

CITY PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 10th August, 2017
at 1.30 pm

MEMBERSHIP

Councillors

P Gruen
N Walshaw
J McKenna
(Chair)
A Khan
A Garthwaite
B Selby
C Macniven
E Nash

C Campbell

R Procter
G Latty

T Leadley

D Blackburn

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Governance Services
Civic Hall
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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			LATE ITEMS To identify items which have been admitted to the agenda by the Chair for consideration (The special circumstances shall be specified in the minutes)	
4			DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.	
5			APOLOGIES FOR ABSENCE	
6			MINUTES OF THE PREVIOUS MEETING To consider and approve the Minutes of the previous meeting held on 20 th July 2017. (Copy attached)	1 - 4
7	City and Hunslet		APPLICATION NO. 17/02677/FU : PROPOSED NEW CREATIVE ARTS BUILDING FOR LEEDS BECKETT UNIVERSITY, PORTLAND WAY AND CALVERLEY STREET, LEEDS 1 To consider a report by the Chief Planning Officer which sets out details of an application for a proposed new creative arts building for Leeds Beckett University at Portland Way and Calverley Street, Leeds 1 (Report attached)	5 - 28

CITY PLANS PANEL

THURSDAY, 20TH JULY, 2017

PRESENT: Councillor J McKenna in the Chair

Councillors D Blackburn, T Leadley,
C Campbell, A Khan, C Macniven, E Nash,
A Carter, C Dobson, C Gruen, S McKenna
and G Wilkinson

12 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

13 Exempt Information - Possible Exclusion of Press and Public

There was no exempt information.

14 Late items

There were no late items.

15 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

16 Apologies for Absence

Apologies for absence were received from the following Councillors:
P. Gruen, N Walshaw, A Garthwaite, B Selby, R Procter, and G Latty.

The following substitutions were noted as:

- Cllr. C Gruen for Cllr. P Gruen
- Cllr. C Dobson for Cllr. B Selby
- Cllr. S McKenna for Cllr. A Garthwaite
- Cllr. Andrew Carter for Cllr. G Latty
- Cllr. G Wilkinson for Cllr. R Procter

There was no nominated substitute for Cllr. Walshaw.

17 Minutes of the Previous Meeting

The Minutes of the previous meeting held on 29th June 2017 were submitted for consideration and approval.

Referring to Minute No. 8 Councillor T Leadley requested an amendment to Resolution paragraph 5 second to last sentence to read:

‘The appeal site would account for 18% of the total housing site allocations for the Outer South West HMCA’.

RESOLVED – With the inclusion of the above, the minutes of the previous meeting held on 29th June 2017, were accepted as a true and correct record.

18 Matter Arising from the Minutes

No matters arising.

19 Application No.16/05226/OT - Outline planning application for circa 874 dwellings; a 66 bed care home; a 1 form entry primary school; a new local centre including a Class A1 convenience store (up to 420m²), a 5 unit parade of small retail units (up to 400m²), Class D1 uses (up to 750m²); onsite open space, including areas for both public access and biodiversity enhancements, together with associated highway and drainage and infrastructure on land at Thorp Arch Estate, Wetherby, Leeds 23 - (Subject of an Appeal against non-determination)

The report of the Chief Planning Officer requested Members to give consideration to officers suggested reasons for refusal on an outline planning application for circa 874 dwellings; a 66 bed care home; a 1 form entry primary school; a new local centre including a Class A1 convenience store, a 5 unit parade of small retail units, Class D1 uses; onsite open space, including areas for both public access and biodiversity enhancements, together with associated highway and drainage and infrastructure on land at Thorp Arch Estate, Wetherby, LS23.

Members were reminded that a report had previously been brought to Plans Panel on 27th April 2017, to contest the appeal that had been made against the non-determination of the planning application.

Members were informed that the appeal was now moving forward to a public enquiry. However the report submitted had additional reasons for refusal which required Member approval.

Members were provided with a brief overview of the planning application.

Members were advised of the following points:

- Site Allocation Plan has been submitted to the Secretary of State on 5th May 2017.

- Proposed housing allocations at Wetherby of 1,100 houses and at Parlington of 1,850 houses.
- Thorp Arch Estate was allocated for employment on Site Allocation Plan
- Impact on roads and bridges around Thorp Arch Estate including concerns for Thorp Arch Bridge which is grade II listed.
- No Section 106 agreed or signed in relation to affordable houses or green space
- Applicant says unable to provide 35% affordable housing.
- The date for the enquiry will be 12th September 2017.
- Other surrounding authorities had been contacted for their comments, however only North Yorkshire had responded and had given no negative comments.

Members discussed the following points:-

- The need for affordable housing;
- Land allocated to employment and the need for sustainable employment;
- Concerns in relation to increased traffic in the area;
- Concerns relating to access of the site;
- Concerns in relation to the character change in in the surrounding local villages;
- The robustness of the reasons submitted

Members were advised that the strength of case would come from the highways angle and the significant impact that this would have on the surrounding area.

The Legal Officer advised the Panel that the reason for refusal in the case of prematurity and the fact that the Council had not advanced this site for housing, that the site was disproportionate and inappropriate would in itself feed into the character argument. The Legal officer said that proofs of evidence would incorporate why housing was not appropriate on this site and that the site should be as allocated for employment.

RESOLVED- To accept officers suggested five reasons for refusal to defend the forthcoming appeal against non-determination of the application.

Second to last sentence of reason five to be amended to read:

‘The appeal site would account for the equivalent of 25% of the total housing site allocations for the Outer North East Housing Market Characteristic Area (HMCA)’.

20 Date and Time of Next Meeting

RESOLVED – To note the next meeting of City Plans Panel will take place on Thursday 10th August 2017 at 1:30pm in the Civic Hall.

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Originator: Tim Hart

Tel: 3788034

Report of the Chief Planning Officer

CITY PLANS PANEL

10th August 2017

Full planning application 17/02677/FU : Proposed new creative arts building for Leeds Beckett University, Portland Way and Calverley Street, Leeds 1

Applicant – Central Link Leeds 2 Limited Partnership and Leeds Beckett University

Electoral Wards Affected:

City and Hunslet

Yes

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

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

- A travel plan monitoring fee of £2,750
- Contribution of £7,500 for a Traffic Regulation Order in relation to revisions to highway arrangements on Calverley Street
- Contribution of £3,000 towards trial membership and usage of the car club
- Contribution of £4,800 towards off-site tree planting
- Employment and training plan
- Section 106 management fee of £1500

In the circumstances where the Section 106 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.

Suggested conditions are set out at Appendix 1 of this report.

1.0 Introduction

- 1.1 This application seeks full planning permission for the construction of a multi-storey building for Leeds Beckett University (LBU). The building would bring together the facilities of four departments: Music; The Northern Film School; Performing Arts; and Fashion. Together, the new Creative Arts building is intended to deliver world-class teaching and academic facilities in a gateway location to the university.
- 1.2 The building would occupy land north of the junction of Portland Way and Calverley Street adjacent to the student accommodation buildings which have recently been completed by Downing and opposite the west wing of the Civic Hall. The development would be a joint venture between LBU and Downing.
- 1.3 The emerging proposals were presented to City Plans Panel at pre-application stage in October 2016. The project architect is responsible for the earlier phases of site development developed by Downing.
- 1.4 Subject to the approval of this application the applicant has advised that it is their intention to start on site later this year to enable opening of the accommodation in 2020.

2.0 Site and surroundings

- 2.1 The site is currently vacant having been previously occupied by Leeds Metropolitan (now Beckett) University buildings until demolition a decade ago. Most recently it has been used as the site compound for the new student accommodation buildings constructed on land immediately to the north-west. A new pedestrian route has recently been opened along the north-eastern boundary linking Portland Way and the heart of the new student accommodation, whilst also providing opportunities for enhanced routes into Leeds Beckett University's Portland and Calverley Buildings which flank the site.
- 2.2 The surrounding area is mainly characterised by institutional and civic uses. As noted, the LBU city centre campus is situated immediately to the north of the site. A new entrance into the campus from Portland Way via the Portland Building was completed last year. Leeds General Infirmary is situated across Calverley Street to the west and the Civic Hall and the LBU Rosebowl building are located beyond Portland Way to the south east. The University of Leeds campus is located directly to the north of the Inner Ring Road.
- 2.3 The campus is located between the University Conservation Area, the City Centre Conservation Area and Queen Square Conservation Area. The Civic Hall is grade II* listed. Trees around the periphery of the site are protected by Tree Preservation Order (No.22) 2007. Ground levels rise up both Calverley Street to the north-west and Portland Way to the north-east from their junction at the southern apex of the site.

3.0 Proposals

- 3.1 The feasibility designs were developed in line with the vision of LBU to deliver world-class teaching and academic facilities in a gateway location to the university campus. Briefs were prepared for each of the schools (film, music, performing arts and fashion) to assist the identification of accommodation requirements and key linkages. The complexity of the brief was further complicated by the need for more than a third of the building to be double or triple height volumes.

- 3.2 The proposed building will be able to accommodate 2,100 students and 150 staff, although the average number of students expected on a daily basis is approximately 1,600. The building would contain the following functions:
- TV studio
 - Acoustic testing lab
 - Two theatres
 - Prop stores and workshops
 - Black box studio, recording studios, fashion studios, performance studios and film studios
 - Ensemble rooms and production offices
 - Social learning and café
 - 216 seat cinema
 - Teaching space
 - Academic and staff offices
 - Computer labs
- 3.3 The building would be situated parallel to the recently completed student accommodation buildings 13.5m to the north-west and at a right angle to the LBU Portland Building 7.5m to the north east. The north eastern end of the building would abut the recently opened footway linking Portland Way and the centre of the campus on the same alignment as the most recently constructed student accommodation buildings to the north-west. At ground floor the south western face of the building would be set back approximately 5 metres from Calverley Street at its closest point whilst the most easterly elevation would follow the same building line established by the university's Woodhouse Building on Portland Way.
- 3.4 The building would comprise a series of interlocking volumes situated above a part two, part three, storey basement. The element of the building closest to Portland Way, the "slip block", would rise to 5-6 storeys above ground, slightly lower than the height of the glazed hub of the Rose Bowl to the east. Beyond this, the main body of the building would rise to 9 storeys, a similar height to the closest new student building to the west and 10m lower than the Portland Building. The south-eastern facade of this taller element would be aligned with the gable end of the Portland Building. The front 15m of this part of the building, the "Calverley Cube", would step down to equivalent to 6 storeys, the same height as the front section of the neighbouring buildings facing Calverley Street. This part of the building, facing Calverley Street, would be cantilevered above the lower and upper ground floors.
- 3.5 The material palette is made up of the following:
- Traditional handset natural stone walling with a smooth, non-textured, finish
 - Natural stone-faced rainscreen panel system with a fine textured finish
 - Natural stone-faced rainscreen panel system with a vertical grooved finish
 - Vertical aluminium louvre fins
 - Anodised aluminium rainscreen panel system
 - Anodised aluminium curtain walling system
 - Structural glass balustrading
 - Anodised aluminium window system with a combination of clear or fritted glass
 - Translucent white gridded polycarbonate cladding with aluminium framing system

- 3.6 The outer layer of each rainscreen system, including the polycarbonate cladding, all use fire-resistant construction materials that satisfy or exceed building standards. In particular, the polycarbonate cladding panels are certified to Euroclass B-s1, d0 (according to EN 13501) where B refers to the material's fire resistance to limit the spread of fire on the face of the building; s1 is the most stringent classification for smoke production and d0 means that no flaming particles or droplets occurred during testing and as such is also the highest classification.
- 3.7 There would be two principal entrances into the building. A "city entrance" into the large social learning and café space at lower ground level would be located facing the junction of Calverley Street and Portland Way. A new plaza would be formed to the front of this entrance accessed from either a series of steps or level accesses a little way further up Calverley Street and Portland Way. The existing pedestrian footway around the corner would be significantly widened.
- 3.8 The "university entrance" would be situated at the north eastern end of the building, providing access to the upper ground floor level. It too would be accessed using either a new plaza via steps up from Portland Way or the recently constructed footpath which runs alongside the Portland Building. A cycle store would be constructed on the opposite side of the footpath abutting the Portland Building.
- 3.9 Vehicular access into a narrow "service yard" situated on the north-west side of the building would be taken from Calverley Street. The service yard would provide access to the lower ground floor goods entrance on the north-west elevation and to the largely subterranean plant rooms and substation beyond. The service access would require adjustment of the taxi rank on Calverley Street although its existing capacity would be maintained. An existing loading bay further up Calverley Street would be utilised for refuse collection.
- 3.10 The existing footway alongside the site would be widened, most significantly around the junction of Calverley Street and Portland Way. The long section of dropped kerb along Portland Way, historically providing vehicular access to Leeds Polytechnic parking alongside the building, would be reinstated.
- 3.11 The falling levels along Portland Way would contain a series of terraced areas of both hard and soft landscape providing both public seating, and seven new trees. The area would also provide access to the glazed curtain wall allowing views into the lower ground areas of the building. A strip of soft planting will also be provided fronting Calverley Street containing three new heavy standard trees. The selected species, as elsewhere around the site is *Pyrus calliana* 'Chanticleer'. The northern edges, adjacent to the recent student accommodation and the Portland Building are more significantly shaded by the surrounding buildings. The public realm in these areas is less suited to sitting and gathering and more focussed on the servicing of the facility with the landscaped plant room roof and pedestrian access way to the north. The landscape in these areas will be more passive and more shade tolerant planting selection would be used. Porous screens and tall columnar trees would be introduced alongside the pathway to the north to help moderate the wind funnelling effect and reduce wind speeds.
- 3.12 The university's policy is for all applicable projects to reach a BREEAM Excellent rating to ensure energy efficiency, sustainable design and on-site renewable energy generation where practicable. The energy demand of the building has been reduced passively by maximizing daylight whilst reducing solar gains; improving the building fabric and reducing unwanted infiltration. The energy required to service the building has then been further reduced through the use of efficient lighting and lighting

controls, heat recovery, efficient fans and optimised zoning and controls. The building would be connected to the combined heat and power (CHP) energy centre in Portland building to provide low carbon space heating and hot water, whilst roof mounted photovoltaics will generate electricity for the building.

4.0 Relevant planning history

- 4.1 A seven storey hotel was approved at the junction of Portland Way and Calverley Street in June 2012 but not progressed (11/04582/FU).
- 4.2 Pre-application discussions regarding the current scheme commenced in the summer of 2016 (PREAPP/16/00385). The applicant presented the pre-application proposals to City Plans Panel on 27th October 2016. A copy of the minutes of that meeting is attached at Appendix 2.
- 4.3 Through the course of the pre-application and application process the development has been subject to a number of iterations. Initially, following the identification of parameters the mass of the building was reduced by 20 per cent. Since City Plans Panel comments the primary focus has been on the development and refinement of the architectural detail and landscaping.

5.0 Public / local response

- 5.1 The application was advertised in the Yorkshire Evening Post on 19th May 2017 and site notices were displayed around the site on 26th May 2017.
- 5.2 Leeds Civic Trust (LCT) wishes to support the scheme in principle, subject to some comments. The key issues of concern were the pedestrian links from the two main entrances of the new building to the surrounding streets and places. LCT considers that the road junction of Portland Way and Calverley Street junction needs redesigning as part of the scheme to give greater priority to pedestrian movements. A wide pedestrian crossing should also be placed to link both the new University entrance and the entrance to the proposed building with the rear entrance to the Rose Bowl. These matters are considered within paragraph 9.4.4 of the report.

6.0 Consultation responses

Statutory:

- 6.1 Transport Development Services (Highways) – The off-site highway works and service access proposals are acceptable and their delivery should be controlled by condition. A Traffic Regulation Order amendment will be required relating to additional disabled parking bays and the relocation of existing taxi rank. The applicant will be required to make a contribution of £7500 for the TRO amendments. The short stay cycle parking is acceptable although details of the long stay cycle parking is required.
- 6.2 Coal Authority - The Coal Authority recommends that if this proposal is granted planning permission, and coal is encountered during the development that the Coal Authority should be contacted.
- 6.3 Historic England (HE) – HE are pleased to see the mix of uses proposed, in particular the use of active frontages facing towards the Civic Hall. The ‘stepped’ articulation of the blocks should mean that the proposed buildings will not harm the setting of the Civic Hall. The highest sections of the blocks will be seen in the

context of the taller Calverley and Portland Buildings to the north. The new buildings should provide a successful terminus of views north along Calverley Street, but will not be overly dominant upon their historic neighbours. The proposals are in accordance with section 12 of the NPPF. Historic England has no objection to the application.

Non-statutory:

- 6.4 LCC Flood Risk Management (Main Drainage) –a 50% reduction of the present rate of discharge with appropriate storage has been agreed. The drainage strategy is acceptable.
- 6.4 LCC Contaminated Land Team – the proposals with respect to ground gas are acceptable and should be implemented and subsequently verified. A remediation statement is required.
- 6.5 LCC Nature Conservation - biodiversity enhancement through the provision of bird nesting features integral to the building should be provided.
- 6.6 LCC Neighbourhoods and Housing – there is potential for noise disturbance to nearby residents from performing arts activities, music studios, rehearsal spaces and the cinema. In addition there is potential for noise disturbance from plant machinery and the service yard. No objections subject to conditions with regard to the construction process and the control of noise and lighting from the completed development.
- 6.7 West Yorkshire Police – all aspects of safety and security have been discussed and included in the development.
- 6.8 LCC Travelwise – A travel plan monitoring fee of £2750 is needed and a £3,000 contribution towards the use of the car club is required.

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, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Any Neighbourhood Plan, once Adopted.

7.2 Leeds Core Strategy (LCS)

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

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

Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region including (iii) valuing the contributions to the life, vitality and economy of the City Centre made by the universities.

Spatial Policy 8(vi) supports a competitive local economy through training/skills and job creation initiatives.

Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility

Policy CC1(c) states that university facilities are to be retained in the City Centre.

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 should be conserved and enhanced.

Policy T2 states new development should be located in accessible locations.

Policy G9 states that development will need to demonstrate biodiversity improvements.

Policies T1 and T2 identify transport management and accessibility requirements.

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.

7.3 Saved Unitary Development Plan Review policies (UDPR)

7.3.1 Relevant Saved Policies include:

GP5 indicates that all relevant planning considerations need to be resolved.

N19 states that all new buildings within or within the setting of Conservation Areas should preserve or enhance the character and appearance of the Conservation Area.

BD2 states that new buildings should complement and enhance existing skylines, vistas and landmarks.

BD5 requires new buildings to consider both their own amenity and that of their surroundings including usable space, privacy and satisfactory daylight and sunlight.

Policy LD1 sets out the criteria for landscape schemes.

7.4 Natural Resources and Waste Local Plan 2013 (NRWLP)

- 7.4.1 Policy Land 2 states that trees should be conserved wherever possible and new planting should be introduced to create high quality environments for development. Where removal of existing trees is agreed in order to facilitate development tree replacement should be provided on a minimum three for one replacement to loss.

7.5 National Planning Policy Framework (NPPF)

- 7.5.1 The NPPF recognises the presumption in favour of sustainable development (para 14). The NPPF identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development;
- Seek high quality design.

Section 7 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments; and
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

7.6 Noise Policy Statement for England (NPSE)

The NPSE sets out the following aims with regard to noise:

- To avoid significant adverse impacts on health and quality of life;
- To mitigate and minimise adverse impacts on health and quality of life; and
- Where possible, contribute to the improvement of health and quality of life.

It also introduces concepts of:

- No Observed Effect Level
- Lowest Observed Adverse Effect Level; and
- Significant Observed Adverse Effect Level.

7.7 Relevant supplementary planning guidance includes:

Travel Plans SPD

Building for Tomorrow Today: Sustainable Design and Construction SPD

8.0 Main issues

- Principle of the development
- Townscape and heritage considerations

- Landscape and trees
- Transport and servicing issues
- Impact on occupiers of neighbouring buildings
- Section 106 obligations

9.0 Appraisal

9.1 Principle of the development

- 9.1.1 Leeds Beckett University creative arts facilities are presently scattered across the city centre and beyond. The building would bring together university facilities for film, music, performing arts and fashion on a vacant, previously developed, site which forms part of the university's city centre campus. The building would abut the university's Portland Building and recent student accommodation constructed on the campus. The proposed educational building accord with policies SP3 and CC1(c) of the Core Strategy which support the university's role within the city centre.

9.2 Townscape and heritage considerations

- 9.2.1 The proposed building represents the final piece of the masterplan for the redevelopment of the site envisaged when Leeds Metropolitan University buildings at the junction of Portland Way and Calverley Street were demolished in 2007-2008. The site is located in close proximity to the City Centre conservation area and to listed buildings including the Civic Hall. The site is seen in the context of these buildings when looking north and south along Calverley Street. Special regard needs to be paid to the desirability of preserving the listed buildings and their setting. Additionally, special attention needs to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. Local and national policies seek to conserve the historic environment and to provide high quality design both with regard to buildings and spaces.
- 9.2.2 The position of the proposed building maintains the orthogonal order established by the original 1960's masterplan and continued by the more recent City Campus development by Downing. On the south-eastern edge, the building follows the building line of the Woodhouse Building to the north, critically set back from Portland Way approximately 10 metres so as to preserve the established spatial character of the street along Calverley Street and Portland Way, including alongside the Civic Hall. The set-back also helps to ease the relationship with the Civic Hall to the east. In common with its neighbours the proposed building steps forward towards Calverley Street. However, the frontage of the building, the Calverley Cube, would be 5 metres wider than the two neighbouring buildings fronting Calverley Street to the north-west, albeit narrower than final building in this group. The building would be closer to its neighbour than ideal to continue the rhythm of space generated by the spacing of the new buildings along Calverley Street but the 13 metre gap provided creates sufficient separation between the buildings to contribute to the succession of spaces along this stretch of Calverley Street. The northern edge of the building would be constructed on an identical alignment to the two newly constructed ones, 7.5 metres from the Portland Building, and thereby strengthening the newly created footpath link.
- 9.2.3 The massing of the proposed building applies key principles established by neighbouring buildings, stepping down from the scale of earlier buildings on the campus to the north-west and north-east. The main block of the building would be 11 metres lower than the Portland Building and, at its highest point, be approximately 1 metre taller than the new building to the north-west, in itself, a

difference that would not be readily discernible. The building would have two lower shoulders. The Calverley Cube at the front, steps down from the main body of the building to an identical height to the front section of the two new buildings to the north-west, reinforcing this component on Calverley Street. The south-eastern element of the building, the slip block, would be the same height as the Calverley Cube successfully mediating the change in scale from the tallest element of the building and the Civic Hall and Rose Bowl located to the south-east. As a result, the scale, mass and location of the building responds directly to its context and preserves the setting of the listed buildings and conservation area.

- 9.2.4 The interior of the building contains a wide array of functions (see paragraph 3.2 above). The building has the opportunity to reflect the rich collection of activities within it through the treatment of its façades whilst also needing to be sensitive to both its immediate and wider context. A detailed study of the walling, windows, entrances, materiality and colour of buildings in the area was undertaken and the external design of the building evolved through an iterative process.
- 9.2.5 The materials palette is made up of four principal materials; stone, metal, glazing and polycarbonate. The base of the building is primarily a combination of curtain wall glazing and anodised metal panelling. The use of curtain wall glazing within the base allows maximum transparency both from outside looking in to the internal foyer and cafe areas, promoting active frontage and from the outside in, providing maximum natural light and a connection with the streetscape and city beyond. The colour and texture of the panels is presently being explored, although the bronze colour shown in the submitted images appears to work well.
- 9.2.6 Flush jointed stone walling is proposed for the Calverley Cube and Slip Block. Within this walling aluminium louvres set back from stone vertical fins would discretely provide ventilation for the internal services. Stone fins and glazing on the slip block would produce a strong vertical rhythm to this section of the building. The Portland Way elevation of the main block, and wrapping around onto part of the front elevation, would be rainscreen stone cladding enables the integration of alternative vertical panelling modules and glazing. The materiality and form help to break up the scale and mass of the elevation such that the slip block and Calverley Cube take prominence whilst the use of stone on these elevations has a direct relationship with the Civic Hall and LGL.
- 9.2.7 The remainder of the body of the main building is proposed as gridded translucent polycarbonate panels. The semi-reflective, shimmering, material has been chosen to create a dynamic façade that expresses a lightness in contrast to the more solid elements of stone and metal. The accommodation in areas of the building where the polycarbonate is proposed is a complex arrangement of flexible teaching spaces, office accommodation, computer suites, and music and film studios. The façade treatment developed as a response to the need to provide for a wide variety of internal conditions from high levels of daylight to completely dark spaces. Parts of the façade would enable the activities and lighting behind to be discernible whereas other areas would have a solid backing wall. Windows are integrated where required resulting in a rhythmic layout. Additionally, the polycarbonate panels can span 6 metres to match the stone rainscreen panels of the building providing a simplicity and uniformity of approach to the façade.
- 9.2.8 The architectural languages of the main block, Calverley Cube and slip block are closely aligned delivering an articulated building form that would be a positive addition to the area and would accord with Core Strategy policies P10 and P11. In doing so the building would preserve the setting of nearby listed buildings and

enhance the setting of the conservation area and therefore complies with the NPPF and section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

9.3 Landscape and trees

- 9.3.1 The site is located at a prominent junction of Portland Way and Calverley Street. Levels rise from this point creating both constraints and opportunities. A large entry plaza would provide access at the city entrance to the building. The existing footway around the junction would be widened to provide a much improved pedestrian experience. The complex topography, geometry of the site and position of the basement of the building is such that the finer detail of these arrangements will be controlled by planning condition.
- 9.3.2 A further primary access into the building is proposed at the north-eastern end of the building. In common with the city entrance the set-back of the slip block forms a gathering space to the front of the entrance. The change in levels is accommodated by adjustments to the existing footpath running north of the building from Portland Way or a separate series of steps.
- 9.3.3 The falling levels along Portland Way present the opportunity to provide a cascading landscape between the building and the Portland Way footway. A series of seven terraces, each comprising a strip of lawn, planting and retaining walls/benches, would be provided. The variation in levels both internally and externally are highlighted by a glazed curtain wall to the façade allowing views to and from the public realm into the lower ground floor.
- 9.3.4 The development requires a delivery and service bay and this would be located on the north-western side of the building to limit its visibility. A retaining wall on the boundary, tapering towards Calverley Street, would be planted with climbing plants to soften its vertical face. Beyond the service bay the plant room roof would be a combination of reinforced grass, an area of ventilation grilles, and soft landscaping blending in with the levels to the adjacent site.
- 9.3.5 Mature trees, primarily located around the junction of Calverley Street and Portland Way, presently enhance the appearance of the site and the wider streetscene. The trees are presently protected by TPO, albeit the previously-approved hotel scheme identified their removal. The trees would need to be removed to enable the proposed development. Given their prominent, corner, location, notwithstanding other benefits of the scheme it is important that new street trees are planted to mitigate for any loss and also to help provide a suitable setting for the new development.
- 9.3.6 In total, 8 trees would be removed leaving just one at the north-western end of the site. In accordance with the NRWLP a minimum three for one replacement to loss should be provided, or where this cannot be achieved on site, off-site planting is required. The landscape proposals identify a tree in each of the terraced areas on Portland Way, two adjacent to the Portland Building and 3 trees between the building and Calverley Street, a total of twelve trees. The trees would be heavy standard *Pyrus callyana* 'Chanticleer'. The applicant has agreed to pay £4,800 to enable the off-site replanting of twelve trees in accordance with NRWLP policy Land 2 to make up for the shortfall. The trees could possibly be planted between the Civic Hall and Portland Way / Calverley Street to balance those being planted as part of the development and helping to establish a tree-lined boulevard.

9.4 Transport and servicing issues

- 9.4.1 The development would centralise functions presently carried on around the city. The site is ideally located as an extension of the existing campus in a highly sustainable location with access to different modes of transport.
- 9.4.2 A travel plan has been provided for the development. It identifies several measures intended to encourage changes in the travel patterns of staff members and students to more sustainable forms of transport. This will benefit the local highway network and the general environment around the site. The measures include the provision of 42 long stay cycle parking stands and 10 short stay cycle stands; facilities for cyclists such as showers and changing rooms; the provision of information regarding walking, cycling and public transport; and widening of footways around the periphery of the site to improve the pedestrian environment. Additionally, a contribution of £3,000 would be provided to encourage the use of the car club. A travel plan monitoring fee of £2,750 is also required, all of which can be secured by a section 106 agreement.
- 9.4.3 The position of the dedicated access to the service and delivery bay is sufficiently distant from the junction so as not to hinder its operation. In order to provide the access it will be necessary to adjust the taxi rank on Calverley Street, although its existing capacity would be maintained. There would also be scope for an additional on-street disabled parking bay. A planning obligation to secure a contribution of £7,500 towards the cost of a Traffic Regulation Order required to deliver these changes to accord with Core Strategy policy T2 is necessary.
- 9.4.4 LCT considers that the road junction of Portland Way and Calverley Street junction should be redesigned as part of the scheme to give greater priority to pedestrian movements. Whilst the wider footways around this junction will assist pedestrian movement, the junction itself otherwise works effectively and does not require reconfiguration. LCT has also suggested that a wide pedestrian crossing should be placed to link both the new university entrance and the entrance to the proposed building with the rear entrance to the Rose Bowl. However, there is an existing pedestrian crossing a little way north of this site midway between the crossings at either end of Portland Way which provides access to the front of the Rose Bowl. A wider crossing further down Portland Way would interfere with the access to and from the Civic Hall and would be too close to the Calverley Street junction. Consequently, it is not considered that the suggested changes would be beneficial or necessary for the development.

9.5 Impact on occupiers of neighbouring buildings

- 9.5.1 The proposed building would contain a range of uses, such as music studios, performing arts, cinema and plant, which have the potential to generate significant noise. The application was supported by a noise statement that identifies measures to ensure that noise is suitably controlled. External plant noise would be designed to be at least 5dB below the lowest measured background noise level at the nearest residential building. The noise from internal noise sources would be controlled by the building fabric consisting of external cladding, cement particle board, a void filled with mineral wool, and independent internal lining consisting of four layers of sound insulating plasterboard. As a result the maximum noise break-out from the internal activities would be controlled to significantly below than the lowest measured daytime background noise level. Draft condition 18 identifies the noise levels applicable to the development.

- 9.5.2 The façade of the proposed building would be situated 13.5 metres from the student residential building to the north-west. The height and orientation of the proposed building is such that it would result in some overshadowing of its student residential neighbour. However, it is considered that the amenities of the students would not be unacceptably affected by reason of the distance preserved between the two buildings, retained views around the building and also the internal format of the student building primarily comprising cluster bedrooms with common room areas located at the ends of the building. Consequently, the development would comply with saved Unitary Development Plan policies GP5 and BD5.

9.6 Section 106 obligations, conditions and Community Infrastructure Levy (CIL)

- 9.6.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 (as amended). 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:

- A travel plan monitoring fee of £2,750
- Contribution of £7,500 for a Traffic Regulation Order in relation to revisions to highway arrangements on Calverley Street
- Contribution of £3,000 towards trial membership and usage of the car club
- Contribution of £4,800 towards off-site tree planting
- Employment and training plan to accord with Core Strategy policy SP8
- Section 106 management fee of £1500

- 9.6.2 With regard to other detailed matters raised by consultees within Section 6 above, where considered relevant and necessary, these are controlled by appropriate conditions set out within Appendix 1.

- 9.6.3 As the development is by the University, a predominantly publicly funded organisation, for the purposes of education it would not be liable for CIL. This is presented for information only and should not influence consideration of the application.

9.7 Conclusion

- 9.7.1 The development of this prominent, brownfield site for a new building for Leeds Beckett University, adjacent to other university buildings, is acceptable in principle and would accord with Core Strategy policies SP1 and SP3 in valuing the contributions to the life, vitality and economy of the City Centre made by the universities. The development would bring forward high quality, contemporary, architecture in an improved landscaped setting that responds positively to the character and appearance of the neighbouring conservation area and the setting of nearby listed buildings such that it accords with policies SP1, P10, P11 and P12 of the Core Strategy and saved policy LD1 of the Unitary Development Plan Review. The development would be served by sustainable transport and bring forward minor changes to the highway that would accord with Core Strategy policies SP11 and T2,

and saved policy GP5 of the Unitary Development Plan Review. Further, the development would maintain an acceptable level of amenity for occupiers of surrounding buildings such that it would comply with saved policy BD5 of the Unitary Development Plan Review. Consequently, it is considered that the proposal accords with the development plan and is acceptable subject to a section 106 agreement in accordance with policy ID2 of the Core Strategy and the specified conditions.

APPENDIX 1 – 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) a) All existing trees and shrubs shown on the approved plans to be retained shall be fully safeguarded during the course of the building works and landscaping in accordance with the guidance of British Standard 5837 (Guide for Trees in relation to Construction), or with the particulars specified in details which shall first have been submitted to and approved in writing by the Local Planning Authority.

b) No development, including establishment of a site compound, shall be commenced, or materials or equipment brought onto site (except in connection with compliance with this condition), until all trees to be protected have been protected in accordance with the approved details, or in the absence of such details, in accordance with BS 5837, with 2.4m height heavy duty plywood hoarding securely mounted on scaffolding.

c) Pre-printed laminated waterproof signs at least A4 in size shall be securely fixed to the fencing posts to each enclosure at 10 metre minimum intervals bearing the words
PROTECTED TREE ZONE NO STORAGE OR OPERATIONS WITHIN FENCED AREA

d) The protective enclosure shall be maintained during the course of the site works and no equipment, machinery or materials shall be stored within any area enclosed in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, including any underground services. No fires shall be burnt within 10m distance of the outer edge of the canopy of any protected tree.

e) The protective enclosure shall be retained in position until all equipment, machinery or materials have been removed from the site.

To ensure the protection and preservation of retained trees during construction work.

- 4) No works to or removal of trees or shrubs approved for removal 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 in accordance with the Wildlife & Countryside Act 1981 (as amended) and BS 42020:2013.

- 5) No excavation or construction works shall begin 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) means of access
- b) traffic management plan to minimise any delay for road users on the local road network;
- c) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage;
- d) deliveries and off-loading of materials;
- e) workforce parking;
- f) details of any cranes; and
- g) 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.

In the interests of amenity and highway safety in accordance with Core Strategy policy T2, saved Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 6) Development shall not commence until a survey of the condition of the highway on Portland Way and Calverley Street has been undertaken jointly with the Local Highway Authority and has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the development, a further joint condition survey shall be undertaken and any damage to the highway as a result of the construction works identified and mitigation works proposed to rectify the damage. The approved mitigation works shall be fully implemented prior to occupation of the development.

To ensure the free and safe use of the highway in accordance with adopted Core Strategy policy T2.

- 7) Construction activities shall be restricted to 0800 hours to 1800 hours Monday to Friday, 0900 hours to 1300 hours on Saturdays with no construction activities on Sundays and Bank Holidays.
- 8) In the interests of amenity in accordance with saved Leeds UDP Review policy GP5 and the National Planning Policy Framework.

Development shall not commence until a Phase I Desk Study has been submitted to, and approved in writing by, the Local Planning Authority and where remediation measures are shown to be necessary in the report and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the

intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

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

- 9) The development shall be implemented in accordance with the Phase II Site Appraisal Report reference GRM/P7638/F.1/Rev. A, dated February 2017, as amended by the details contained in the GRM letter dated 21st June 2017. A Verification Report confirming such details should be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

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

- 10) Notwithstanding the submitted details the development 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 and the approved cycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In the interests of sustainable transport and in order to meet the aims of adopted Leeds Core Strategy policy T2

- 11) The development shall not be occupied until a Delivery and Servicing 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.

To ensure the free and safe use of the highway in accordance with adopted Leeds Core Strategy policy T2.

- 12) The development shall not be occupied until the off-site highway works shown in Sanderson drawing 9836-001 Rev B, including the vehicular access to the site and reinstatement of the Portland Way footway, have been completed.

To ensure the free and safe use of the highway in accordance with adopted Leeds Core Strategy policy T2.

- 13) The development shall be constructed in accordance with the Alan Johnston Partnership Drainage Strategy report reference 216-020 dated 26th June 2017 which shall be completed before the development is brought into use and thereafter maintained as such.

To ensure sustainable drainage and flood prevention in accordance with the Natural Resources and Waste DPD and the NPPF.

- 14) Details and samples of all external facing building materials shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The samples shall include the erection on site of a full-size mock-up panel. The external surfaces of the building shall be constructed in accordance with the details thereby agreed.

In the interests of visual amenity.

- 15) Within six months of the planning permission hereby granted a travel plan shall be submitted to the Local Planning Authority for approval. The approved travel plan shall be implemented in full accordance with the agreed details for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

In the interests of sustainable travel.

- 16) Deliveries and collections, including waste, shall be restricted to 08:00 to 18:00 Monday to Saturday, with no deliveries or collections hours on Sundays and Bank Holidays.

In the interests of amenity in accordance with adopted Leeds UDP Review policy GP5 and the National Planning Policy Framework.

- 17) For the avoidance of doubt there shall be no external storage including of refuse bins which shall not be stored outside the except for collection.

In the interests of amenity.

- 18) The development shall be constructed in such a manner and of such materials that noise from activities in the Creative Arts Building is inaudible in the nearest sensitive premises. i.e. the LAeq, 1 min noise level shall not exceed the existing LA90 background noise level and the maximum noise levels (dBLmax) shall not exceed the existing L90 background noise level in each octave band centre frequency.

In the interests of amenity of occupiers of nearby properties.

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

In the interests of residential amenity and highway safety and in accordance with adopted Leeds UDP Review policy GP5 and the National Planning Policy Framework.

- 20) The following hard and soft landscape works shall not take place until full details have been submitted to and approved in writing by the Local Planning Authority. These details shall include (a) proposed finished levels and/or contours; (b) walls and retaining walls or other means of enclosure; (c) other pedestrian access and circulation areas; (d) hard surfacing areas; (e) minor artefacts and structures (including bird nest facilities, street furniture such as seating, balustrades, bollards, directional signs, external lighting etc.); (f) samples of surfacing, walling, seating and materials for steps; (g) 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 (h) planting plans; (i) written specifications (including cultivation and other operations associated with plant and grass establishment); (j) schedules of plants noting species, planting sizes and proposed numbers/densities; (k) implementation programme; and (l) details of the proposed green roofs.

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

- 21) Hard and soft landscaping works shall be carried out in accordance with the approved details. The hard landscape works shall be completed prior to the

occupation of any part of the development. The soft landscape works shall be completed in accordance with the agreed implementation programme. The landscape works shall be implemented to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

To ensure the provision, establishment and maintenance to a reasonable standard of landscaping in accordance with the approved proposals.

- 22) The development shall not be occupied until a plan, schedule and specification for landscape management 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 during the establishment period. It shall provide for an annual inspection during late summer for any areas of failed tree or shrub planting, and the identification of the replacements required in the autumn planting season. Prior to planting, all landscaped areas shall be cultivated and maintained in a weed free condition by mechanical cultivation or chemical control. Maintenance shall be carried out thereafter in accordance with the approved management plan.

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

- 23) 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. 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 with respect to land contamination in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 24) 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.

- 25) Prior to the commencement of the superstructure of the building details of proposals for the provision of bird-nesting facilities that are integral to the building structure shall be submitted to and approved in writing by the Local Planning Authority. The details thereby agreed shall be implemented before first occupation of the development.

In the interests of biodiversity enhancement.

- 26) Within 6 months of the first occupation of the building a post-construction review statement shall be submitted and approved in writing by the Local Planning Authority demonstrating compliance with Core Strategy policies EN1, EN2 and EN4.

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.

APPENDIX 2 – Minutes of the City Plans Panel meeting of 27th October 2016

The Chief Planning Officer submitted a report which set out details of a preapplication proposal for a new Centre for Creative Arts for Leeds Beckett University, to land at Portland Way and Calverley Street, Leeds 1.

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

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

- The building would comprise of a series of interlocking volumes situated above a deep basement
- The building would range in height from 5 to 9 storey's
- The building would contain: TV studio, Acoustic testing lab, Theatre, Prop store and workshops, Black box studio, recording studios, Fashion studios, Performance studios, Film studios, Ensemble rooms, Production offices, Social Learning and Café, Cinema, Teaching
- space, Academic and staff offices and Computer Labs
- Two principal entrances to the building. A city entrance located close to the junction of Calverley Street and Portland Way and a student entrance, located at the northern end, close to the Portland Building
- Vehicular access into a loading bay would be taken from Calverley Street.
- The areas between the building and the highway would be laid out as extended public space, potentially including street trees.

In response to Members comments and questions, the following issues were discussed:

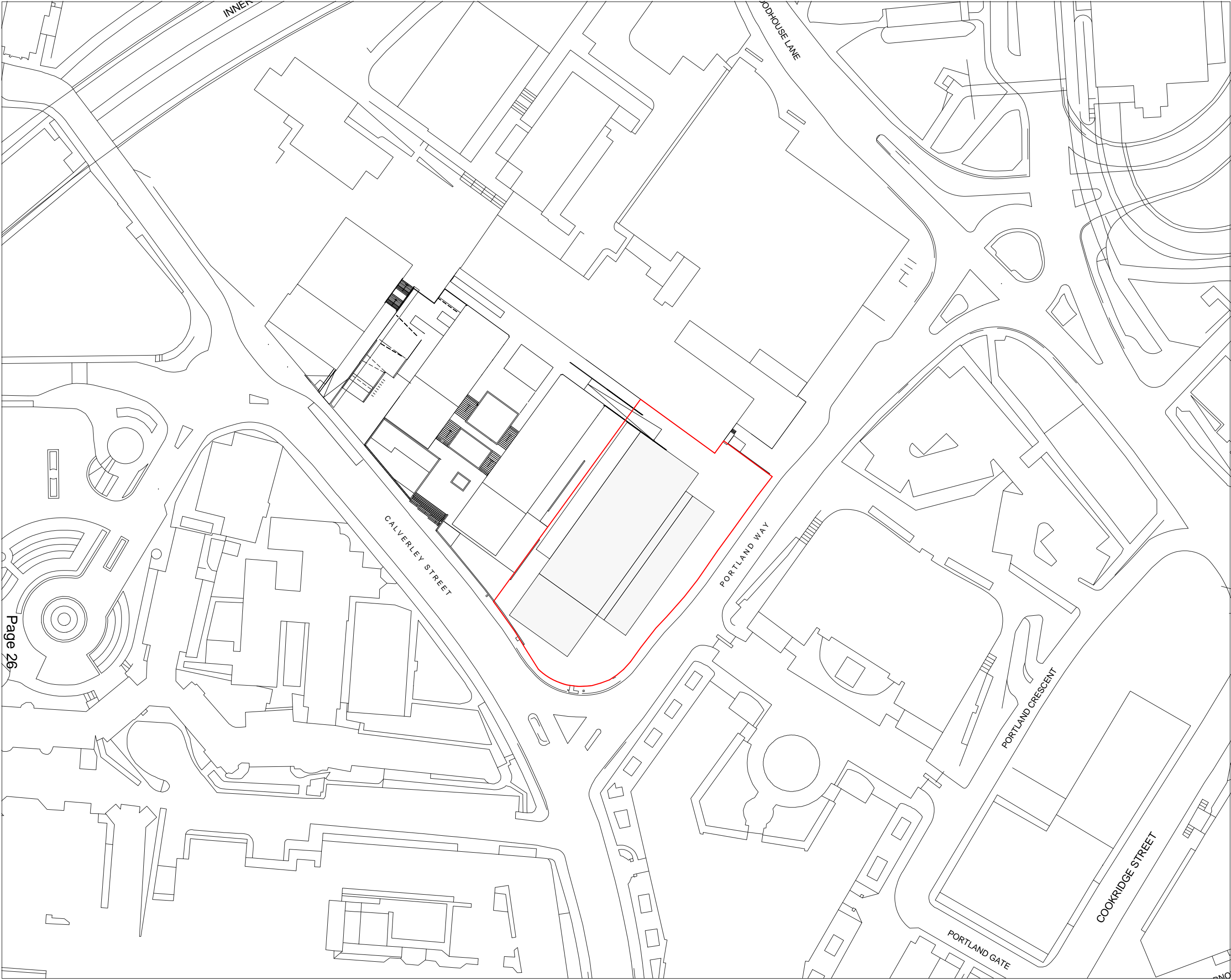
- The proposed development was in a prominent corner plot and the use of quality materials and an imaginative lighting scheme was important at this location
- Members queried the close proximity of student residential accommodation adjacent to the development
- It was noted that the site was the subject of a lapsed planning permission for a hotel development
- Any trees removed during the construction of the development should be replaced on the basis of 3:1

In drawing the discussion to a conclusion Members provided the following feedback

- Members were of the view that the proposed development was acceptable in principle
- Mixed views were expressed about the scale and position of the proposed new building and its relationship with the residential accommodation
- In respect of the emerging architectural approach, Members were of the view that a high quality design was necessary in this location
- Members were of the view that a hard and soft landscaping scheme needs to fully mitigate for any tree loss (3:1) and that an attractive setting for the new development and wider street scene should be produced

RESOLVED –

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



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No implied licence exists. This drawing should not be used to calculate areas for the purposes of valuation. Do not scale this drawing. All Dimensions to be checked on the site by the contractor and such dimensions to be their responsibility. All work must comply with relevant British Standards and Building Regulations requirements. Drawing errors and omissions to be reported to the architect. To be read in conjunction with Architect's specification and other consultant information.

Rev	Description	Date
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Application Boundary

3C Tariff Street
Manchester M1 2FF

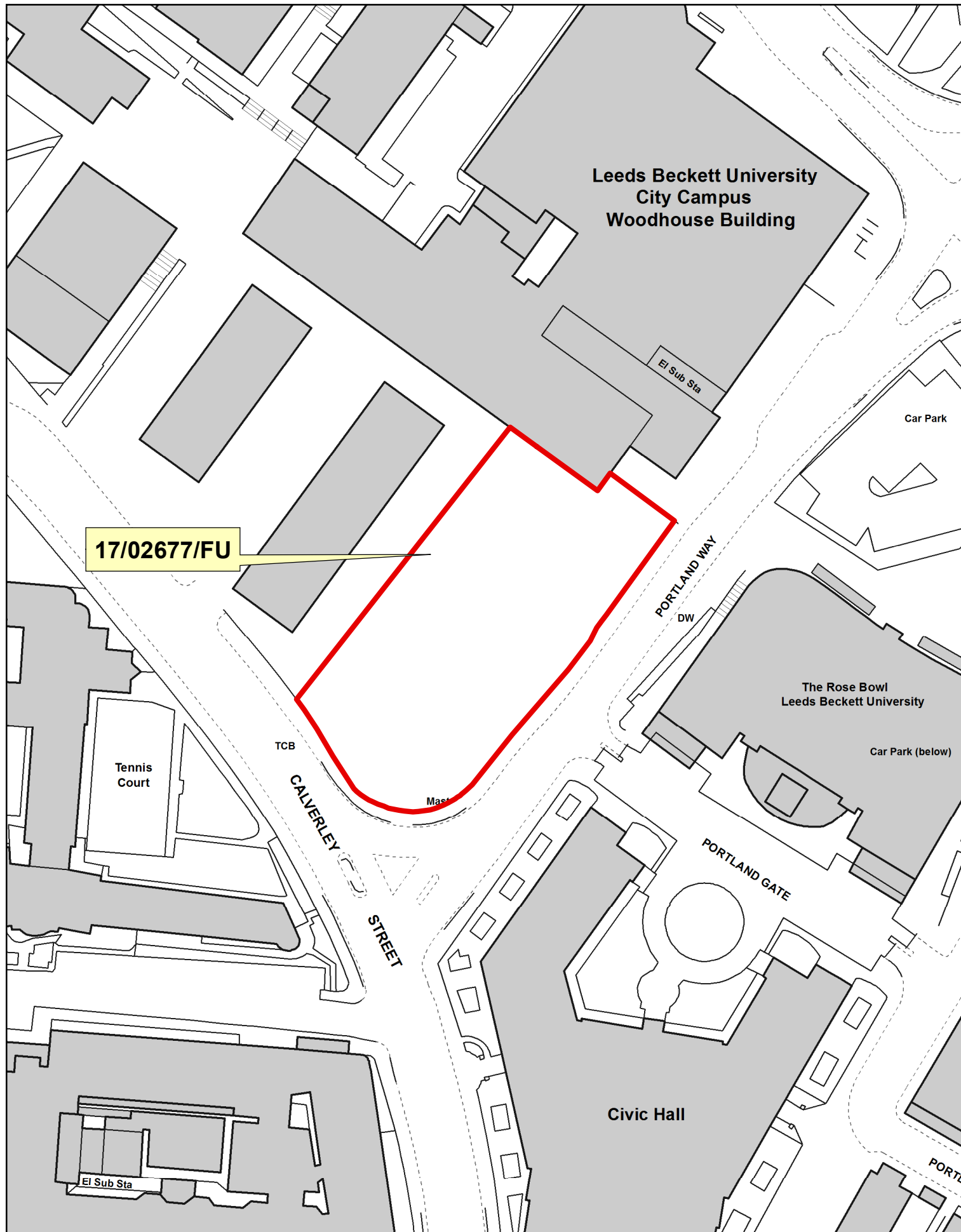
mail@hawkinsbrown.com
hawkinsbrown.com

Hawkins\Brown

Project
New Performing Arts Leeds
7 Calverley St, Leeds, LS1 3DB

Drawing
Site Location Plan

Scale 1 : 1000 @ A3		Date 26.04.2017
Drawn By SB		Checked By SH
Job Number 1659	Status P	Purpose of Issue Planning
Drawing No. LBU-HBA-00-XX-DR-A-00_0000		Rev



CITY PLANS PANEL



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Originator: Paul Kendall
Tel: 3783999

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 10th August 2017

Subject: Pre-application reference PREAPP/17/00261 for the erection of 515 apartments in two buildings between 8 and 17 storeys with associated landscaping, open space areas, public routes and basement car parking, to be located on the northern side of Quarry Hill, Leeds

Applicant – Caddick and MODA Living

Electoral Wards Affected:

City & Hunslet

☐ No Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: This report is brought to Plans Panel for information. The Developer will present the details of the emerging scheme to allow Members to consider and comment on the proposals at this stage.

1.0 INTRODUCTION:

- 1.1 This presentation is intended to inform Members at an early stage of the emerging proposals for a residential scheme located on the northern side of the central part of the Quarry Hill site adjacent the main East/West route from Eastgate Roundabout to Quarry House. This would amend the Outline scheme (application reference 14/06534/OT) which has previously been approved in principle by Members. The differences will be explained in the report and within the Panel presentation by the applicant. The proposal is brought to City Plans Panel as it is a major development within Leeds City Centre.
- 1.2 The approval in principle of the outline scheme was resolved by Members at Plans Panel in January 2016. Since this time the S106 agreement has been progressed, but not completed, and the decision has not yet been issued. The detail of what was approved in principle is set out in paragraphs 4.1 and 4.2 and the changes are listed in the Proposal section 3.0. In addition the presentation would cover the detail that would also come forward as a reserved matters application for phase 1 of the development.

2.0 SITE AND SURROUNDINGS:

- 2.1 This is the area of land which runs through the centre of the Quarry Hill site, linking Eastgate roundabout to Quarry House. It currently consists of a mix of hard and soft landscaped areas with a central pathway containing steps and ramps with vacant and cleared sites to either side. The sites have vehicular access from the A64 York Rd/Inner Ring Road to the north and from York St to the south. The sites are currently used as surface car parking with approximately 417 car parking spaces available.
- 2.2 To the west is the West Yorkshire Play House (WYPH) and to the south are the Leeds College of Music (LCM) and its associated student residential tower and the Northern Ballet HQ. Pedestrian access is gained from the west using the existing set of pedestrian steps and ramp arrangement to Eastgate roundabout which is outside the application site. A pedestrian bridge across the A64 to Mabgate is accessed from the north-eastern corner of Quarry Hill.

3.0 PROPOSAL:

- 3.1 This proposed design amendment relates to a part of the wider Quarry Hill outline planning application site, and is located on the northern side of the east/west route from Eastgate to Quarry House. As part of the outline proposal this was to be occupied by 2 buildings (Building E to the east and Building F to the west) both of 8 storeys fronting the main route and rising to 14 storeys at the rear, to the north. They were proposed to contain approximately 428 no. residential units. These buildings, which were both U-shaped in plan, created a central courtyard space with a route running north/south between them. The current proposal retains this basic format but with the following amendments:
- An increase in the width of the space between building E and F from 10.6m to 13m
 - An increase in the height of the northern part of both buildings from 14 storeys, in the case of Building F to 16 storeys and in the case of Building E to 17 storeys – an increase of between 6m and 9m. Also an increase in the height of the side wings by up to 2m
 - An increase in the number of residential units from 428 to 515.
 - A rationalisation of the ground floor plan to remove original corner recesses and reveals
 - Modification of the colonnade height frontage to the east/west route, from 7m down to 6m
 - Redesigned landscape to the central route to integrate all changes of levels into a fully accessible design, including soft landscaping, pedestrian routes and space in front of the units to be used for seating and dining. In addition, because it is no longer to be constructed above a basement car park, a more robust planting regime can be pursued.

- A reduction in the basement car parking numbers to 73 for the Phase 1 residential (including 4 disabled bays and 8 Electric Vehicle bays)
 - 234 cycle spaces in 2 dedicated secure locations accessible at ground level
- 3.2 It is also proposed that Building D, closest to the WYPH, would have the potential to be used as a hotel, as an option to the office use already agreed in principle.
- 3.3 The residential units would be available on the rental market as part of a Private Rented Sector (PRS) scheme. This would mean that some of the ground floor uses would be dedicated to the occupiers of the apartments rather than being available to the general public, although this would only be for a proportion of the space and not all of it.
- 3.4 Design
The Phase 1 buildings have now been fully designed and would be the subject of a reserved matters application, to be submitted pursuant to the amended outline application.
- 3.5 The ground and first floor treatment is to be of glass, set behind a 6m high colonnade fronting the main east/west route through Quarry Hill. This feature was indicated on the drawings attached to the outline proposal in order to provide a visual base to the composition as well as active frontages and protection to pedestrian routes.
- 3.6 The upper floors of the buildings fronting the east/west route are proposed to be of brick and stone, which takes its reference from the Reginald Blomfield designed buildings on Eastgate and the Headrow, a number of which are listed. These materials then turn the corner to provide integrity and depth to the lower parts of the composition.
- 3.7 The taller, northern, elements are also of masonry but will have their top sections clad in a visually lighter-weight material, proposed to be a glazed treatment. The top floors are contained beneath a mono-pitched sloping roof of metal cladding which then drops down the full height of the building. The mono-pitch also has the advantage of visually screening any roof top plant. The connecting wings make the transition between the two distinct front and rear elements and again use masonry with the sloping roof motif.
- 3.8 Courtyard Space and Residential Amenity Space
The courtyard space between Buildings E and F would be managed by MODA (the PRS Provider). In respect of the way that this space would be managed the applicant has stated that:

‘Public access to the garden (*courtyard space*) will be limited to times defined by the estate management company, currently envisaged between the hours of 07:00am and 11:00pm. The security measures required to do this will be integrated into the design to create a new semi-public space for the residents of Blocks E and F primarily to provide residential security during the night-time.

Both buildings have main entrances fronting the gardens, Block E has a significant amount of secure cycle parking (200 spaces), and Block F has a number of ground level garden facing apartments. All of these features require an enhanced level of security during night time hours.

It is also essential that due to the residential nature of the development, noise disturbance and anti-social behaviour is restricted during night time hours. Therefore, it is proposed the garden entrances will be managed via a fob operated gate that benefits from a proper architectural design and that ties in with the wider public realm strategy.

The restaurants & cafes located in the proposed A3 units will have garden access at all times for servicing and dedicated dining areas for customers.

Outside of the restricted hours, the residential management team will look to hold engaging events for all residents and visitors to Quarry Hill to ensure the space is activated, inviting and used to its full potential.'

- 3.9 In addition to the courtyard space, the roof tops of the 8 storey parts of the buildings fronting the east/west route, would be laid out as amenity space for the use of the PRS occupiers. Whilst providing an additional facility for the residents, this would also give enhanced views for the occupiers of the taller elements of the scheme to the north.
- 3.10 Vehicle Parking
The size of the basement car park proposed by the agreed outline scheme serving Buildings C, D, E & F was originally to contain a total of 422 spaces. However, the PRS development in Blocks E and F only require a total of 73 spaces (approx. 1 space per 7 PRS units). This level of provision is in accordance with MODA's requirements.
- 3.11 Previously all of the basement parking spaces were proposed to be accessed from the south via St Cecilia Street, with two full levels of parking beneath all four development blocks, as well as the public realm areas. Due to the significant reduction in the amount of car parking to be provided for the MODA scheme, the physical size of the basement car park has been reduced.
- 3.12 As this revised arrangement physically splits the car parking provision for Blocks E and F to the north, from Blocks C and D to the south, a new separate car park entrance is required to the north for the Blocks E and F car park. The new car park entrance is proposed to be accessed centrally along the northern site access road. Because of this arrangement, no basement car parking would be required beneath the main east/west route across Quarry Hill.
- 3.13 Currently this is proposed to result in an overall reduction in car numbers on site from 1,100 to 894, including a 580 space multi-storey car park.
- 3.14 Overall site car parking provision
The development of this area of land for Buildings E and F will remove 145 surface car parking spaces once construction begins. Car parking and the servicing for the WYPH have always been part of the consideration of the development of the Quarry hill site. However the recent completion of the Victoria Gate MSCP can also now be considered, along with the impact this has had on car parking provision in the area.
- 3.15 In the light of this changing set of circumstances the applicant has provided the following information in respect of the provision of car parking, the proposed multi-storey car park at Quarry Hill during the construction of Buildings E and F, and the longer term provision of parking on Quarry Hill:

The masterplan includes provision for a 580 space multi-storey car park on Block A. There is a Development Agreement dated March 2014 between Caddick Developments and Leeds City Council which provides that the multi-storey car park shall be the first of the six blocks to be developed, unless it can be demonstrated and agreed that the car park is not economically viable to build. The purpose of the viability test was to have regard to the possible impact of the new 800 space Victoria Gate car park, which had not been built at the time, but it was acknowledged once complete could have an adverse viability impact on the proposed Caddick multi-storey.

Proposed car park provision in relation to the Phase 1 development

- There are currently 417 existing surface car parking spaces.
- There is no restriction on this long established parking, they can be used for either short or long stay, or a combination.
- 145 surface spaces (of which 8 are disabled) will be lost once construction of Blocks E & F starts on site, probably from April 2018. However 73 new basement spaces will be provided for residents of E & F under those buildings.
- The applicant will ensure a minimum of 250 spaces are retained on site for surface car parking, until other blocks are brought forward for development. The WYPH will be closing in 2018 for at least 12 months for upgrading, so the demand on the surface car park will reduce during that period.
- The applicant is also talking to adjacent land owners regarding possible use of their land for compound space during construction and potential additional temporary car parking.
- The new Victoria Gate car park is running at low use levels and the applicant has identified significant spare capacity in this car park on a daily basis. There are 800 car parking spaces in this new MSCP which includes 50 disabled spaces.

Proposed strategy for the deferred delivery of the multi storey car park at Quarry Hill

The applicant wishes to defer (but not cancel) delivery of the MSCP for the above reasons and, due to current viability challenges, allow Buildings E & F plus public realm to be delivered as a first phase, rather than the MSCP. They expect to deliver the MSCP as a later phase as viability improves.

- The Development Agreement with Leeds City Council states the first block to be developed will be the MSCP unless it can be demonstrated that it is not economically viable to do so, taken into account operators in the market and the rent they are willing to pay.
- The applicant has recently sought offers from leading car park operators and the rental offers received are not currently high enough to justify development in viability terms.
- Operators have confirmed, at 580 spaces the proposed MSCP is too big in any event, with the likelihood that a significant proportion of the spaces would be permanently un-used.
- Since the outline planning application was agreed in principle, the situation has changed in that the new Victoria Gate car park has opened adding 800 new spaces to local availability. Operators understandably regard this new car park as direct competition to a

MSCP proposed at Quarry Hill, particularly for short stay customers, and being in better location for city centre access.

- Patrons of WYPH are able to park in the superior safer, well lit Victoria Gate car park on any evening for £3.00, the same tariff as the surface car park at Quarry Hill. In the light of this, the applicant has discussed with WYPH the proposed delay of the Quarry Hill MSCP and they are not concerned by it.
- The applicant hopes and expects that the viability of the MSCP will improve over time as more development takes place at Quarry Hill, which would enable them to deliver the MSCP at a future date. They are exploring other options including other uses to sit above the MSCP e.g. hotel or student accommodation. They will review the viability of the multi-storey car park prior to bringing forward each future phase of development, and deliver the car park when viability allows.
- In the meantime they will maintain surface car parking provision as stated above.

3.16 Affordable Housing

The applicant has considered the position in respect of Affordable Housing and has produced a position statement. The following is the Executive Summary from that statement:

‘Within the matrix of proposed accommodation for Quarry Hill, there are 515 PRS units (blocks E & F) which will be delivered as the first phase of the scheme. There are a further 277 units in the matrix within other blocks in later phases which are intended to be delivered for open market sale. The proposed affordable housing provision for the 277 units sale element is entirely policy compliant, this would deliver 14 units on-site based on the current 5% affordable policy requirement and these units would be provided at the most recently published benchmark figures for transfer to a registered provider of social housing at £804/sq m for social rent (8 units/60%) and £1,036/sq m for submarket sale (6 units/40%).

In respect of Blocks E & F, these will be delivered by PRS specialist MODA Living (who have entirely separate funding arrangements to those of Caddick Developments). We have been working closely with MODA and Leeds City Council to assess how the affordable housing requirements can be met in respect of these blocks. We are very mindful of the need to create mixed and balanced communities in Leeds, whilst also having regard to the requirements of MODA as developer and their funding/operational model.

Bearing in mind our intention to deliver policy compliant affordable units on site in the later open market phases as above, on balance, we believe that affordable housing in respect of Blocks E & F would be more effectively delivered and operated by suitably resourced and experienced registered providers who could utilise the payment of a commuted sum to provide additional housing designed and managed specifically to meet local needs while making the most efficient use of the available capital subsidies for new affordable housing.

There are specific reasons why MODA cannot provide social rented units directly or on site. The primary reason is that MODA’s corporate structure and funding arrangements prevent it from both achieving registration as a

provider of social housing or granting any of the social housing forms of tenancies, which are covered by a more extensive regulatory structure and provide more security than private sector tenures. The reasons are summarised below:

Introduction

MODA is not, and cannot currently become, a registered provider of social housing and would not have the capability to offer the tenants of affordable or social units any of the housing support or advice services that they would normally have access to as tenants of a registered social landlord.

Corporate and Regulatory Constraints

MODA is not constituted or funded in a way that could achieve registration as a registered provider of social housing with the Homes and Communities Agency and at this early stage in the evolution of the business it is not commercially practical to create a subsidiary that would be suitable for registration.

The few for-profit providers that have achieved registration as providers of social housing operate within a less comprehensive regime of external regulation by the Homes and Communities Agency and do not offer an equivalent level of corporate or financial stability to the not-for-profit registered providers.

Tenancy Types

While the predominant types of tenancy used for social housing have changed in recent years, the tenancies granted by registered providers of social housing are still more secure and more highly regulated than those that can be granted by unregistered housing providers and private landlords, and alignment with the terms of social tenancies would be wholly unacceptable to the funders of PRS schemes due to the adverse effect that this would have on the value of their assets.

Rent Levels and Service Charge Issues

Rent levels are an entirely separate issue to tenancy types and Assured Shorthold Tenancies can be used with any rent level that an unregistered housing provider or private landlord wishes to offer. Funders prefer consistency in the tenancy terms used throughout schemes and a common form of Assured Shorthold Tenancy can be used with a mix of rent levels, including discounted rents, subject to the landlord being able to manage the revenue and cash-flow impacts which could arise from the variations in rent levels.

However, due to housing benefit restrictions MODA would be unable to recover all of their operating and management costs from social or affordable units in the scheme and there would therefore be an ongoing need to cross-subsidise these costs from the rental income from the market rent units, which could increase as further central government reforms are introduced.

Housing Management and Tenant Support

The granting of social tenancies is a fraction of a registered provider's activities and MODA has neither the resources, nor the capability to provide the very specific housing management and support services that social tenants are able to receive from registered providers of social housing.

Without these added values services, the housing security of social tenants would be vulnerable to short term changes in their income or health that could otherwise be managed by an appropriately resourced registered provider.

Access to HCA Affordable Housing Grant and Loans

While MODA is unable to access Homes and Communities Agency grants and loans, the payment of a commuted sum as an affordable housing contribution would provide the opportunity for this to be combined with Homes and Communities Agency grants and loans by a registered provider of social housing and achieve the maximum possible initial capital subsidy for new social housing stock that is designed and managed specifically to meet local needs, provided within the regulatory framework of social housing tenures and backed by the support services capabilities of registered providers of social housing.

Calculation of the Commuted Sum

In summary, taking into account the current local residential market, the uncertainty surrounding the emerging PRS market, and precedents set by other recent submissions, an appropriate figure to adopt for submission as a commuted sum for inclusion in a Section 106 Agreement is **£1,840,348**.

Conclusion

In conclusion, for the reasons stated in this document, we believe that the Council's objective to secure new social and affordable housing units would be best met through a policy compliant commuted sum for offsite provision of affordable housing in respect of the PRS Blocks E & F of the Quarry Hill scheme and a policy compliant onsite affordable housing provision for the sale element of the scheme.'

3.17 District Heating

The applicant has stated that:

'Future provision shall be incorporated via underground heating mains to connect the building(s) heating system to a wider L.C.C. district-heating network via a low loss header, from heating mains buried in the ground and taken from the site boundary to the building plant rooms'

This is a positive position in respect of potential future connection to the proposed District Heating System.

4.0 RELEVANT PLANNING HISTORY:

4.1 Members agreed the outline approval in principle in January 2016, application reference 14/06534/OT. The scheme contained:

- 705 (approx.) residential units - of which approximately 280 units could be used as student accommodation to provide approx. 720 student bed spaces (428 residential units were to be located in Blocks E and F)
- 10,000 sqm office
- 3,200 sqm A3 (cafes restaurants), A4 (bars) and A5 (take-aways)
- 700 sqm A1 (retail)
- 1,200 sqm D1 medical centre

- 6,000 sqm education use (This would replace approx. 110 flats or 280 student residential units in building B located in front of Quarry House)
- 1,100 car parking spaces in total to be provided in 2 levels of basement beneath Buildings C,D,E and F, a single basement level beneath Building B and the MSCP (578 spaces)

4.2 Since approval at Panel, the Section 106 Agreement has been progressed to a point where it is close to completion. This agreement provides for the following obligations:

- a) Requirement for public access to and maintenance of all routes through the scheme and public spaces
- b) The provision of on-site Affordable Housing (5% of the total number of units to be provided on site, 40% of these to meet the needs of households on the lower quartile of earnings and 60% of these to meet the needs of households on the lower decile of earnings)
- c) Travel Plan initiatives:
 - i) £34,000 for free trial car club membership package for residents and staff
 - ii) Provision of 3no. car club parking spaces
 - iii) £10,210 Travel Plan Review fee
- d) Up-grading of bus stop on York Rd to include real time display (£20,000)
- e) Money for off-site highway works £213,765 – for improvements to junctions and crossings
- f) Management and pricing strategy for Multi Storey Car Park
- g) Safety improvement works to the footbridge over the A64(M) (£50,000)
- h) Local Employment Initiatives

4.3 A Certificate of lawfulness for the use of the surface areas of the Quarry Hill site for the parking of cars (app. ref. 13/02275/CLE) was granted in 2013. This applied to areas of the site rather than specific numbers.

4.4 Planning permission has been granted for the erection of the Leeds City College on the site to the west fronting Eastgate. 16/05468/FU. An application has recently been received for the reduction in scale of the original proposal (presented to members at Panel in May this year) and this is currently being considered, application reference 17/04104/FU.

4.5 To the north is an extant permission for a 14 storey office building with fitness centre and shop with attached multi-storey car park 12/03110/EXT. This permission is due to expire on 15th October 2017.

5.0 HISTORY OF NEGOTIATIONS:

5.1 The proposals have been the subject of pre-application discussions between the Developers, their Architects, and Officers since May of this year. These discussions have focused on affordable housing provision, scale, massing and design, context and relationships to other buildings in the vicinity and car parking provision. The pre-application presentation is a response to these discussions.

6.0 CONSULTATION RESPONSES

6.1 Highways Services: No objection in principle to the proposed level of parking for the PRS residential use and to the relocation of the car park access point to the north for Buildings E and F, dependent upon acceptable trip generation data. Further

detail of the design of the new access is required to ensure this can be accommodated safely. Details of cycle parking location and numbers are required.

Playhouse Square is now to be provided as part of the works to Gateway Court which is being co-ordinated by L.C.C. officers. However, the access road to this area from the north needs to be secured. The proposal indicates a lay-by on the eastern side of this route, the details of which need to be provided. At this stage it is considered that the extent of the highway to be provided by the development needs amending to re-include the access road to Playhouse Square. It is also likely that Playhouse Square will be used as the pick-up/drop-off for the proposed hotel in Block D, strengthening the justification for the development to deliver the access road.

Internal roads to be adopted would need to 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 Street Design Guide. For the avoidance of doubt the cost of road markings, signage and appropriate speed limit Orders would be fully funded by the developer

Disabled parking and Electric Vehicle Charging Points would be required as per the Parking SPD and associated Guidance note on EV Charging points

The east/west pedestrian route to the south of Building E and F will need to be delivered as part of the same phase.

It is noted that the conditions and obligations set out in the outline proposal would apply to this proposal.

7.0 RELEVANT PLANNING POLICIES:

7.1 The Development Plan

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, the Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013)
4. Any Neighbourhood Plan, once Adopted

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

- 7.2 The policy guidance in Annex 1 to the National Planning Policy Framework (NPPF) is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight they may be given

7.3 National Planning Policy Framework (NPPF)

The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied. The NPPF advocates a presumption in favour of sustainable development, and a 'centres first' approach to main town centre uses such as offices. The NPPF

also promotes economic growth in order to create jobs and prosperity and consolidate Leeds City Centre's role as the economic driver of the Yorkshire region.

7.4 It identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes....and thriving local places. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area.
- Plans should take account of market signals, such as land prices and housing affordability
- Recognize that residential development can play an important role in ensuring the vitality of centres
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Conserve and enhance the natural environment
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land)
- Promote mixed use developments and encourage multiple benefits from the use of land in urban areas.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are, or can be, made sustainable.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 50 states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

7.5 The Government attaches great importance to the design of the built environment. Section 7 (paras 56-66) states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

7.6 In addition, attention is also drawn to the DCLG - Technical Housing Standards 2015 which sets internal space standards within new dwellings and is suitable for application across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's National Planning Practice Guidance (NPPG) advises that where a Local Planning Authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the City Council is currently developing the Leeds Standard. However, as the Leeds Standard is at an early

stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached to it at this present stage.

7.7 National Planning Practice Guidance (NPPG)

This provides Central Government Guidance on a range of planning matters and provides the following advice:

The Private Rented Sector (PRS)

Some privately rented homes can come from purpose built schemes held in single ownership which are intended for long term rental. The economics of such schemes differ from build to sale and should be determined on a case by case basis. To help ensure these schemes remain viable while improving the diversity of housing to meet local needs, local planning authorities should consider the appropriate level of planning obligations, including for affordable housing, and when these payments are required. So these homes remain available to rent only, Local Planning Authorities may choose to explore using planning obligations to secure these schemes for a minimum period of time. Local Planning Authorities should enforce these planning obligations in the usual way.

7.8 Leeds Core Strategy

The 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 most relevant policies are set out in the paragraphs below:

7.9 Spatial Policy 1 sets out the broad spatial framework for the location and scale of development. This policy prioritizes the redevelopment of previously developed land within Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods.

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

- promoting the City Centre's role as the regional capital of major new office development,
- making the City Centre the main focus for office development in the district
- comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space,
- enhancing streets and creating a network of open and green spaces to make the City Centre more attractive
- improving connections between the City Centre and adjoining neighbourhoods

Core Strategy Policy CC1 outlines the planned growth within the City Centre for 10,200 new dwellings, including office growth.

Policy G3 Requires that for sites within the city centre, for mixed use developments, they should provide the greater area of either 20% of the total site area, or a minimum of 0.41 hectares per 1,000 population.

Policy H2 refers to new housing development. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure and the development should accord with accessibility standards.

Policy H4 says 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.

Table H4: Preferred Housing Mix (2012 – 2028)

Type*	Max %	Min %	Target %
Houses	90	50	75
Flats	50	10	25
Size*	Max %	Min %	Target %
1 bed	50	0	10
2 bed	80	30	50
3 bed	70	20	30
4 bed+	50	0	10

*Type is applicable outside of city and town centres; Size is applicable in all parts of Leeds

Policy H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site.

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 enhancing existing landscapes and spaces.

Policies T1 and T2 identify transport management and accessibility requirements for new development.

Policies EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development. In this case a BREEAM 'Excellent' and Code for Sustainable Homes Level 4 are required.

Policy EN4 requires connection to a district heating system for residential schemes over 10 units. The top of the hierarchy of networks is connection to an existing district heating network. All sites need to show how their buildings have been designed to allow for connection to a future network.

Other relevant Core Strategy policies include:

Policy EN5 Managing flood risk

Policy ID2 Planning obligations and developer contributions

Policy G9 Biodiversity improvements

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

The site lies within the designated City Centre. Saved policies that are relevant to this scheme are:

GP5 all relevant planning considerations

BD2 new buildings

N25 boundary treatments

N29 archaeology

BD4 all mechanical plant

T7A cycle parking

T7B motorcycle parking

T24 car parking provision

7.11 Leeds Natural Resources and Waste DPD 2013

The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, e.g. 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.

7.12 Relevant Supplementary Planning Guidance includes:

SPD5 Public Transport Improvements and Developer Contributions

SPD Tall Buildings Design Guide – States that Quarry Hill is a location for tall buildings as it is a gateway location on one of the main approaches to the city.

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Street Design Guide

City Centre Urban Design Strategy

Leeds Waterfront Strategy

7.13 Site Allocations Plan

In May 2017 the Council submitted the Site Allocations Plan (SAP) for Examination. The Aire Valley Area Action Plan (delivering circa. 7,000 homes) has also been the subject of Examination in Public in January 2017 and consultation on Main Modifications in May 2017. All documents, once adopted, will form part of the Council's up to date Local Plan.

This site is identified in the Submission Draft of the Site Allocations Plan, as part of the larger Quarry Hill site, as site ref. MX2-23 with the capacity to deliver 600 residential units and 11,000 sqm of office floor-space. This proposal is for a part of the larger identified site.

7.14 Affordable House Benchmark Figures

The Chief Planning Officer has agreed revised affordable housing benchmarks for 2017/18. This follows endorsement of the benchmarks by Development Plan Panel on 7th March 2017. This sets out a set of benchmark figures for PRS proposals.

For a limited period of time development, investment and land acquisition decisions will have been taken without factoring in these changes. Also, the use of the rental benchmarks with the PRS model of affordable delivery is comparatively untested. Therefore, it is considered appropriate to accept a "bedding-in" period of 12 months where binding commitments made prior to adoption of the new benchmarks can be considered in planning decisions.

7.15 Other Material Considerations

On the 22 March 2017 Leeds City Council's Executive Board endorsed an approach which recognises that the acceptance of commuted sums from PRS schemes may be appropriate and justified in accordance with Core Strategy Policy H5.

8.0 **KEY ISSUES**

8.1 Principle of the Proposed Development

Buildings E and F were to be residential buildings as part of the outline scheme and so residential development in this location has already been considered acceptable.

The use of the ground floor to provide facilities for the residential units, as well as for members of the public, such as cafes and bars, is still considered to provide a vibrant edge to the public space.

- 8.2 The applicant is now proposing a hotel use, which is an option to offices to be located in Building D. The hotel is a Town Centre Use and is therefore supported by Core Strategy Policy CC1. It would also support the other uses on the Quarry Hill site and is considered to be acceptable as part of the overall mix of development on the site. There is an opportunity to use Playhouse Square for drop-offs by cars and coaches and the detailed arrangements would need to be addressed in the revised Transport Assessment. On this basis the alternative hotel use is considered to be acceptable.

8.3 Site layout and design

The layout accords very closely to the scheme previously considered acceptable by Members and this footprint has now been rationalised. The space between Buildings E & F, has been increased from 10.6m to 13m which is clearly a benefit and provides more publicly accessible open space and landscaping.

- 8.4 The dominant material is brick on all elevations with masonry detailing to provide emphasis and relief. This picks up on the Eastgate/Headrow palate of materials and this is considered to be an acceptable combination.

- 8.5 The main increase in height is proposed to occur along the northern edge of the site where the buildings were already at their tallest. To acknowledge this the palate becomes varied, with cladding panels and glazing introduced, and curved eaves lines and sloping roof forms prevailing. The sloping mono-pitched roof has a synergy with the recently approved Leeds City College building and perpetuates the notion of stepping up the hill whilst also providing a distinctive skyline to the buildings when viewed from distance. This is considered to be an appropriate response to the topography of the site and a successful method of breaking down the size of the tallest elements of the proposal. The Leeds Tall Building Design Guide identifies Quarry Hill as an appropriate location for tall buildings.

- 8.6 As these tallest elements of the proposal sit along the northern side of the courtyard space, they will have no adverse impact on the natural lighting into both the open space around which the buildings are located, and the residential units fronting onto the space.

- 8.7 For the above reasons it is considered that the increase in height of the buildings is acceptable.

1. Do Members consider that the increased height and the elevational treatment of Buildings E and F are acceptable?

8.8 Housing mix

Policy H4 relates to housing mix, based on the nature of the development and the character of the area, within which the site is located. The scheme proposes a total of 515 apartments split as follows;

66 no. studios
221 no. 1 bed
205 no. 2 bed
23 no. 3 bed

Although the 5% proportion of 3 bed units is below the minimum 20% required by Core Strategy Policy H4, it is considered that, on balance, the overall mix represents a good range of provision across all unit sizes from studios up to and including some 3 bed provision within the city centre context. A similar level of 3 bed provision has been accepted within other city centre schemes as it represents a much greater provision than that which currently exists across the city centre as a whole (1% of the total housing stock).

2. Do Members consider that this represents an acceptable mix of unit types?

8.9 Affordable Housing

The applicant has explained their position in respect of affordable housing set out above which confirms their commitment to provide this by way of a commuted sum in respect of the PRS scheme, but to be fully policy compliant for any for sale units which are subsequently developed on future phases.

8.10 Members will be aware that a report was presented to the Council's Executive Board on 22 March 2017 titled 'The development of mixed residential communities in Leeds City Centre' at which the Executive Board endorsed an approach which recognises that the acceptance of commuted sums from PRS schemes may be appropriate and justified in accordance with Core strategy Policy H5. In particular the report highlights the following factors.

8.11 PRS housing adds to tenure choice in the housing market in addition to a contribution to overall growth. Given that an attractive housing offer is a critical driver of economic growth it is therefore important that the city is able to attract investment in this sector. Whilst investors in PRS are looking beyond London and the South East to opportunities in northern markets, they are relatively footloose and will look to evaluate opportunities across the northern core cities both in terms of financial return and ease of development. Investors will make decisions based on the attractiveness of the investment that they will ultimately hold. In addition, they will also have a mind to the investment's attractiveness to new purchasers should they decide to sell at some future point in time.

8.12 The current policy allows flexibility in the application of affordable housing policy and 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 PRS delivery. Further, that the Council accepts that the PRS funding model can be taken into account as a justification which supports the financial contribution. This would reflect the practicality of delivering PRS housing whilst supporting the delivery of affordable housing within the city centre housing offer as a whole.

8.13 Accepting the affordable housing obligation as a commuted sum would allow the type of housing to be developed to be relevant to neighbourhoods and could include family housing in some circumstances rather than apartments, which PRS developments are more likely to deliver on site. Whilst it would result in single tenure PRS developments, it would enable the Council to deploy the resources generated through commuted sums to support the housing needs of communities by investing them in the type and tenure of housing needed in neighbourhood areas. It could be viewed therefore that the benefits of bringing forward new housing in this sector, whilst generating resources for affordable housing for the city centre overall, outweighs the lack of tenure mix on specific sites. Also, as indicated above, PRS itself is a new form of rented accommodation which will add diversity to the city's offer. The investment of commuted sums will be informed by Housing Market

Assessments to help determine the type of properties required to support sustainable communities and contribute to the linking and blending of city centre, and fringe city centre, markets.

- 8.14 The National Guidance also makes a distinction for PRS provision which states that:

‘The economics of such schemes differ from build to sale and should be determined on a case by case basis. To help ensure these schemes remain viable while improving the diversity of housing to meet local needs, local planning authorities should consider the appropriate level of planning obligations, including for affordable housing, and when these payments are required’.

- 8.15 Members will be aware that different approaches to the provision of affordable housing have been taken on other PRS sites and this demonstrates that the Council is adopting an approach in line with National Guidance. It is accepted that PRS housing has specific characteristics, brought about through its funding model, which makes it unsuitable for the delivery of on-site Affordable Housing provision through a Registered Provider (RP). Other schemes in the city have provided a commuted sum for provision off site and it is this model which is being proposed here. The proposed sum of £1.84m would enable units to be provided off site by Leeds City Council. In the light of advice contained in the NPPG and the Executive Board Report on affordable housing associated with PRS schemes, officers consider it appropriate to accept a commuted sum in lieu of the PRS element of the proposal, in this case. The amount proposed by MODA still has to be assessed by officers to determine whether it is an acceptable level of commuted sum.

3. Do Members support the provision of a commuted sum in lieu of affordable housing provision on the Phase 1 development?

- 8.16 Highways/Access

Limited parking is proposed to be provided for the Phase 1 buildings, which represents a 14% provision. The reduction in car parking would need to be justified by a revised Transport Assessment. However, subject to no adverse impact upon the highway network the proposal can be supported in principle. The site is sustainably located within the city centre and the many amenities offered by the city centre are within easy walking distance. Also there are numerous amenities for proposed residents located in the area, as well as part of the development itself. Cycle storage, refuse store provision and servicing the building are being provided on site, although details need to be provided. Highways Services are continuing to liaise with the applicant in respect of the details of the new basement car park access point.

- 8.17 The proposal to close the route between the buildings from 23:00 until 07:00 is in the interests of residential amenity and good estate management. Given that there are other alternative routes which will exist north to south, and that it enables more residential units to be accommodated on the site, the proposal to close this route overnight is considered acceptable.

4. Do Members consider that the closure of the route between the buildings over-night is acceptable?

- 8.18 Energy and Sustainability

The potential to connect to the city wide district heating network is being proposed

by the applicant. This accords with the objectives of Core strategy Policy EN4 and is fully supported by officers

8.19 Conclusion

The applicant has developed Phase 1 of the outline proposal and is clearly in a position to move forward to commence development. This part of the Quarry Hill site has remained dormant for years and this proposal, along with the Leeds City College, will finally result in the site being developed. The pre-application proposal accords closely with the original outline scheme already approved by Members, but with certain amendments to the detail of the proposal. On balance, the changes are considered acceptable subject to the provision of supporting technical documents.

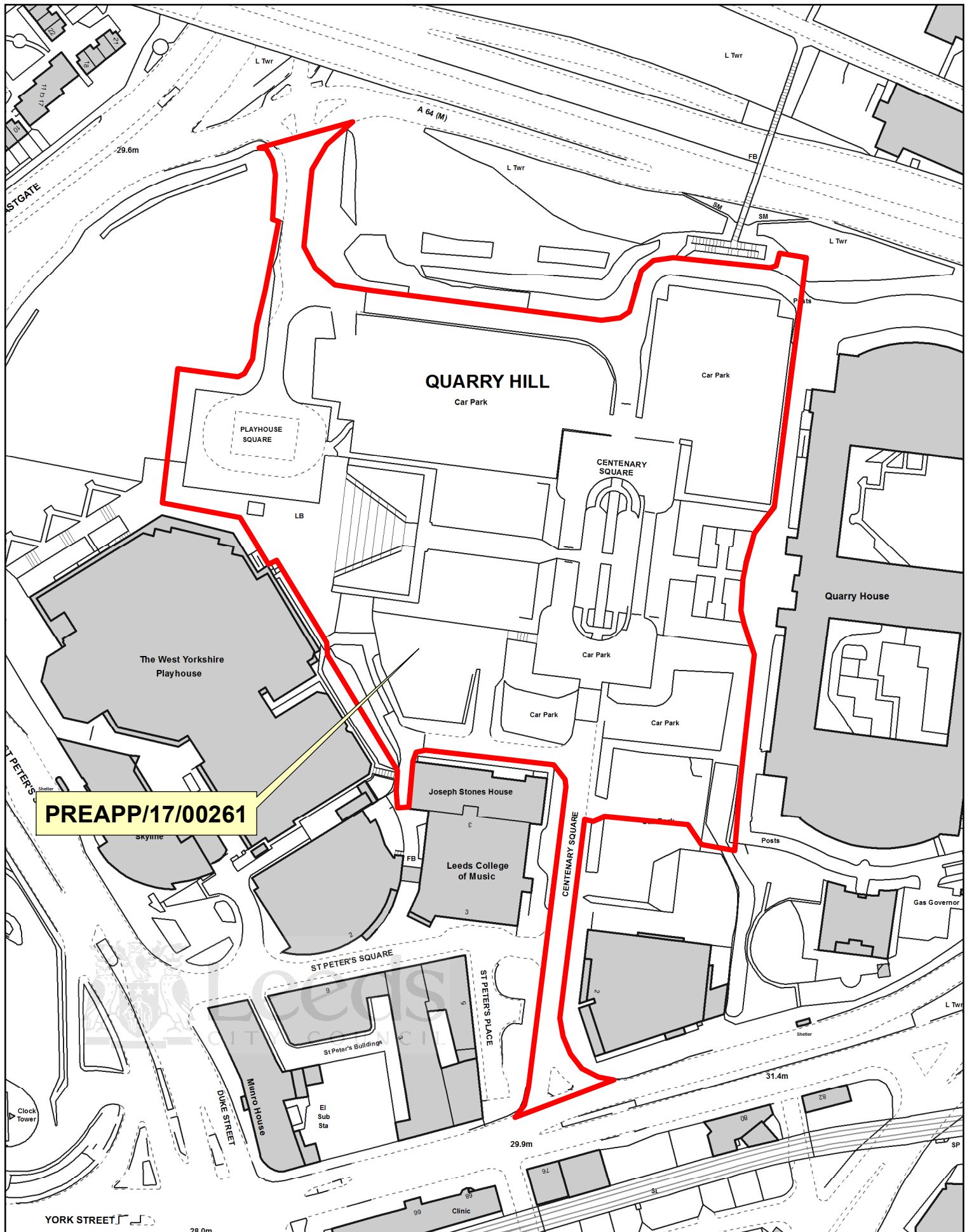
5. If Members are happy with the proposed reserved matters scheme, do they agree to delegating determination of the changes to the outline application and determination of the Phase 1 reserved matters, to the Chief Planning Officer?

9.0 CONCLUSION

9.1 The key questions asked in the report above are as following:

- 1. Do Members consider that the increased height and the elevational treatment of Buildings E and F are acceptable?**
- 2. Do Members consider that this represents an acceptable mix of unit types?**
- 3. Do Members support the provision of a commuted sum in lieu of affordable housing provision on the Phase 1 development?**
- 4. Do Members consider that the closure of the route between the buildings over-night is acceptable?**
- 5. If Members are happy with the proposed reserved matters scheme, do they agree to delegating determination of the changes to the outline application and determination of the Phase 1 reserved matters, to the Chief Planning Officer?**

Background Papers:
PREAPP/17/00261



CITY PLANS PANEL

