREEAM reports to mitigate external environmental noise, noise from the ground floor retail and control of overheating as these two constraints are linked in terms of the viability of opening windows.

The information may be provided as a pre-commencement condition for a sound and ventilation scheme.

7.2.13 Environmental Studies (Transport Strategy)

The Noise Impact Assessment (NIA) prepared by MZA Acoustics and submitted in support of this application details daytime and night-time noise measurements conducted at the site of the proposed development the results of which have then been used to formulate a glazing and ventilation strategy such that acceptable internal noise levels may be met.

We agree with the methodology and findings of the NIA and concur that by installing the recommended glazing specification in conjunction with the proposed MVHR ventilation system, then internal noise levels should meet those recommended within BS 8233.

7.2.14 District Heating

It is considered that District Heating (DH) will outperform Air Source Heat Pumps (ASHP) if correctly compared. The proposal to revisit viability is welcome. A condition requiring the connection to the district heat network unless deemed unviable.

7.2.15 Sustainable Development Unit (Climate Change)

A recycled materials plan should be submitted in accordance with Core Strategy Policy EN6.

The submitted BRUKL reports demonstrate the achievement of an appropriate betterment of Part L 2021 of Building Regulations.

BREEAM preassessment demonstrating that a BREEAM rating of 'Excellent' can be achieved has been undertaken for the student accommodation and retail units.

Further consideration needed regarding the relative merits of ASHP vs DH which can be subject to a suitable condition.

7.2.16 Local Plans

The principle of the mix of retail and residential uses is acceptable in this context subject to ground floor retail frontages being retained along The Headrow and Lands Lane. The new streets will not be considered as Primary Shopping Frontages and therefore uses should be subject to suitable conditions to ensure that the vitality and viability of the city centre is promoted.

The proposal is considered sustainable and acceptable in principle in accordance with Core Strategy Policy H2. Core Strategy Policy H6B is considered to be satisfied. It is considered 625sqm of Open Space requirements is being provided on site which is considered acceptable, a financial contribution commuted sum of £106,284.56 is required in accordance with Policy G5.

7.2.17 Tobermory (Wind and Microclimate Peer Review)

Satisfied that upon introduction of the proposed development, the Applicant has demonstrated and adequately documented that an acceptable wind microclimate will remain.

7.2.18 West Yorkshire Police (Counter Terrorism Unit and Architectural Liaison Officer)

Detailed comments and advice provided in relation to the management and operation of the student accommodation, public spaces, the assessment and specification required for security purposes relating to Hostile Vehicle Mitigation and glazing. The recommendations are to be considered and secured via condition as part of any planning approval.

7.2.19 Employment and Skills

No comment received.

7.2.20 Ramblers Association

No comments received.

7.2.21 Health Partnership

No comments received.

7.2.22 Public Health

No comments received.

8 PUBLIC RESPONSE

8.1 Site notices were displayed on 27/09/2023 and the application was publicised in the Yorkshire Evening Post 06/10/2023.

8.2 Nine letters of representation were received, of which four were supportive (including from Leeds Civic Trust) and five raised objections. The matters raised are summarised as follows.

8.3 Supportive

- Visual appearance of the proposals, very positive change, Buildings could be taller if anything.
- Existing building poor design and run down, style does not compliment the city centre.
- Underused site in central location, better use of space good quality accommodation.
- Good quality design, public benefits, in keeping with historic centre
- Regeneration benefits

8.4 Objections

- Layout and density of buildings
- Noise and disturbance during construction
- Over shadowing/loss of outlook
- Right to light
- Encroachment
- Party Wall matters
- Planned works at the Basilica relating to cladding
- City centre retail decline, increase in student accommodation

- Buildings are similar in appearance, buildings should be distinct from each other to reflect the variety on eastern side of Lands Lane
- Short stay cycle parking provided (i.e. small Trinity Centre facility)
- Construction timescales and associated disruption
- No agreement to utilise spaces at the NCP car park, revised travel management approach required.

8.5 The Civic Trust commented:

The scheme proposal was presented at LCT on 24 May 2023, and our comments were generally supportive in terms of design and appearance and remain so for the submitted application: on the whole, the scheme is well considered in terms of massing and details, and we particularly commended the breaking up of volume into three blocks to create a more permeable street pattern. Despite the care put into the brick work proposed, we felt that the proposed red-brick could be broken up with a lighter brick to reflect buildings on the opposite side of Lands Lane. For one of the three blocks, possibly the middle block. We note that Historic England is also making the same suggestion. We also queried the type of brick work to be specified and were assured that this would be good quality bricklaying and mortar matching.

We raised a number of queries related to the brief for student housing, which we repeat here:

- 1) *The long and narrow corridors are mostly without daylight, and we suggest they should be wider and should receive natural daylight in places, so as to encourage interaction. The core stairs/lifts at each corner could have been configured so as to provide some kind of light throughout, rather than only on the first floor of the east corner. There is no reason why Block C access corridors on the top floor of the east wing should not have daylight openings since they are directly connected against the external wall.*
- 2) *Section 12.1 of the Design and Access Statement does not provide any clear commitments about the possibility of opening windows manually to override continuous mechanical ventilation - an issue that has now proved necessary in cases where M&E services perform poorly. The ambiguous text inserted appears to relate to some other project.*
- 3) *There are no demonstrations of the practicality of converting this accommodation into alternative residential accommodation if demand were to diminish in forthcoming years.*

We also expressed concerns about the access arrangements at the beginning and end of term regarding the loading or off loading of personal belongings by large numbers of residents all at the same time. The same applies to 'peak' hour take-away delivery demands that will incur large numbers of vehicles requiring short stay parking all at the same time. Both of these technicalities still require resolution.

Other issues about parking remain unresolved, including the lack of parking provision for mobility impaired students who may need a car to travel around the city. There should be provision for a few car parking spaces in order to cater for special needs. We are unsure that the winding internal corridors in blocks B and C are practical for a successful refuse strategy.

We note from the completed application documents that both of the terraces above the retail premises are to be equipped with plant rooms. We are concerned that this could adversely affect views from the terrace or from street level, and could also

adversely affect acoustic conditions for student residents as well as for pedestrians. Although the energy statement appears thorough, there is no acoustic report. Air source heat pumps can be quite noisy, and generate vibrations, and both matters require further design considerations.

- 8.6 Issues raised by letters of representation have been taken into account and are considered throughout the report. Section 11 of this report provides further detail about which specific paragraphs and sections of the report address each matter raised.

9 KEY ISSUES

- Principle of development
- Design and Heritage considerations
- Residential Amenity (occupiers)
- Residential Amenity (surroundings)
- Accessibility and Inclusivity
- Landscaping, Trees and Biodiversity
- Sustainability and Climate Change
- Wind and Microclimate Considerations
- Highways Matters
- Planning Obligations and CIL
- Representations

10 APPRAISAL

10.1 Principle of development

- 10.1.1 The SAP deleted the internal facades of the 'Headrow Shopping Centre' (now the Core) from the primary shopping frontages. However, sections of the north elevation along the Headrow and most of the elevation facing Lands Lane remain as designated Primary Shopping Frontages.
- 10.1.2 Changes to the Use Classes Order which came into effect from 1 September 2020 and introduced Use Class E. A new "E" class combined a number of separate classes, formerly A1 retail, A2 services, A3 restaurants, B1 business uses, as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure). Notwithstanding this change, adopted policies in the SAP (RTC1 and RTC2) in accordance with CC1 Core Strategy seek to retain a predominance of retail uses within the Prime Shopping Quarter for reasons of vitality. Within the designated primary shopping frontages identified retail should comprise a minimum of 80% of the frontage length.
- 10.1.3 The proposal will result in a net loss (2,633sqm) of retail floor space through the demolition of the Core, however this loss is mitigated by the incorporation of retail and commercial units at ground floor level throughout. The proposal will deliver 3,037sqm of commercial ground floor space configured in approximately eight commercial units. As a result of the new east west streets with associated frontages there is a net gain of active ground floor frontages proposed.
- 10.1.4 Class E uses are proposed at ground floor (predominantly retail but also potentially including café, restaurant and bar uses). A potential Class F2 community use has been identified within the ground floor of block A. Flexibility is proposed to be built into the consent if a community use / occupier is not identified. To help mitigate the loss of retail from inside 'the Core' it is proposed to utilise conditions to require retail uses dominate the ground floor external frontages on Lands Lane and The Headrow. The

new streets will not be considered as Primary Shopping Frontages and therefore uses would be subject to suitable conditions to ensure that the vitality and viability of the city centre is promoted.

- 10.1.5 The Core currently contains a small element of office provision, but this is ancillary to the use as a shopping centre. On that basis Policy EC3 which seeks to safeguard existing employment land including offices is not considered relevant.
- 10.1.6 Policy CC1 (City Centre Development) (criterion b) supports the principle of residential development in the City Centre including change of use of existing buildings, provided that it does not prejudice the town centre functions of the City Centre and that it provides a reasonable level of amenity for occupiers. The principle of residential use is therefore accepted, subject to satisfying the amenity requirements for residents.
- 10.1.7 The site is not allocated in the Site Allocations Plan and therefore Policy H2 applies and states that:

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

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

- 10.1.8 The site is located in the City Centre within the Public Transport Box and has ready access to public transport and city centre services. There are no implications for school provision capacity due to the nature of the residential use. The site is well located to access health facilities. It is within the catchment area for Leeds Student Medical Centre (a practice which is only open to members of a university or college or their dependents for GP places) and One Medicare in the Light is less than 100m to the west of the site. Both practices are accepting new patients at the time of writing. On that basis the site is in a highly sustainable location for residential development and would not exceed the capacity of transport, education or health facilities and Core Strategy Policy H2 is therefore considered to be satisfied.
- 10.1.9 It is important that Purpose Built Student Accommodations (PBSA) are located in appropriate locations. Policy H6 of the Core Strategy advises:

B) Development proposals for purpose built student accommodation will be controlled:

- (i) To help extend the supply of student accommodation taking pressure off the need for private housing to be used,*
- (ii) To avoid the loss of existing housing suitable for family occupation,*
- (iii) To avoid excessive concentrations of student accommodation (in a single development or in combination with existing accommodation) which would undermine the balance and wellbeing of communities,*
- (iv) To avoid locations which are not easily accessible to the universities by foot or public transport or which would generate excessive footfall through*

residential areas which may lead to detrimental impacts on residential amenity,

- (v) *The proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.*

10.1.10 An appeal decision (Victoria Road, APP/N4720/W/16/3145119) clarified that ‘all five clauses within H6 are of equal standing and none involves a ‘gateway test’.

10.1.11 Evidence provided by Arc4 suggests that the prevalence of PBSA within Leeds has resulted in less demand from students for HMOs and the need for private housing to be used. Therefore the application would comply with criteria (i) and (ii) of Policy H6.

10.1.12 The third test seeks to establish whether ‘concentrations’ of PBSA’s would undermine the ‘health and wellbeing of communities’. Crucially a strong link is made between the concept of concentrations and harm to the community. It is the harm that is being regulated/controlled. This is clarified in Paragraph 16 of the above appeal judgement.

‘A proposal would not breach clause (iii) if there is no evidence of harm to the balance and wellbeing of communities. However, the use of the word ‘avoid’ must also provide for a PBSA to be resisted if the area in which it would be located has an existing excessive concentration which can be shown to have undermined the balance and well-being of its local communities. Clause (iii) does not refer to any particular area but is concerned with the effect on communities and the effects on more than one community can therefore be taken into consideration.’

10.1.13 There have been a number of student residential developments completed within the north of the city centre in recent years, for example in the vicinity of the Merrion Centre. These have been successfully accommodated in a busy city centre context without causing amenity issues or conflict with existing businesses and civic uses. Purpose built residential accommodation is well managed with suitable arrangements in place for storage, servicing and site management of the accommodation and in this case the applicant will also be the operator. As such, although it is recognised that some permissions have been given in the area there is no evidence that they are likely to constitute excessive concentrations such that they would cause harm to the balance and wellbeing of communities.

10.1.14 With regard to the 4th test, The University of Leeds Campus, Leeds Beckett University City Campus and Leeds Arts University are within a 20 minute walk. They are also accessible from the site by public transport. Leeds Trinity University are also opening a City Centre campus in the 2024/2025 academic year which is within a 5 minute walk to the south of the site. The site is within the Public Transport Access Box and has good Public Transport Links. The location is considered accessible and would not generate footfall through residential areas.

10.1.15 The fifth test relating to internal living accommodation is considered in section 10.4 (paragraphs 10.4.1 to 10.4.13) below.

10.2 Design and Heritage considerations

10.2.1 The proposal impacts on the setting of several listed buildings and the City Centre Conservation Area through the demolition of the existing shopping centre and

replacement with new buildings. As such the tests set out in section 66 and section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 apply.

Demolition of existing building

- 10.2.2 The Core was built in 1987 and is an example of post-modern architecture which is characterised by bright colours, variety in the use of materials and shapes and playfulness in the use of classical motifs. The Core has some of those characteristics, especially the whimsical use of giant-scale "fret cut" Aztecan/electrical circuit board linked motifs which (i) have little relationship to the function of the building and (ii) due to the lack of window reveal give an impression of superficiality and weightlessness. There are certainly better Post Modern "Leeds Look" buildings such as the Magistrates Court and the Combined Courts which exemplify the characteristics of Post Modernism set out above and measure up to some of the best examples nationally. Postmodernism is usually associated with contextualism which is why it was so readily accepted in the wake of Modernism, i.e. as a way of reinforcing character in historic quarters, and became known locally as "The Leeds Look". The Core is actually a-contextual as it lacks the classical ordering principles of the neighbouring buildings - bottom, middle and top. The result is a building that is out of scale with its context, presenting a cliff-face of a façade to The Headrow, but at the same time lacking the gravitas of its peers, especially the Blomfield neo-Baroque pallazzo blocks to the north.
- 10.2.3 The final assessment is that The Core is not considered to constitute a non-designated heritage asset nor does it contribute positively to the settings of nearby listed buildings and the conservation area such that it's loss would not impact on the character or special interest of the Conservation Area thereby meeting the criteria in s.66 and 72 and preserving or enhancing the character or appearance of the conservation area and preserving the listed buildings and their settings. The principle of redevelopment of the site is supported on townscape and heritage grounds and there is an opportunity for enhancement subject to a satisfactory replacement being proposed.

Replacement buildings -Layout and plan form

- 10.2.4 The proposal is broken up into three blocks which integrates with the east-west arcades between Briggate and Lands Lane which ultimately reflect medieval burgage plots. Breaking down the monolith of the existing shopping centre and re-establishing a link between Lands Lane and King Charles Street will be beneficial to the conservation area.

Massing and scale of the proposal

- 10.2.5 The architects have worked closely with the local planning authority on the architectural and design approach and the proposals are based on a thorough contextual analysis and are considered to respect and enhance existing streets and spaces.
- 10.2.6 It is noted that the scale of the three buildings being between seven and nine storeys are significantly larger than the existing building. It is considered that the potential impact of the increased height and scale of the buildings on townscape character is mitigated by the:

- use of setbacks to upper floors
- incorporation of mansard roofs in contrasting materials to the upper floors

- use of lightweight glazed materials to the top floor
- the creation of new east west connections between the buildings
- the incorporation of human scale, sensitively detailed shopfronts and activity at ground floor level
- the quality of the architectural approach

10.2.7 On King Charles Street the setbacks of the upper floors are not as significant as those setbacks to the Lands Lane elevation with a result that the overall massing is comparatively greater. This reflects that King Charles Street contains less historically significant buildings and functions as a secondary road with servicing rather than a key shopping street. The location of the main entrance to the student accommodation to the junction of King Charles Street and the Headrow, the new streets will provide relief and incorporation of active frontages and new connections to Lands Lane will bring additional activity and vibrancy.

10.2.8 The three buildings reduce in scale from north to south, and generally also from west to east responding to the topography of the site and surrounding townscape character. Building A which fronts the Headrow is the tallest element. It is considered that there is the greatest scope for scale to the north where the context reflects the larger, grander scale of buildings on the north side of the Headrow.

10.2.9 The proposal is taller than the existing and is comparable to the buildings on the north side of The Headrow. The site is at the high point of the Headrow and it is appropriate that the building steps up to respond to the rising contours. It will break the continuity of the frontage to the south side, which has already been broken by Blomfield's southwards excursions at the junction of Vicar Lane (former Barclays Bank) and to some extent the existing building which is taller than its neighbours. The positive outcome is that it will unify the two sides of the street at a pinch point of height which from the 1920 was conceived as a processional way from east to west - a formal piece of civic design which was almost completed on the north side but not on the south.

10.2.10 The section to the north where Building A returns onto Lands Lane is where the increase in scale will be most pronounced. Thorntons Building to the east of Lands Lane is adjacent to the nine storey Block A. The proposed development would appear five storeys taller than the listed building and its nearby buildings along Lands Lane. As the Heritage Statement submitted with the application acknowledges, "This would change the existing character of the townscape, and alter the setting of Thorntons Building. The existing building sits comfortably next to the listed building, and only reads as a storey taller". However, the mitigation noted previously is relevant. Furthermore, there are considered to be some benefits for the setting of Lands Lane through making a successful visual connection with the architecture of the grand 1930s buildings to the north of the Headrow which at present appear disjointed.

10.2.11 The area where there will be greatest change to the setting of listed buildings will be from their private curtilage to the rear. In this area The Core will be demolished, with the proposed development built abutting the rear hall of the Leeds club premises (Grade II*). It is agreed, in reference to the Heritage Statement, that the existing context is a large blank elevation and makes no contribution to the setting of the listed buildings. The proposed development would not represent a material change to this situation, essentially preserving the current relationship.

10.3 Design

- 10.3.1 The proposal is unusual, if not unique, for a development of this scale in the city centre because of its formal integrity where all the concepts and their relationships with each other are applied in a consistent way throughout the development.
- 10.3.2 The principles applied are classical, specifically late Renaissance Palladianism meets mid 20th century commercial modernism which is a lighter version of classicism than the heavy neo-Baroque of the north-side of The Headrow. This suits the Chicago-style former Direct Line House directly to the north and the Italianate free style classical buildings on the south side and along Lands Lane. The buildings on the east side of Lands Lane are seen obliquely and are marked by a tight rhythm of regularly spaced deeply set windows.
- 10.3.3 There has been significant focus on the design detail and section drawings, have been provided demonstrating that the design intent is achievable. The elevations to blocks A, B and C facing Lands Lane are heavier with greater rustication and modelling and are a big improvement on the "thin" flank elevation of The Core.
- 10.3.4 The north elevation of block A is arguably the principal elevation. The ground floor shopfronts significant depth throughout of 490mm, a white stone base grounds the building and a string course frames the lower two levels with decorative rose motifs. Windows on the upper floors of Building A feature significant reveal depths of 325mm.
- 10.3.5 The elevations facing King Charles Street, Lands Lane and the new internal streets feature considered differentiated window detailing and reveal depths.
- 10.3.6 The internal courtyards feature reveals of 215mm and paired back detailing but are considered to represent an appropriate quality of design.
- 10.3.7 The considered pallet of materials feature different tones of red brick thereby maintaining a generalised architectural language whilst responding to the changing character of the surrounding area.
- 10.3.8 The proposal is a high quality design which responds positively to the heritage context. Whilst there have been identified some minor adverse effect on Thornton's Building, this affect is in itself mitigated by the overall quality and by the overall enhancement of the settings of the listed buildings and character and appearance of the conservation area.
- 10.3.9 Rusticated brickwork to blocks B and C and changes to the architectural detailing have been introduced in response to feedback at pre-application stage. Three different tones of brick are proposed for each of the buildings. The comments from Historic England and Leeds Civic Trust regarding the differentiation in the brickwork for the three blocks are to be addressed through conditions which will require the agreement of the material samples.

10.4 Residential Amenity (occupiers)

Space standards

- 10.4.1 Criteria (v) of Core Strategy Policy H6B requires that proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms. Core Strategy Policies CC1(b) and P10, and Saved UDPR Polices BD5 and GP5 also provide more general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. The assessment of amenity is also a

wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space.

10.4.2 The explanatory text to Core Strategy Policy H9 highlights that the provision of reasonable space standards is important for student accommodation, and this will need to be judged on a case-by-case basis.

10.4.3 Further guidance in the form of the Houses in Multiple Occupation, Purpose-Built Student Accommodation and Co-Living Amenity Standards SPD has been produced. Whilst still in draft form it provides guidance including space standards for purpose-built student accommodation.

10.4.4 The proposal provides a mixture of studio or 1 bedroom accommodation (63%) and 4, 5 and 6 bedroom cluster flats (37%) as follows:

	Standard En-suite (Cluster flats)			Social Studio (Cluster flats)		Studio	1 Bed	
	4 bed	5 bed	6 bed	5 bed	6 bed			
Units	2	16	24	8	4	453	58	565
Beds	8	80	144	40	24	453	58	807
Mix	29%			8%		56%	7%	100%
	37%					63%		

10.4.5 The development is compliant with the emerging space standards as follows;

Room type	Bedroom size	Draft SPD
Standard en-suite (Cluster bedroom)	Block A: 13-18sqm Block B&C: 13-16sqm	11.5-14sqm
Club En-suite (Cluster bedroom)	Block A: 15-21sqm Block B: 15-19sqm	11.5-14sqm
Standard studio	20-22sqm	20-28sqm
Large (Accessible) Studio	23-31sqm	22-30sqm

10.4.6 En-suites and Social Studio rooms (Cluster bedrooms) are between 12.5-15sqm. Studio and 1 bed room flats are between 20sqm – 22sqm. It is noted that the studios are at the lower range established in the draft guidance, however it is considered that the design of the rooms along with the communal space and amenities within the development are of a high standard in terms of size, location and quality.

10.4.7 Communal space within cluster flats meet or exceed the draft standards as follows:

Cluster flat size	Shared internal space	SPD standards of communal space
4 bed flat	28sqm-29.6sqm	28sqm
5 bed flat	30sqm-35.2sqm	30sqm
6 bed flat	32sqm-35.9sqm	32sqm

10.4.8 The development includes 935sqm of internal communal amenity space which exceeds the minimum requirement of 1sqm per bedspace. The amenity space is located at ground floor and first floor level. The Civic Trust have noted that internal corridors should be served by natural daylight to encourage social interaction however the shared facilities within the cluster flats and the communal amenity spaces

including the courtyards throughout the development as a whole are considered to offer opportunity for social interaction to address this requirement.

Outdoor Amenity Space

10.4.9 Across the scheme the three landscaped courtyards provide access to 1224sqm of secure outdoor amenity space for the occupants. Within Blocks A and B these are located at first floor level, for Block C the courtyard is at ground floor level. Each block is orientated to the south to maximise daylight/sunlight levels.

Outlook, levels of light and privacy

10.4.10 The site is within the city centre where there is an established tight urban grain and buildings are at the back of pavement, in that context the buildings are consistent with the separation distances from adjacent buildings.

10.4.11 A summary of the distances are as follows:

Location	Distance
The Headrow (north)	26.4m
Lands Lane (east)	11-12m
King Charles Street (west)	11.2-11.7m
Internal courtyards	
Building A	28.2m
Building B	25.2m
Building C	33.6m
Victoria Arcade (north)	12m
King Charles Croft (south)	8.5m

10.4.12 At the distances proposed the outlook from bedrooms is considered acceptable. There are a small number of bedrooms within Building C where there is a comparatively low separation distance of 8.5m from the building to the north which will have an impact on the outlook. Overall this is considered acceptable as there will be views down onto a public street and a positive outlook to the left and right to add interest.

10.4.13 The landscaping proposals of the internal courtyard areas incorporate an area of defensible space and landscaping acting as a buffer and ensuring an element of separation / privacy for those bedrooms where the outlook is to the internal courtyards.

Noise and overheating

10.4.14 The site is located in a city centre mixed use context where residential and commercial uses are commonly found in close proximity. The applicant has provided a noise impact assessment and has undertaken thermal modelling as part of the BREEAM assessment. Further detail is required regarding the measures intended to mitigate external environmental noise, noise from the ground floor retail and control of overheating as these two constraints are linked in terms of the viability of opening windows. This information will be secured as a pre-commencement condition for a sound and ventilation scheme.

10.4.15 The scheme achieves the emerging space standards in the draft SPD and is considered to provide satisfactory internal living accommodation in terms of daylight,

outlook and juxtaposition of living rooms and bedrooms and a reasonable level of amenity and usable space for occupants. It is considered to accord with Core Strategy Policies CC1(b) and P10, and Saved UDPR Policies BD5 and GP5.

10.5 Residential Amenity (surroundings)

Overshadowing, privacy and overlooking

- 10.5.1 A daylight and sunlight analysis has been submitted in accordance with Building Research Establishment (BRE) handbook guidelines (BR209,2022) and assess the impacts on the following properties:
- Basilica, 2 King Charles
 - Swan Street Apartments
 - Thornton Chambers, The Headrow
- 10.5.2 BRE tests are based on a typical (two storey) suburban model of development and as such there are shortcomings in the use of the BRE metric in assessing city centre schemes given the density and scale of development within the city centre. In a dense city centre environment there are greater levels of obstruction. Daylight and sunlight is more limited in this context and accordingly expectations of levels of daylight/sunlight are significantly different within a city centre context. In such situations it is well acknowledged that there may be planning and urban design matters to consider in addition to daylight and sunlight.
- 10.5.3 Two of the surrounding buildings were originally constructed for commercial use and therefore not anticipated to be used as residential buildings. As such, the rooms internally are typically single aspect with deep floor plates. Where buildings are designed in this manner and located in proximity to other buildings their potential to receive daylight is limited. This is evidenced by the baseline levels.
- 10.5.4 To the west the Basilica was built as an office development, and latterly converted to residential. The development has two levels of accommodation above the ground and first floor commercial premises, with a further nine levels within the 'tower' element. There are apartment windows and balconies within the building at between 11.3m and 12.9m from windows within building A.
- 10.5.5 An objection has been received from a residential occupier of the Basilica tower on the grounds of overshadowing resulting from the proposed development.
- 10.5.6 There is an increase in height from the existing building, the main mass of the proposed eastern elevation of block A (first six levels) is between 21m in the north and 22m at the southern extent, floors seven and eight are set back 1.5m and the ninth floor 1.3m further back. The existing Core building oversails the adopted highway at first floor level and above, the proposed buildings will not reproduce this arrangement resulting in the proposed building being set further back from the Basilica by approximately 0.5m. The introduction of the new streets provides a break between buildings which will provide relief and allow additional light to penetrate, similarly the setting back of the upper floors serves to reduce the impact.
- 10.5.7 There are noted to be additional overshadowing and overlooking impacting on residential apartments with windows on the east elevation of the Basilica. The daylight and sunlight analysis indicates that with the development in place average levels are reduced but on average retained at a level which is commensurate with the levels anticipated in a dense urban environment. As such the impacts on residents in

apartments within the Basilica are not considered so significant as to warrant a refusal in this city centre context.

- 10.5.8 The upper floors of Lands Lane are predominantly commercial and as such the impact on overlooking and overshadowing is mitigated to an extent. Swan Street Apartments and Thornton Chambers are the exception. Both these buildings were again constructed as a commercial property and not anticipated for residential occupation. Residential apartments have a single aspect and deep floor plate. Baseline light levels are noted to be low and these premises will be impacted by additional overshadowing and overlooking, however on these busy commercial streets, within the city centre and given the established historic context the resulting relationships with properties facing the development is not considered to have a material impact when taking into account the existing levels and is considered acceptable both with regard to shading and window to window distances and privacy.
- 10.5.9 The shopping centre's existing boundary wall to the south is approximately five storey's high where it meets the rear of properties which front Albion Place and 9 Lands Lane. The applicant has advised that the existing building does not share structural / party walls with these premises other than a lead flashing detail. The development will abut these buildings in the same manner with replacement flashing to maintain a weatherproof seal. Block C is not significantly higher than the existing shopping centre at the south of the site therefore there is not considered to be a significant implication for the amenity of occupants of these premises.
- 10.5.10 As a result of the development the mass of the boundary wall will be reduced through the creation of the courtyard space together with a boundary wall which is between 6.5-7m high. Due to the width of the courtyard, windows will be approximately 13m from the southern boundary of the site and as such between 22m and 28m from windows on the north elevation of the premises on Albion Place which share a boundary with the site. At this distance there are not considered to be implications for the amenity of occupiers of these premises, particularly as they are in commercial use.
- 10.5.11 On this basis and having regard to the urban character of the site, its surroundings, consistencies with the developing city centre and the flexible suburban basis of the BRE technical guidance, the development's effects on neighbouring properties are considered acceptable.

10.6 Accessibility and Inclusivity

- 10.6.1 Section 149 of the Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. Taking into account all known factors and considerations, the requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report.
- 10.6.2 The proposals are not considered to raise specific implications for equality, diversity, cohesion and integration and as such a full Equality, Diversity, Cohesion and Integration Impact Assessment (EDCI) is not required.
- 10.6.3 The buildings are fully accessible featuring level entrances throughout and lift access would be provided to all floors of the residential accommodation. The developer has confirmed the development would provide accessible accommodation in line with the

Accessible Leeds SPD, BS8300 and Building Regulations standards and on this basis, subject to a condition covering this the proposal is considered acceptable.

10.6.4 Accessible bedrooms for wheelchair users are provided in accordance with the draft SPD. 5% of the total rooms are convertible to M4(3) compliant wheelchair accessible bedrooms (40 Rooms), all of which would be taken from the Large Studio Apartment total with a minimum area of 24sqm. The number proposed to be built and usable from day one would be 2% (16 Rooms), with the remaining 3% (24 rooms) adaptable subject to demand. 5% of the total rooms are convertible to M4(2) compliant level access ambulant rooms (40 Rooms), all of which would be taken from oversized Standard En-suite rooms with a minimum area of 16sqm. These would be converted as required. This is considered acceptable requirements of the draft SPD both in terms of numbers provided and size of rooms.

10.6.5 The new streets and public spaces have been designed in accordance with BS8300 and have been designed to accommodate level access throughout and accommodate the needs of all users.

10.7 Landscaping, trees and biodiversity

10.7.1 Due to the size of the site Core Strategy Policy G5 anticipates open space provision of either 20% of the total site area, or a minimum of 0.41 hectares per 1,000 population of open space. The approach to the provision of open space within the development, is to create two new east west connections which will extend the surrounding street network and link Lands Lane with King Charles Street.

10.7.2 The northern most street is proposed to be known as Victoria Arcade, it is approximately 12m wide, will be a pedestrianised space with no general vehicular access (aside from maintenance requirements). It is located opposite Thornton's Arcade to the east.

10.7.3 Large species trees have been located along the centre of the street in raised planters. There is a significant level fall across the space, which has been managed through the incorporation of a combination of steps and ramps. Level access is achieved along the north and south of the street with a tapping line maintained along the building elevations.

10.7.4 The southern most street is to be known as King Charles Croft, it is the narrower of the two at 8.5m and is located opposite the Queens Arcade with an onward connection via a narrow underpass to Albion Street to the west. The street comprises part of the servicing loop for deliveries and will therefore be open to traffic at specific hours of the day. Subject to agreement with Highway Services planters or bollards will be provided to the northern elevation to allow sufficient space to accommodate vehicles during servicing times whilst maintaining a safe route for pedestrians. Level access is achieved and a clear tapping line is maintained along the building frontages.

10.7.5 This approach to provide open space by extending the street network is considered to represent effective placemaking and supported on that basis. It serves to break up the mass of the existing site, reinstating historic linkages and a finer urban grain which were lost when The Core was constructed.

10.7.6 These two streets have a combined area of 1075sqm which represents an increase in public realm within the site but constitutes a shortfall in the onsite greenspace provision required by policy G5. Given that this is a central city centre location at the

heart of the commercial and shopping quarter, characterised by a dense, tight-knit urban grain with buildings located at the back of pavement the potential for delivery of onsite greenspace is recognised to be very limited. Of the new streets proposed, King Charles Croft is noted to have a role in accommodating servicing vehicles. It is therefore considered that of the 1075sqm provided, 625sqm constitutes open space and as such a commuted sum has been calculated on that basis.

- 10.7.7 Core Strategy Policy CC3 seeks to improve connections within the City Centre in order to improve access to jobs and services, to encourage greater usage and make walking and cycling easier, safer and more attractive. Where proposals are located adjacent to a new route or a route planned for improvement new development is expected to make appropriate route enhancements or appropriate off site contributions.
- 10.7.8 The poor condition of the surface of Lands Lane adjacent to The Core shopping centre, between approximately Queens Arcade and the Headrow has been highlighted in comparison to the surrounding streets. The developer has agreed to deliver a repaving scheme, including the planting of street trees and providing of short stay cycle parking along Lands Lane. Additional street trees and street furniture including short stay cycle parking are also proposed along the Headrow. Works are also proposed to King Charles Street. This is to be secured through an agreement made under Section 278 of the Highways Act 1980 and are set out in the S278 scoping plan.
- 10.7.9 There is a poor-quality pedestrian connection to the west through to Albion Street that would benefit from targeted enhancement works to create a safe and attractive route. However the route is in third party ownership and the landowner is not known. As such the requirement of a contribution to enhancements would not meet the legal tests for securing such a contribution and is not feasible as part of the proposal.
- 10.7.10 Outdoor amenity space for residents is provided through three fully landscaped courtyards providing 1224sqm of secure outdoor amenity space. Within Blocks A and B these are located at first floor level, for Block C the courtyard is at ground floor level. Each block is orientated to the south to maximise daylight/sunlight levels.
- 10.7.11 It is noted that these spaces are impacted by the accommodation of plant at first floor level within blocks A and B and at ground within block C. The plant serves the ground floor retail units, for operational reasons the retail and PBSA need to be separate and to function independently and therefore it is essential that maintenance access is maintained for the plant independently of the student accommodation i.e. without needing retail tenants to access the rooftop elements through a secure residential building.
- 10.7.12 The high street retail market requires an element of flexibility for the specification and M&E provision which require larger heavy kit which impact on the specification of the slab level and supporting frame. Initial proposals were to position plant in the basement, but the commercial viability and environmental constraints of the existing basement space, including free-air movement, structural adaptation and fireproofing/escape strategy, meant the relocation to somewhere more appropriate. This would have been at ground floor level adjacent to the retail units, however, this would have resulted in large areas of blank or louvred façade which is undesirable from an urban/architectural experience perspective and would have been at the expense of active frontage.

10.7.13 This arrangement is therefore considered appropriate and there are considered to be minimal impacts to natural daylighting with the additional single storey due to the courtyard being in the shadow of each respective opposing block for most of the year.

10.8 Sustainability and Climate Change

Retention and reuse of existing building

10.8.1 The viability of retaining and reusing the existing building has been explored by the developer based on the following key principles:

- Reverse the retail concept from inward to outward facing retail frontage. Increase active frontage at street level to maximise footfall
- Accommodate windows
- Penetrate existing floor slabs to allow acceptable overlooking distances to internal courtyards
- Assess additional storey potential
- Assess suitable vertical circulation locations

10.8.2 The study concluded that conversion was unviable due to:

- Excessively deep plans with shop frontages to Lands Lane and The Headrow
- Low bed numbers achievable
- Bed per sqm of façade commercially unviable due to excessive floor to floor levels
- Unsuitable ceiling heights for residential accommodation
- Excessive and long continuous travel distances for internal circulation
- Unattractive basement retail units would remain

10.8.3 The applicant has advised that the construction offers future flexibility to ensure that the building can adapt to changing occupier needs and also to support potential changes of use. Internal partition walls are predominantly non-load bearing to allow adaption/removal, bathroom facilities to bedrooms are sealed 'pods' to allow ease of replacement or removal, the building plan depth is limited to below 15m with daylight available from both sides in most cases and fire escape principles are applicable to other residential typologies.

Energy Strategy

10.8.4 The submitted Energy Statement accompanying the application highlights a three-fold approach to reducing carbon emissions: 1) Passive Design measures to reduce the buildings energy requirements, 2) energy efficiency measures to ensure energy consumption is as efficient as possible and 3) low / zero carbon technologies to reduce the requirement for grid supplied energy.

10.8.5 Passive design measures comprising thermal insulation standards which exceed those required by Building Regulations to limit heat loss through the building fabric and air permeability to reduce infiltration of external ambient air. Solar control glazing on windows within the southern elevation to limit summertime solar gains and overheating reduce the requirement for mechanical cooling.

10.8.6 The following Energy Efficiency measures are incorporated:

10.8.7 Centralised high efficiency Air Source Heat Pumps (ASHP) with high efficiency radiators fitted with Thermostatic Radiator Valves (TRVs) with weather compensated controls varying the boiler flow temperatures.

- 10.8.8 Natural ventilation utilised where possible, with extract only ventilation provided to bathrooms and kitchen areas. Where acoustic requirements require Mechanical Ventilation with Heat Recovery (MVHR) they shall incorporate high efficiency heat exchangers to minimise CO2 emissions required to heat the incoming fresh air to room temperature.
- 10.8.9 Internal lighting to be efficient LEDs and high frequency fluorescent lights with automatic controls via passive infra-red detectors throughout communal and circulation spaces.
- 10.8.10 Building Management System (BMS) to provide central monitoring and individual electrical distribution boards to be metered to facilitate high energy consumption to be identified and targeted for improvements.
- 10.8.11 Low and zero carbon technologies have been assessed to inform which would be the most effective for the development. The report concludes that due to the continued decarbonisation of the electricity network the use of electrical energy as a fuel source for all building requirements was deemed most appropriate. A combination of roof mounted solar Photovoltaics (PVs) and Air source heat pumps have been identified as the preferred sources of low carbon technologies.
- 10.8.12 The energy strategy indicates the building is predicted to achieve an improvement of 21.8% (CO2 Emission Rate) and 21.9% (Primary Energy Rate) over Part L 2021 compliance respectively in accordance with Core Strategy EN1(i). In addition, 70% of the onsite energy consumption is provided for by low/zero carbon sources which significantly exceeds the policy requirement within Core Strategy EN1(ii) of 10% of the energy consumption of the site to come from renewable or low carbon sources.
- 10.8.13 A recycling materials plan is required by condition in accordance with Core Strategy EN6.

District Heating

- 10.8.14 Core Strategy Policy EN4 promotes the use of District Heat Networks (DHN) and the site is well placed to connect to 'Leeds Pipes' the District Heat Network linked to the heat source generated at the Recycling and Energy Recovery Facility (RERF).
- 10.8.15 The developer has undertaken BRUKL assessments in accordance with Part L of the Building Regulations for the building based on the use of ASHP and District Heating. The calculations indicated that District Heating would not meet the Target Emission Reductions and concluded that District Heating was potentially unviable and therefore proposed the use of ASHP to meet the requirements of Core Strategy Policy EN1.
- 10.8.16 Through discussions with the District Heating Team it has come to light that there is an issue with the software at a national level relating to Part L assessments which is causing non-compliance associated with DH. The Team maintain that DH will outperform ASHPs and commercial costs will be in favour of Leeds PIPES.
- 10.8.17 The revised energy statement submitted acknowledges this issue and proposed to revisit viability of District Heating as the design progresses. The DH team have confirmed that this is acceptable subject to a condition which requires connection to the network unless it is ultimately deemed unviable. The Climate and Energy Planner has confirmed that this approach is acceptable subject to the wording of the condition

allowing suitable alternate options (as identified in the hierarchy set out in Policy EN4) to be secured if connection to Leeds Pipes is found to be unviable.

10.9 Wind and Microclimate Considerations

- 10.9.1 The height of building A exceeds the draft Wind Microclimate Toolkit SPD threshold of 30m (buildings B and C are just below the threshold). As such the draft SPD recommends Computational (CFD) Simulations and Wind Tunnel Testing. However, this location is relatively sheltered from the prevailing westerly and south-westerly winds by the existing neighbouring buildings, that are tall and lie close by to the west, as such they are anticipated to reduce the likelihood of high-level winds being brought down to ground level. It was therefore agreed that modelling could initially be undertaken via CFD only, but that if this found there were significant wind safety exceedances additional wind tunnel modelling would be required.
- 10.9.2 Two wind assessments have been undertaken for the proposed development which have been the subject of a Peer Review by Tobermory Wind Consultants. The Peer Review process found that there were shortcomings with the approach of the initial assessment and as such a second study was commissioned and submitted.
- 10.9.3 The revised study was undertaken by Windtech Consultants and uses Computational Wind Engineering (CWE) / Computational Fluid Dynamic (CFD) techniques to model a 'virtual wind tunnel' and simulate conditions around the site. The modelling confirmed the sheltering effect of nearby buildings and there were no significant wind safety exceedances, which justified the agreed approach. The results of the assessment show that the wind conditions on the ground and elevated levels are safe and suitable for their intended use.
- 10.9.4 The Peer Review has confirmed that the study methodology based on CFD modelling only is appropriate and concludes that the study findings are robust and that conditions will remain safe and comfortable after demolition of the Core Shopping Centre and construction of the proposed Development. No wind mitigation measures are required.

10.10 Highway Matters

- 10.10.1 At present The Core includes 44 car parking spaces located on the roof of the existing building, these car parking spaces are accessed from Albion Street through The Core NCP car park. The NCP car park was erected in circa 1974 which pre-dates the existing shopping centre. Although it is in the same ownership it is subject to a long leasehold and does not form part of the current proposals.
- 10.10.2 The Core shopping centre is currently primarily serviced from the basement which is accessed through the NCP car park through a vehicular entrance on Albion Street. The developer explored the reuse of the basement area at preapplication stage but due to issues with fire safety and cost have indicated that the basement is to be infilled.
- 10.10.3 Servicing and refuse collection is to be undertaken at grade through a one way servicing route along King Charles Street, across King Charles Croft the southernmost street and back up Lands Lane. King Charles Croft is to be offered up for adoption.
- 10.10.4 The development is car free aside from two disabled parking spaces provided within an under croft parking area within building B. This is considered sufficient for the

development. Details of an Electrical Vehicle Charing Point are to be confirmed by condition.

- 10.10.5 114 rack cycle parking spaces and 48 Sheffield stands are proposed for the student accommodation. This is acceptable in principle subject to provision of a specification for the rack parking spaces.
- 10.10.6 For the retail units 6 cycle spaces are shown on the plan within block A. This is in accordance with the Transport SPD and is acceptable subject to a detailed plan of the cycle store. Additional short stay cycle stands are proposed on The Headrow and Lands Lane as well as within Victoria Arcade to serve visitors and shoppers.

Hostile Vehicle Mitigation (HVM)

- 10.10.7 Victoria Arcade The HVM planter at the western side of Victoria Arcade has been positioned centrally with pedestrian routes either side. Victoria Arcade will be a pedestrianised street at all times therefore 2 permanent HVM bollards have been placed either side of the planter leaving a 1.35m gap for pedestrian movement, HVM bollards should be a maximum of 1.2m apart therefore the bollards should be repositioned to narrow the gap. A planning condition is to be attached to approve the details of the HVM. Specifications of bollards and planters will be presented to West Yorkshire Counter Terrorism Police for approval through the Bronze Protect and Prepare group – this will be controlled via condition.
- 10.10.8 King Charles Croft HVM bollards are shown at both the western and eastern sides of the street. City Centre Management and Leeds Watch have been consulted regarding whether bollards are required on the eastern side of the street. The location of the intercom system, any necessary electric equipment, and any CCTV required will be shown on the plans as this will take up space on the street. A planning condition will be attached to approve the full details of these measures. Specifications of bollards and planters will be presented to West Yorkshire Counter Terrorism Police for approval through the Bronze Protect and Prepare group – this will be controlled via condition.
- 10.10.9 The applicant has agreed to the highway contributions identified.
- 10.10.10 A draft demolition plan has been provided.
- 10.10.11 A revised Land Dedication Plan has been provided to give comfort that the building footprint is not on the adopted highway.
- 10.10.12 The proposed bridge crossings over Victoria Arcade is over a private pedestrianised street and the clearance of 2.6m is therefore considered acceptable. The bridge over King Charles Croft spans over the adopted highway and a technical approval from the Structures team is required. The proposed vertical clearance of 5m, although below the height generally accepted, has been assessed by the Structures team and is considered acceptable subject to adequate signage.
- 10.10.13 A Section 278 highway works scoping plan showing the extent of the resurfacing / reconstruction works as well as proposed tree planting and street furniture around the site has been provided.
- 10.10.14 A revised plan has been provided by the applicant that the roller shutter door is of a sufficient width to allow for a 2m x 2m visibility splay.

- 10.10.15 Waste management have indicated that a loading bay is required to prevent parked cars blocking the route to the refuse vehicle and refuse crew. A layby is shown on the revised S278 scoping plan.
- 10.10.16 The proposed pick up / drop off strategy has been updated and involves advance reservations for parking spaces in nearby car parks with the potential for the use of the two disabled spaces within the building.
- 10.10.17 A number of highways matters are in discussion at the time of writing the report as follows. These will need to be resolved before the application is determined however they are not expected to affect the design and layout of the buildings as proposed or the overall approach to servicing and access. Therefore delegated authority is sought to agree these more technical matters.
- 10.10.18 Due to the size and location of the site a Construction Management Plan (CMP) has been requested. The applicant has indicated that a CMP requires input from a contractor. The highway authority is seeking assurance regarding the principles of the CMP at planning stage. The applicant has agreed to parameters being agreed prior to the application being determined and engaging with the Abnormal Loads Officer and Network Management.
- 10.10.19 The principle of the servicing route proposed is acceptable, however further detailed information regarding the servicing arrangements has been sought or remains to be assessed including vehicle tracking for delivery vehicles. In particular a revised turning head at the junction of King Charles Street and the proposed Victoria Arcade is required to enable vehicles to turn at the bottom of King Charles Street outside delivery hours; the proposed gradients and drainage approach for the new streets have to be agreed; the arrangement of the ramps to enable inclusive access remain to be agreed; the detailed choice and placement of bollards or planters to safeguard pedestrian/vehicle movements and avoid the potential for conflict remain to be agreed. Two disabled parking spaces have been removed on King Charles Street to introduce a loading bay. There is an opportunity to relocate these to Albion Street by extending the existing run of disabled parking bays on Albion Street and a revised Highways works plan is required to confirm this.
- 10.10.20 A stage 1 road safety audit is required to be provided prior to determination of the application.
- 10.10.21 The outstanding highway matters are considered to be technical issues and are not considered to impact on the development proposals as presented to panel. It is therefore recommended that these matters are delegated to be resolved prior to determination of the application and the report recommendation reflects this.

10.11 Planning Obligations and CIL

- 10.11.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 regulation 122. This provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- a) necessary to make the development acceptable in planning terms,
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.

10.11.2 The proposed scheme produces the need for the following obligations which it is considered meet the legal tests:

- Leeds City Council Travel Plan Review fee of £8,888
- On site green space provision
- Contribution for green space commuted sum £106,284.56
- Contribution towards:
 - o the proposed Woodhouse Lane Gateway scheme (£405,114)
 - o altering/creating new Traffic Regulation Orders (TROs) (£20,000)
 - o upgrade wayfinding signage (£22,000)
 - o traffic enforcement camera (£60,000)
- Control of student occupancy
- Section 106 monitoring fee

10.11.3 This development is liable to the Community Infrastructure Levy (CIL) and is likely to generate a CIL charge of £145,892.66. This figure is presented for information only and should not influence consideration of the application. Consideration of where any Strategic Fund CIL money is spent rests with the Council's Executive Board and will be decided with reference to the Regulation 123 List (or Infrastructure Funding Statement as the case may be) at the time that decision is made.

11 REPRESENTATIONS

11.1 As noted at Section 8 of the report. – Nine letters of representation have been received, four letters of support including from Leeds Civic Trust and three letters of support from Leeds residents. Four letters of objection from representatives of the long leaseholder of the NCP Car Park and a building adjoining the site on Lands Lane, two from residents within the Basilica.

11.2 The letters of support have been taken into account.

11.3 Of the matters raised by objectors, the following are subject of separate legislation Rights of Light, encroachment, Party Wall matters and are therefore not material planning considerations.

11.4 Noise and disturbance during construction is managed through the construction management plan but in itself is not considered a material planning consideration. One objector highlighted that the Basilica has unsafe cladding which is due to be replaced and raised concerns regarding coordination of construction works. The principal elements of a construction management plan to be controlled by condition to ensure safeguarding of highway network operation, amenity and safety will be agreed with Highway Services prior to determination of the application but the full details of construction management will be coordinated at subsequent build stages and determination of this planning application should not prejudice the ability of the cladding work to be undertaken on neighbouring sites.

11.5 The other matters are material planning considerations and have been taken into account as follows:

- Layout and density of buildings –addressed within section 10.2 (paragraphs 10.2.4 to 10.2.11)
- Over shadowing/loss of outlook – addressed within section 10.5 (paragraphs 10.2.1 to 10.5.11)
- City centre retail decline, increase in student accommodation. –addressed within section 10.1 (paragraphs 10.1.1 to 10.1.4 and 10.1.9 to 10.1.15))

- Buildings are similar in appearance; buildings should be distinct from each other to reflect the variety on eastern side of Lands Lane. – addressed at paragraph 10.10.6.
- Short stay cycle parking provided (i.e. small Trinity Centre facility) – addressed at paragraph 10.10.6.
- No agreement to utilise spaces at the NCP car park, revised travel management approach required – addressed at paragraph 10.10.16.

11.6 The matters raised by the Civic Trust are addressed throughout the report at paragraphs 10.4.8, 7.2.12, 10.8.3, 10.10.6, 10.10.19, 10.10.4, 10.7.11 and 10.3.9.

12 PLANNING BALANCE AND CONCLUSION

12.1 The proposals represent an opportunity to reimagine a key site at the heart of the City's prime shopping area. The redevelopment of an underused, inward looking and dated shopping centre to provide high quality design-led modern buildings will enhance the area bringing new life and vibrancy. Generous new streets and spaces will provide east west connectivity through the site along with new commercial opportunities in a vibrant proposition to reinvigorate and reimagine this central part of the historic city core.

12.2 There are noted to be some impacts on adjacent properties due to the increase in scale, however on balance it is considered that the development accords with the Development Plan as a whole. Accordingly, it is recommended that the scheme should be deferred and delegated to the Chief Planning Officer for approval subject to the resolution of outstanding technical highway matters and the draft conditions specified in Appendix A (including any amendment to the same or addition of further conditions as the Chief Planning Officer deems appropriate) and the completion of a Section 106 agreement.

Background Papers: 9 letters of representation, Application file 23/05271/FU

APPENDIX A – Draft Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

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

3. The student accommodation hereby approved shall not be occupied until the dedicated internal communal space and rooftop terrace area identified on approved drawings have been provided for the use of students residing in the building. The internal space and rooftop terrace area shall thereafter be retained and maintained for use by students for the lifetime of the development.

To ensure that students are provided with satisfactory amenity space within the building.

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

In the interests of visual amenity.

5. Prior to the construction of the following elements of the proposed building, full 1 to 20 scale working drawing details of the following for that phase shall be submitted to and approved in writing by the Local Planning Authority:
 - a. junctions between materials
 - b. each type of window bay proposed (including whether windows will be openable)
 - c. ground floor frontages
 - d. glazed upper floors
 - e. mansard roofs
 - f. shop fronts.

Development shall then be undertaken in accordance with the approved details.

In the interests of visual amenity.

6. 'Prior to commencement of any works above ground;
 - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

7. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and

findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

8. The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development (excluding demolition) shall not commence until a Phase II Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development (excluding demolition) shall not commence until a Remediation Strategy demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Strategy shall include a programme for all works and for the provision of Verification Reports.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' with respect to land contamination.

9. If remediation is unable to proceed in accordance with the approved Remediation Strategy, or where significant unexpected contamination is encountered, or where soil or soil forming material is being imported to site, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing. An amended or new Remediation Strategy and/or Soil Importation Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Strategy. Prior to the site being brought into use, where significant unexpected contamination is not encountered, the Local Planning Authority shall be notified in writing of such.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that any necessary remediation works are identified to make the site 'suitable for use' with respect to land contamination.

10. Remediation works shall be carried out in accordance with the approved Remediation Strategy. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

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

11. a) No works shall commence (including any demolition, site clearance, ground works or drainage etc.) until all existing trees, hedges and vegetation shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans (as approved pursuant to b) below) and the specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. NOTE: safeguarding includes any ground areas intended for Structural Planting (clause 6.2 of BS5837) and only the BS5837 default barrier with the scaffold framework shall be employed. A fully dimensioned tree protection plan drawing shall be included in the submission. Such measures shall be retained for the full duration of any demolition and/or approved works.
b) No works or development shall commence until a written Arboricultural Method Statement (AMS) in accordance with BS5837 for a tree care plan has been submitted to and approved in writing by the Local Planning Authority. Works shall then be carried out in accordance with the approved method statement. The AMS shall include a Site Supervision Schedule i.e. a list of site visits and the operational

specifics related to trees for the full construction duration. The AMS shall include for reporting back to the Local Planning Authority immediately after each site supervision intervention (written & photographic).

NOTE - this item cannot be discharged until the last supervision visit report is submitted.

c) Evidence shall be submitted, such as a written appointment (including site specifics), that confirms that a qualified Arboriculturist/competent person has been appointed to carry out this Arboricultural monitoring/supervision.

d) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition/ approved works commencing, to allow inspection and approval of the protection measures as implemented on site.

NOTE - this item cannot be discharged until post inspection approval is confirmed.

e) No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services/drainage, without the prior written approval of the Local Planning Authority.

To ensure the protection and preservation of trees and vegetation during construction works, in accordance with Leeds City Council policies.

12. The development hereby permitted shall not be occupied until full details of both hard and soft landscape works, including a dated implementation programme (inclusive of any phasing), have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include

- (a) proposed finished levels and/or contours,
 - (b) boundary details, means of enclosure and retaining structures,
 - (c) car parking layouts,
 - (d) other vehicle and pedestrian access and circulation areas,
 - (e) hard surfacing areas,
 - (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
 - (g) existing trees with Root Protection Areas (RPAs) and all other retained vegetation.
- Soft landscape works shall include
- (h) planting plans (display existing trees with Root Protection Areas (RPAs) and all other retained vegetation),
 - (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
 - (j) schedules of plants noting species, planting sizes, root packaging and proposed numbers/densities,
 - (k) drainage proposals.

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme, British Standard BS 4428:1989 (Code of Practice for General Landscape Operations) and in accordance with Leeds City Council website landscape guidance under "Landscape Planning and Development". The landscaping works shall be maintained in accordance with the approved details for the lifetime of the development.

To ensure the provision and establishment of acceptable landscaping.

13. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The Management Plan must conform to Leeds City Council's Landscape Management Plans (Landscape Guidance No.2) and associated checklist. The landscape management plan shall be for the lifetime of the development and shall be carried out as approved.
- To ensure successful aftercare of landscaping.

14. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority. To ensure maintenance of a healthy landscape scheme.
15. Construction of hardsurfaced areas shall not take place until details and samples of all surfacing materials have been submitted to and approved in writing by the Local Planning Authority. The surfacing works shall be constructed from the approved materials.

In the interests of visual amenity.

16. Prior to the occupation, a scheme for street lighting which is to be mounted on the building is to be submitted to and approved in writing by the Local Planning Authority.

In the interests of amenity.

17. Prior to the commencement of development, a Plan shall be submitted to and approved in writing by the local planning authority of: integral bat roosting and integral bird nesting features (for species such as House Sparrow and Swift) within buildings. Features that are not integral will only be considered for approval if an appropriately qualified ecologist provides assurance that, following discussions with the building architect, integral features are not possible. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a timetable for implementation and commitment to being installed under the instruction of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained in the manner as approved thereafter.

To maintain and enhance biodiversity in accordance with Core Strategy Policy G9, NPPF, and BS 42020:2013.

18. Following completion of the building and prior to its occupation, a report from an appropriately qualified ecologist confirming that all integral bat roosting and integral bird nesting features have been installed as per previously agreed specifications and locations, together with photographic evidence, shall be submitted to and approved in writing by the LPA.

To demonstrate compliance with Policy G9, NPPF and BS 42020:2013.

19. Prior to commencement of development a Lighting Design Strategy For Bats shall be produced by an appropriately qualified ecological consultant and submitted to and approved in writing by the local planning authority. The Strategy shall: a) Identify those areas/features on site that are particularly sensitive for roosting, commuting or foraging bats - using an appropriately scaled map to show where these areas are. b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb commuting and foraging bats or integral bat roosting and bird nesting features. All external lighting shall be installed in accordance with the specifications and locations set out in the Strategy, and shall be maintained thereafter in accordance with the Strategy. Under no circumstances should any additional external lighting be installed without prior consent from the local planning authority in the areas identified in the Strategy as particularly sensitive for roosting, commuting or foraging bats.

To safeguard a protected species (bats) in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013

20. No works to or removal of built structures with bird-nesting potential shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the built structure for active birds nests immediately before (within 24 hours)

the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority within 3 days of such works commencing.

To protect nesting birds in built structures in accordance with the Wildlife & Countryside Act 1981 (as amended) and BS 42020:2013

21. The development shall be undertaken in accordance with the supplied documents unless otherwise submitted and approved in writing with the Local Planning Authority.

The works shall be fully implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

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

22. Development shall not commence until details and a method statement for the interim and temporary drainage measures to be adopted during the site clearance and construction phases that address the key flood and drainage risks as set out in the supplied documents and any other flood and drainage risks subsequently identified, has been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any third-party land or public highway or any receiving watercourse or sewer system. Where temporary discharges to a sewer are proposed, written confirmation from the sewer owner that these have been accepted shall be provided. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority.

To prevent flooding and pollution offsite in accordance with the NPPF

23. Prior to the commencement of above ground works, full details of the vehicle access from King Charles Street to King Charles Croft, and the treatment of the junction King Charles Street / Victoria Arcade, including the number and location of rising bollards, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details within a timescale agreed in writing by the Local Planning Authority.

In the interests of pedestrian, cyclist and vehicular safety.

24. Prior to their erection full details of the proposed basement car park roller shutters shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and maintained thereafter.

In the interests of visual amenity in accordance with saved policy BD5 of the Leeds UDP Review (2006).

25. There shall be no storage of refuse outside the areas agreed for refuse storage.

In the interests of amenity and to ensure adequate measures for the storage and collection of wastes are put in place.

26. Notwithstanding the approved details, works above the ground floor slab level shall not commence until full details of cycle/motorcycle parking and facilities have been submitted to and approved in writing by the Local Planning Authority. The approved cycle/motorcycle parking and facilities shall be provided prior to first occupation of the development and retained thereafter for the lifetime of the development.

In the interests of highway safety and promoting sustainable travel opportunities.

27. Development shall not be occupied until all areas shown on the approved plans to be used by vehicles, including roads, footpaths, cycletracks, loading and servicing areas and vehicle parking space have been fully laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway.

28. Development shall not commence until a survey of the condition of Lands Lane, King Charles Street, and The Headrow has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the development (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented within ^IN months of the remedial works being agreed with the Local Planning Authority. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24hours from the applicant being notified by the Local planning Authority.

Traffic associated with the carrying out of the development may have a deleterious effect on the condition of the highway that could compromise the free and safe use of the highway.

29. Development shall not commence until a statement of construction practice has been submitted to and approved in writing by the Local Planning Authority, the Statement of construction practice shall include full details of:

- a) The construction vehicle routing, means of access, location of site compound, storage and parking (including workforce parking), means of loading and unloading of all contractors' plant, equipment, materials and vehicles and associated traffic management measures.
- b) Methods to prevent mud, grit and dirt being carried on to the public highway from the development hereby approved.
- c) Measures to control the emissions of dust and dirt during construction.
- d) How the statement of construction practice will be made publicly available by the developer.

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

The carrying out of the development could result in significant harm to the amenities of local residents and highway safety, and accordingly details of construction practice is required to be agreed prior to commencement of works in order to protect such interest.

30. Development shall not be occupied until Electric Vehicle Charging Points have been provided in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be retained for the lifetime of the development.

In the interest of promoting low carbon transport.

31. Prior to occupation of the development, the off-site highway works as shown on plan ^IN comprising ^IN at location ^IN shall be fully delivered.

To ensure the free and safe use of the highway.

32. Development shall not be occupied until a plan showing details of dedicated space for loading, unloading and parking of service/delivery vehicles has been submitted to and approved in writing by the Local Planning Authority. This space shall be retained for the lifetime of the development.

To ensure the free and safe use of the highway.

33. Prior to the installation of any external surfacing materials, full details and samples of all surfacing materials to the public realm areas have been submitted to and approved in writing by the Local Planning Authority. The surfacing works shall be constructed from the approved materials.

In the interests of visual amenity.

34. The development shall not be occupied until a full Student Move-In and Move-Out Procedure Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented and operated in accordance with the approved timescales and details.

To ensure the free and safe use of the highway.

35. Prior to any above ground works details of the cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall accord with the guidance in the local cycle parking standards with the adopted Transport Supplementary Planning Document (2023). The cycle parking spaces must also include space for storing larger cycles and accessible cycles, cycle repair facilities and E bike charging in line with this guidance. The development or any identified phase of development shall not be occupied until the cycle parking has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.

To comply with Core Strategy T2 and the *Leeds City Council Transport SPD (2023)*.

36. Prior to first occupation of the development, a Travel Plan comprising immediate, continuing and long-term measures to promote and prioritise alternatives to private vehicular use, which shall include clear objectives and modal share targets, together with a time-bound programme of implementation, monitoring, regular review and interventions (in the event of a failure to meet modal share targets) shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan measures and targets to the satisfaction of the Local Planning Authority.

In order to deliver sustainable transport objectives including a reduction in private vehicular journeys and the increased use of public transport, walking, wheeling and cycling and comply with the adopted Leeds City Council Transport SPD (2023).

37. Prior to installation of the approved glazing and ventilation scheme, a BS4142 assessment shall be undertaken to assess the impact of rooftop plant on the telephone exchange directly opposite the site. The approved scheme shall then be reassessed to ensure all internal noise criteria can be met, if not, an amended glazing and ventilation scheme shall be submitted in writing for approval.

In the interests of residential amenity.

38. Prior to occupation of the development a management plan for the roof terrace is to be submitted to and approved in writing by the Local Planning Authority. Use of the roof terrace shall be in accordance with the approved management plan thereafter.

In the interests of residential amenity

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

In the interests of visual and residential amenity.

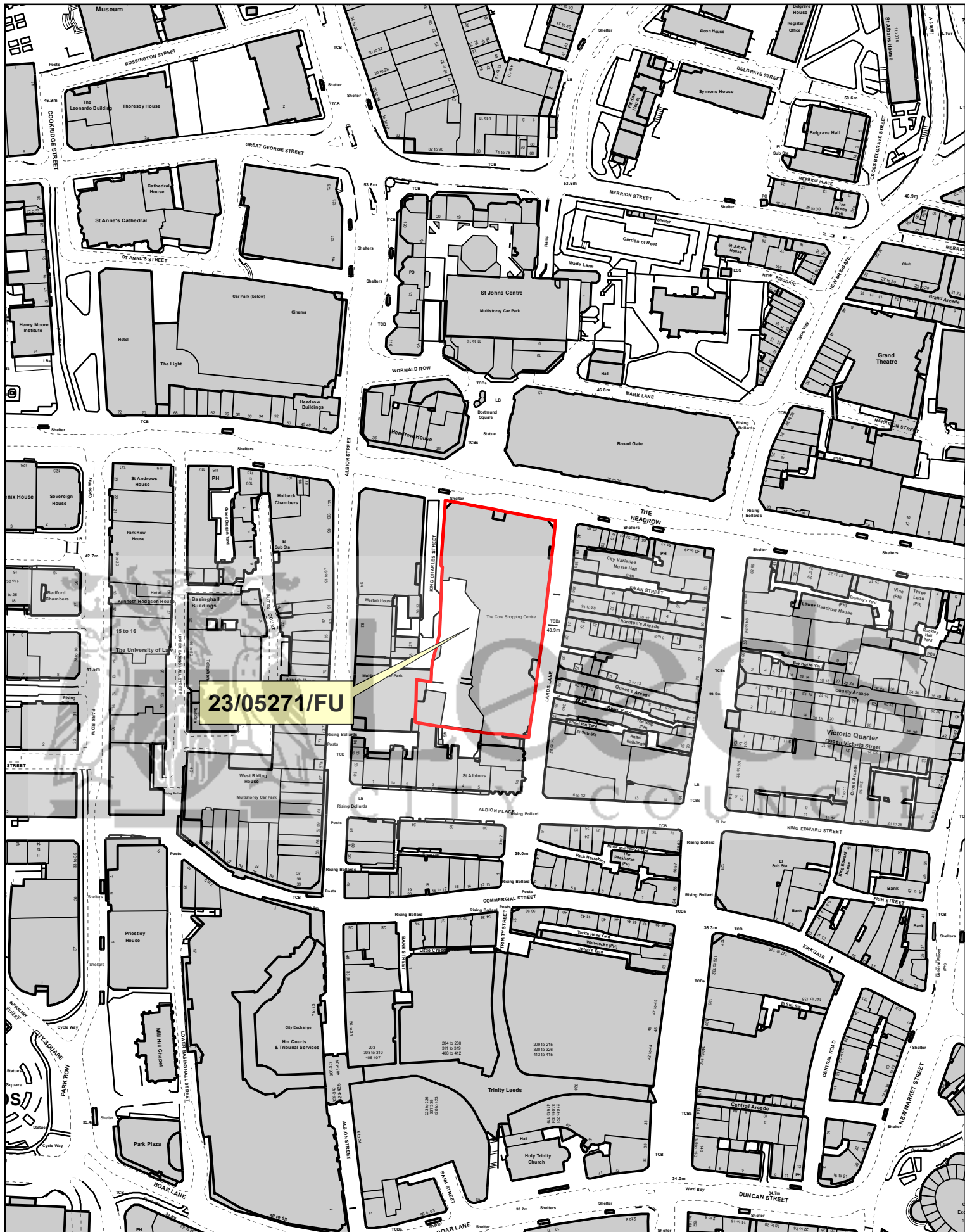
40. Prior to the commencement of above ground works a detailed Security Plan which addresses the security matters raised by West Yorkshire Police in correspondence dated 01/02/2024 and 26/02/2024 is submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details.

In the interests of safety and security.

41. Prior to commencement of above ground works a revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority. There shall be a presumption in favour of connection to the District Heat Network unless further assessment deems it to be unviable or less effective than other low carbon energy.

In the event that connection to the District Heat Network is agreed by the Local Planning Authority to be either unviable or less effective than other low carbon energy technology further information demonstrating how the development will comply with Core Strategy policies EN,1 EN2 and EN4 shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of sustainability.

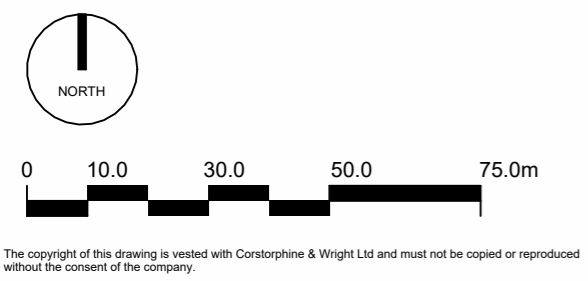
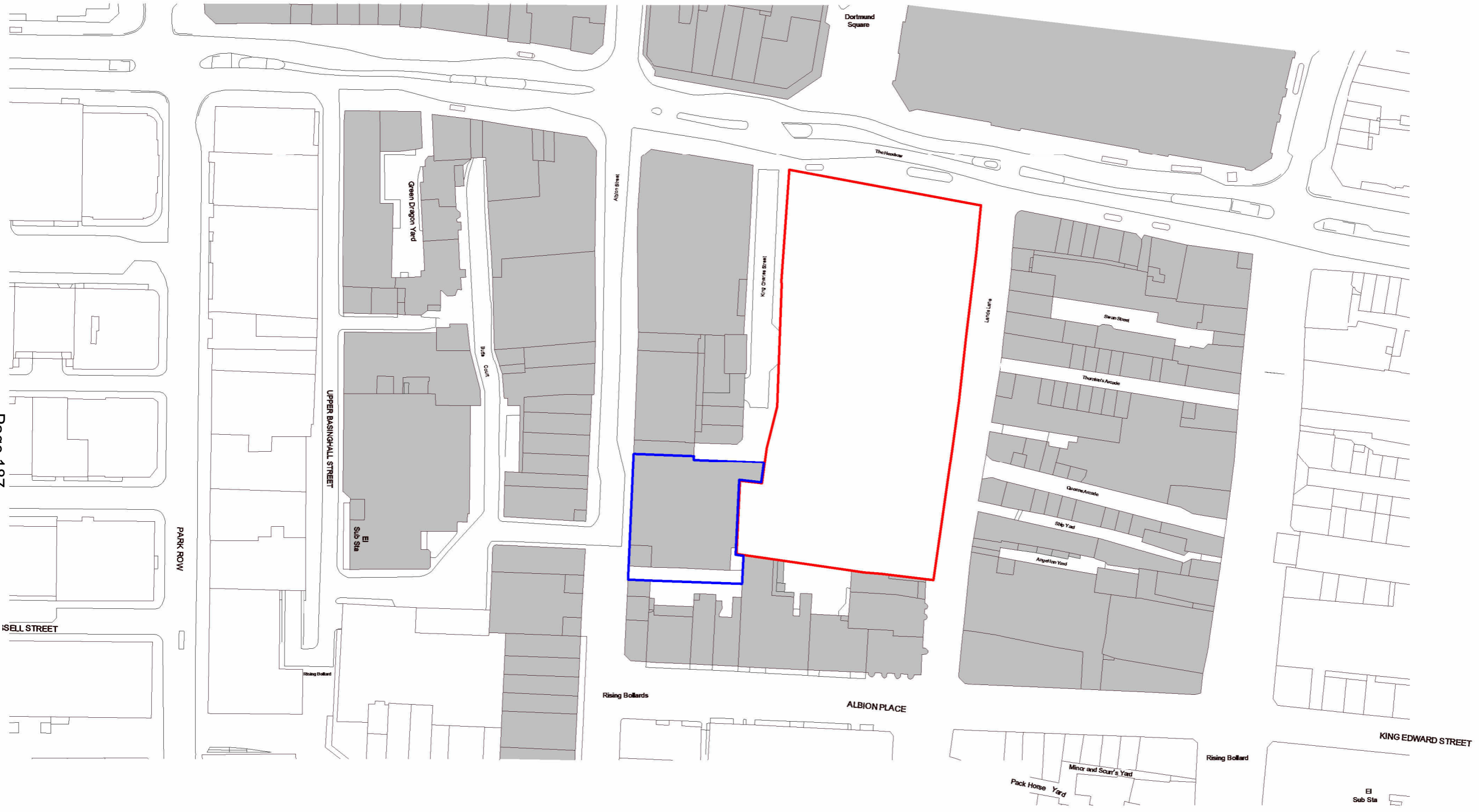


CITY PLANS PANEL



Site Location Plan

Page 187



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P-00	Issued for Planning	31/07/23	DS	NI
Rev.	Description	Date	Drawn	Chk.

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— Proposed Site Boundary
— Additional Site Ownership

Client
Fusion Group / Tri 7

Project
The Core, Leeds

Drawing Title
Site Location Plan

Drawing Status
PLANNING

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