



Leeds
CITY COUNCIL

Public Document Pack

Meeting called at short notice under the provisions of paragraph 4.1 of the Access to Information Procedure Rules

CITY PLANS PANEL

**Meeting to be held in Civic Hall, Leeds on
Thursday, 31st May, 2018 at 1.30 pm**

MEMBERSHIP

Councillors

P Gruen
N Walshaw
J McKenna
(Chair)
A Khan
A Garthwaite
E Nash
S Hamilton
D Ragan

C Campbell

G Latty
B Anderson

T Leadley

D Blackburn

(The agenda reflects the current Membership but this may change following the Annual Meeting of Council on 24th May 2018).

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

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p data-bbox="678 322 970 353">SITE VISIT LETTER</p> <p data-bbox="678 465 1401 533">APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p data-bbox="678 613 1380 757">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 data-bbox="678 792 1385 936">(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF 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>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members’ Code of Conduct.</p>	

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5			APOLOGIES FOR ABSENCE	
6			MINUTES OF THE PREVIOUS MEETING To consider and approve the Minutes of the previous meeting held on 10 th May 2018. (Copy attached)	3 - 14
7			MATTERS ARISING FROM THE MINUTES To consider any matters arising from the Minutes.	
8	Little London and Woodhouse		APPLICATION NO. 18/00458/FU - DEMOLITION OF EXISTING PODIUM BUILDING AND ERECTION OF ONE 15 STOREY AND ONE 27 STOREY STUDENT ACCOMMODATION BUILDING OVER BASEMENT CAR PARK, WITH GROUND FLOOR A2, A3 OR A4 FLOORSPACE AND PROVISION OF NEW PUBLIC REALM, MERRION WAY, TOWER HOUSE STREET AND BRUNSWICK TERRACE, LEEDS 2 To consider a report by the Chief Planning Officer which sets out details of an application which seeks the demolition of existing podium building and erection of one 15 storey and one 27 storey student accommodation building over basement car park, with ground floor A2, A3 or A4 floorspace and provision of new public realm, Merrion Way, Tower House Street and Brunswick Terrace, Leeds 2 (Report attached)	15 - 48

Item No	Ward	Item Not Open		Page No
9	Little London and Woodhouse		<p>CITY REACH 1 (APPLICATION NO. 18/00604/RM) - RESERVED MATTERS APPLICATION FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF A MIXED USE SCHEME COMPRISING PRIVATE FOR SALE RESIDENTIAL (PFS) AND PRIVATE RENTED SECTOR (PRS) RESIDENTIAL WITH ANCILLARY GROUND FLOOR 'ACTIVE' USES, SMALL SCALE RETAILING, CAFÉ/ RESTAURANT, BARS AT SITE SOUTH OF KIRKSTALL ROAD FRONTING THE RIVER AIRE (FORMER FIRST BUS DEPOT SITE)</p> <p>To consider a report by the Chief Planning Officer which sets out details of “City Reach 1” a Reserved Matters Application for appearance, landscaping, layout and scale of a mixed use scheme comprising private for sale residential (PFS) and private rented sector (PRS) residential with ancillary ground floor active uses, small scale retailing Café/Restaurant, Bars at site south of Kirkstall Road fronting the River Aire (Former First Bus Depot site)</p> <p>(Report attached)</p>	49 - 68
10	Little London and Woodhouse		<p>CITY REACH 2 - HYBRID APPLICATION FOR REDEVELOPMENT FOR RESIDENTIAL (C3 & C4), INCLUDING VEHICULAR, PEDESTRIAN/CYCLE ACCESS, SERVICING, PUBLIC OPEN SPACE, CAR PARKING, LANDSCAPING AND OFF-SITE HIGHWAY WORKS (FULL CONSENT SOUGHT FOR PART OF THE CAR PARK ONLY WITH THE REMAINDER IN OUTLINE WITH ALL MATTERS RESERVED OTHER THAN ACCESS)</p> <p>To consider a report by the Chief Planning Officer which sets out details of an application “City Reach 2” an hybrid application for redevelopment for residential (C3 &C4) including vehicular pedestrian /cycle access, servicing, public open space, car parking, landscaping and off-site highway works (Full consent sought for part of the car park only with the remainder in outline with all matters reserved other than access)</p> <p>(Report attached)</p>	69 - 106

Item No	Ward	Item Not Open		Page No
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting will take place on Thursday, 21st June 2018 at 1.30pm in the Civic Hall, Leeds.</p>	

Third Party Recording

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

Use of Recordings by Third Parties– code of practice

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

Planning Services

To all Members of City Plans Panel

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

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

Our ref: City Site Visits
Date: 22.5.2018

Dear Councillor

SITE VISITS – CITY PLANS PANEL – THURSDAY 31st May 2018

Prior to the meeting of City Plans Panel on Thursday 31st May 2018 the following site visits will take place.

Time	Ward	Site
10.10 - 10.20am	Little London and Woodhouse	Application 18/00604/RM – City Reach 1 Kirkstall Road
10.20 - 10.50am	Little London and Woodhouse	Application 18/00622/OT – City Reach 2 Kirkstall Road
11.00- 11.30am	Little London and Woodhouse	Application 18/00458/FU- Podium buildings Merrion Way

Please notify Daljit Singh (Tel: 3787971) if you will be attending and meet in the Ante Chamber at **9.55 am at the latest for a prompt start at 10.00 am. We will be travelling by mini-bus.**

Yours sincerely

Daljit Singh
Central Area Team Leader

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CITY PLANS PANEL

THURSDAY, 10TH MAY, 2018

PRESENT: Councillor J McKenna in the Chair

Councillors P Gruen, D Blackburn, G Latty,
T Leadley, N Walshaw, C Campbell,
A Khan, A Garthwaite and E Nash

A Member's site visit was held in connection with the following proposal: PREAPP/17/00552 – 177 Kirkstall Road, PREAPP/17/00649 – 123 Hunslet Road and PREAPP/18/00067 – 2 Great George Street, Leeds 1 and was attended by the following Councillors: P Gruen, N Walshaw, J McKenna, A Khan, S Hamilton, D Ragan, B Anderson, C Campbell, T Leadley, E Nash and D Blackburn.

158 Appeals Against Refusal of Inspection of Documents

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

159 Exempt Information - Possible Exclusion of Press and Public

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

160 Late Items

There were no late items of business to be considered.

161 Declarations of Disclosable Pecuniary Interests

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

162 Apologies for Absence

There were no apologies for absence.

163 Minutes of the Previous Meeting

With reference to Minute No.154 (and the last bullet point on the third page) Councillor Leadley requested that the minute be amended to read as follows:

- Members were informed that once complete up to 10,000 people may occupy the site (7,500 officer workers and 2,500 residents). It was suggested that if a Call Centre was to occupy part of the site, this may

increase the level of occupancy and could also include 24 hour working.

RESOLVED – That with the inclusion of the above, the minutes of the previous meeting held on 19th April 2018 be accepted as a true and correct record.

164 Matters Arising from the Minutes

Clay Pit Lane Public Realm Improvements – (Minute No.155 referred) –
Referring to the landscaping works and the types of trees to be planted. Councillor Nash said it had been the view of Members that further consideration should be given to the species of trees to be planted, could Members be informed if such consideration had taken place and what was the outcome.

In responding the City Centre Team Leader said the necessary enquiries would be made and reported back to Members in due course.

165 Application No. 17/07963/OT - Outline planning application for residential development and associated basement parking at Sweet Street, Holbeck, Leeds LS11 9AA

With reference to the meeting of 8th March 2018 when Members resolved to defer a decision in relation to this outline planning application (with Access and Scale reserved) for further discussions with the applicant around the shape/ design and footprint of the development.

The Chief Planning Officer now submitted a further report indicating that the applicant had amended the illustrative scheme and prepared a Design Code for the development, which was intended to provide a statement of intent.

Members were informed that the issues raised and the response by applicants were addressed in the submitted report, which should be read in conjunction with the report presented to this Plans Panel on 8th March 2018.

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

Members raised the following questions:

- Would the affordable housing provision (5%) be provided on site
- One Member expressed reservations about the design and siting of the blocks and queried if any daylight or sunlight studies had been undertaken
- Was the level of contribution for the public transport requirements considered satisfactory
- On the issue of highways and transportation, reference was made to the previous meeting when it was agreed a report / briefing/ training would be prepared on the Council's strategy for the highways and

transportation network. Members sought an update querying when the requested information would be available.

In responding to the issues raised, the applicant's representative and council officers said:

- The City Centre Team Leader reported that the location and mix of affordable housing would be determined as part of the Reserved Matters Application but would be provided on site
- Members were informed that the outline application before Members sought approval for the scale and access of the development only, in addition the applicants had prepared a Design Code to inform the detailed appearance as a statement of intent which would form part of any outline approval granted. In respect of daylight/ sunlight studies, it was confirmed that such studies had been undertaken by the applicant to demonstrate that the courtyard space met the Building Research Establishment guidelines.
- The applicant confirmed the public transport contribution was acceptable. Members were informed the calculated costs were based on the impact of the development.
- The City Centre Team Leader confirmed that a report/ briefing/ training setting out the Council's strategy for highways and transportation would be made available at the earliest opportunity.

In offering comments Members raised the following issues:

- Members were supportive of the application

In summing up the Chair thanked all parties for their attendance and contributions suggesting Members appeared to be supportive of the application.

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

- 5% Affordable housing to be provided in accordance with section 10.6 of the report submitted to City Plans Panel on 8th March 2018 (Appendix A refers).
- Sustainable travel fund £32,212.50
- Car club contribution £21,000
- Travel plan monitoring fee £3,075
- Public access through the site
- Cooperation with local jobs and skills initiatives

In the event of the Section 106 Agreement having 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.

166 PREAPP/17/00649 Pre-application proposal for the demolition of existing buildings and construction of 928 flats with ground floor commercial units, car parking and provision of public realm at Former Evans Halshaw, 123-125 Hunslet Road, Hunslet, Leeds LS10 1LD by X1 Developments Ltd.

The Chief Planning Officer submitted a report which sets out details of a pre-application proposal for the demolition of existing buildings and construction of 928 flats with ground floor commercial units, car parking and provision of public realm at former Evans Halshaw, 123 – 125 Hunslet Road, Hunslet, Leeds, LS10 1LD by X1 Developments Ltd.

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

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

The scheme proposes 928 apartments spread across 5 buildings with associated landscaping. The buildings range in height from 6 stories to 20 stories, each with a raised residents only private courtyard and car parking underneath. The developers are undertaking wind analysis of the scheme. The proposal would feature with a hierarchy of hard and soft amenity spaces with publicly accessible amenity space at ground level, shared residents-only courtyards and private spaces such as balconies and roof terraces. A new main public pedestrian and cycle route would cross the site from east (Black Bull Street) to west (Sayner Road).

The scheme would feature a variety of traditional and modern materials, including brickwork detailing and architectural features that would respond positively to the nearby heritage assets at The Malthouse, Leeds City College Printworks and Leeds UTC/Braime's Pressings. Other buildings within the development would include ceramic cladding and glazed curtain walling to the taller elements of the scheme.

The scheme would be a mix of one, two and three bedroom flats with multi-storey townhouses provided at the ground and first floors of each block to ensure active frontages around the street frontages of the scheme. The mix of accommodation would be as follows:

277 one bed flats (30%)
431 two bed flats (46%)
220 three bed flats (24%)
928 total apartments

Draft minutes to be approved at the meeting
to be held on Thursday, 31st May, 2018

The flats would all meet the Nationally Described Space Standards. The developers have committed to providing 5% affordable housing provision on site in accordance with the policy for the area.

At ground floor there would be a number of small scale office, retail, gym and café/bar units, approximately 1300sqm in total, with no more than 200sqm A1 retail.

The raised central podium in the centre of the scheme would be achieved by closing Chadwick Street at the Hunslet Road junction. This would unify the two sites with a feature ramp and steps structure to connect the ground level at Hunslet Road and the raised ground level podium. Access to the site would be taken from the eastern end of Chadwick Street with limited vehicle access taken from existing access points on Black Bull Street and Chadwick Street South. Car parking would be provided at basement level. 320 car parking spaces (30% of the maximum Parking SPD standard for dwellings in this area of the City Centre) would be provided across the scheme with numbers linked to the size of each building. Approximately 20 car parking spaces would be provided above ground along Chadwick Street for visitor parking.

A minimum of 10% energy generation would be developed through on site low carbon energy sources. The scheme would also deliver a reduction of at least 20% on building regulations carbon emissions. The applicant is in discussions with the Council regarding the potential connections to the District Heat Network.

Members raised the following questions:

- The views of the development along Hunslet Road were monotonous
- Referring to the traditional elements of the nearby listed buildings Members queried if more arches could be incorporated into the façade.
- Would all the flats be compliant with the Nationally Described Space Standards
- Could more details of the affordable housing provision be provided
- Would the scheme be able to link into the district heating network
- What was the timescale for the development
- Could more details be provided about connectivity through the scheme
- One Member suggested the glazed tower was “too different” and gave the impression it was too commercial for residential living.
- It was suggested that City Centre living could be lonely for some residents, could consideration be given to the provision of a shared community space (Meeting room) free of charge
- Could safe routes be provided across the highway network, could a safe play space for children be provided and how would taxi pick up and drop offs, refuse collection and delivery arrangements be managed
- Referring to the landscape provision, Members queried what species of tree would be provided

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

- It was reported that the arch work element had been considered at length, the intention was to provide a suitable reference to the nearby heritage assets at The Malthouse, Leeds City College Printworks and the Leeds UTC/ Braime's Pressing. The suggestion that more finesse was required to the elevational treatment to provide a "rhythmic lift" would be considered further to address Members comments on the Hunslet Road elevations.
- The applicant confirmed that all flats were compliant with Nationally Described Space Standards.
- 5% affordable housing would be provided on site in line with the adopted policy but where it would be located still had to be determined
- It was reported that due to the time constraints of the build period phases 1 & 2 would not be incorporated into the district heating network, but it was likely phases 3,4 and 5 would be included.
- In terms of timescale for development, there was a desire to begin on site in December 2018 with an 18 month build programme.
- The applicants confirmed that pedestrian and cycle routes would be provided throughout the scheme, linking to neighbouring pedestrian routes. Car parking would be provided at basement level with 320 car parking spaces and 20 parking spaces would be provided above ground along Chadwick Street for visitor parking.
- The relationship between the glazed tower and adjoining properties was considered to be good and it was intended that sample materials would be provided.
- On the provision of a shared space for residents to use, it was reported that the developers, X1 were keen to promote city centre living and their website provided details about local social events.
- It was reported that a highways consultant had been employed to look at the highway and pedestrian network through the site, the provision of a children's play space would be provided in a suitable location and drop off and pick up access, refuse collection and delivery arrangements would be achieved by drop down barriers controlled by the on-site Management Team
- Members were informed that details of the tree species would be provided

In offering comments Members raised the following issues:

- Members welcomed the provision of family housing including townhouses
- Members were supportive of the emerging design but it was considered that further refinement / finesse was required particularly for the views from Hunslet Road
- The overall scheme was considered to be very good

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

- Members were supportive of the principle of the proposed development
- Members were supportive of the emerging design of the buildings and spaces with the understanding that further refinement/ finesse was required
- Members were supportive of the approach to car parking and accessibility

The Chair thanked the developers for their attendance and presentation.

RESOLVED –

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

167 PREAPP/18/00067 - Pre Application Proposal for the Partial demolition and rebuilding of the Leonardo Building, the conversion of Thoresby Building and 2 Great George Street for a change of use from offices to a mix of hotel, office, restaurant/café and bar uses and the extension of existing buildings, with a new build hotel on car park site at The Leonardo Building, Thoresby House and 2 Great George Street, Leeds, LS2 8HD

The Chief Planning Officer submitted a report which sets out details of a pre-application proposal for the partial demolition and rebuilding of the Leonardo Building, the conversion of Thoresby Building and 2 Great George Street for a change of use from offices to a mix of hotel, office, restaurant/café and bar uses and the extension of existing buildings with a new build hotel on car park site at the Leonardo Building, Thoresby House and 2 Great George Street, Leeds, LS2 8HD.

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

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

The proposals involved the regeneration and extension of the Grade II Listed Thoresby and Leonardo Buildings and 2 Great George Street and the creation of a new third building between the two historic buildings, and the demolition of the 20th century section of the Leonardo Building to be replaced by a new built extension to this corner of the site.

The changes to the Thoresby Building would require demolition of the attached 20th century Leonardo Building (but not the older part of the Leonardo Building) and the roof of the Listed Thoresby Building. A new extension would be built to replace the removed part of the Leonardo Building as well as a second extension across the top of the retained part of the Leonardo Building

and the Thoresby Building. The regenerated set of buildings would be put into use as office space, with ground floor A1 retail, A3 (restaurant and café) and A4 (bar) uses. A large new entrance point would be created to the east face of the building, to sit between the two existing stone detailed doorways, which would link into the building's retained atrium.

The Listed No 2 Great George Street would be altered internally with the addition of a mezzanine to add in an extra floor space for the creation of a new premium hotel. In addition, the existing 20th century entrance portal will be removed and a new entrance to the west face of the building will be created. In addition a new glass extension would be added to the roof top of the building. To the ground floor level a mix of A3 (restaurant and café) and A4 (bar) uses is proposed

On the car park in the middle of the site it is proposed to create a new third building to house a second hotel. This would be a contemporary building which would be scaled and detailed to take account of the site's historic context. At the ground floor level a mix of A3 (restaurant and café) and A4 (bar) uses are proposed with the aim being that users can access any and all of the ground floor uses across the three buildings.

Between the three buildings new publicly accessible open landscaped spaces are to be created. These would be accessed from north south routes through them or from east west routes running through the three buildings.

Members raised the following questions:

- This is a unique site to produce something iconic, why do you think the new building fits in with the existing buildings
- The proposed new extension to the Leonardo Building was not in keeping with the adjoining buildings, could the form of the adjoining Thoresby Building be replicated on the new extension, also the proposed glass roof extension to the replaced Leonardo Building was too dominant and too modern in this historic context
- The proposed "glazed ribbed dome" to 2 Great George Street, how would this operate
- Would the development be carried out in phases

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

- The proposed new building (a second hotel) would be contemporary in design and would be scaled and detailed to take account of the sites historic context.
- It was suggested that the Leonardo Building was a closure piece to Millennium Square, the proposed new extension was intended to provide a greater presence by delivering a contemporary design but also fitting in with the historic details of the adjoining buildings.
- It was reported that the proposed "glazed ribbed dome" was intended to provide a calm appearance that helped to screen planted areas and

changes in plane to the roof extension, the rib design would control the area providing passive solar shading, the glazing would also be tinted. The windows could be opened and closed as required.

- Members were informed that all development works would be undertaken at the same time due to construction logistics

In offering comments Members raised the following issues:

- There was no continuity between the existing and the new build elements
- The proposed new elements were disrespectful to the existing
- In terms of the new build hotel, a number of Members expressed the view that too much was being squeezed onto the site
- The proposed glass roof extension to the Leonardo Building was too dominant and too modern
- Members appeared supportive to the principle of a glazed roof extension to 2 Great George
- One Member suggested the rib design for the glazed roof was too imposing
- Members requested more detail about the infill design and colour of the new build elements
- Members expressed the view that the quality of the proposal should not be lowered

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

- Mixed views were expressed about the emerging scale, massing and design of the development, a number of Members were partially supportive others were not
- Members were supportive of the emerging landscape scheme and approach to connectivity
- Members were supportive of the principle of the demolitions and accepted some alterations were required to the listed buildings

In summing up the Chair thanked the developers for their attendance and presentation commenting that this was an important location and it was essential to get the right scheme

RESOLVED –

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

168 PREAPP/17/00552 - Pre-application presentation for outline proposal, mixed use scheme comprising residential accommodation with ancillary

ground floor 'active' uses at site on the corner of Kirkstall Road and Viaduct Road - Former ThyssenKrupp Industrial site.

The Chief Planning Officer submitted a report which sets out details of a pre-application presentation for an outline proposal for a mixed use scheme comprising residential accommodation with ancillary ground floor “active” uses at a site on the corner of Kirkstall Road and Viaduct Road – Former ThyssenKrupp Industrial site.

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

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

The scheme was for the redevelopment of the area occupied by the former industrial building and its associated car park area. The proposals comprised of 4 buildings between 4 and 9 storeys located around a central open space area. One of these is proposed to front Kirkstall Road, relating in scale at one end to the red brick church building and rising in height to address the prominent Kirkstall Road/Viaduct Road corner.

The site access point is on Viaduct Road where the main corner building returns to offer a curved sweeping element which leads vehicles and pedestrians towards the centre of the site. The access road is oriented parallel to Kirkstall Road and gives access to each of the 4 buildings which would all contain under-croft car parking at ground floor level. This is part of the package of measures to counter flood risk on the site.

The buildings sit along the sides and corners of the site to create edges and corners to the central space area. These are terminated and turned to create vistas across the site as well as through to the Viaduct and River Aire beyond. These vistas tie into pedestrian routes and open space areas to provide pedestrian permeability and legibility.

The heights have been designed to relate to those of the surrounding buildings which are to remain, as well as provide emphasis to the Kirkstall Road corner and to provide articulation to the building heights and skyline.

All of the buildings are to contain residential use with the current number of units proposed being 254 with the building fronting Viaduct Road potentially able to accommodate another 40 to 60 units, these are outside the pre-application site area. Three small retail units are proposed at ground floor level in order to animate the lower parts of the building which fronts both Kirkstall Road and the vehicular route into the site.

131 car parking spaces are currently proposed although another 40 are provided for the building fronting Viaduct Road which are also accessed from the same point on Viaduct Road.

Members raised the following questions:

- When was it anticipated work on site would begin
- Would the southern boundary wall be retained
- Would the previous issues of flooding be addressed
- Would the heritage building be cleaned as part of the development
- Could the curved brick boundary wall along Kirkstall Road be retained

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

- The development would consist of 4 phases, the intention was to submit an outline application as soon as possible with the reserved matters application following in early 2019
- Discussions were ongoing with the owners of the adjacent site to the south to understand its future use. Currently the boundary wall was retained for security reasons
- It was reported that flooding to the site had occurred due to the failure of the local infrastructure. Members were informed that a flood risk assessment would be undertaken and it was intended the development would be lifted onto stilts to address any future flooding issues
- The applicant confirmed that the cleaning of the heritage building "would be looked at"
- The applicant confirmed that it was their intention to retain some elements of the curved boundary wall.

In offering comments Members raised the following issues:

- Members were supportive of the scheme
- The retention of the heritage buildings and bringing them back into use was welcomed

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

- Members were supportive of the emerging scale and design of the development
- Members were supportive of the emerging approach to public space, car parking and landscaping provision on the site

The Chair thanked the developers for their attendance and presentation.

RESOLVED –

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

169 Date and Time of Next Meeting

Draft minutes to be approved at the meeting
to be held on Thursday, 31st May, 2018

RESOLVED – To note that the next meeting will take place on Thursday, 31st May 2018 at 1.30pm in the Civic Hall, Leeds.



Originator: Tim Hart

Tel: 3952083

Report of the Chief Planning Officer

CITY PLANS PANEL

31st May 2018

Demolition of existing podium building and erection of one 15 storey and one 27 storey student accommodation building over basement car park, with ground floor A2, A3 or A4 floorspace and provision of new public realm, Merrion Way, Tower House Street and Brunswick Terrace, Leeds 2 (18/00458/FU)

Applicant – Unite Group plc and RR Wing Portfolio Ltd.

Electoral Wards Affected:

Little London and Woodhouse

Yes Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

- Use of accommodation for use solely by students in full-time higher education;
- A travel plan monitoring fee of £2,500;
- Implementation of travel plan;
- Contribution of £170,000 towards Merrion Way highway improvements;
- Local employment and training initiatives;
- 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 demolition of the existing podium building located between Merrion Way and Leeds Arena and the construction of two new buildings, predominantly comprising student accommodation, together with new public realm and pedestrian routes between and around the buildings. The proposals provide a significantly improved relationship with both the arena and Merrion Way and would help to realise aspirations for the area when the arena was located in this part of the city.
- 1.2 The emerging scheme was presented to City Plans Panel in November 2017. On 6th March 2018 several City Plans Panel Members visited one of the developer's recent schemes at Angel Lane, Stratford to view the internal amenities provided for students. Since that time the proposals have been refined, including adjustments to the proposed living accommodation.
- 1.3 Subject to the approval of this application the developers have advised that it is their intention to commence demolition of the existing building in July 2018 with a view to commencing construction in September 2018 so as to enable occupation of the development in August 2020.

2.0 Site and surroundings

- 2.1 The site is located between Merrion Way, Brunswick Terrace and Tower House Street towards the northern edge of the city centre. Both the podium and the neighbouring office block, Arena Point (formerly Tower North Central/Tower House), were constructed in the mid-1960's. Following the closure of the Grosvenor casino during 2016 the two storey podium building is now occupied solely by Wetherspoons' public house.
- 2.2 Only the southern elevation of the building facing Merrion Way has an active frontage. The rear elevation, in particular, presents a very low quality appearance facing the arena. The building, and terrace to the front, sits over a basement car park used by occupiers of the Arena Point offices, accessed via two vehicular ramps down from Brunswick Terrace. The terraced area to the front of the building is largely used as an external seating area by Wetherspoons. At ground level there is a landscaped space to the east of the building enclosed by railings. The area of grass to the front of the terrace, in Council ownership, contains 5 trees and helps to give Merrion Way a green appearance. There is a gradual fall in levels from the west to the east.
- 2.3 The surrounding area is characterised by a number of large scale buildings. Arena Point is a 20 storey (77m) office building situated directly to the east of the site. The ground floor of the building is at the same level of the podium terrace. Beyond Tower House Street, Hume House is a part 2, part 5 storey vacant office building. The 26 storey (90m) clv Arena Village building containing student accommodation is situated to the north east. The Leeds First Direct Arena is a large building situated on the north side of Brunswick Terrace to the rear of the podium. Yorkshire Bank offices, located to the west of Brunswick Terrace, rises to 31m. The Merrion Centre, associated multi-storey car park and Merrion House, are located on the southern side of Merrion Way. To the north-west beyond the arena, Sky Plaza is the tallest building in the area (34 storeys / 106m).

3.0 Proposals

- 3.1 It is proposed to demolish the existing 2 storey podium building and associated basement car park. A new basement parking area, accessed by a single ramp from Brunswick Terrace adjacent to Arena Point, would be reconfigured across the full width of the site providing parking for the occupiers Arena Point. The number of spaces would reduce from 120 to 90.
- 3.2 Two new buildings would be erected contemporaneously. The southern elevation of the buildings would be aligned with the front of Arena Point to the east with their principal axis similarly arranged perpendicular to Merrion Way. The northern elevation of the buildings would project 1.8 metres closer to Brunswick Terrace to the north than Arena Point. The west elevation of the western building (Tower A) would be located 9.9 metres further east than the end elevation of the existing podium building. The upper levels of Tower A would be 17 metres from Tower B to the east. Tower B would be situated 17.1 metres from the Arena Point tower.
- 3.3 The ground and first floor of Tower A would project 8.8 metres further to the east than the upper levels of the building. A first floor bridge across the remaining 8.2 metres would link Towers A and B, set back 13 metres from the building frontages. The ground floor of Tower A, together with a small mezzanine area facilitated by generous floor to ceiling height, would be occupied by a commercial unit (A2-A4), potentially Wetherspoons. The premises would have its primary entrance on the elevation facing Merrion Way and be serviced from the west side, enabled by the removal of the existing basement access ramp and widening of the public realm on this side of the building. The proposals identify an active frontage around much of this building. An area of external seating serving the commercial unit is proposed along the west side the premises.
- 3.4 The student accommodation would be accessed from a reception area on the southern side of Tower B to the east. This 27 storey building would be approximately 78m tall. Tower A would be 15 storeys (approximately 46 metres) in height.
- 3.5 Student bicycle storage facilities would be provided in the ground floor of Tower B. Dedicated student amenity space would be provided at mezzanine level and the majority of the first floor of the building. In total, 1,344m² of amenity space would be provided for the students.
- 3.6 Student accommodation would be located from first floor of the buildings upwards. There would be a total of 94 studios and 152 cluster flats of which there would be 74, four bedroom clusters; 4, five bedroom clusters and 74, seven bedroom clusters. In total there would be 928 bedspaces across the development. Each of the studios, situated north and south of the core in the centre of each building, would be 30m². Cluster bedrooms would be 11.4m². Cluster living /kitchen spaces would be situated at each of the corners of the buildings. These spaces would be 23m² for 4 bedroom cluster flats and 40m² for the 5 and 7 bedroom clusters.
- 3.7 Glazing and off-white aluminum cladding are proposed as the principal building materials. The base of the buildings, comprising ground, mezzanine and first floor levels, would utilise double-height curtain wall glazing. The upper levels of the east and west elevations of the buildings would be articulated with chamfered returns to the secondary plane comprising curtain walling, spandrel panels and louvred panels with inward-opening windows located behind. This part of each of the buildings would have a consistent rhythm framing two floors at a time. The tops of the buildings would be more pronounced with groupings of three and five floors being framed by chamfered metal cladding.

- 3.8 The north and south gables above first floor level would be more simply detailed than the heavily articulated east and west elevations. The gable end of each tower would be divided by a 4 metre wide vertical strip of curtain walling inset 1.3 metres from the proposed flanking aluminum clad walls.
- 3.9 Proposals for the public realm identify new hardsurfacing extending across the entirety of the site. As such, the existing vehicular ramp at the western end of the podium building would be removed and infilled and would form part of a widened pedestrian approach along Brunswick Terrace from Merrion Way towards the arena. Similarly, the remaining area to the north of the new buildings would be resurfaced as part of an extended area of public realm between the towers and the arena.
- 3.10 A new north-south public, pedestrian, route would be formed through the centre of the site between Towers A and B directly linking Merrion Way with Brunswick Terrace and the arena. The 9 metre wide route would extend southwards through the existing strip of greenspace via new steps that would be formed on the southern edge of the terrace. A new footpath would also be formed linking Merrion Way and Brunswick Terrace to the east of Tower B. The footway fronting Merrion Way would be realigned and resurfaced as part of the public realm works. Two loading bays would be formed alongside Merrion Way; one to the front of Tower A and one closer to Arena Point.

4.0 Relevant planning history and negotiations

- 4.1 During the course of the planning application the proposed 8 and 10 bedroom clusters have been removed from the scheme and the size of the kitchen/living spaces for 5 and 7 bedroom clusters has been increased by 74 per cent. As a result, the number of bedspaces in the development has reduced from 1020 to 928. Revisions have also been made to the form of the structure between the two buildings and to the proposals for servicing the building.
- 4.2 Planning permission for alterations and extensions to form two A3 units and the erection of a 14 storey hotel to the side and rear of the podium was granted on 15th November 2013 (11/03655/FU). During pre-application discussion regarding those proposals (PREAPP/10/00296) on 10th February 2011 City Plans Panel stated the preference for redevelopment of the site and the desirability of fragmenting the podium to create a new route to and from the arena.
- 4.3 The current proposals were the subject of a pre-application presentation to City Plans Panel on 23rd November 2017 (PREAPP/16/00483). Members were of the view that the proposed use of the buildings for student accommodation was acceptable in principle. Members expressed reservations about the proposed living conditions within the student accommodation and requested that further information be provided. Members were of the view that the scale of the proposed new buildings and their relationship with the surrounding context was acceptable. Further consideration of the public realm provision was required, in particular opportunities for enhancing the landscaping to the grassed verge along Merrion Way. A full copy of the minutes of that meeting is attached at Appendix 2.
- 4.4 A part 7, part 11, part 18 storey building at St Alban's Place 150 metres to the south-east comprising 376 student studios was granted planning permission on 21st April 2017 (16/07741/FU). This building is presently being constructed.

4.5 Planning permission for a part 9, part 23 storey, building at Symons House, Belgrave Street to the south of St Alban's Place comprising 185 student studios, 10 apartments and 40 cluster flats was granted on 22nd December 2017 (17/06605/FU). The original building has recently been demolished enabling construction of the approved development.

5.0 Consultation responses

5.1 LCC Transport Development Services (Highways) –no objection in principle to a student residential development subject to:

- Details of highway works to be agreed with regard to deliveries and servicing proposals;
- The provision of long and short stay cycle and motorcycle parking, together with provision of disabled parking spaces and electric vehicle charging points within the basement car park;
- Provision of a construction management plan taking into account arena safety and anti-terrorism requirements
- A contribution towards improvements to Merrion Way to assist pedestrian movements to and from the universities.

5.2 LCC Travelwise - The travel plan should be revised to address the Travel Wise comments from 15/02/2018. In addition the £2500 Travel Plan Review Fee needs to be secured through the S106. The implementation of the travel plan needs to be secured by condition. The development also needs to contribute to the Merrion Way Highway / Public Realm Scheme, which will deliver a layby and a car club bay.

5.3 LCC Environmental Studies - Air quality monitoring data indicate that the relevant air quality objectives will not be breached either at the development site or elsewhere as a result of the proposed development. There is likely to be some impact on the local area from dust during the construction phase and it is recommended that the mitigation measures detailed in the air quality assessment are implemented to reduce this impact. Electric vehicle charging points should be provided in accordance with the Leeds Parking SPD.

5.4 LCC Environmental Studies Transport Strategy – approve subject to conditions in respect of the glazing and ventilation specification and to secure acoustic tests to demonstrate that required noise levels are achieved.

5.5 SDU Landscape - support the opening up of routes through to the arena. Surfacing materials should be consistent so as to provide visual linkages. The link through the frontage greenspace will need careful design and implementation to avoid disturbance and damage to existing trees which have significant amenity value. Proposed trees and other planting above the car park may be difficult to achieve. Trees in hard surfaces and narrow planting beds need adequate volumes of soil below ground (20-30m³ per tree). Street furniture, bollards, surface drains, fencing, etc. need to form a limited, visually-coordinated menu of elements. Lighting design is important for evening and night time use and also as a means of way-marking routes through, even during daytime.

5.6 LCC Conservation - The impact on heritage assets would be mainly neutral. There could be minor to negligible harm to the setting of Queen Square and St John's Church but this needs to be balanced against the public benefits which include the enhancement to the wider environment through the delivery of a high quality redevelopment.

- 5.7 LCC Contaminated Land Team – conditions in respect of site investigation and remediation are recommended.
- 5.8 LCC Flood Risk Management (Drainage) – A linear drain should be provided so as to prevent flooding of the basement and the provision of blue/green roofs should be confirmed as part of a detailed drainage strategy.
- 5.9 Yorkshire Water – conditions in respect of surface water run-off from parking areas passing through an oil interceptor and compliance with the submitted flood risk assessment are recommended if planning permission is granted.
- 5.10 The Coal Authority - It will be necessary to include the Coal Authority’s Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

6.0 Public / local response

- 6.1 Site notices were displayed around the site and the application was advertised in the Yorkshire Evening Post on 16th February 2018.
- 6.2 Three contributors suggests that the elevations facing Merrion Way require improvement to add vibrancy and vitality to the street and that the elevations are too grey. One contributor objects to the replacement of the Wetherspoons public house with additional student accommodation.
- 6.3 The Leeds Civic Trust Planning Committee considers that the overall scale and massing of this development, and the use types proposed, are appropriate for this location and wishes to support the scheme subject to the following observations:
- The sculptural treatment of the cladding on the east and west elevations, with the consequent reflections and shadowing, will mitigate the monotone colour, providing that the quality of detailing and construction are first class. The view of any one of the north and south elevations of either tower will be tempered with the appearance of the neighbouring tower, where the chamfering will be visible;
 - the illustrations of the development should show all the tall buildings which may be constructed in this quarter of the city;
 - the Trust were very pleased that the applicant has committed to high quality public realm out to the kerb lines, and welcome the desire to create enhanced views and pedestrian routes through to the Arena, but note with concern that plans show planting and outdoor tables to the west of the site which will narrow this potentially wide route.

Rooftop plant including cleaning cranes; direct access to the cycle store and short-stay cycle parking should be considered during the design development process. Contributions to off-site public open space enhancements should target Lovell Park, with improved paths from Wade Lane and lighting for the route from the Arena to North Street.

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 at this site, 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).

7.2 **Core Strategy**

7.2.1 Relevant Core Strategy policies include:

Spatial Policy 1 prioritises the redevelopment of previously developed land within the 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 by expanding city living.

Spatial Policy 8 identifies economic development priorities including (vi) supporting training/skills and job creation.

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

Policy CC1(b) states that residential development will be encouraged within the City Centre providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.

Policy CC3 states that development in appropriate locations is required to help and improve routes connecting the City Centre with adjoining neighbourhoods, and improve connections within the City Centre.

Policy H6B refers to proposals for purpose-built student accommodation. Development will be controlled to take the pressure off the need to use private housing; to avoid the loss of existing housing suitable for families; to avoid excessive concentrations of student accommodation; to avoid locations that would lead to detrimental impacts on residential amenity; and to provide satisfactory living accommodation for the students.

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.

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

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

Policies EN1 and EN2 set targets for CO² reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.

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

7.3.1 Relevant Saved Policies include:

Policy GP5 states that all relevant planning considerations should be resolved.

Policy 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. The Proposals Map identifies areas of the site not occupied by buildings, including the space between the podium and Arena Point, as public space.

7.4 **Natural Resources and Waste Local Plan 2013 (NRWLP)**

7.4.1 WATER 4: All developments are required to consider the effect of the proposed development on flood risk, both on-site and off-site.

LAND 2: Development should conserve trees wherever possible and also introduce new tree planting as part of creating high quality living and working environments and enhancing the public realm.

7.5 **National Planning Policy Framework (NPPF)**

7.5.1 The NPPF recognises the presumption in favour of sustainable development. Planning should proactively drive and support sustainable economic development; and seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (para. 17). Local Planning Authorities (LPA's) should recognise town centres as the heart of their communities and support their vitality and viability; and recognise that residential development can play an important role in ensuring the vitality of centres (para. 23). Housing applications should be considered in the context of the presumption in favour of sustainable development (para. 49).

Section 7 states that good design is a key aspect of sustainable development. 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;
- 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 **Supplementary guidance**

Tall Buildings Design Guide SPD
 Travel Plans SPD
 Building for Tomorrow Today: Sustainable Design and Construction SPD
 City Centre Urban Design Strategy SPG
 Parking SPD

7.7 **Other material considerations**

7.7.1 Site Allocations Plan Submission Draft (SAP)

The site is not specifically identified in the SAP. The area between the existing podium building and the Yorkshire Bank building is identified as Civic Space (CVC23).

7.7.2 Leeds Standard

The Leeds Standard was adopted by the Council's Executive Board on 17th September 2014 to ensure excellent quality in the delivery of new council homes. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council's Neighbourhoods for Living guidance. The standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard (NDSS) which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has been adopted as formal planning policy and only limited weight can be attached to them, given their evidence base in determining the minimum space requirements, during recent years they have been used to help inform decisions on the acceptability of development proposals.

7.7.3 Core Strategy Selective Review (CSSR)

A selective review of the Leeds Core Strategy is presently being undertaken. The review includes policies to introduce residential space standards. Although draft policy H9 in the CSSR expressly excludes purpose built student accommodation from the space standard a footnote to the policy states:

Development of student accommodation and houses in multiple occupation (HMOs) will not be subject to the space standards as set out in the Table above. Instead such development should reflect the NDSS with appropriate adjustments to address the particular characteristics of these types of development. They should also meet reasonable standards of general amenity for occupiers to include adequate space, light and ventilation. Further guidance will be provided through a Supplementary Planning Document.

Paragraph 5.2.46 of the supporting text states that "Provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis, and via the application of any national standards that might be created in the future".

Consultation on the selective review has now finished and the policy can be afforded some weight.

8.0 Main issues

- Principle of the development
- Amenity considerations
- Townscape and heritage considerations
- Public realm
- Transport and servicing issues
- Wind issues
- Other considerations
- Section 106 obligations and CIL

9.0 Appraisal

9.1 Principle of the development

9.1.1 The site is located within the designated City Centre. Core Strategy Policy CC1(b) encourages residential development in city centre locations providing that the development does not prejudice the functions of the City Centre and that it provides a reasonable level of amenity for occupiers.

9.1.2 Policy H6B relates specifically to the provision of student housing. The policy was adopted following the Core Strategy Inspector's rejection of the Council's position that the policy should include a test for need when considering applications for new student housing. Core Strategy paragraph 5.2.26 states that growth in new purpose built student accommodation is to be welcomed in order to meet need and to deflect pressure away from private rented houses in areas of overconcentration. At the pre-application presentation to City Plans Panel on 23rd November 2017 (PREAPP/16/00483) Members were of the view that the proposed use of the buildings for student accommodation was acceptable in principle.

9.1.3 The proposal is therefore considered against the criteria set out within the adopted policy Core Strategy (identified below in italics):

(i) To help extend the supply of student accommodation taking pressure off the need for private housing to be used.

The development of 928 student bed-spaces (comprising 94 studio flats and 152 cluster flats) would help to take pressure off the need to use private housing for student accommodation.

(ii) To avoid the loss of existing housing suitable for family accommodation.

The site currently accommodates a building solely occupied by a public house and vacant casino space. The proposed scheme would involve the replacement of the existing public house floorspace, albeit a flexible use (A2, A3 or A4) has been sought as part of the application. The development would meet the objective in avoiding the loss of family housing.

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

The site is located towards the north-eastern edge of the city centre and is well-placed with regard to access to both the University of Leeds and Leeds Beckett University. Proposed improvements to the public realm around the site, and a contribution towards improvements to Merrion Way, would improve accessibility further and would accord with Core Strategy policies CC3 and T2.

The development would therefore accord with parts i, ii and iv of Core Strategy policy H6B. Criteria (iii) and (v) of the policy are considered in the amenity section, paragraph 9.2.

9.2 Amenity considerations

9.2.1 Criteria (iii) of Core Strategy policy H6B aims to avoid excessive concentrations of student accommodation which would undermine the balance and wellbeing of communities.

9.2.2 The proposed development involves 928 student bed-spaces, comprising a mix of studios and cluster flats. The Arena Village student building is located close to the north east of the site and contains approximately 560 bedspaces. Beyond Clay Pit Lane, the Plaza and Sky Plaza developments contain in the region of 650 student bedspaces. The area is also a focus for additional new purpose-built student accommodation. The St Alban's Place scheme presently being constructed on Belgrave Street will deliver 376 studios; the Symons House, Belgrave Street development will provide 349 student bedspaces in a mixture of clusters and studios; and the "Walkabout" development on Cookridge Street will provide 96 studios later this year. There are also proposals for 312 studios on the Portland Crescent site (18/01711/FU); 102 student studios and 134 cluster flats at Hume House, Merrion Way (18/01819/FU); and 98 studios on land north of the Q One Residence, Wade Lane (18/02139/FU). Consequently, if all proposed developments were to be constructed, there would be approximately 4,121 student bed-spaces within a radius of 250 metres of the site (an area of 19.6 hectares).

9.2.3 In addition to the arena the area supports a mix of uses, including retail and offices and a range of commercial uses within the Merrion Centre, together with pockets of residential accommodation located primarily to the east side of Wade Lane / Lovell Park Road. However, it is not considered that these and other existing residents in the city centre would be adversely affected by purpose-built student accommodation in the proposed location given the way in which the area is currently used. Similarly, it is not considered that the number of students proposed would result in an excessive concentration of students that would undermine the wellbeing of the area within the context of a busy, mixed use, city centre environment. It is more likely that the students would help to support existing businesses within the area. Finally, routes from the development towards both the university campuses and the heart of the city centre would be through commercial areas such that residential communities would be unlikely to be adversely affected by the student use.

9.2.4 Criteria (v) of policy H6B requires that the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.

9.2.5 A minimum separation distance of 17 metres between buildings would ensure that occupants in rooms facing east or west would experience acceptable outlooks and daylighting. A limited number of rooms would face north towards the arena. Those in Tower A would have views towards the front elevation of the arena and more oblique views over the expanse of the open space to the front of the arena. North-

facing rooms in the lower element of Tower B would face the side elevation of the arena. However, at a distance of 14 metres satisfactory levels of daylight would be provided and the outlook towards the arena would not be unacceptable. Those in studios facing south would enjoy longer distance views across the city centre.

- 9.2.6 The Leeds Standard sets a minimum target of 37m² for a self-contained studio flat. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard (NDSS) which seeks to promote a good standard of internal amenity for all housing types and tenures. No distinction is drawn within these documents between open market and student accommodation. Whilst neither of these documents has been adopted as formal planning policy in Leeds since 2015 they have been used to help inform decisions on the acceptability of development proposals given their evidence base in determining the minimum space requirements.
- 9.2.7 As a result purpose-built student housing developers have continued to make the case that due to the bespoke nature of purpose built student accommodation the application of the Government's minimum housing space standards is not appropriate. A qualitative approach to assessing internal amenity and encouraging a more communal lifestyle has been advocated. Notwithstanding, the Core Strategy Selective Review which now carries some weight states that "Provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis, and via the application of any national standards that might be created in the future" and that "such development should reflect the NDSS with appropriate adjustments to address the particular characteristics of these types of development. They should also meet reasonable standards of general amenity for occupiers to include adequate space, light and ventilation."
- 9.2.8 Officer and Members have visited several student housing schemes to review the level of amenity provided for occupiers. These include the Fresh Student Living at Darley Bank in Derby (April 2014) where the studio was 22m²; Downing's Cityside, Calverley Street, Leeds (May 2016) where the student showflat was also 22m²; Vita Student's Telephone House, Sheffield (September 2016) where the average studio size was 20m²; and in connection with this application, in March 2018 Unite's development at Angel Lane, Stratford where Members viewed a 10 bedroom cluster flat where the cluster bedrooms of 11m² were supported by 23m² kitchen/living spaces, together with other internal and external amenity space located around the building.
- 9.2.9 Planning permission for Vita's scheme at St Alban's Place, in which the smallest 78% of studios would be just over 20m², was granted April 2017 (16/07741/FU). In approving the scheme it was recognised that the size of the majority of the studios would be restricted, providing little or no opportunity for socialising, but that each studio would benefit from a good outlook, natural daylighting and a suitable noise environment. Critically, the additional "hub" facilities providing dedicated amenity spaces within the building, together with opportunities to use the neighbouring public space, would provide acceptable levels of amenity for the occupiers of the development.
- 9.2.10 More recently, in December 2017, City Plans Panel approved the redevelopment of Symons House, Belgrave Street where the proposed smallest studio would be 21.3m². 2 to 5 bedroom clusters in that development would have 14m² bedrooms with kitchen/living spaces increasing in size from 21m² for the two-bed clusters to 43m² for the five-bed clusters, all supported by areas of dedicated amenity space.

- 9.2.11 The proposed internal arrangement of the student accommodation identifies a mix of studios and cluster flats. The studios would be 30m² and being of a regular, rectangular, shape would provide a usable and unrestricted space for occupants. In conjunction with the amenity space (1,344m²) located elsewhere within the building which would provide facilities such as cinema rooms, kitchen, study and meeting rooms and flexible spaces, occupiers of the studios would experience good levels of amenity.
- 9.2.12 The pre-application proposals presented to City Plans Panel in November 2017 identified 4, 6, 8 and 10 bedroom cluster flats. Each of the clusters, regardless of size, would have been served by a 23m² kitchen/amenity space and the cluster bedrooms would be 11m².
- 9.2.13 Notwithstanding Unite's assertion that the originally-proposed format has been approved and developed around the country the proposals have been revised in response to Members and Officer's comments. Clusters of 4, 5 and 7 bedrooms are now proposed. The single bedrooms have been marginally increased in width so as to conform with the minimum width prescribed in the NDSS, though, at 11.4m² they clearly exceed the minimum 7.5m² area identified in the NDSS. The four bedroom clusters would each be supported by a 23m² kitchen/amenity space, in addition to the communal amenity space. The five and seven bedroom clusters would benefit from a 40m² kitchen/amenity space, in addition to the communal amenity space.
- 9.2.14 Although student cluster accommodation is not specifically identified within the NDSS the standards suggest that a 4 bedroom, 4 person apartment should have a minimum area of 81m² whereas the current proposal identifies an area of 86m². Similarly, the NDSS imply that a 7 bedroom, 7 person apartment should have a minimum area of 123m² whereas the 7 bed clusters proposed would be 148m². Further, occupiers of the clusters would also have access to the shared amenity space located elsewhere within the building. Consequently, in combination with the facilities elsewhere within the building it is considered that the amenities for students living in cluster rooms would, on balance, be acceptable.
- 9.2.15 The commercial space at the lowest levels of Tower A is largely required to replace the existing Wetherspoon's public house who are likely to remain the occupiers of the space. The building will be designed so as to ensure that noise from within that premises, as with other existing noise sources, does not unacceptably affect the amenities of the occupiers of the student accommodation.
- 9.2.16 As a result, the development would accord with parts (iii) and (v) of Core Strategy policy H6B and saved policies GP5 and BD5 of the Unitary Development Plan Review, together with emerging policy in the Core Strategy Selective Review.

9.3 Townscape and heritage considerations

- 9.3.1 The Planning (Listed Building and Conservation Areas) Act 1990 provides that in considering whether to grant permission for development which affects a listed building or its setting and/or the character or appearance of a conservation area, the local planning authority shall have special regard to the desirability of preserving the building or its setting. As a consequence the desirability of preservation must be given considerable importance and weight in the decision making process. Paragraph 132 of the National Planning Policy Framework ("NPPF") provides that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 134 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

- 9.3.2 Any new development must provide good design that is appropriate to its location, scale and function (Core Strategy Policy P10). Part (i) of the policy states that the size, scale, design and layout should be appropriate to its context and the development should protect and enhance skylines and views (ii). These policies accord with guidance in the National Planning Policy Framework which requires that development establishes a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; to respond to local character and history; and to reflect the identity of local surroundings.
- 9.3.3 The existing building and its immediate curtilage does not contribute positively to the character of the area. Therefore, the demolition and redevelopment of the site is acceptable in principle. Demolition also provides the opportunity to bring forward a more efficient use of the land alongside improvements to permeability suggested by Panel when considering earlier proposals for the site.
- 9.3.4 The area is characterised by a number of large, modern, buildings. The Tall Buildings Design Guide, which pre-dated the construction of the arena but recognised the more recent Sky Plaza and Arena Village towers, identified that there could be the opportunity for a cluster of tall buildings in the area to the north of the Merrion Centre which includes the site. This opportunity overlaps with a potential string of tall buildings following the Inner Ring Road and also the potential for tall buildings to announce a northern gateway to the city centre. Members will be also be aware of proposals for a tower at Hume House at the eastern end of Merrion Way, and the current construction of two new tall buildings around St Alban's Place/Belgrave Street which have also been considered when reviewing the current proposals.
- 9.3.5 The applicant reviewed a number of options with officers prior to arriving at the proposed scheme. The height of the proposed buildings is such that, in the absence of a redeveloped Hume House, buildings along the northern side of Merrion Way would rise incrementally from both ends to a peak mid-way along the street at Tower B. Should Hume House be re-developed the new buildings would sit within a general context of buildings increasing in height from west to east. Either scenario is considered acceptable but clearly the wider impact is partly dependent upon the context in which the buildings come forward.
- 9.3.6 Tower A would be some 20 metres taller than the highest point of the Yorkshire Bank building. Given the distance between the two it would not appear out of scale and in views from Queen Square conservation area to the west only the uppermost floors would be visible above the Yorkshire Bank building such that it would have a negligible impact upon the setting of the conservation area and surrounding listed buildings. Similarly, although Tower A would be 10 metres taller than the arena, when viewed across the arena plaza it would appear as a very much smaller building by reason of the mass of the arena and the position of Tower A in the background. It is considered that the relationship between Tower A and its neighbours is appropriate.
- 9.3.7 Tower B would be 32 metres taller than Tower A and 16 metres taller than Arena Point. As noted, the building would represent a high point along Merrion Way. However, the building would not appear out of scale with its neighbours and would sit within a cluster of existing taller buildings in the locality including Arena Village,

Arena Point and Sky Plaza. From Queen Square conservation area to the west the building would be seen as a background building screening those taller existing buildings behind but Merrion House would remain the most prominent structure in the foreground. As such, the building would have a negligible impact upon the setting of the conservation area and surrounding listed buildings, its less than substantial harm easily outweighed by the public benefit of the development.

- 9.3.8 The scale of Tower B and, to a lesser degree, that of Tower A would be more apparent when viewed from the east end of Merrion Way but the impact in this area of tall and large buildings, combined with suitably sized spaces around them, would not be harmful. Similarly, when observed from more distant views from the east, the Tower B would sit comfortably in the context of the existing cluster of tall buildings located towards the north-eastern edge of the city centre. The relative scale of Tower B to the arena also appears appropriate when viewed across the arena plaza, appearing as a narrow point of height in the background of the building which, in combination with Tower A, would prevent the leakage of the space and reinforce the urban fabric.
- 9.3.9 The existing podium building limits views of the lower parts of the arena when viewed from Merrion Way, including when emerging from the Merrion Centre northern mall. Whilst Tower A would screen more of the blank side elevation of the arena from this location as it would be located almost 10 metres further to the east than the podium building it would enable meaningfully wider views of the arena frontage than is currently achievable. Further, the separation of the two towers (9 metres at ground and first floor and 17 metres above) enables new full height views of the side of the arena to be opened up, when observed from midway along Merrion Way.
- 9.3.10 The base of the buildings would be pronounced by double-height glazing, 9.15 metres in height, providing clear and open views into the building and thereby helping to animate the surrounding spaces.
- 9.3.11 The long east and west facing elevations would have extensive areas of glazing framed by a lattice of vertical and horizontal aluminium cladding. These elevations respond to classical divisions with a consistent rhythm of cladding above the base framing groups of two floors for the main body of the buildings. The tops of the towers would be more heavily glazed and lighter, manifested in scale by groupings of three and five floors. The cladding grid of these elevations is angled: on the vertical elements along the northern edge to admit more light from the south; and on the horizontal elements enabling a greater line of sight towards the ground, the chamfered articulation, in part, referencing the detail of the Yorkshire Bank building to the west.
- 9.3.12 Above the glazed base the north and south elevations would counterbalance the heavily sculpted east and west elevations with vertical strips of curtain wall glazing set back and sandwiched between solid facades and presenting a calm and elegant front towards Merrion Way.
- 9.3.13 Further to Panel's comments at pre-application stage the two storey extension of Tower A, necessary to re-provide the existing public house floorspace and to form additional student amenity space at first floor, has been reviewed in detail. The lightweight, glazed extension would be set back a metre from the north and south elevations to provide a subtle but clear delineation between the two elements. A canopy, supported by slender columns and with a porous roof covering with diagrid

forms, would complement and bring together the towers, extension and bridge link to create both an inviting space and also a new pedestrian route to and from the arena.

9.3.14 In conclusion, the scale and massing of the development is considered appropriate and will re-inforce the emerging cluster of taller buildings in this part of the city centre. Given their scale and position the buildings would be visible from Queen Square conservation area but due to distance and intervening buildings would cause less than substantial harm. The proposed architectural approach is well ordered and would represent a positive addition to the streetscene. Consequently, the development will accord with Core Strategy policies P10 and P11, saved UDPR policy BD2 and the NPPF.

9.4 Public realm

9.4.1 The existing environment around the site is of limited quality and that to the rear of the existing podium building detracts from the appearance of the area. The linear form of the existing building also reduces permeability around the area. The proposed placement of the buildings enables new and enhanced pedestrian routes and spaces to be provided around the site.

9.4.2 Through the removal of the western vehicular ramp and the setting back of the building the usable width of Brunswick Terrace between Yorkshire Bank and proposed Tower A would double compared to the existing situation. This new public realm would compensate for the loss of public space resulting from construction on part of an area of protected space at the eastern end of the development. More significantly, it would provide opportunities for wider and enhanced pedestrian access to and from the arena. An area to the west side of the building would be used for external seating by the proposed commercial unit, replacing existing facilities presently located on the southern side of the podium. Whilst detailed landscaping proposals are to be controlled by a planning condition, this area may have a raised planted backed by an integrated bench along its western edge.

9.4.3 The new space between the two towers would be 9 metres in width at pedestrian level providing a new route to and from the arena and likewise, to and from the Merrion Centre. Trees and ornamental planting are proposed in a linear planter leading through the space. The space would project forward via a new flight of steps down from the raised terrace through to the footpath running along the north side of Merrion Way. The existing steps at the eastern end of the terrace would also be redesigned.

9.4.4 The existing trees in the greenspace to the front would be protected and an additional tree added at the eastern end in a small extension to the greenspace. Initial proposals identify the introduction of areas of structural ornamental planting to the front edge of the greenspace.

9.4.5 All existing hard-surfacing would be replaced to present a continuous and harmonious appearance around the wider site between Brunswick Terrace to the west and Tower House Street to the east. Linear paving patterns are intended to delineate routes and spaces although the details of materials will be the subject of condition, in part to ensure that they are complementary to those materials to be introduced as part of the emerging scheme for the enhancement of Merrion Way.

9.5 Transport and connectivity

- 9.5.1 The site is located in a highly sustainable location close to the many amenities offered by the City Centre. It is also located in a position constrained by the proximity to the arena, the servicing requirements of neighbouring buildings including Arena Point, and by the existing use of Merrion Way which provides access to the Merrion Centre car park and other users.
- 9.5.2 A servicing strategy has developed in consultation with LCC Highways, alongside proposals for introducing sustainable transport measures and maintaining access for neighbouring activities. At the same time the proposals have been developed recognising emerging proposals for the enhancement of Merrion Way to reduce traffic domination whilst improving pedestrian facilities.
- 9.5.3 In order to maintain existing security arrangements around the arena servicing of the commercial unit within Tower A would take place from the western limb of Brunswick Terrace. Measures for ensuring that other vehicles do not utilise this primarily pedestrian space are currently being reviewed. Two laybys are proposed on the north side of Merrion Way primarily to provide facilities for servicing of the student accommodation and for ad hoc deliveries. Each of these laybys would be subject to an appropriate Traffic Regulation Order (TRO) to limit waiting time and prevent misuse. The proposed design incorporates proposals for Merrion Way by narrowing the carriageway width of Merrion Way between the junction with Brunswick Terrace and Merrion Centre car park and continuing the proposed one-way eastbound operation of Merrion Way to the car park access. This allows for the layby to be provided while maintaining a 3 metre footway width on the northern side of Merrion Way. An advisory contra-flow cycle lane is also proposed for this section which would link in to proposals west of Brunswick Terrace. Servicing for Arena Point offices would continue to take place from a location close to the top of the basement car park ramp. The number of parking spaces in the basement would reduce from 120 to 90 and would be solely for the use of Arena Point offices. Electric vehicle charging points would be provided in the car park in line with the standards in the Leeds Parking SPD. Two disabled bays would be located at the north eastern side of the development, accessed via Tower House Street and Brunswick Terrace.
- 9.5.4 The application is supported by a Travel Plan which has been refined to respond to comments from LCC Travelwise. The primary aims of the plan are to encourage students to travel by means other than the private car; to promote walking, cycling and the use of public transport by students as a practicable and viable alternative to dependency on the private car; to promote non-car alternative modes of transport to visitors; and to ensure the management of student arrival and departures associated with enrolment and term end.
- 9.5.5 The principal measures contained within the Travel Plan are the appointment of a Travel Plan Coordinator prior to occupation of the development; and the provision of information to help resident students, staff and visitors make informed decisions about journeys and to encourage use of the sustainable transport options that are available. This would include on-site promotion and marketing, provision of a travel information pack and regular updates via social media. A total of 260 secure cycle parking spaces would be provided within Tower B for students, in addition to 20 short stay external spaces. Other than for the two disabled parking spaces there would be no car parking facilities for students within the development.
- 9.5.6 A Student Management Plan has been prepared identifying proposals to ensure that the impact of students' arrival and departure at the start and end of student academic years on the local highway network is limited. Prior to arrival students would be advised of their time slot, parking availability, contact details and check-in

details. Students would have a pre-assigned 20 minute time slot with loading and unloading taking place from the proposed laybys which would be marshalled by Unite staff. After unloading cars would be directed to the Merrion Centre car park for additional parking if required.

- 9.5.7 The initial Travel Plan targets are that 100 per cent of students would travel to their place of study by sustainable modes of travel and a maximum of 26 per cent of staff travel to work by single occupancy car journeys. The Travel Plan would be monitored, reviewed and revised in response to annual monitoring reports and comments from LCC Travelwise. If targets are met by year 5 no further monitoring would take place but if not monitoring would be extended for a duration agreed by LCC Travelwise officers. Where targets are not met remedial measures may include an increase in funding for travel plan measures; more focused advertising of travel plan measures and the offer of cycle training.
- 9.5.8 As noted, the development will improve pedestrian permeability around the site through the provision of a new route between the towers and a widened route on the west limb of Brunswick Terrace. Pavement areas would be replaced and extended to present a continuous and harmonious appearance around the wider site, integrating proposals for the new laybys fronting Merrion Way. In addition, a contribution of £170,000 will be provided as a contribution to the further enhancement of pedestrian routes on Merrion Way so as to improve access to the universities.
- 9.5.9 Consequently, subject to agreement of the final highway design and arrangements for the management of the construction process which will be controlled by planning condition the development would accord with Core Strategy policies T2 and CC3.

9.6 Wind

- 9.6.1 Due to the height of the buildings the application is supported by a wind microclimate study using data from the Leeds Airport Weather Centre. The study excluded both soft and hard landscaping (trees, street furniture etc.), such that it presents the worst case scenario since landscaping will generally improve the wind environment. The study was reviewed and verified by Atkins on behalf of the Council.
- 9.6.2 The results of the comfort assessment indicate that most areas remain suitable for sitting and standing with some areas shifting from sitting to standing such as the north-west part of the site along Brunswick Terrace and the south east part of the site along Merrion Way. The additional massing of the proposed development would result in some wind deceleration at the north-east part of the arena building. This would be an improvement and a beneficial effect of the proposed development on the local wind environment in this area. An area of increased wind acceleration at the north-west corner of the arena would remain suitable for pedestrian leisure walking.
- 9.6.3 The results of the safety assessment indicated that all areas would remain within the safety thresholds. There would be an area of increased windiness in strong wind events to the south west on Great George Street. However, this localised area of windiness is also observed in the existing condition which indicates that it is not caused by the proposed development, and also it does not exceed the safety threshold.

9.6.4 In summary, the results indicate that the wind environment within and outside the site in the developed condition would be within the recommended criteria for safety and comfort and would remain suitable for pedestrians using the area.

9.7 Section 106 and Community Infrastructure Levy (CIL)

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

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

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

- Occupation of the residential accommodation only by full-time students in higher education as use as standard C3 accommodation would give rise to other requirements such as affordable housing;
- Implementation of the travel plan and a travel plan monitoring fee of £2,500 so as to accord with the Travel Plan SPD;
- Contribution of £170,000 towards Merrion Way highway improvements to accord with Core Strategy policies, SP11, T2 and CC3;
- Local employment and training initiatives so as to accord with Core Strategy Spatial Policy 8;
- Section 106 management fee (£1,500).

9.7.2 This proposal is likely to generate a CIL requirement of £142,044. This is presented for information only and should not influence consideration of the application. The infrastructure requirements for this development are likely to relate to public transport and public space provision. Consideration of where any Strategic Fund CIL money is spent rests with Executive Board and will be decided with reference to the 123 list.

9.8 Conclusion

9.8.1 In approving the arena on the northern fringe of the city centre it was envisaged that it would act as a catalyst for investment and regeneration of the area. This has occurred along the southern side of Merrion Way with the Merrion Centre New Front, refurbished multi-storey car park and the redevelopment of Merrion House. However, to date, despite a number of schemes previously coming forward the area between Merrion Way and the arena remains largely unimproved. Earlier proposals for extensions to the existing podium building would have enhanced its appearance and that of its surroundings, but would have failed to provide meaningful changes in the permeability of the area or the extent of public realm.

9.8.2 The existing podium building is of little architectural merit with limited active frontage and presents a barrier to movement. In contrast, the scale and massing of the proposed development is considered appropriate to the location and would re-inforce the emerging cluster of taller buildings in this part of the city centre. The identified architectural approach is well ordered, with extensive active frontages at ground level and would represent a positive addition to the streetscene. In addition, the proposed development will open up and supplement pedestrian routes both through

and around it and enhance the public realm. The development would also provide a contribution to further enhance the pedestrian environment on Merrion Way. The proposed student accommodation is compatible with its location whilst the existing Wetherspoon's public house is likely to be replaced as part of the scheme. Suitable arrangements for servicing the development have been identified, alongside measures to ensure that it can operate in combination with existing, neighbouring, functions such as the arena. The development would also provide opportunities for local employment during its construction and subsequent use.

- 9.8.3 As a result, the development would accord with Core Strategy policies SP11, CC3, H6B, T2, P10 and P11, saved Unitary Development Plan Review policies GP5, BD2 and BD5, and the NPPF. Accordingly, it is recommended that the scheme should be approved subject to the conditions specified in Appendix 1 and the completion of a Section 106 agreement.

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 adjacent to the site shall be fully safeguarded during the course of the demolition, 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 or demolition of the existing building, 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 10 metre 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 off-site trees during construction work.

4) Documentation demonstrating the absence or total removal of asbestos from the building to be demolished shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition. Should documentation be unavailable or insufficient, post-demolition surface soil sampling shall be carried out and the results shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any post-demolition development.

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

To ensure that the site is safe and suitable for use.

5) The Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore no development other than demolition shall not commence until a Phase II Site Investigation Report including sampling of the landscaped area to the south of the existing building has been submitted to, and approved in writing by, the Local Planning Authority.

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

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

6) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

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

7) Remediation works shall be carried out in accordance with the approved Remediation Statement prior to commencement of construction of the basement and superstructure of the development. On completion of those works, the Verification Report shall be submitted to the Local Planning Authority in accordance with the approved programme. The development shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

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

8) The development shall not be commenced until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway;
- b) the measures to control the emissions of dust and dirt during construction;
- c) the means of access;

- d) the measures to ensure that the arena can continue to operate safely throughout the construction process;
- e) a traffic management plan to minimise any delay for road users on the local road network;
- f) the location of site compound and construction workers parking, loading and unloading of all contractors' plant, equipment and materials;
- g) control of construction workers parking in the surrounding area;
- h) details of any cranes; and
- i) 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 highway and public safety, and the amenity of occupants of nearby property.

- 9) Construction activities shall be restricted to 0730 hours to 1830 hours Monday to Friday, 0800 hours to 1300 hours on Saturdays with no construction activities on Sundays and Bank Holidays unless otherwise agreed in writing in advance by the Local Planning Authority in exceptional circumstances.

In the interests of amenity of occupants of nearby property.

- 10) Development of the building superstructure shall not commence until typical detailed 1:20 scale (or other appropriate scale) working drawings of the following features have been submitted to and approved in writing by the Local Planning Authority:

- (a) windows, glazing and curtain walling;
- (b) entrances;
- (c) covered canopy and bridge link;
- (d) rooftop equipment.

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

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

- 11) 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 of a full-size mock-up panel on site. The external surfaces of the building shall be constructed in accordance with the details thereby agreed.

In the interests of visual amenity.

- 12) The development shall not commence until a condition survey of Merrion Way, Tower House Street and Brunswick Terrace has been submitted to and approved in writing by the Local Planning Authority. Any highway damage to the surface course, sub bases, kerbs and/or drainage systems on these roads identified as a result of construction traffic for the development must be remedied by the

Applicant to the satisfaction of the Local Planning Authority prior to completion of the development.

In the interests of highway safety.

13) The student accommodation shall not be occupied until the proposed short and long stay cycle parking facilities have been provided in accordance with details shown on drawings xxxx. The approved facilities shall thereafter be retained and maintained for the lifetime of the development.

In the interests of sustainable travel.

14) The student accommodation shall not be occupied until the proposed disabled parking spaces have been provided in accordance with details shown on drawings xxxx. The approved facilities shall thereafter be retained and maintained for the lifetime of the development.

In the interests of accessibility.

15) No part of the development shall be occupied until a Car Park and Servicing Management Plan for the relevant part of the development 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.

16) The superstructure of the development shall not commence until details of off-site highway works to Merrion Way between Brunswick Terrace and Tower House Street have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully implemented prior to occupation of the development.

To ensure the free and safe use of the highway.

17) The student accommodation shall be occupied in accordance with the arrangements and procedures for the start and end of academic year drop off and pick up identified within the Unite Students Merrion Way Leeds Student Management Plan 21st May 2018.

In the interests of highway safety and convenience.

18) Prior to first use of the basement car park a minimum of 9 electric vehicle charging points shall be provided. The electric vehicle charging points shall thereafter be retained and maintained for the lifetime of the car park.

In the interests of sustainable travel.

19) The basement car park shall only be used by staff and visitors to the Arena Point offices.

For the avoidance of doubt and to accord with Core Strategy policy T1 and the Parking SPD.

20) The Travel Plan (xxxx) shall be implemented upon first occupation of the development and thereafter applied for the lifetime of the development.

In the interests of sustainable travel.

21) The development shall not be occupied until the bin stores have been provided in accordance with details shown on drawing xxxx. For the avoidance of doubt refuse bins shall not be stored outside the building at any time except for collection.

In the interests of amenity and to ensure adequate measures for the storage and collection of wastes are put in place.

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

In the interests of residential amenity, highway and public safety.

23) Prior to the commencement of the superstructure of the buildings, details of a noise and ventilation strategy designed to protect occupants from environmental noise shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of amenity of the occupiers of the development.

24) Prior to occupation of the student accommodation, details of acoustic tests within habitable rooms shall be submitted and approved in writing by the Local Planning Authority. The tests shall demonstrate that environmental noise in habitable rooms does not exceed 35dBLAeq, 1hr between the hours of 0700 and 2300; and 30dBLAeq,1hr between 2300 and 0700 with mechanical ventilation units in operation. In the event that sound levels exceed the specified limits, the applicant shall undertake remedial action and re-test to demonstrate compliance with the noise requirements.

In the interests of amenity of the occupiers of the development.

25) The commercial A3 or A4 unit hereby approved shall not commence unless a scheme to control noise emitted from the premises has been approved in writing by the Local Planning Authority and installed as approved. The scheme shall provide that the LAeq of entertainment noise does not exceed the representative background noise level LA90 (without entertainment noise), and the LAeq of entertainment noise will be at least 3dB below the background noise level LA90 (without entertainment noise) in octaves between 63 and 125Hz when measured at the nearest noise sensitive premises. The approved scheme shall thereafter be retained for the lifetime of the A3 or A4 development.

In the interests of amenity.

26) Details of measures to treat any odours or fumes from processes carried on within the commercial A3 or A4 unit shall be submitted to and approved in writing by the Local Planning Authority. The measures thereby agreed shall be implemented prior to first use of the commercial unit and shall thereafter be retained and maintained for the lifetime of the A3 or A4 development.

In the interests of amenity.

27) Development of the site should take place with separate systems for foul and surface water drainage. The separate systems should extend to the points of discharge to be agreed.

To ensure appropriate drainage is provided.

28) Foul water from kitchens and/or food preparation areas of any restaurants and/or canteens must pass through a fat and grease trap before any discharge to the public sewer network.

To protect the drainage network.

29) Development shall not commence until a drainage scheme (ie drainage drawings, summary calculations and investigations) detailing the surface water drainage works as well as arrangements for its future maintenance (e.g. adoption by the Water Company) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a linear drain along the top of the basement car park ramp and consideration of blue/brown/green roofs. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention.

30) Surface water run-off from hardstanding (equal to or greater than 800 square metres) and the basement car parking area must pass through an oil, petrol and grit Interceptor / separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

To prevent pollution of the aquatic environment and protect the public sewer network.

31) The development shall be carried out in accordance with the details shown on the submitted Flood Risk Assessment prepared by Walsh (Report 4648-FRA-JK-180117-LC-Rev 2 dated 17/01/2018), unless otherwise agreed in writing with the Local Planning Authority.

In the interest of satisfactory and sustainable drainage.

32) 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 including to the exposed southern edge of the car park; (c) other pedestrian access and circulation areas; (d) hard surfacing areas; (e) minor artefacts and structures (e.g., street furniture including seating and bicycle anchor points, balustrades, bollards, directional signs, external lighting and bins including recycling bins); (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) tree pit and planter details; (k) schedules of plants noting species, planting sizes and proposed numbers/densities; (l) implementation programme; and (m) details of the proposed brown, green or blue roofs.

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

33) 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.

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

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

35) 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.

36) 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 retained thereafter in accordance with the approved details.

In the interests of amenity and highway safety.

37) 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.

38) The development shall not be occupied until the dedicated communal student space identified on the drawings xxxx has been provided for the use of students residing in the building. The space shall thereafter be retained and maintained solely for use by students residing in the building for the lifetime of the development.

To ensure that students are provided with satisfactory amenity space within the building.

39) The development shall be implemented in accordance with the details set out within the Waterman Merrion Way Energy Statement Rev B 17th January 2018.

(i) 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 23rd November 2017

84 PREAPP/ 16/00483 - Pre-application presentation for the proposed redevelopment of existing podium building, to form one 15 storey and one 27 storey student accommodation building, incorporating an A4 unit and provision of new public realm, Merrion Way, Tower House Street and Brunswick Terrace, Leeds

The Chief Planning Officer submitted a report which sets out details of a pre-application proposal for proposed redevelopment of existing podium building, to form one 15 storey and one 27 storey student accommodation building, incorporating an A4 unit and provision of new public realm at Merrion Way, Tower House Street and Brunswick Terrace, Leeds 2

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

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

It was proposed to demolish the existing 2 storey podium building in its entirety, two new buildings would be erected in their place.

A basement parking area accessed from Brunswick Terrace adjacent to Arena Point would be reconfigured across the full width of the site providing parking for the occupiers Arena Point.

The ground and first floor of Tower A would project 9 metres further to the east than the upper levels of the building, with a bridge link to Tower B at first floor level. The ground floor of Tower A, together with a small mezzanine area facilitated by generous floor to ceiling height, would be occupied by Wetherspoons. The premises would have its primary entrance on the elevation facing Merrion Way and be serviced from the west side, enabled by the removal of the existing basement access ramp and widening of the public realm on this side of the building. The proposals identify an active frontage around much of this building. Areas of external seating are intended around the south-west corner of the premises.

The first floor of Tower A, extending across the bridge link to Tower B, would contain a combination of dedicated communal / amenity space for the students and the first level of student accommodation which includes a mix of studios (30m²) and cluster flats. This building would be 15 storeys (approximately 46 metres) in height. Levels 2 to 14 would comprise 4, 6, 8 and 10 bedroom cluster flats, each cluster served by a 23m² kitchen/amenity space located at the corners of the building.

The student accommodation would be accessed from a reception area in the southern portion of Tower B to the east. The remainder of the ground floor of this building would accommodate bicycle storage facilities and back of house functions. Additional student facilities would be provided at mezzanine level in the northern part of the building. First floor level would comprise a mix of dedicated student amenity space, linked by bridge to Tower A, together with studios and cluster flats. Levels 2 to 14 would be a mirror of the accommodation in Tower A. Above this level the proportion of studios on each floor rises, providing 7 studios and 2 clusters on Levels 15 to 20 and 9 studios and 2 clusters at levels 21 to 26. This 27 storey building would be approximately 78m tall.

Across Tower A and Tower B there would be a total of 100 studios and 232 cluster flats of which there would be 34, four bedroom clusters; 32, six bedroom clusters; 34, eight bedroom clusters and 32, ten bedroom clusters.

Emerging proposals identify the use of metallic cladding as the principal building material. The main grid of the buildings would be articulated with chamfered returns to the secondary plane comprising curtain walling, spandrel panels and louvred panels with inward-opening windows located behind.

Illustrative proposals for the public realm identify new hardsurfacing extending across the entirety of the site. As such, the existing ramp at the western end of the podium building would be removed and infilled and would form part of a widened pedestrian approach along

Brunswick Terrace from Merrion Way towards the arena. Similarly, the remaining area to the north of the new buildings would be resurfaced as part of an extended area of public realm between the towers and the arena.

A new north-south public, pedestrian, route would be formed through the centre of the site between Towers A and B directly linking Merrion Way with Brunswick Terrace and the arena. The 9 metre wide route would extend southwards through the existing strip of greenspace via new steps that would be formed on the southern edge of the terrace.

In response to Members questions, the following were raised:

Members queried why cluster flats had been chosen, were these compliant with National Space Standards

Would sprinkler systems be installed in these buildings

Would a wind impact assessment be undertaken

Clarification of the width of the pedestrian route and the bridge height

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

The applicant confirmed they had previous experience of delivering developments which included cluster flats. Cluster flats encouraged student engagement which was a key element of their business model. In terms of size of the flats, the Area Planning Manager said that there was no applicable planning space standards for student cluster flats. However, the cluster flat arrangement was considered similar in approach to a house in multiple occupation and further consideration would be given to this in consultation with the Council's Private Sector Housing Team

It was confirmed a sprinkler system would be fitted

It was confirmed a wind impact assessment would be undertaken, and that some initial analysis had already been carried out

The pedestrian route would be 8m wide and 5m to the underside of the bridge.

In offering comments Members raised the following issues:

The appearance of the link between the two buildings was not quite right and that further consideration was required, perhaps involving removal of the podium element to its side which would help to balance its appearance

Members were not convinced that the extent of the proposed public realm was sufficient for this development, with more consideration required to enhancing the frontage to Merrion Way

The size of the flats was an issue, they need to provide good quality accommodation

Members emphasised the need for a quality design in this location

Could some consideration be given to the provision of public art on the gable end

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

Members were of the view that the proposed use of the buildings for student accommodation was acceptable in principle.

Members expressed reservations about the proposed living conditions within the student accommodation and requested if further information could be provided

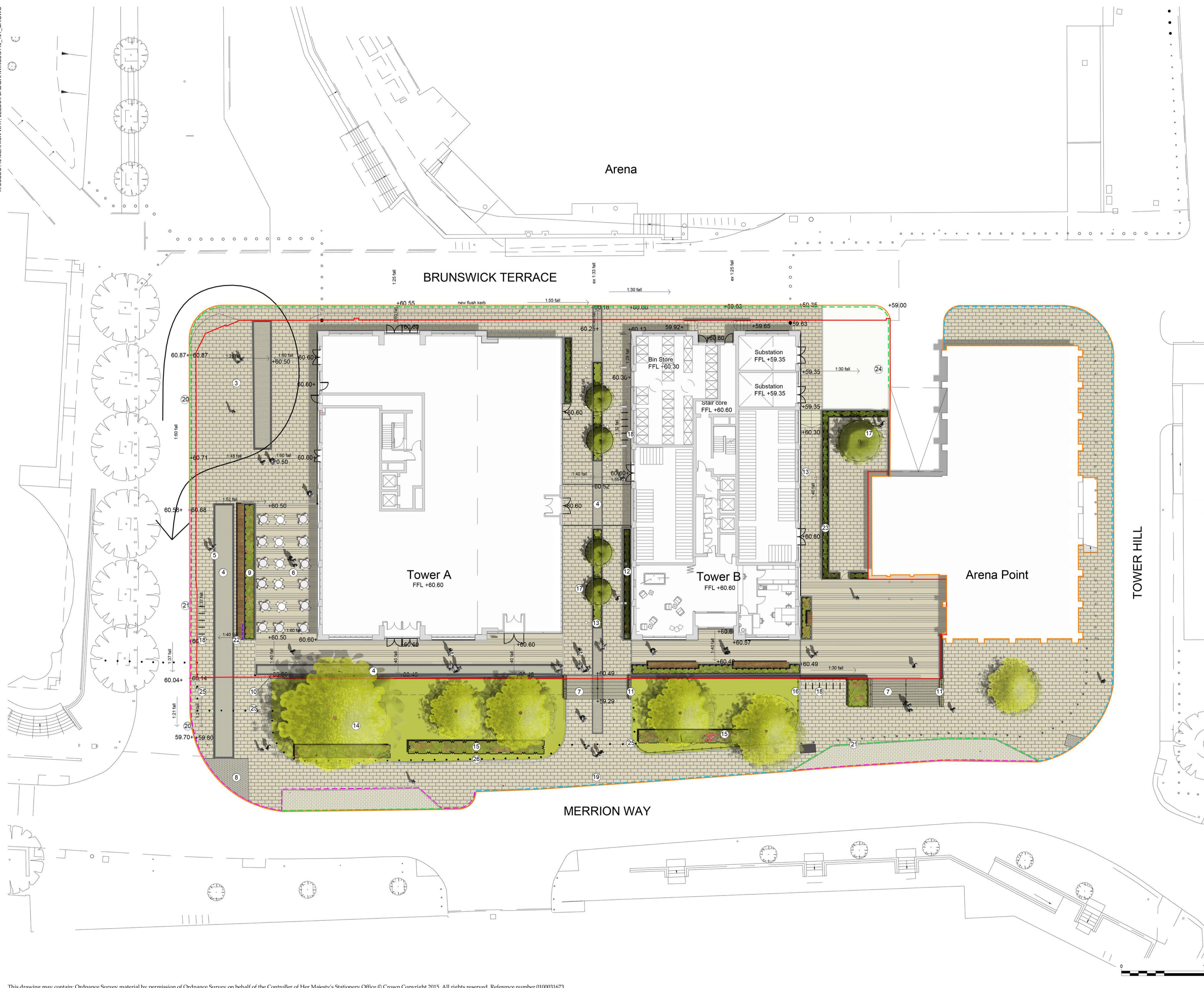
Members were of the view that the scale of the proposed new buildings and their relationship with the surrounding context was acceptable.

Further consideration of the public realm provision was required, in particular opportunities for enhancing the landscaping to the grassed verge along Merrion Way

In summing up the Chair said Members appeared to be generally supportive of the development but further consideration of the public realm provision was required

RESOLVED –

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



- LEGEND**
- 1 Application Boundary
 - 2 Works outside application boundary subject to agreement
 - 3 Proposed Levels
 - 4 Linear Coursed Concrete Paving
300x200, 300, 900 x 80 La Linea concrete paving laid to triple staggered bond. Equal Mix of colours: Grey Granite, Mid Grey Granite & Indian Granite as supplied by Marshalls or similar
 - 5 Concrete Feature Paving
200x200x80 Pallas concrete paving laid to square edge bond. Equal mix of colours; Grey granite, Mid grey granite & Indian Granite as supplied by Marshalls or similar
 - 6 Linear Staggered Coursed Concrete Paving Strip. La Linea 100x200x80, colour Grey Granite as supplied by Marshalls or similar
 - 7 Terraced Concrete Paving
600x600x80 Kellen Sferio Paving laid to square bond. Grigio Brillare as supplied by Hardscape or similar
 - 8 Concrete Step Paving
1000x400x150, Kellen, Wit 701 with Zwart 704 contrasting colour strip, and associated standard charcoal hazard paving as supplied by Hardscape or similar
 - 9 Tactile paving at pedestrian crossings
 - 10 Railroad steel planter, polyester powder coated, charcoal RAL TBC, 1000/1200 width, 720 high, variable length, oiled iroko slats with integrated Railroad Inline edge bench, oiled iroko slats as supplied by Furnitubes or similar
 - 11 New section of Wall to match existing
 - 12 Steel Railings, polyester powder coated uprights at 2000 centres 1000 height, charcoal RAL TBC, 3 rails including 2x tensioned galvanised wires and timber top of oiled iroko or similar
 - 13 Hedge planted in steel planter with PPC charcoal RAL tbc
 - 14 Structure/ Ornamental Planting in steel planter with PPC charcoal RAL tbc
 - 15 Existing Tree
 - 16 Structure/ Ornamental planting in ground
 - 17 Existing trip rail retained and re-aligned where necessary
 - 18 Proposed tree
 - 19 Suggested cycle parking for 30 bikes in total
 - 20 Existing kerb
 - 21 New flush kerb
 - 22 New kerb with 100mm upstand
 - 23 Air Vent from basement car park integrated into seating
 - 24 Low hedge and railings to Arena Point external space
 - 25 Servicing layby/ drop off. Tarmac surface to match with highway
 - 26 Counter terrorism bollards in accordance with engineer's specification. Detailed siting plus specification subject to detailed design
 - 27 Existing trip rail removed & replaced with CT bollards

I	Trimmed layby	SG	11.05.2018
H	Minor adjustments	SG	10.05.2018
G	Layby and minor adjustments	SG	09.05.2018
F	Minor adjustments	DW	12.04.2018
E	Landscape & security amendments	SJ	10.04.2018
D	Landscape & boundary amendments	SJ	15.01.2018
C	Landscape amendments	SJ	10.01.2018
B	Landscape amendments	SJ	04.01.2018
A	Design development	NT	05.12.2017
REV.	DESCRIPTION	APP.	DATE

LDA DESIGN

PROJECT TITLE
Merrion Way
Leeds

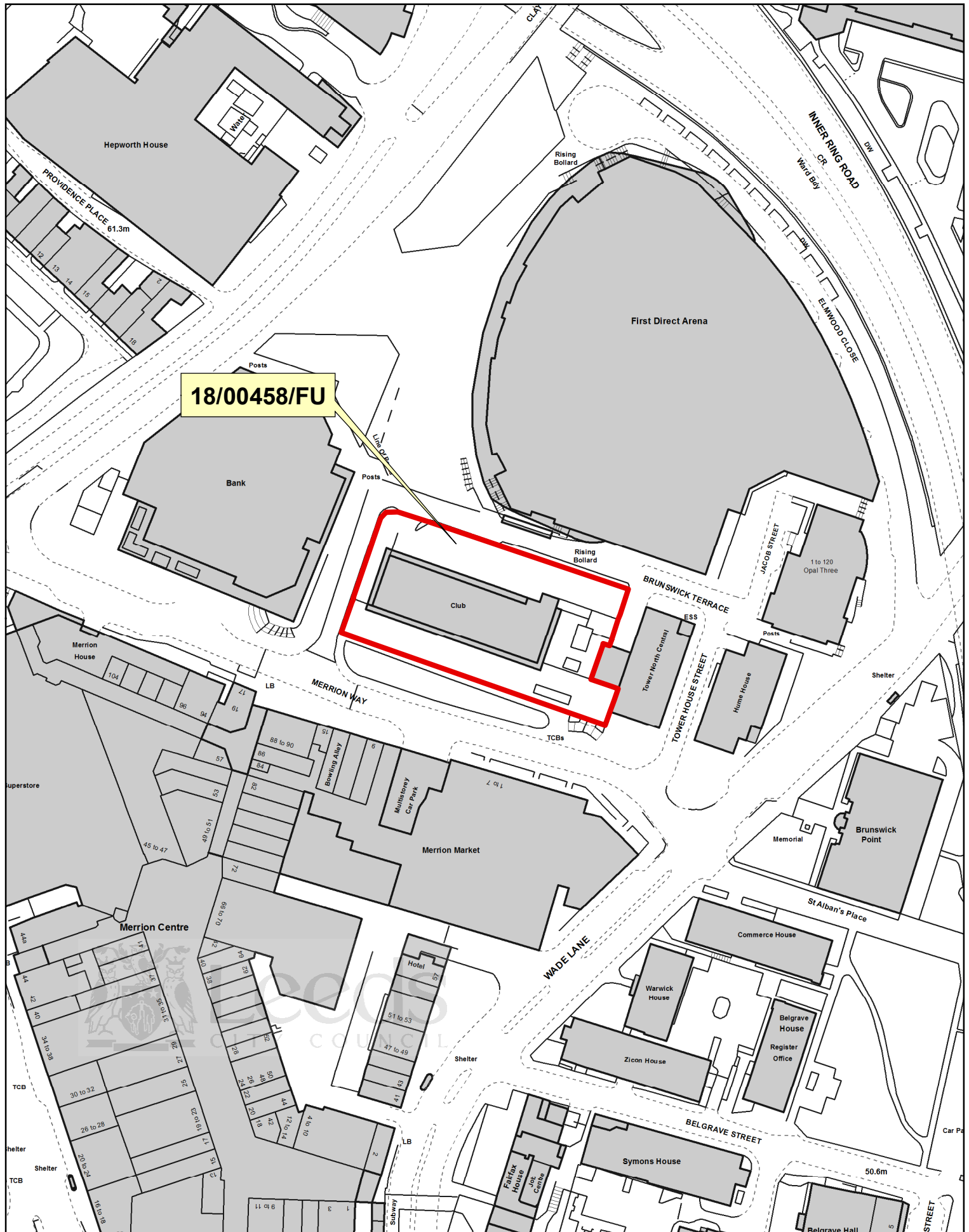
DRAWING TITLE
Landscape General Arrangement

ISSUED BY	Oxford	T: 01865 887 050	
DATE	November 2017	DRAWN	NT
SCALE	1:200	CHECKED	DW
STATUS	Sketch	APPROVED	DW

DWG. NO 6149_101 I

No dimensions are to be scaled from this drawing. All dimensions are to be checked on site. Area measurements for indicative purposes only.

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Sources: Ordnance Survey



CITY PLANS PANEL



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Originator: Paul Kendall

Tel: 3781777

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 31st May 2018

Subject: CITY REACH 1 – RESERVED MATTERS APPLICATION FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF A MIXED USE SCHEME COMPRISING PRIVATE FOR SALE RESIDENTIAL (PFS) AND PRIVATE RENTED SECTOR (PRS) RESIDENTIAL WITH ANCILLARY GROUND FLOOR ‘ACTIVE’ USES, SMALL SCALE RETAILING, CAFÉ/RESTAURANT, BARS AT SITE SOUTH OF KIRKSTALL RD FRONTING THE RIVER AIRE (FORMER FIRST BUS DEPOT SITE) APP . 18/00604/RM.

APPLICANTS: INHABIT

<p>Electoral Wards Affected:</p> <p>Little London & Woodhouse</p> <p><input type="checkbox"/> Yes Ward Members consulted</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION: Approve the Reserved Matters Application subject to variation to the S106 agreement attached to the original grant of outline planning permission ref 15/06844/OT to cover variations in the plans attached in respect of:

- i) reduced building block heights**
- ii) amount of publicly accessible area**
- iii) footprint of buildings**
- iv) revised active frontages plan**
- v) updated building access points plan**

Provision of 42 no. off-site parking spaces on CR2 site

1.0 INTRODUCTION:

1.1 This report considers the reserved matters details submitted in respect of appearance, landscaping, layout and scale, pursuant to the extant outline permission for the City Reach 1 (CR1) site on the south side of Kirkstall Rd with frontage to the River Aire. This was approved in July 2016.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site is approximately 2.6ha and is located to the south of Kirkstall Rd and also has a frontage to the River Aire which flows along the southern side of the site. The existing bridge, which is the only remaining part of the former chemical works, crosses the River Aire to the Holts Crest Way (Otter Island) residential scheme which was completed in 2016. To the west is the vacant former First Bus depot which is in the same ownership as the current application site and is known as City Reach 2 (CR2).
- 2.2 To the east is the City Gate development which has a large area of landscaped open space adjacent the application site closest to the river, with the service yard of the Staples retail unit to the north of this, running along the common boundary. To the north of that is a free-standing commercial unit accessed directly from Kirkstall Rd.
- 2.3 On the northern side of Kirkstall Rd is the 9 storey Holiday Inn Express hotel and next to this is the 2/3 storey fire station. To the north of these are the student residential buildings of Opal 1 and 2, Concept Place and The Tannery which are all clearly visible from Kirkstall Rd and range in height from 5 storeys up to 14 storeys. Kirkstall Rd itself was upgraded as part of a Quality Bus Initiative (QBI) and now carries a dedicated bus lane on both inbound and outbound carriageways.

3.0 PROPOSAL

3.1 CR1 – Reserved Matters Application

The proposal varies in a number of ways from the approved outline scheme which was originally approved as 4 blocks. The variation to the original outline parameter plans is the subject of a Non Material Amendment application referred to in the planning history section below. The north-eastern block is now broken into two separate buildings and the two fronting the river are to be reduced in footprint although there is a small realignment of their footprints which are being brought together by 5-7m at the point where they provide a gateway to the riverside open space area. The area of publicly accessible open space is increased by 1,540sqm to a total of 10,045 sqm which is nearly 40% of the total site area. Therefore the reserved matters proposal has 5 blocks instead of the original 4. It would still comprise a mix of residential, student and supporting commercial uses with the residential development split between the 'Private Rented Sector' (PRS) and 'Private For Sale' (PFS) units. The PRS element would be retained and managed by the Applicant.

- 3.2 The development proposed falls within the maximum height parameters that are established by the outline permission, with the intention being to develop to a lower density across the site. The materials are proposed to be brick, metal cladding and glass. This provides the following advantages:

- It allows a varied, but related, set of design options for the buildings
- They are robust, high quality and durable and will weather well over time, requiring the minimum of facade maintenance
- They enable a design strategy of creating areas of variety within the scheme whilst also allowing a coherent and identifiable neighbourhood. A range of tones, textures and colours for the brickwork is proposed

The large areas of flat roof are used as communal terraces for PRS residents, private residential terraces, the location of photovoltaic arrays or plant for the ground

floor commercial units. Parapet walls will ensure that the equipment will not be visible from ground level and also provide wind protection to the terrace areas.

3.3 The resultant scheme includes 528 residential units and 309 student units split as follows:

- Block A: 309 student units, to be provided as 93% cluster flats and 7% studios. The building would extend to between 11 & 12 storeys in height fronting Kirkstall Road and be located to the east of the site access.
- Block B: 128 PRS units in a building extending to 7 and 9 storeys located immediately to the south of Building A.
- Block C: 110 PRS units in a building of 5 and 8 storeys fronting the River Aire in the south eastern quadrant of the site.
- Block D: 108 PFS units in a building extending to 5 and 9 storeys also fronting the River Aire but in the south-western quadrant of the site.
- Block E: 182 PFS units in a building extending to 7 and 9 storeys fronting Kirkstall Rd in the north western quadrant of the site.

This represents a reduction from the originally indicated 202 no. PFS units, 574 no. PRS units but an increase from the originally indicated 234 no. student residences.

3.4 The mix of unit sizes is as follows:

- Building A – student residential: 287no. cluster bed spaces; 22no. studio. Total 309no.
- Buildings B, C & E – PRS residential: 41no. studios (10%); 171no. 1 bedroom (41%); 187no. 2 bedroom (44%); 21no. 3 bedroom (5%). Total 420no.
- Building D – PFS residential: 40no. 1 bedroom (37%); 60no. 2 bedroom (55%); 8no. 3 bedroom (8%). Total 108no.

Across PRS and PFS the combined numbers are:

- Studios 41no. (8%)
- 1 bedroom 211no. (40%)
- 2 bedrooms 247no. (47%)
- 3 bedrooms 29no. (5%)

3.5 For the PRS apartments the proposed sizes for studios and 1 bedroom units ranges from 38sqm to 64sqm; 2 bedroom apartments are from 59sqm to 105sqm (20 of the 188 are below 61 sqm) and 3 bedroom apartments are between 84 and 89 sqm. For the PFS units, the apartment sizes are 42sqm to 52sqm for 1 bedrooms; 67 to 77sqm for 2 bedrooms; and 86 to 89sqm for 3 bedrooms. In respect of the student scheme, these would consist of either 4, 6 or 7 unit clusters with a total of 287 rooms created. Each student room would be 14sqm and each cluster would have a 25sqm shared kitchen lounge area. In addition, 22no. studios would be provided each with an area of 21.5 sqm. In addition there would be a communal student amenity space at ground floor level of 181 sqm and a roof top terrace of 107 sqm.

3.6 The proposals would be set around a landscaped public realm that maximises access to the river frontage through the provision of the increased amount of public open space and large river front park area. This would have a central spine running north/south between Kirkstall Rd and the River Aire bridge with 2 large areas of soft landscaped parkland to either side set at a lower level than the main spine. These

would be demarcated by a 1.2m hedge running around the perimeter punctuated with ramped and stepped access points of an average 4m width. The sunken nature of these spaces is part of the flood strategy and the surrounding hedge provides necessary wind mitigation. This is supplemented with tree planting to add visual interest and natural habitat features. This landscaping strategy is now possible as the basement car park has been removed (see below) so species of tree can now be allowed to grow in full soil depths.

- 3.7 A new 'village square' would be established centrally within the site that would be located at the intersection of the north-south and east-west routes. This is intended to provide a focal point to the scheme from which the east-west link will extend through into the CR2 site to the west. Riverside connections both along and across the River Aire would be provided consistent with the terms of the existing S106 Agreement.
- 3.8 A total of 196 car parking spaces are proposed to be located within the site at surface level with an additional 42 being created for CR1 within the additional car parking area being created on the adjacent CR2 site, although when first constructed this area will contain 83 spaces 41 of which will be passed over to CR2 when that is completed. The applicants had previously proposed 500 car spaces in a basement facility, however, this has now been removed from the scheme for largely flood risk related reasons. The new parking spaces are contained either in under-croft areas at ground floor level or to the side of the buildings in landscaped areas laid out with block and bound gravel surface treatments. The scheme also provides a total of 517 residential and visitor cycle parking spaces and 8 electric vehicle parking points.
- 3.9 The original outline approval agreed an either/or option for the new site access junction. The applicant has chosen the priority junction option over the light controlled facility, although it is the case that a pedestrian crossing facility is to be provided across Kirkstall Rd in any case.

4.0 HISTORY OF NEGOTIATIONS

- 4.1 Officers had pre-application discussions with the applicant's team culminating in a pre-application presentation to Members at City Plans Panel in December 2017. This related to the pre-application for CR2, as well as the proposed amendments to the CR1 scheme. The minutes for the pre-application presentation state that:

- Members were supportive of the proposed uses on the site but a further understanding of school provision in the area was required (CR2)
- Members were supportive of the emerging scale and design of development for City Reach 1 and 2
- Members were supportive of the emerging approach to public space and landscaping provision on the site but further information about the surface car parking provision was required

(Councillor Nash required it to be recorded that the request to reconsider the re-siting of the development blocks to provide a 20m flood zone also applied to City Reach Phase 2).

In summing up the Chair said Members appeared to be generally supportive of the development but further consideration was required on a number of issues.

5.0 RELEVANT PLANNING HISTORY

5.1 CR1 Outline Permission

Outline planning consent (15/06844/OT) was granted on 14 July 2016 for a mixed use development on the CR1 site and was subject to a S106 agreement.

5.1.1 The development comprises a maximum floor space of 97,750sqm (GIA), of which the residential development comprised 3 types of residential tenure, indicatively proposed as PFS approx. 202 units, PRS approx. 574 units and student residences approx. 234 bed spaces in both cluster flats and studios. A maximum of 2,000sqm of supporting uses comprising retail (A1 - A5) (A1 capped at 500sqm), business (B1), and non-residential uses (e.g. crèche D1) leisure uses (e.g. gymnasium D2) were also approved which would service the residential occupiers. The scheme was to be provided in 4 quadrants of development ranging in size between 2 and 15 storeys with the building layout sculpted to provide a taller outer rim with lower central buildings and a central focal point building. Parking was to be provided in a basement which sat under the entire development.

5.1.2 The associated S106 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
- c) Junction improvement works and off-site highways contributions
- d) Travel Plan initiatives to include:
 - i) £7,050 Travel Plan Review fee
 - ii) Sustainable Travel Fund of £155,850
- e) Provision of river crossing
- f) Retention of student accommodation to be occupied by students only
- g) Relocation and up-grade of bus stop on Kirkstall Rd (£5,000)
- h) Local Employment Initiatives

5.2 CR1 Non Material Amendment Application

An application has been submitted for Non Material Amendments to the original CR1 approval. This seeks to update the approved parameter plans as well as vary the conditions relating to site levels. App ref 18/9/00025/MOD

5.3 CR2 Hybrid Application

A hybrid planning application was submitted in parallel with this reserved matters application app. ref. 18/00622/OT. This is for the site immediately to the west and is referred to as City Reach 2 (CR2). This benefits from the same applicant, Inhabit, and many of the principles established on CR1 are being carried across to the CR2 site.

5.3.1 The hybrid application encompasses the following 2 elements:

5.3.2 Full (Detailed) Element: An area of surface car parking on the eastern side of CR2 immediately adjacent the boundary with CR1. This would provide 83 spaces in total of which 42no. would be additional car parking spaces for CR1, required due to the loss of the full basement area originally envisaged. The other 41 spaces would be allocated to the CR2 buildings when they are constructed. Full planning permission is sought to enable this element to be delivered alongside the CR1 scheme as they would then both benefit from full permission.

- 5.3.3 Outline Element: An outline planning permission is sought for the remainder of the CR2 site comprising a residential development of four buildings. These would be set at a similar density to the adjoining CR1 site with the same provision of large areas of open space with associated surface car parking.

6.0 RELEVANT PLANNING POLICIES

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so. It identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes
- Seek high quality design and a good standard of amenity for existing and future occupants.

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.

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.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

Paragraph 66 states that applicants will be expected to work closely with those directly affected by development to evolve designs that take account of the views of the community.

6.2 Development Plan

- 6.2.1 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).
- Aire Valley Area Action Plan (adopted November 2017).
- Any Neighbourhood Plan, once adopted.

6.2.2 Leeds Core Strategy 2014

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 below:

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, by 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 and improving connections between the City Centre and adjoining neighbourhoods.

Spatial Policy 7 sets out the spatial distribution of the district wide housing requirement between Housing Market Characteristic Areas. The site is in the City Centre with a requirement to provide 10,200 units (2012-28)

Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre itself.

Policy CC1 outlines the planned growth within the City Centre for 10,200 new dwellings, supporting services and open spaces. Part (b) encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.

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 H3: refers to housing density. Housing development in Leeds should meet or exceed the net densities of 65 dwellings per ha in the city centre fringe area unless there are overriding reasons concerning townscape, character, design or highway capacity:

H4 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location.

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.

P11 Conservation - heritage assets will be conserved and enhanced including any nationally significant industrial heritage. Innovative and sustainable construction

which integrates with and enhances the historic environment will be encouraged. Enabling development may be supported in the vicinity of historic assets where linked to the refurbishment or repair of heritage assets.

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

EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development.

G9 There will be an overall net gain for bio-diversity commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement. There is no significant adverse impact on the integrity and connectivity of the Leeds Habitat network.

Other relevant Core Strategy policies include:

Policy EN4 district heating

Policy EN5 Managing flood risk

Policy ID2 Planning obligations and developer contributions

Policy G1 Enhancing and extending green infrastructure

Policy G2 Creation of new tree cover

Policy G3 Standards for open space, sport and recreation

Policy G5 Open space provision in the City Centre

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

The following saved policies are relevant to this application:

- GP5 all relevant planning considerations
- BD2 design and siting of new buildings
- BD5 Residential amenity. The Council is keen to promote good standards of daylight and sunlight in the interests of both mental and physical wellbeing, and in order to avoid a wasteful use of energy in providing unnecessary artificial light.

6.2.4 Leeds Natural Resources and Waste DPD 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, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Relevant policies include:

- Water 4 development in flood risk areas
- Water 6 flood risk assessments
- Water 7 surface water run-off
- Land 1 contaminated land
- Land 2 development and trees
- Air 1 all major applications required to incorporate low emission measures

6.3 Supplementary Planning Documents

6.3.1 Neighbourhoods for Living: A Guide for Residential Design in Leeds (December 2003) aims to provide further guidance on good design in residential schemes in Leeds. Neighbourhoods for Living is relevant to all residential development in Leeds and provides advice and principles for good residential design across the themes of use, movement, space and form. It promotes local character, analysis of landmarks,

views and focal points, and quality buildings. It also states that the scale, massing and height of the proposed development should be considered in relation to its surroundings. It needs to respond well to that of adjoining buildings, the topography, the general pattern of heights in the area and views, vistas and landmarks. Buildings also need to be carefully positioned to relate to the spaces around them. The enclosure of the street, and the ratio of building height to the space, needs to be carefully considered in order to create the correct feel for that space and the people who will use it.'

- 6.3.2 Biodiversity and Waterfront Development: Objectives are to: identify and safeguard existing habitats; provide ecological design guidance on waterfront developments; provide guidance on the conservation of protected and important species; identify opportunities for habitat enhancement, creation and restoration; encourage appropriate long term habitat management. It requires development to be set back from river banks.
- 6.3.3 Sustainable Design and Construction: Advocates the use of a range of measures to ensure that the best possible practices are used to ensure a sustainable environment is created.
- 6.3.4 Waterfront Strategy: This advocates public access to the waterfront as well as its laying out with landscape treatment, which seeks to soften the bank edge. In addition, open space oriented towards the river, uses which take advantage of the amenity offered by the river and the protection of any wildlife habitats are also advocated.

6.4 Other Material Considerations

6.4.1 Draft Site Allocations Plan (SAP):

The site is identified as site MX1-28 for 1010 residential units and 750 sqm of office floor space which reflects the outline planning permission. As this site has planning permission it is an 'identified site' in the SAP which is at an advanced stage and so carries substantial weight.

6.4.2 Kirkstall Rd Renaissance Area Planning Framework (KRRAPF):

This is adopted as Informal Guidance for planning purposes. It aims to promote the regeneration of the area in a manner which will establish a real sense of place and guide developers in formulating proposals for the re-development of land using positive urban design principles. This is underpinned by a need to ensure that a consistent approach is taken to all development in the area.

The framework area is split in to a series of character areas. The area between the River and the Kirkstall Rd is allocated as the 'Kirkstall Road Riverside'. Within this area the framework advocates that the buildings are laid out in a 'flexible configuration on a grid based block pattern. Development sites/blocks and building envelopes will be determined by the requirement for public realm and safe and attractive pedestrian movement'. New buildings must contribute to the formation of these objectives by resolving:

- Appropriate height, scale and massing
- Siting and orientation
- Landscape settings
- Emphasis of corners
- Locating entrances on public access streets/paths

- Facilitating pedestrian access through the area and avoid potential conflict with traffic.

There is a requirement to create a boulevard along the A65 Kirkstall Rd corridor, to be achieved in conjunction with works already undertaken as part of the Quality Bus Initiative (QBI) and is considered to be a fundamental part of the future growth of this area.

Heights are set out on a plan but broadly envisage 8 storeys at the north-eastern corner of the current site reducing towards the river. A link across the river is also indicated as is public access to the river banks.

6.4.3 Residential Amenity Standards:

The Council's aspirations for good standards of amenity and living conditions responds to guidance within the National Planning Policy Framework which states that a good standard of amenity for future occupants is one of the core planning principles. More recently the Council's Executive Board (September 2014) agreed to bring forward the Leeds Standard which sets out the importance of excellent quality housing in supporting the economic growth ambitions of the Council. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has yet been adopted as formal planning policy in Leeds, given their evidence base in determining the minimum space requirements, they are a material consideration in the determination of development proposals.

6.4.4 Core Strategy Selective Review (Publication Draft)

A selective review of the Leeds Core Strategy is presently being undertaken (CSSR). The CSSR includes a review of the housing requirement 2017-2033; the distribution of housing; affordable housing; housing standards; city centre green space; and climate change reduction. As the CSSR publication draft has been subject to the statutory consultation period which ended on 23 March 2018 the draft policies can be afforded some weight. In respect of housing standards this includes the introduction of new policy H9 which adopts the standards for housing unit sizes set out in the Nationally Described Space Standards.

6.4.5 Flood Alleviation Scheme 2 (FAS2):

The Council, with advice from the Environment Agency, are currently assembling a package of measures which are to contribute to flood resilience in the Kirkstall Rd corridor. This proposal is at consultation stage.

7.0 **CONSULTATION RESPONSES**

7.1 **Statutory**

Environment Agency: No objection

Canal and River Trust: State that they wish to make no comment on the application

Highways England: No objection

Natural England: State that they wish to make no comment on the application

Yorkshire Water: No comment to make given this is the reserved matters application

7.2 Non-Statutory

Highways Services: Now that full details have been received the following points have been made:

- The original outline application 15/06844/OT proposed 2 options to provide access to the site, signalised or priority junctions. The reserved matters drawings now show the priority junction option. This solution attracted a S106 contribution of £202,000 towards off site highway improvements in acknowledgement of the incremental impact that the development has on the West Street Gyratory and the slip road on to the Inner Ring Road
- The application is reliant on car parking and access to that parking from the adjacent site under the hybrid application 18/00622/OT, therefore both applications will need to be approved for the proposals to be acceptable
- TRO extension needed to ensure no loading at any time from Kirkstall Rd
- The ratio of 45% car parking provision is acceptable.
- Disabled and Electric vehicle charging spaces have been provided in accordance to parking policy requirements
- In respect of Block A - student residential: The main entrance to the building is on the Kirkstall Road frontage, there is no access from within the site to the lobby areas but doors do open into the communal lounge area, it has been explained by the applicant that for year arrival/departure times, access to the building will be possible from these doors to allow belongings to be transported into the building from the visitor parking spaces. Arrival times of students will need to be managed and concierge assistance provided to allow this arrangement to function.
- The off-site works agreed from the outline consent will need to be delivered through a S278 agreement. The works involve creation of a priority junction access from Kirkstall Road including alteration to bus lane markings, providing a minimum 3m wide footway on Kirkstall Road, closure of existing vehicle access points and reinstatement as footway and amendment to the loading restrictions on Kirkstall Road along the site frontage

Travelwise: No objection. 2no. car club spaces are to be provided and secured by existing S106 agreement. Sufficient EV car charge points are shown.

Flood Risk Management: No objection. Conditions attached to outline permission adequately cover the proposal.

Sustainability - Energy: No objection. Well-developed sustainability strategy. The evidence presented makes it clear that policies EN1 and EN2 are met. The ability to connect to District Heating in the future meets EN4 in future. The all electric heating strategy means that this potential is limited, but the location is unlikely to be served by a citywide network in the foreseeable future so that is of less concern. The fabric is very well specified and includes a good range of passive and active technologies to reduce energy use, manage water use and minimise CO2 emissions.

Sustainability – Biodiversity: No objection. All matters controlled by condition attached to original outline application.

Environmental Studies – Transport Strategy: The proposed glazing and ventilation package is acceptable

Police Architectural Liaison Officer: The development creates a safe and secure environment that reduces the opportunities for crime without compromising community cohesion. Need to ensure some kind of restrictor is in place on the proposed bridge to stop motor cycles/quad bikes but that would allow pedal cycles wheel and push chairs access.

Public Rights of Way: No objection. Can confirm that no definitive or claimed rights of way cross or abut this site.

Wind (Peer Review by RWDI wind consultants on acting for L.C.C.): The submitted document is a wind tunnel test based study. RWDI consider the assessments for the site to be robust. These state that:

Wind conditions at the existing site within existing surrounding configurations rate as suitable, in terms of pedestrian safety, for the general public throughout the year. In terms of pedestrian comfort, wind conditions are suitable for existing use throughout the year with a single exception, in terms of comfort only, at a bus stop to the northwest of the site, where wind conditions are only suitable for leisure thoroughfare / strolling.

In the absence of any wind mitigation measures, wind conditions in and around the proposed City Reach 1 and Carpark in existing surrounding conditions are generally suitable in terms of pedestrian safety and comfort. Exceptions occur at 6 locations in terms of exceedances of the safety criteria and 18 locations that exceed the comfort criteria for planned use, out of a total of 112 locations.

It should be noted that wind conditions do not materially differ between scenarios “with” and “without” the carpark. Consequently, the report focuses on the former scenario.

With the introduction of committed future developments and in the absence of any wind mitigation measures, wind conditions for all assessed configurations do not materially differ from existing surrounding conditions and thus the respective conclusions remain.

In order to alleviate the unwelcome wind conditions in and around the proposed site upon the introduction of the proposed City Reach 1 and Carpark, an interactive workshop was undertaken on 28th March 2018. The introduction of the mitigation measures for the proposed City Reach 1 and Carpark within existing surrounding developments alleviates unwelcome winds in and around the site and conditions generally rate as suitable, in terms of pedestrian safety and comfort, for the general public.

A single exception occurs at the north-east corner of Block D, where conditions are suitable for short-term standing / sitting, but marginally exceed the comfort criteria for long periods of sitting in summer as required for outdoor seating. However, it should be noted that:

This location does not present any safety issue, and is it considered suitable, in terms of safety, for the general public;

During the course of the wind tunnel test campaign, the trees were modelled to have winter foliage and it is expected that summer foliage will help to alleviate unwelcome winds around this area. Consequently, it is expected that the seating area will be

suitable for the intended use.

In summary, with the implementation of mitigation measures, acceptable wind conditions prevail across the site and the surrounding area.

Wind mitigation measures proposed include: landscaping (trees and hedges) some contained in planters; screens (solid and porous); canopies; parapets to roof terraces.

8.0 CORRESPONDENCE FROM PUBLIC

8.1 One representation has been received from Leeds Civic Trust (LCT). This supports the proposal but makes the following points:

- Welcome the reduction in scale from the permitted outline
- Welcome active uses on the principal routes
- Warn against the back of the buildings being too sterile
- Impact of the routes of students to the Little Woodhouse community needs to be considered.
- Routes from the site to the city need to be considered
- Surface treatments will be important on vehicular routes to ensure pedestrian safety
- Prefer the non-signalised entrance point (*this is the one that has now been chosen*)
- Prefer to see a greater number of larger apartments
- Advocate district heating
- Understand the reasons for the use of surface parking but this should be well landscaped using sustainable drainage methods and include trees and shrubs.

9.0 KEY ISSUES

Scale and Layout
Amenity/Mix of Units/National Space Standards
Appearance
Landscaping
Density and Housing Delivery
Highways
Flood Risk

9.1 Matters Reserved:

9.2 Scale and Layout

CR1 occupies a prominent position on the southern side of Kirkstall Rd, which is the city's main western arterial route. The scheme already has an approved set of parameters in respect of height and footprints. The proposal sits within this set of parameters apart from a small realignment of the footprints of the two buildings to the south of the site. These are being brought together by 5-7m at the point where they provide an entrance to the riverside open space area. This allows more of the corners of the buildings to be visible when approaching from the north which would act as a gateway to the much larger area of open space to the south. The scale of the buildings is well within the parameters set by the outline but still retains the articulated and interesting skylines originally envisaged. This reduction in scale will also allow a greater degree of light penetration around the buildings to the benefit of

the occupiers and the open space areas. This position is supported in the response from the LCT.

- 9.3 The orientation of the buildings and the pedestrian, cycle and vehicular routes all deliver the key principles established by the Outline Planning Permission. The pedestrian routes and publicly accessible open space areas are increased from the outline permission and a new plan will be secured by the S106 Agreement Deed of Variation to reflect this. Overall the proposal is in accordance with the approved layout, with the exception of the small deviations of the river frontage buildings, but with significant improvement in open space provision, and this is considered to be acceptable. The design is highly resolved with excellent back of house facilities and service areas ensuring that the scheme functions correctly. A managed development will ensure that the public realm remains sustainable and attractive for the lifetime of the development.
- 9.4 The articulated massing of the building ensures that the development will have an appropriate scale and relate to the various contexts in which the buildings sits. This maximizes the opportunities to relate residential accommodation to external views and aspect. The reduction in overall scale assists in this regard. This is particularly the case along the river frontage where the articulation in the scale will provide a strong relationship between the development and the river front landscape areas. Along Kirkstall Rd the proposal will create a street frontage with sufficient scale to signal the arrival to the western part of the city centre as envisaged at outline stage. This also relates well to the taller buildings which are already in evidence to the north of Kirkstall Rd.
- 9.5 Amenity/Mix of Units/National Space Standards
- 9.6 The units proposed across the whole site meet the standards set out in the NDDS with the exception of 20no. 2 bedroom units in the PRS part of the proposal. The standards set a minimum of 61 sqm but these units are being provided at 58.6sqm to 59.4sqm, which is marginally less than the minimum.
- 9.7 The units proposed would all be open-plan to maximize natural light, flexible use and ease of movement. There is the ability to carry out all the functions within each apartment that would be expected of a self-contained unit of accommodation. Generous glazing and in some cases access to either full or Juliet balconies will provide additional levels of amenity. As they are part of a PRS development they would have the added advantage of access to the range of ancillary PRS functions both within the building and provided as roof terraces. Therefore, given the small number of units and the fact that they are only marginally below the standard, it is considered that the proposed units are of sufficient size to provide an acceptable standard of accommodation and this is supported by officers.
- 9.8 In respect of the student scheme, there is no applicable national space standard for either the cluster flats or the studios. The cluster flats offer students a reasonable size of personal space (14sqm with ensuite bathroom), in addition to the 25 sqm communal lounge kitchen area. For the individual studios, the size of unit would allow space to carry out all of the functions expected of everyday living: studying, cooking, washing, eating, sleeping and relaxing. In both cases, with the size of communal space being provided on the ground floor in addition to the roof terrace, as well as the range of other amenities provided across the CR1 site, the levels of amenity afforded the student occupiers is considered to be acceptable.

- 9.9 It is proposed to provide 528 dwellings across the whole site excluding the student residential element: Studios 41no. (8%); 1 bedroom 211no. (40%); 2 bedroom 247no. (47%); 3 bedroom 29no. (5%). The percentages of one and two bed apartments are within the minimum and maximum ranges identified by Policy H4 of the adopted Core Strategy relating to housing mix. This policy requires developments to include an appropriate mix of dwelling types and sizes taking into account the nature of development and the character of the location. The ranges of housing mix set out in the policy reflects the housing needs for the entire district over the plan period. It does not provide a target mix for individual developments, which should have regard to both the difference in demand in different parts of the city and the form of development proposed. In this case the scheme is exclusively for flats and a large proportion of these to be provided for rent.
- 9.10 The applicant has identified that the main market for PRS developers is 25 – 34 year olds. This is the product of a number of factors including later family formation, more flexible working patterns and a trend for sharing accommodation. It is also the case that the age of first time buys has progressively increased. In addition flatted developments, especially those located within or close to the city centre, appeal more to this younger demographic. The demand is greatest for 1 and 2 bedroom units and hence these account for the bulk of the provision.
- 9.11 Policy H4 allows the housing mix to be considered flexibly depending on the nature of the development and the characteristics of an area. Although the number of three bed apartments is below the specified minimum quoted in policy H4, the scale of development still allows for 29no. new family-sized units to be delivered in this location. The provision of three bed dwellings in the city centre currently stands at 1% therefore this proposal greatly exceeds this. Based on the above it is considered the proposed housing mix is acceptable. This addresses the issue raised by the LCT in respect of the number of larger family units to be provided.
- 9.12 Policies H4 and H8 also require that Independent Living be considered on larger residential development sites. In this case the units being provided are all accessible by lift and therefore may be accessed by wheel chair. Each unit could be constructed in a manner which would make it available for independent living. The objectives of policies H4 and H8 are considered to have been met in this case.
- 9.13 Appearance
The architecture of the development will create a distinctive and cohesive new neighbourhood within a quality environment. Materials have been carefully selected to reinforce this strategy with the taller elements clad in a grey brick and the lower elements clad in tones that are softer in colour. Metal cladding between windows creates visual grouping, hierarchy and articulation within the facades
- 9.14 It is considered that this allows sufficient variation to be introduced within the building designs to create a group which relate well to each other, being of the same architectural language and family, but which avoids visual monotony. This format of regular punched openings also supports the introduction of the commercial frontages at ground floor level, with regular column spacing and increased areas of glazing. Where necessary this allows the inclusion of service access points. It is considered that the buildings will be successful on all of their facades avoiding the sterile rear elevations which the LCT fears could occur.
- 9.15 Sufficient relief is generated by the use of features such as window reveals and balconies and the detail at ground level creates rhythm and grain in order to ensure that the buildings will read as residential and have a domestic scale.

- 9.16 The use of flat roofs provides the benefit of additional open space for use by residents but also the opportunity to provide photovoltaic arrays. As the architectural vernacular is to have the roofs surrounded by parapets, these help to provide screening to the roof top plant and create a considered and well resolved appearance from the street.
- 9.17 The architectural style and language to be employed across the site is well considered and of a high quality. This will result in a cohesive group of buildings that will give rise to a sense of place and are therefore acceptable by officers.
- 9.18 Landscaping
The main publicly accessible open space area is located adjacent the river. However, this is proposed to be increased in size by 1,540 sqm due to the amendments to be made to the outline approval. This is clearly welcomed and is fully supported by officers. This increased green-space provision supports waterfront accessibility objectives and also faces south-west, which is beneficial for sunlight penetration to the residential units throughout the scheme. The reduction in scale of the proposal benefits all aspects of the scheme in terms of natural sunlight and daylight penetration.
- 9.19 The riverside parks have been designed to provide amenity for the general public as well as for residents. The site provides the important connection through to the River Aire and the Leeds-Liverpool Canal beyond with the foot bridge acting as the focal point for movement. This will deliver important place-making benefits to the scheme as well as the wider area.
- 9.20 Adjacent to these direct routes lie lawns and communal seating areas offering a different character of public open space for users. The planting enclosing these areas creates a sense of refuge and separation from the busier central route, enhancing the opportunity for passive recreation in these spaces. The generous access points to these areas accommodate desire lines within the site and from wider connections from Kirkstall Road and the riverside walk.
- 9.21 The planting also serves as mitigation against the prevailing wind to ensure comfort for users, encouraging them to linger and increasing use of the public open space. It also ensures the integrity of wildlife corridors along the northern bank of the Aire, and from the river into the site. The openings in the planting from key routes into lawn areas have been positioned to ensure physical and visual accessibility of the spaces, without compromising the planting's role as wind mitigation or as a wildlife route. Given the removal of the basement car park from the scheme, plants will now be in the natural soil depth which it is considered will reduce impediments to natural growth so that full height tree planting can eventually be achieved.
- 9.22 Planting will also be used to soften the impact of the surface car parking. The use of quality surface materials and areas of soft landscaping will improve the appearance of the parking areas for residents who look down on them, as well as those who may pass through the areas. Significant areas of perimeter landscaping will serve to screen the parking areas from both Kirkstall Rd and the River Aire. Over time the maturing of these schemes will provide a dense screen to the benefit of both traffic and river corridors.
- 9.23 In respect of the matters reserved by the outline permission the scheme is considered to acceptable.

- 9.24 There are a number of other technical matters which can be assessed given the submission of the full details.
- 9.25 Density and Housing Delivery
CR1 will deliver 528 residential homes and 309 student apartments, which is within the maximum quantum assessed at outline stage. With the exception of minor changes to the building footprints, the buildings lie within the maximum footprint parameters approved by the outline permission. The scheme delivers a density of development that exceeds the minimum 65 units per ha requirement of Core Strategy Policy H3 and is therefore appropriate.
- 9.26 Highways
The proposal is for the non-signalized junction option which will reduced the impact on the highway in respect of physical works required. This solution attracted a S106 contribution of £202,000 towards off-site highway improvements in acknowledgement of the incremental impact that the development would have on West Street Gyratory and the slip road on to the Inner Ring Road. This money will be paid as a contribution to these off-site highway works. The extension of the TRO on Kirkstall Rd will also remove the possibility of any unloading from the highway which is clearly an improvement, given the location of the student residential scheme in close proximity. A pedestrian crossing point is to be provided on the Kirkstall Rd as part of the off-site highway works. This will assist in providing the pedestrian route towards the universities for the student occupiers and was established as part of the original outline permission when this use was granted. The provision of the riverside walkway and bridge will open up two new routes to the city centre to provide alternatives to Kirkstall Rd itself. This addresses the points raised by the LCT in respect of the improvement of pedestrian routes.
- 9.27 The use of the neighbouring site to provide an element of the car parking is reasonable given the ownership of both sites rests with the applicant and the resultant level of car parking across the CR1 site is seen as appropriate. The CR1 S106 permits access to the CR2 site at the site boundary. This enables access to the additional CR1 spaces which are to be provided as part of the CR2 site. The point has also been made that if, after the scheme has been in operation for a period of time, the level of parking provision on site is too high, then, given the parking is now on the surface rather than in a basement, these redundant spaces could be turned to landscaping. Something that would not have been possible if the car parking had been provided within a basement.
- 9.28 The off-site highway works secured through a combination of the conditions and S106 of the outline permission: the creation of a priority junction access from Kirkstall Road including alteration to bus lane markings; a minimum 3m wide footway on Kirkstall Road; reinstatement of existing access points as footway and amendment to the loading restrictions on Kirkstall Road along the site frontage, will be delivered through a S278 agreement with works paid for by the applicant.
- 9.29 The use of different materials across the site will help to define the areas of surfacing which are to be more pedestrian dominated and those which are suitable for vehicles. This will be reinforced by street furniture and landscaping. The site will be fully managed which means that all matters can be controlled once the site becomes operational. This will assist in addressing any safety concerns such as those raised by the LCT. Cycle spaces, disabled and electric vehicle charging spaces have been provided in accordance to parking policy requirements. Refuse vehicle access and servicing of the units has been considered and is also

acceptable. Therefore, in respect of highways matters, this application is considered to be acceptable.

9.30 Flood Risk

At the time of writing this report the EA were assessing the Flood Risk Assessment and modelling that has been carried out by the applicant and the position on this will be reported verbally to Members at Panel.

In response to the FAS2 point raised by Cllr Nash at the pre-application Panel presentation and referred to in the minutes above, at that time a proposal to create a flood shelf along the northern side of the River Aire was being considered as part of the FAS2 proposal in order to widen the river channel during times of high water. After further work by the EA and LCC this proposal has now been removed from FAS2 and therefore the potential requirement to relocate the buildings further away from the river has been removed.

9.31 Deed of Variation to S106 Agreement

This is required in order to amend the parameter plans, access plans and open space areas from the original application if considered necessary as part of the decision making process. The provision of the CR1 spaces which are to be provided on the neighbouring CR2 site will also be included.

10.0 CONCLUSION

10.1 This site will provide 528 residential units and 308 student spaces in a highly accessible location on the edge of the city centre. The current environment is poor and this proposal is likely to act as a catalyst for further development in this part of the city. The matters reserved by the outline permission are considered to have been developed to a high standard and will result in an environment with a real sense of place, providing access to a part of the river never previously open to the public with the associated links across to the Canal Towpath through the Holts Crest Way site.

10.2 Officers consider that the above detail is acceptable and recommend that the reserved matters application is approved.

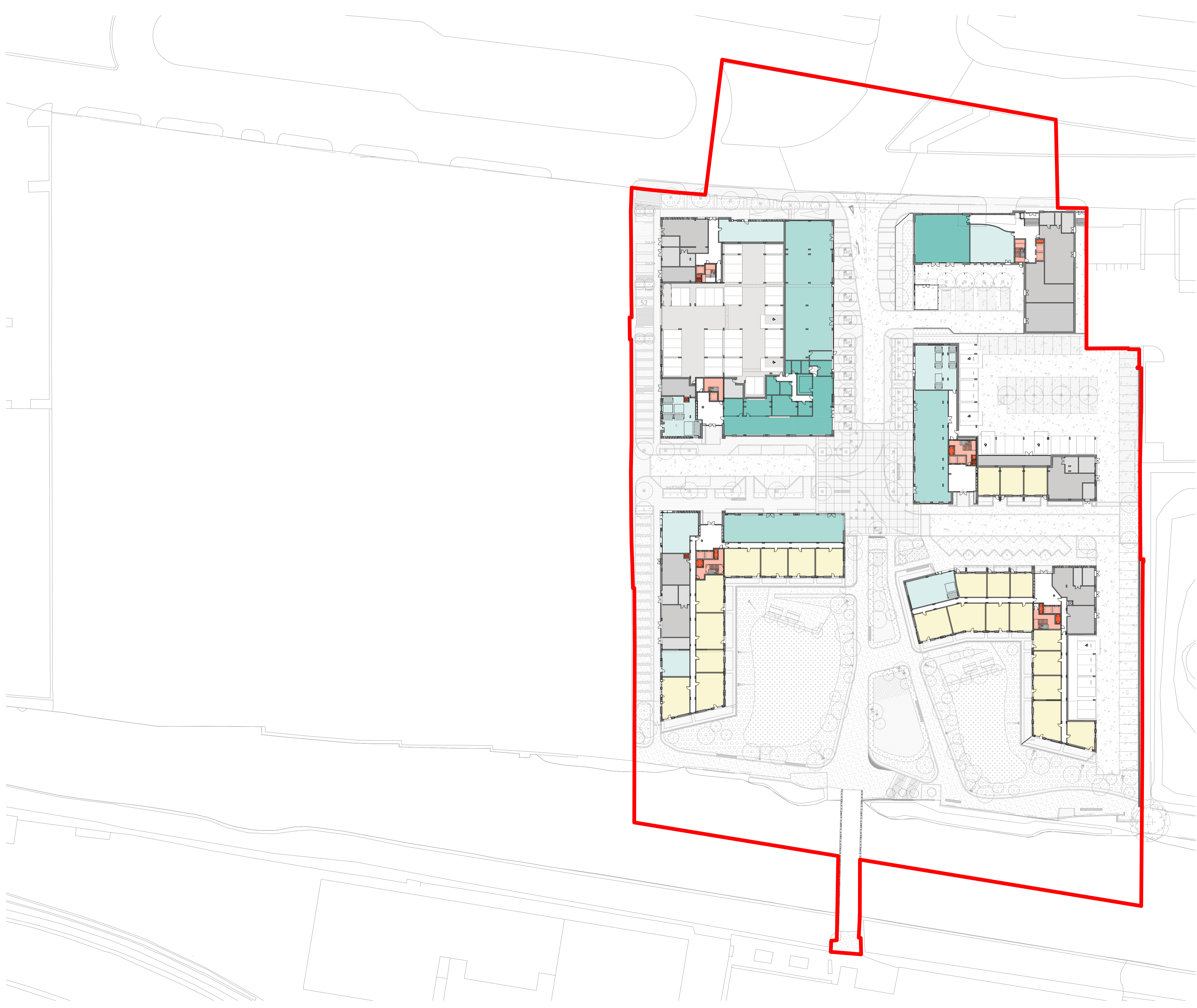
BACKGROUND PAPERS:

Pre-application file for CR2: PREAPP/17/00602

Application file: CR1 approval 15/06844/OT (14 July 2016)

Application file: Otter Island (Holts Crest Way) approval - 13/05566/FU

Application file: Non Material Amendments to the original CR1 approval - 18/9/00025/MOD



DRAWING NOTES

- RESIDENTIAL ACCOMODATION
- STUDENT ACCOMODATION
- CORE
- PLANT
- CIRCULATION
- REFUSE
- COMMERCIAL
- AMENITY
- CYCLE STORE

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KEY PLAN

REV NO.	DATE	DESCRIPTION
B	2018-0413	Reissued for Planning
A	2018-0122	Issued for Reserved Matters Application

PROJECT
City Reach 1

CLIENT
**Inhabit
 (Acting for Clyde Ltd)**

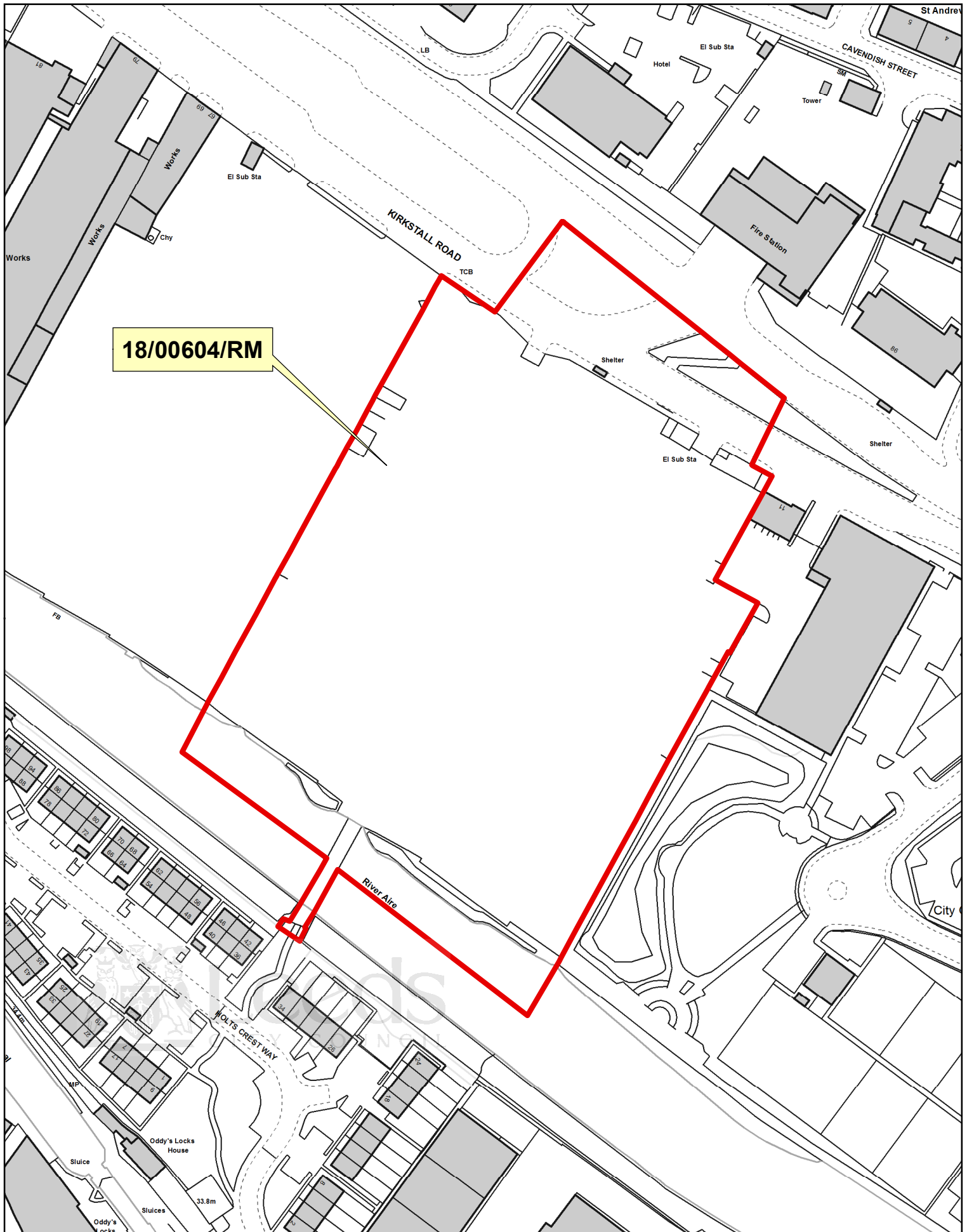
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SHEET IDENTIFICATION
Floor Plan Level 00

STATUS
 For Planning

PROJECT NUMBER 50-15025	DATE DRAWN 12/18/17	SCALE @ A1: 1:500
	DRAWN BY: LP	CHECKED BY: MD

DRAWING NUMBER P11200	REVISION B
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18/00604/RM

CITY PLANS PANEL





Originator: Paul Kendall

Tel: 3781777

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 31st May 2018

Subject: CITY REACH 2 - HYBRID APPLICATION FOR REDEVELOPMENT FOR RESIDENTIAL (C3 & C4), INCLUDING VEHICULAR, PEDESTRIAN/CYCLE ACCESS, SERVICING, PUBLIC OPEN SPACE, CAR PARKING, LANDSCAPING AND OFF-SITE HIGHWAY WORKS (FULL CONSENT SOUGHT FOR PART OF THE CAR PARK ONLY WITH THE REMAINDER IN OUTLINE WITH ALL MATTERS RESERVED OTHER THAN ACCESS)

APPLICANT: INHABIT

Electoral Wards Affected:

Little London & Woodhouse

Yes Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Members are recommended to approve this application in principle and defer and delegate the final decision to the Chief Planning Officer subject to no objections raised by the Environment Agency to the revised flood-risk modelling and subject to the conditions outlined in the appendix at the end of this report (and such other conditions as he may consider appropriate) and following the completion of a Section 106 Agreement to secure the following:

- 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 in line with para 9.12 to 9.15 of the report
- c) Off-site highways contribution £73,000
- d) Travel Plan initiatives to include:
 - i) £4,650 Travel Plan Review fee
 - ii) Sustainable Travel Fund of £ 78,125.14
- e) Primary education contribution £135,756.54
- f) Maintenance obligation for roads within the site in-perpetuity
- g) Local Employment Initiatives

Together with such other and ancillary clauses as the Chief Legal Officer shall consider appropriate

1.0 INTRODUCTION:

- 1.1 Members have previously seen this scheme at pre-application stage in December 2017, which is for a new major mixed tenure residential scheme proposed on the vacant former First Bus Depot site and the neighbouring mixed commercial buildings to the west. Members will be aware that the Bus Depot site has been vacant for some considerable time and all of the buildings have now been demolished. The commercial units are currently occupied with the tenants which, the applicant advises, are currently on short term leases.
- 1.2 This site is referred to as City Reach 2 (CR2). The current owner, Inhabit, also owns the adjacent former Yorkshire Chemical site to the east known as City Reach 1 (CR1), which already has outline planning permission for a residential led scheme granted in July 2016. Inhabit wish to pursue the redevelopment of both sites. This hybrid application is for an outline application on the majority of the site seeking consent for the details of access only, with full details relating to appearance, landscaping, layout and scale to be the subject of a subsequent application for reserved matters. The proposal is also for a full application for a surface level car park in the north-eastern corner of the CR2 site to provide 83 car parking spaces.

2.0 SITE AND SURROUNDINGS:

- 2.1 The CR2 site is 2.86ha and is located to the south of Kirkstall Rd with a frontage onto the River Aire, which runs along the southern side of the site. To the south of this is the now completed Holts Crest Way (Otter Island) residential scheme which is to be linked to CR1 by a pedestrian/cycle bridge in the location of the existing, former Yorkshire Chemical's, pipe-bridge. To the west is the Nissan car showroom and to the east of CR1 is the City Gate development which has a large area of landscaped open space in its south western corner, fronting the river.
- 2.2 On the northern side of Kirkstall Rd is a frontage of low rise commercial units including the Northern Snooker Centre, a restaurant and the 9 storey Holiday Inn. To the north of this are the student residential buildings of Opal 1 and 2, Concept Place and The Tannery which are all clearly visible from Kirkstall Rd. Kirkstall Rd itself was upgraded as part of a Quality Bus Initiative (QBI) and now carries a dedicated bus lane on both outbound and inbound carriageways.

3.0 PROPOSAL

- 3.1 CR2 – Hybrid Application
The CR2 site is seen as a continuation of CR1, and the design approach has addressed the two sites comprehensively as a result. A hybrid application is proposed to progress CR2 which consists of the following 2 elements:
- 3.2 Full (Detailed) Element
This is for a surface level car park in the north-eastern corner of the CR2 site and provides for 83 car parking spaces. Initially these would be used for the CR1 scheme but, on completion of CR2, 41 of these spaces would be used for the CR2 scheme. Full planning permission is sought to enable this element to be delivered alongside the CR1 scheme. The area would be landscaped and would have quality surface treatments of bound gravel and block paving.
- 3.3 Outline Element

An outline planning permission is sought for the remainder of the CR2 site to comprise a residential-led development of four buildings. These would be located in the 4 quadrants of the site, two fronting Kirkstall Rd and 2 fronting the River Aire with the continuation of the east-west route from the CR1 running between the them. An area of open space would then run between the buildings from the river to the road intersecting the road at the mid-point. This would provide an almost continuous green pedestrian connection from Kirkstall Road through to the River Aire with the space widening out to have 2 park areas adjacent the river located to either side of the main central route in a similar manner to that proposed at CR1.

- 3.4 Parameter plans have been submitted to inform the likely scale and layout of the development at reserved matters stage. The general heights within CR2 range from 6 to 14 storeys with variations contained in the outline parameter plans to create visual interest in the sky line as well as create opportunities for roof terraces and balconies.
- 3.5 Three of the buildings would comprise approximately 400 Private Rented Sector (PRS) residential units. The fourth building, the south-eastern block fronting the river, would comprise approximately 130 Private For Sale (PFS) residential units. All blocks are largely rectangular in footprint with the exception of the building in the north-western corner fronting Kirkstall Rd, where a 45 degree crank in the building footprint has been introduced to address the city-bound view of the scheme from Kirkstall Road.
- 3.6 The applicant has indicated that, at reserved matters stage, the residential mix in the PRS units would be 9% studios, 41% 1 bed, 45% 2 bed and 5% 3 bed residential apartments. In the PFS building the mix would be 35% 1 bed, 56% 2 bed and 9% 3 bed.
- 3.7 The applicant has made allowance for the provision of Affordable Housing on site within both the PFS and PRS accommodation and this matter is discussed in greater length in the appraisal section below (para 9.12). In addition, the PRS accommodation will include a range of facilities for the sole use of the tenants e.g. cinema room, dining/entertainment room and touch-down spaces
- 3.8 Highways
This outline application is for access only with all other matters to be reserved. A single point of vehicular access/egress would be provided on Kirkstall Road to CR2. This is a priority junction only which means that, alongside the current proposal for the CR1 junction, there would only be 2no. junctions on the Kirkstall Rd frontage to serve both developments and both of these would be priority junctions. This gives access to the surface car park element of the proposal which is screened from Kirkstall Rd by a significant strip of landscaping, between 5m and 15m in width, which incorporates a raised bank which elevates the parking area above the main Kirkstall Rd footway and carriageway levels.
- 3.9 The CR2 site would be served by 245 surface level car parking spaces. Electric vehicle charging points are proposed at a ratio of 1:30 equating to 10 spaces. This would include one disabled space electric charging point. The site is also 'futureproofed' through the installation of the infrastructure for these spaces, and could potentially accommodate further charging points if a future need arose. A significant amount of secure and covered cycle parking will be provided across CR2, including secure indoor cycle stores and cycle parking racks at a ratio of one space per dwelling.

3.10 The applicant has completed a Transport Assessment and Travel Plan. The primary requirements of these are identified as:

- The provision of a suitable layout for the access onto the Kirkstall Road QBI
- The mitigation of any impact on the physical QBI running lane
- The provision of acceptable parking levels within the site.
- Funding an appropriate level of off-site highway improvements to mitigate for the development traffic associated with the site. Figure agreed as £73,000
- The provision of a Travel Plan that will deliver the required modal split and reduce dependency on the private motor vehicle

3.11 The submitted Travel Plan includes the following measures:

- Appointment of a Travel Plan Coordinator
- Provision of Sustainable Travel Fund (STF) of £78,125.14 to initially cover: car club trial; month-long bus ticket trial; walking and map information; bus passenger information; Travel Plan information board and web site
- Provision of electric vehicle charging points.
- Secure cycle parking provision
- Mode share target to monitor and reduce the use of the private motor vehicle.
- Action plan to be agreed with LCC if targets not met (used to inform future spending of the STF)

312 Open Space

The development of this site has been seen as an opportunity to provide new green infrastructure as well as linking up the existing green space in the area. These spaces are to be of high quality and of varying characters, which will help to create a hierarchy of spaces, routes and connections to assist legibility and visual interest. Along the Kirkstall Rd frontage the landscape approach has been developed to address the primary arterial route, screening the parking areas from view from the highway through the use of dense tree planting and lower level hedges. It will also have a sculptured landform addressing the changes in level required in order to address flood issues.

313 The proposal locates the car parking on the surface which will be treated with block paving and bound gravel with interspersed landscaped areas in order to soften the visual impact from the primary routes. The car parks closer to the river create more space for planting and the style of planting will embody a more natural, riverine character including the use of permeable surface treatments to minimise the need for engineered drainage and reduce flood risk.

3.14 A large riverside open space is proposed containing the riverside walkway. This spans the entire width of the site (approximately 175m) and is between 10m and 15m in width. At its widest point it becomes part of the main riverfront open space which runs up through the centre of the scheme to form an inverted T-shaped space running for approximately 100m towards Kirkstall Rd. The riverside walkway would provide access to the bridge to be provided as part of CR1 to the east. The open space within the scheme is considerable and is over 1ha which is approximately 35% of the site area. In addition the flat roofs of the buildings will be used for private amenity spaces for the building's residents.

3.15 River frontage

In respect of the river frontage, the current riverside wall is in need of maintenance and up-grading. It is proposed to plant native species of trees and shrubs to provide

foraging and nesting habitats for birds and other wildlife. There will also be some opportunity to enhance the river corridor for species such as otter. A number of bird, bat and insect boxes are proposed to be installed. Lighting will be carefully considered in this area to avoid impacting the sensitive habitat areas through unnecessary light spillage.

3.16 Sustainability

The outline application will establish the framework design strategy to ensure that a range of sustainable measures are incorporated into the development at reserved matters stage (which will include a construction waste management strategy, water saving measures and sustainable sources materials where appropriate). An energy strategy has been developed which shows how the scheme can make a positive contribution to reducing CO2 emissions. In addition it is proposed to locate Photovoltaic arrays on some of the flat roof areas proposed.

3.17 Flooding

CR2 lies within Flood Zone 3a(i) and has incorporated additional flood mitigation measures through the lowering of riverside landscaping levels. This has resulted in the river park area of CR2 being set at a lower level than the rest of the CR2 site, which will provide additional flood capacity to the River Aire.

3.18 The applicant has provided a full suite of supporting information:

- Design and Access Statement
- Planning and Regeneration Report (incl. Housing Needs Assessment and Sequential and Impact Assessment for Town Centre Uses)
- Contaminated Land/Site Investigation Report
- Air Quality Assessment
- Arboricultural Report
- Coal Mining Risk Assessment
- Study
- Sunlight/Daylight Assessment
- Statement of Community Involvement
- Drainage Strategy
- Flood Risk Assessment (Incl. Sequential and Exceptions Test)
- Transport Assessment
- Travel Plan
- Noise assessment
- Odour Assessment
- Preliminary Ecological Appraisal
- Sand and Gravel Minerals Safeguarding Assessment
- Sustainability Statement
- Energy Strategy

4.0 HISTORY OF NEGOTIATIONS

4.1 Officers had pre-application discussions with the applicant's team culminating in a pre-application presentation to Members at City Plans Panel in December 2017. The minutes for the pre-application presentation state that:

- Members were supportive of the proposed uses on the site but a further understanding of school provision in the area was required
- Members were supportive of the emerging scale and design of development for City Reach Land 2

- Members were supportive of the emerging approach to public space and landscaping provision on the site but further information about the surface car parking provision was required

(Councillor Nash required it to be recorded that the request to reconsider the re-siting of the development blocks to provide a 20m flood zone also applied to City Reach Phase 2).

In summing up the Chair said Members appeared to be generally supportive of the development but further consideration was required on a number of issues

5.0 RELEVANT PLANNING HISTORY

5.1 Outline planning permission (15/06844/OT) was granted on 14 July 2016 for a mixed use development on the adjacent CR1 site, subject to a S106 agreement.

5.2 The residential development comprises 3 types of residential tenure, PFS approx. 202 units, PRS approx. 574 units and student residences approx. 234 bed spaces in both cluster flats and studios. The scheme provides 4 quadrants of development ranging in size between 2 and 15 storeys. Parking is provided in a basement which sits under the entire development. In addition a maximum of 2,000sqm of supporting uses is provided comprising retail (A1 - A5) (with A1 retail capped at 500sqm), business (B1), and non-residential uses (e.g. crèche D1) leisure uses (e.g. gymnasium D2). A basement car park of circa 17,500sqm (516 spaces) was to be provided. The associated S106 Agreement was completed and required 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
- c) Junction improvement works and off-site highways contributions
- d) Travel Plan initiatives to include:
 - i) £7,050 Travel Plan Review fee
 - ii) Sustainable Travel Fund of £155,850
- e) Provision of river crossing
- f) Retention of student accommodation to be occupied by students only
- g) Relocation and up-grade of bus stop on Kirkstall Rd (£5,000)
- h) Local Employment Initiatives

5.3 An application for reserved matters has been submitted for the CR1 site to be considered at the same time as the proposals for CR2. This reduces the amount of development originally proposed (full description set out in parallel report to Members app ref 18/00604/RM – on this agenda). A brief description is set out below:

The proposal makes various amendments to the approved outline scheme which was originally approved as 4 blocks. The north-eastern block is now broken into two separate buildings and the two fronting the river are to be reduced in footprint which results in the increased size of the adjacent open space. Therefore the reserved matters proposal indicates 5 blocks not the original 4. It still comprises a mix of residential, student and supporting commercial uses with the residential development split between 420 Private Rented Sector (PRS) and 108 Private For Sale (PFS) units and 309 student units. 500 car spaces were originally proposed within a basement, however,

this is no longer part of the scheme with a total of 194 car parking spaces now all to be provided on surface or as part of the ground floors of the buildings.

- 5.4 An application has been submitted for Non Material Amendments to the original CR1 approval. This seeks to update the approved parameter plans as well as vary the conditions relating to site levels. App ref 18/9/00025/MOD

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 One representation has been received from Leeds Civic Trust (LCT). This supports the proposal and then goes on to replicate the comments made for the neighbouring CR1 site. It is noted that most of these comments relate to detailed aspects and student housing provision which are only being considered as part of the reserved matters application for CR1. The points raised are set out below but have been addressed as part of the report for the CR1 application ref. 18/00604/RM:

- Welcome the reduction in scale from the permitted outline
- Welcome the use of active uses on the principal routes
- Warn against the back of the buildings being too sterile
- Impact of the routes of students to the Little Woodhouse community needs to be considered.
- Routes from the site to the city need to be considered
- Surface treatment will be important on vehicular routes to ensure pedestrian safety
- Prefer the non-signalised entrance point
- Prefer to see a greater number of larger apartments
- Advocate district heating
- The surface parking should be well landscaped using sustainable drainage methods and include trees and shrubs.

- 6.2 A Statement of Community Involvement has been submitted with this application. The process involved dedicated presentations (Leeds Civic Trust, Little Woodhouse Community Association and Otter Island residents), discussions with neighbouring land owners and businesses, including the preparation and distribution of a consultation leaflet to all parties within an agreed catchment area. A dedicated website was set up to provide additional information over and above the consultation leaflet. Responses received to the consultation flyers were limited to 2, both of which were supportive of the proposals in principle.

- 6.3 The issues raised from the above exercise were listed as car parking, security/crime, education, flooding, wind, environmental issues, landscaping, refuse, highways, use of roof tops and design/heights.

7.0 CONSULTATION RESPONSES

7.1 Statutory:

Environment Agency (EA): Revised Flood Risk Assessment and flood modelling has been requested by the EA and provided by the Applicant. This is being considered and a full consultation response is still to be provided at the time of writing this report.

Yorkshire Water: No objection subject to conditions controlling details of discharging surface water from the site and drainage details.

Highways England: No objection. Student drop-off and pick-up should be managed (*this comment relates to the neighbouring CR1 site which will have managed student drop-offs and pick-ups – controlled by existing condition*).

Natural England: No comment to make as it is for the Local Planning Authority to determine whether or not this application is consistent with national and local policies on the natural environment.

Canals and Rivers Trust: Advise they have no comment to make

Coal Authority: No objections. The site is located in the Development Low Risk Area.

7.2 Non-statutory:

Highways Services:

- The submitted Transport Assessment results demonstrate that the two developments, City Reach 1 and 2 directly add to queuing and congestion at the West Street gyratory. The most appropriate way to mitigate this impact is to contribute to a scheme that will address the overall congestion issues and support the proposals being developed for Armley Gyratory. The sum of £73,000 is considered appropriate to provide the necessary level of mitigation works on the public highway.
- The masterplan for Kirkstall Road is to provide a continuous route through all sites parallel to Kirkstall Road that could provide a quiet route for pedestrians and cyclists and join the sites up for servicing, the submitted plans identify this onward link in the future.
- The internal layout is unconventional, but the main spine road could be adopted as public highway, however, the applicant does not wish to pursue this option. The highway authority would require assurance that there would be no risk of obligations transferring to it in the future, this would be best done through a simple alteration to the existing S106 Agreement.
- Refuse collection areas are identified for each building, tracking of a refuse vehicle has been provided by the highway consultant to demonstrate the illustrative layout reasonably allows for this.
- The current restrictions in the bus lane allow loading outside peak hours, this was agreed at the time of the QBI scheme to allow loading for properties that only had a frontage to Kirkstall Road, the restrictions will need to be amended to ensure that if loading occurs that potentially disrupts bus movements, enforcement action can be taken, the amended TRO can form part of the highway works.
- A parking arrangement shows that 245 parking spaces will be provided for the 530 units proposed, i.e. a 46% ratio which is acceptable for the site's location, the plan illustrates that the spaces can be distributed in proximity to the blocks they serve and that the level of electric vehicle and disabled parking is adequate for each block.
- Cycle parking: Cycle parking should be provided in accordance with the Parking SPD, long stay parking for apartments should be 1:1 short stay visitor parking should be 1:40 for apartments with a cap of 40. Long stay spaces should be secure within buildings, short stay parking should be located in convenient secure locations within the landscaping.
- Motor cycle parking should be provided in accordance to the Parking Guidance.

- The off site works will need to be delivered through a S278 agreement. The works involve creation of a priority junction access from Kirkstall Road including alteration of bus lane markings, providing a minimum 3m wide footway on Kirkstall Road, closure of existing vehicle access points and reinstatement as footway and amendment to the loading restrictions on Kirkstall Road along the site frontage. This can be controlled by a condition related to a plan showing these works.
- The entrance to the site must be adopted and built to the appropriate standards.

Travelwise: The submitted Travel Plan is considered to be acceptable. The Plan includes a Sustainable Travel Fund (STF) of £78,125.14 for the provision of: month-long bus tickets for new residents; car club trials; bike club; material to promote walking and the use of public transport. If this site is developed before the CR1 site then 2 car club spaces will be provided on this site and the requirement to provide them on CR1 would fall away as it is considered 2 car club spaces is sufficient for the two sites together. The Travel Plan includes the need for a Travel Plan Coordinator, to carry out monitoring and the production of an annual report which introduces flexibility for the spending of the STF. The extension of the riverside route and link to the CR1 river bridge along with the incorporation of EV charging points, makes a significant contribution to the increased use of sustainable modes of transport. A Travel Plan Review fee of £4,650 is also included.

Environmental Protection: No objection subject to conditions controlling construction practice, lighting, extract ventilation, waste collection and refuse facilities

Flood Risk Management: No objection subject to conditions requiring drainage to be carried out in accordance with the submitted drainage strategy as well as any conditions/requirements outlined in the EA response above.

Environmental Protection - Air Quality: No objections on grounds of air quality providing measures to control construction dust are implemented.

Environmental Studies Team: The use of enhanced glazing as specified, together with mechanical ventilation units in all dwellings, should mean that, despite the adjacent busy roads, internal noise levels in keeping with those specified in the appropriate British Standard, would be met throughout the proposed development.

Wind: peer review carried out by RWDI on behalf of the City Council: The submitted document is a wind tunnel test based study. RWDI consider the assessments for the site to be robust. These state that:

- Wind conditions at the existing site within existing surrounding configurations rate as suitable, in terms of pedestrian safety, for the general public throughout the year. In terms of pedestrian comfort, wind conditions are suitable for existing use throughout the year with a single exception, in terms of comfort only, at a bus stop to the northwest of the site, where wind conditions are only suitable for leisure thoroughfare/strolling.
- Upon the introduction of the proposed development and in the absence of any wind mitigation measures, wind conditions in and around the proposed development in existing surrounding conditions are generally suitable in terms of pedestrian safety and comfort. Exceptions occur at 10 locations in terms of exceedances of the safety criteria and 30 locations

that exceed the comfort criteria for planned use, out of a total of 126 locations.

- With the introduction of committed future surrounding developments (including CR2) and in the absence of any wind mitigation measures, wind conditions do not materially differ from existing surrounding conditions and thus the respective conclusions remain.
- In order to alleviate the unwelcome wind conditions in and around the proposed site upon the introduction of the proposed City Reach 1, City Reach 2 and Carpark, an interactive workshop was undertaken on 28th March 2018. The implementation of the mitigation measures to the proposed CR1, CR2 and Carpark in existing surrounds alleviates the windy conditions and results in the conditions in and around the proposed development becoming suitable, in terms of pedestrian safety and pedestrian comfort, for the general public.

In summary, with the implementation of mitigation measures, acceptable conditions prevail across the site and surrounding area.

Wind mitigation measures proposed include: landscaping (trees and hedges) some contained in planters; screens (solid and porous); canopies; parapets to roof terraces.

L.C.C. Children's Services

The following response has been provided:

- Sensitivity testing: The outcome of a sensitivity exercise, completed using empirical data to establish the estimated pupil yield from city centre flatted developments in Leeds, suggests that a pupil yield ratio of 4 primary pupils for every 100 family dwellings (2 bedroom and above) may be a more appropriate estimation of the primary school pupil yield from site CR2, rather than the higher pupil product ratio usually applied by in Leeds of 25 primary pupils per 100 family dwellings.
- Education Demand Assessment: CR1 and CR2 are located within the Inner Housing Market Characteristic Area (HMCA) but are better placed to meet housing generated demand from the city centre HMCA as well as some demand from the Burley/Hyde Park/Woodhouse areas. Based on an assessment of the estimated future housing generated demand to come forward within these areas, the outcome of the sensitivity testing exercise, and the estimated pupil yield from the proposed CR1 and CR2 housing mix, it is concluded that new school provision on CR2 will not be required for the current flatted format of development.
- The calculations indicate that the site could generate approximately 57 primary school pupils which, to ensure a viable solution is delivered, would be better managed by creating additional new capacity within the existing school estate, rather than through the opening of a new school on CR2. Therefore, based on the application housing mix indicated, instead of taking advantage of CR2's school site requirement a financial contribution is sought towards the cost of a scheme to expand an existing primary school to meet demand from the site.
- Site feasibility survey work would also need to be undertaken at an appropriate time in the future to establish which schools within the vicinity of

CR2 could be expanded. The Primary contribution calculation method produces a sum of £135,756.54

Contaminated Land: No objection. The Geo-Environmental and Geotechnical Preliminary Risk Assessment report submitted in support of the application identifies the need for a Phase 2 site investigation. Conditions and directions are recommended to control submission of phase 2 site investigation, verification and remediation reports.

Sustainability – Ecology:

Due to the presence of existing buildings on the site, a bat roost activity survey is required to take place during the survey season (May to Sept). The planned timescale for building demolition is not until 2020. The survey can be controlled by condition. Part of the site (within the River Aire) falls within the Updated 2014 Leeds Habitat Network and therefore Policy G9 points (i) to (iii) inclusive need consideration and details can be controlled by conditions to ensure a Construction Environmental Management Plan (CEMP: Biodiversity) and a Riverside Corridor & Riverside Wall Ecological Enhancement Scheme (EES) are submitted. The development will not cover, sever or reduce the width of the River Aire so will not adversely impact on the integrity or connectivity of the Leeds Habitat Network.

Police Architectural Liaison Officer: No objections at this time. Will be able to make further comments at reserved matters stage.

Public Rights of Way: no definitive or claimed rights of way cross or abut this site

Refuse Services: Further details of refuse disposal will be required. (This item will be controlled by condition given that this proposal is in outline).

8.0 RELEVANT PLANNING POLICIES

8.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so. It identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Support the transition to a low carbon future taking full account of flood risk
- 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.

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.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 66 states that applicants will be expected to work closely with those directly affected by development to evolve designs that take account of the views of the community.

Paras 93-108 consider the issue of climate change and flood risk:

The NPPF seeks to steer development away from areas which are at risk of flooding. However, where development is necessary, development should be made safe without increasing the risk of flooding elsewhere. A sequential approach is advocated and if, following the application of the Sequential Test, it is not possible or consistent with wider sustainability objectives for the development to be located in lower flood risk zones, then the Exceptions Test can be applied. For this to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk (informed by the Strategic Flood Risk Assessment). In addition a site specific FRA must demonstrate that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere and, where possible, would reduce the risk of overall flood.

8.2 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

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.

8.3 Development Plan

8.3.1 The Adopted Leeds Core Strategy 2014

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).
- Aire Valley Area Action Plan (adopted November 2017).
- Any Neighbourhood Plan, once adopted.

Relevant Core Strategy policies include:

- 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 the 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:
 - 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 (although it is accepted that this site abuts the city centre boundary)
- Green Space Policy G4 requires that on site provision of green space of 80sqm per residential unit, will be sought for development sites of 10 or more dwellings that are outside the City Centre and in excess of 720m from a community park, and for those which are located in areas deficient of green space. In areas of adequate supply, contributions of an equivalent value towards the safeguarding and improvement of existing green space will take priority over the creation of new areas. The document accepts that not every development site is capable of accommodating the required green space within the site boundary. The majority of these cases arise in town centre or high rise locations. In these circumstances, and taking into account the characteristics of the site, it may be acceptable to deliver the green space off-site, within the same locality, or potentially a combination of off-site and on-site.

- 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 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location. The needs of the locality can be taken into account by the submission of a Housing Needs Assessment. The range of the mix of one, two, three and four bed units is set out.
- 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. (If on site then, in this location, the number of units shall be 5% of the total number of units, 40% of these to meet the needs of households on the lower quartile of earnings and 60% to meet the needs of households on the lower decile of earnings.
- Policy H8 encourages the provision of residential accommodation designed to independent living standards for major schemes.
- Policy EC2 Out of centre proposals would normally be resisted. Exceptions would apply where ... existing commitments for office development...can be carried forward to meet the identified floorspace requirement over the plan period, unless it would be more sustainable for the land to be re-allocated to meet identified needs for other uses.
- Policy EC3 Part A: For all sites across the District outside of areas of shortfall (CR2 is outside an area of shortfall) Proposals for a change of use on sites which were last used or allocated for employment to other economic development uses including town centre uses or to non-employment uses will only be permitted where:
 - The proposal would not result in the loss of a deliverable employment site necessary to meet the employment needs during the plan period
 - OR
 - Existing buildings and land are considered to be non-viable in terms of market attractiveness, business operations, age, condition and/or compatibility with adjacent uses,
 - OR
 - The proposal will deliver a mixed use development which continues to provide for a range of local employment opportunities and would not undermine the viability of the remaining employment 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.
- Policy T1 incentivises more sustainable travel choices through travel planning and controlling the use of private motor vehicles
- Policy T2 identifies 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.
- Policy G9 Biodiversity improvements, 3 sections require (i) a net gain to biodiversity commensurate with the scale of development, (ii) landscape enhancements to existing wildlife habitats and (iii) no significant impact on the integrity and connectivity of the Leeds Habitat Network.

Other relevant Core Strategy policies include:

EN4 district heating

EN5 Managing flood risk

EN6 Waste Management

ID2 Planning obligations and developer contributions

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

Relevant saved policies are:

- GP5 all relevant planning considerations
- BD2 design and siting of new buildings
- BD5 Residential amenity. The Council is keen to promote good standards of daylight and sunlight in the interests of both mental and physical wellbeing, and in order to avoid a wasteful use of energy in providing unnecessary artificial light.

8.3.3 Leeds Natural Resources and Waste Development Plan Document 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, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Relevant policies include:

- Water 4 development in flood risk areas
- Water 6 flood risk assessments
- Water 7 surface water run-off
- Land 1 contaminated land
- Land 2 development and trees
- Air 1 all major applications required to incorporate low emission measures

8.4 Supplementary Planning Documents

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

8.4.2 Biodiversity and Waterfront Development: Objectives are to: identify and safeguard existing habitats; provide ecological design guidance on waterfront developments; provide guidance on the conservation of protected and important species; identify

opportunities for habitat enhancement, creation and restoration; encourage appropriate long term habitat management. It requires development to be set back from river banks.

8.4.3 Sustainable Design and Construction: Advocates the use of a range of measures to ensure that the best possible practices are used to ensure a sustainable environment is created.

8.4.4 Waterfront Strategy: This advocates public access to the waterfront as well as its laying out with landscape treatment, which seeks to soften the bank edge. In addition, open space oriented towards the river, uses which take advantage of the amenity offered by the river and the protection of any wildlife habitats, are also advocated.

8.4.5 Travel Plan SPD: Sets out the methodology for incentivizing the use of sustainable travel modes and advocates the use of travel plan coordinators especially across larger sites. States that 'an effective travel plan coordinator will have a budget available for offering incentives for travel by sustainable modes of travel'. A subsequent expansion of requirements to include the provision of a Sustainable Transport Fund by developers to be used on a site specific basis was approved by Joint Plans Panel in January 2016.

8.5 Other Material Considerations

8.5.1 Draft Site Allocations Plan (SAP):

Both this site and the site to the west (former Arla Foods site to the west of the Nissan Showroom) have been identified as site MX2-9 which is allocated for mixed use development which has been submitted for Examination. This allocation sets out the following:

- This site is suitable for a mixed use development, mainly housing and office, but other uses would be acceptable subject to adopted planning policy. The allocation is for a mixed-use development to include indicatively 553 homes and 41,000sqm of office development. (This allocation replicates the contents of a previous planning approval which has now expired)
- Highway Access to the Site: Suitable primary access should be provided onto the A65 that minimizes delay to public transport.
- Local Highway Network: The development will have a direct impact on the local and wider highway networks and a contribution will be required towards mitigation works.
- Flood Risk: The site, or part of the site is located within Flood Zone 3. Flood risk mitigation measures set out in the SAP Flood Risk Exception Test and site specific Flood Risk Assessment should be applied.
- Ecology: An ecological assessment of the site is required. Biodiversity Buffer (not private garden space) alongside the River Aire
- Education Provision: Part of the site should be retained for the provision of a school.

8.5.2 Kirkstall Road Renaissance Area Planning Framework: (KRRAPF):

This document is adopted as Informal Guidance for planning purposes. It aims to promote the regeneration of the area in a manner which will establish a sense of place and guide developers in formulating proposals for the re-development of land using positive urban design principles. This is underpinned by a need to ensure that a consistent approach is taken to all development in the area.

The framework area is split into a series of character areas. The area between the River and the Kirkstall Rd is allocated as the 'Kirkstall Road Riverside'. Within this area the framework advocates that the buildings are laid out in a 'flexible configuration on a grid based block pattern. Development sites/blocks and building envelopes will be determined by the requirement for public realm and safe and attractive pedestrian movement'. New buildings must contribute to the formation of these objectives by resolving:

- Appropriate height, scale and massing
- Siting and orientation
- Landscape settings
- Emphasis of corners
- Locating entrances on public access streets/paths
- Facilitating pedestrian access through the area and avoid potential conflict with traffic.

There is a requirement to create a boulevard along the A65 Kirkstall Rd corridor, to be achieved in conjunction with works already undertaken as part of the Quality Bus Initiative (QBI) and is considered to be a fundamental part of the future growth of this area.

8.5.3 Residential Amenity Standards:

The Council's aspirations for good standards of amenity and living conditions responds to guidance within the National Planning Policy Framework which states that a good standard of amenity for future occupants is one of the core planning principles. More recently the Council's Executive Board (September 2014) agreed to bring forward the Leeds Standard for Council schemes which sets out the importance of excellent quality housing in supporting the economic growth ambitions of the Council. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has yet been adopted as formal planning policy in Leeds, given their evidence base in determining the minimum space requirements, they are a material consideration in the determination of development proposals.

8.5.4 Core Strategy Selective Review (Publication Draft)

A selective review of the Leeds Core Strategy is presently being undertaken (CSSR). The CSSR includes a review of the housing requirement 2017-2033; the distribution of housing; affordable housing; housing standards; city centre green space; and climate change reduction. As the CSSR publication draft has been subject to the statutory consultation period which ended on 23 March 2018 the draft policies can be afforded some weight. In respect of housing standards this includes the introduction of new policy H9 which adopts the standards for housing unit sizes set out in the Nationally Described Space Standards.

8.5.5 Flood Alleviation Scheme 2 (FAS2):

The Council, with advice from the Environment Agency, are currently assembling a package of measures which are to contribute to flood resilience in the Kirkstall Rd corridor. This proposal is at consultation stage.

9.0 MAIN ISSUES

1. Principle of Use – loss of existing commercial uses

2. Housing Mix
3. Unit Sizes
4. Affordable Housing
5. Scale and Layout
6. Public Realm, Landscaping and Connectivity
7. Green Space
8. 24 Hour Access
9. Highways
10. Flood Risk
11. Wind
12. Habitat Protection and Protected Species
13. Required Obligations
14. CIL

This outline application is for the point of access only, with all other matters being reserved. The point of access is considered in the Highway's section at para 9.30 below. However, parameter plans and other details have been submitted to inform the likely scale, layout and nature of the development at reserved matters stage.

9.1 Principle of Use – loss of existing commercial uses

The site is located in a mixed use area which, in recent years, has seen the gradual replacement of traditional industrial sites by a wider mix of city centre type uses. On the southern side of Kirkstall Rd many of the original industrial buildings have now been demolished and the sites left vacant. This does not provide a positive image for the city on arrival along this primary western arterial route. A part of the CR2 site also contains existing commercial premises. The applicant has advised that the current occupiers are currently operating under short term leases and will then relocate once the development commences.

9.2 The application site was last used for employment purposes and therefore the application needs to be considered against the criteria set out in Core Strategy Policy EC3. The sites does not lie within a defined employment shortfall area and therefore Part A of Policy EC3 applies. Criterion (i) under Part A permits non-employment development where the proposal would not result in the loss of a deliverable employment site necessary to meet employment needs during the plan period.

9.3 The site is proposed as an allocation with the advanced revised submission draft Site Allocations Plan. The allocation is for a mixed-use development to include indicatively 553 homes and 41,000sqm of office development (despite the site being in an out of centre location). The office development is justified on the basis of the original commitment and the landowners did not make formal representations on the site for the office element to be removed.

9.4 The applicants are now seeking a residential development on the application site as part of a wider comprehensive development of residential-based PRS/PFS development, to include a much reduced element of office development in due course on the site to the east. To that end, at this stage, it is important to flag up that the level of office development proposed in the SAP will unlikely be delivered.

9.5 Notwithstanding the proposed allocation in the SAP, approval of a residential-led scheme would align with Core Strategy Policy EC2. This states that "out of centre proposals would normally be resisted. Exceptions would apply where ... existing commitments for office development...can be carried forward to meet the identified floorspace requirement over the plan period, unless it would be more sustainable for

the land to be re-allocated to meet identified needs for other uses". Current proposals for the allocation as a whole suggest a more sustainable residential-led use of land.

- 9.6 In this context it is noted that the Council's most recently published Authority Monitoring Report (AMR) identified that there were over 17 years supply of office floorspace, against the targets set out in Core Strategy Spatial Policy 9, available on current sites (allocations and extant planning permissions) as of April 2017. This has subsequently been supplemented by additional adopted allocations in the Aire Valley Area Action Plan (adopted November 2017) and would be further supplemented by proposed allocations of mixed use site in the Site Allocation Plans subject to adoption. These additional sites would take the supply to over 27 years.
- 9.7 This supply is considered sufficient to meet the Core Strategy requirement to the end of the plan period in 2028 whilst providing a suitable margin of choice of sites. Given the site is unlikely to be developed for the quantity of office development proposed in the SAP and there is considered to be a sufficient range of alternative sites, particularly in the City Centre, to meet office employment needs over the plan period, Policy EC3 A (i) is considered to have been satisfied.
- 9.8 In respect of school provision, it is noted that the site is allocated for possible school provision in the SAP. Education Services have made their position clear as set out above, that a school is not required on this site if the scheme is of the flatted format indicated. A contribution to improvements to a school in the vicinity of the site has been calculated as set out above. This is considered to be an appropriate method of providing the educational requirement generated by this site and is acceptable.
- 9.9 Housing Mix
This scheme proposes that 6% of the units contain 3 bedrooms. The relevant Core Strategy policy H4 on Housing Mix requires a minimum provision of 20% of units be provided containing 3 bedrooms across the Local Authority area. However, the policy does allow the Local Planning Authority to take into account the nature of the scheme as well as its location, and requires a Housing Needs Assessment (HNA) to be submitted to justify any exceptions. The applicant has chosen to take this course of action.
- 9.10 The submitted HNA acknowledges that the development is a high density City Centre type scheme which is largely directed towards the rental market and at young professionals. It also makes it clear that demand is likely to be for 1 and 2 bedroom units and less for 3 bedroom units. It also states that, across the whole city centre, presently the provision of 3 bed units is 1% of the total stock of 11,000 units (i.e. approximately 110 apartments are currently 3 bedroom units). This scheme, although in outline, is likely to be providing 33 no. 3 bed units alone and would provide the equivalent of approximately 30% of the number of 3 bedroom units which currently exists across the whole city centre. The scheme also proposes that a majority of the remaining units (47%) would be 2 bedroom units with 38% having 1 bedroom and the remainder (8%) as studios. The 1 and 2 bed provision indicated is broadly in line with the targets set out in the Core Strategy. However, the matter can be fully considered and addressed at Reserved Matters stage when the details of the proposal will be submitted.
- 9.11 Unit sizes
Whilst this application is in outline, the applicant has indicated that the size of the units would be broadly in line with those set out in the Nationally Described Space Standards for studios, one, two and three bedroom units. This will be considered in

greater detail at reserved matters stage and assessed against the relevant policy at the time, given that this aspect is part of the Core Strategy Selective Review.

9.12 Affordable Housing

The applicant is proposing to provide the Affordable Housing (AH) provision on site. This continues their commitment to provide the units on site as part of the CR1 approval. In respect of the units for sale, this is a fully policy compliant 5% of the units with 60% of these set at lower decile earnings levels and 40% at lower quartile levels. For the PRS units the applicant has sought to draw on the methodology applied in the CR1 application. This is that the lower decile units should be let at 25% of the market rent and the lower quartile be let at 80% of market rents. However, since the time of that approval the Affordable Housing SPD and Annex has been updated to reflect the particular requirements of the PRS sector and this has set benchmark figures for the calculation of affordable rental levels. The applicant has used these benchmark figures to derive a percentage figure against open market values and this has resulted in the following

- The lower decile rate is 40% of the market rent (compared to 25% in the current S106 for CR1)
- The lower quartile rate is 52% of the market rent (compared to 80% in the CR1 S106)

9.13 These revised percentages can then be used within the same format of obligation as those in the CR1 S106 Agreement. The applicant is proposing to make 5% of the units affordable which would be subject to the same additional obligations as CR1 comprising a Local Lettings Policy, and the provision of an annual rental level report showing how the AH units rental levels relate to comparable non-AH units.

9.14 Officers consider the following

- This would result in the affordable units being provided on site at a policy compliant 5% of the total.
- When seen across the whole CR1 and CR2 site, some 53no. units would be available at 25%, 40%, 52% and 80% of market rates, which provides a range of opportunities for tenants to be accommodated.
- The same operator will be selling/letting the affordable units and will be able to operate a consistent approach across the whole site.
- The same format of annual report can be submitted for both sites which gives consistency.
- There is no need to provide an artificial mechanism to control the annual increase in rents as it will be related to the market rental level.

9.15 The NPPF advocates that a flexible approach should be taken to the provision of AH as part of PRS developments and this is set out in the NPPG as referenced in the policy section above. Officers consider that, given the applicant also controls the neighbouring site which has a mechanism in place for the provision of AH as part of the PRS element, that the use of the L.C.C. benchmark figures to inform the AH rental levels, is an appropriate approach to the provision of AH in this case.

9.16 Scale and Layout

CR2 will occupy a prominent position on the southern side of Kirkstall Rd, which is the city's main western arterial route. The scheme relates well to the scale of buildings proposed as part of the CR1 reserved matters application, which is a reduction in scale from that approved as part of the outline. The indicative proposal

for CR2 is also of a city centre type high-rise development with a comparable percentage of open space provision to the CR1. This is considered to be appropriate and will lead to a consistency of treatment across both sites.

- 9.17 At pre-application stage Members considered that the city centre high rise approach to residential development was acceptable on this site. Officers also consider that the proposal makes the most efficient use of the available land, as opposed to a more traditional residential estate type scheme, and this is in line with the objectives for the use of urban, brownfield land, set out in the NPPF.
- 9.18 The alignment of the buildings within the site has been considered in order to create views through the scheme to assist in legibility and pedestrian permeability. The alignment of the east-west spine route allows views through to the neighbouring scheme and even on to the western edge of the city centre
- 9.19 The Kirkstall Road Renaissance Area Planning Framework sets out a number of principles which have been used to inform the design development. The proposal would provide a built frontage to Kirkstall Road which relates in height to the neighbouring CR1 scheme and sets up both, north-south and east-west, routes across the site. In addition, the proposal sculpts the form of the buildings to create interest in the roof lines. The provision of a landscaped frontage supports the objective of a boulevard along Kirkstall Road.
- 9.20 On entering the scheme the views along the linear park would lead through to the riverside open space area and the buildings beyond. This provides visual interest and a sense of arrival to the scheme. The heights of the buildings are considered to be appropriate to provide a sense of place commensurate with being located close to large areas of open space.
- 9.21 The applicant has submitted a daylight and sunlight assessment which demonstrates that the residential units would receive an acceptable amount of natural light throughout the day, given the reasonable expectations of a scheme which is of a high rise nature. Due to the orientation of the buildings few units will face due north which assists in this regard. In the context of this overall development the proposal is considered to strike the correct balance between the creation of a positive townscape and the provision of acceptable amounts of daylight and sunlight penetration to residential accommodation and open spaces.
- 9.22 As the scheme is to the north of the residential units on Holts Crest Way it would have no impact on the direct light which these units benefit from. The outlook from the units on Holts Crest Way is currently across a cleared and vacant former industrial site. This brings with it a degree of openness which is clearly temporary in nature. The proposal is approximately 60m away from the residential units on Holts Crest Way at its nearest point and this is considered to be a sufficient distance to preserve the amenity of the occupiers of these properties.
- 9.23 Public Realm, Landscaping and Connectivity
The main publicly accessible open space is proposed to be located adjacent the River Aire. This follows the pattern set by the proposed open space provision on CR1 and the existing provision on the site to the east of that. This is the most logical place to put the green-spaces as they relate to waterfront accessibility objectives and also face south-west, which is beneficial for sunlight penetration. The submitted information indicates that these are to be of high quality but would have different characteristics depending on location which would help to give each space a separate identity, being harder towards the road and softer and towards the river.

These details will be considered at reserved matters stage but the principle of varying the treatment across such a large space is supported by officers.

- 9.24 The use of high quality surface treatments to all parking areas is also supported as these will be visible from units higher up the buildings looking down on them and to visitors who will pass through them on an incidental basis. The strategy is well considered and shows that the applicant is concerned to maintain a high quality environment. All details will be controlled by condition and this aspect of the proposal is considered to be acceptable at this outline application stage.
- 9.25 The connections proposed between the neighbouring sites also means that CR2 would have easy access to the pedestrian bridge in CR1 which provides a link across to Holts Crest Way and the Leeds/Liverpool Canal towpath (Trans-Pennine cycle Route 66) beyond. To the north the spaces and connections would allow easy access to Kirkstall Rd with its Quality Bus Initiative routes both into and out of the city along the A66. To the north, routes to the remainder of the city and universities are well established.
- 9.26 As well as the connection to the neighbouring CR1 site the applicants have indicated their willingness to connect to the currently occupied car showroom site to the west both along the river frontage and mid-way into the site coincident with the east-west route. This obligation will be contained within the S106 agreement.
- 9.27 Green Space
This site just outside the city centre boundary where Core Strategy Policy G4 is relevant which advocates on site provision. The Core Strategy accepts that not every development site is capable of accommodating the required green space within the site boundary and that the majority of these cases arise in the town centre or high rise locations. However, the Core Strategy also states that, in areas of deficiency, the priority is the provision of new green space and improved green links to existing green space. It also makes clear that open space and green space include both public and private provision.
- 9.28 This proposal provides a riverside open space which is fully integrated with the development and links to further areas which are either pedestrian dominated or will be pedestrian spaces in the future. In addition, the site is to provide part of the new pedestrian and cycle riverside route which would give access to the open space on Holts Crest Way. It has been accepted that this is a city centre type of development which is providing a considerable area of publicly accessible open space. In addition the increase in open space provision as set out in the CR1 reserved matters application of 1,540 sqm means that the overall provision across both sites has been increased to approximately 35% of the total site area. It is considered that the amount and quality of the space provided fulfils the policy objectives of G4 and is acceptable.
- 9.29 24 hour access
The retention of much of the open space and routes as available for 24 hour access is clearly to be supported, as is the fact that these areas will be maintained by the developer. The extent of the 24 hour access areas, and the regime under which they are maintained, is to be included in the S106 agreement in the same manner as the CR1 site.
- 9.30 Highways

The outline part of the application is for the access only with all other matters reserved. Highways Services advise that the point of access, its design and the way that this is shown to relate to the existing highway network is acceptable.

- 9.31 The road layout, internal arrangement in respect of car parking, servicing, refuse collections and footways are all considered to be acceptable. These will be maintained by the applicant and will be included as an obligation in the S106 agreement. The off-site highways works and contribution towards mitigation measures of £73,000 have also been agreed. Car parking numbers are considered to strike the correct balance between the provision of spaces and the move towards sustainable modes of travel. Cycle parking, disabled parking spaces and EV charge points are also to be provided across the site and this is considered to be acceptable.
- 9.32 The Travel Plan includes a range of measures to promote the use of sustainable travel modes. This includes a Sustainable Travel Fund of £78,125.14 which is to be spent on a range of measures including a bike club, month-long bus tickets for new residents and car club trial. The Travel Plan includes monitoring the success of the plan and the potential to use this fund to provide alternate measures, if identified in the annual report and agreed with L.C.C. This introduces flexibility and enables a response to be made should new types of sustainable travel methods come forward. EV charging points are also included across the site. It is considered that this package of measures, will make a significant contribution to the increased use of sustainable modes of transport which adequately meets the City Council's approach to providing sustainable means of travel.
- 9.33 The part of the site which is being considered in full is functionally linked to the neighbouring CR1 site. Given the applicant is also in control of this land the functional association between the two is considered to be acceptable and ultimately ensures that both sites will have enough car parking whilst still being able to provide the high levels of public open space which the layouts indicate. In this case all highways matters are considered to have been addressed and are acceptable.
- 9.34 Flood Risk
This site is within Flood Zone 3 and therefore a Sequential and Exceptions Test have been submitted alongside the site specific Flood Risk Assessment. The site is to be developed with a very high proportion of residential floor space. It is not possible to move residential use away from the area indicated on the Strategic Flood Risk Assessment risk zone plan as most of the site is at risk of flooding (along the Kirkstall Rd frontage). However, the ground floor levels are being built up and the Flood Risk Assessment has been modelled and submitted to the EA to be considered. Subject to acceptance by the EA the site is considered to pass the Sequential and Exceptions Tests. The EA response had not been received at the time of writing this report and a verbal update will be provided at the Panel meeting.
- 9.35 In response to the FAS2 point raised by Cllr Nash at the pre-application Panel presentation and referred to in the minutes above, at that time a proposal to create a flood shelf along the northern side of the River Aire was being considered as part of the FAS 2 proposal in order to widen the river channel during times of high water. After further work by the EA and LCC this proposal has now been removed from FAS2 and therefore the potential requirement to relocate the buildings further away from the river has been removed.
- 9.36 Wind

The City Council's wind consultant, RWDI, considers the assessment for the site to be robust as set out above. At the reserved matters stage, further analysis of the wind environment within and around the site will be necessary as it will then be clear where entrances and sitting out areas are to be located in association with the ground floor mixed uses. This should include wind tunnel testing and will be used to inform the location of evergreen vegetation barriers, canopies and other architectural devices to aid pedestrian comfort. A condition will be used to ensure that this takes place at the appropriate time.

9.37 Habitat Protection and Protected species

The applicant's mitigation strategy seeks to improve the existing environment, which is a featureless hard-standing surface, and provide habitat features for various species along the river corridor as well as within the scheme itself through the provision of green roofs and landscaped areas. Conditions will be used to ensure that the measures to protect the riverside environment will be established and employed as well as introducing otter habitat features and the carrying out of bat surveys for the existing buildings on the site. This is considered to be an acceptable solution to the creation of positive habitat features and the provision of suitable landscaping along the river frontage at this outline stage.

9.38 Required 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 in line with para 9.12-9.15 of the report
 - c) Off-site highways contributions £73,000
 - d) Travel Plan initiatives to include:
 - i) £4,650 Travel Plan Review fee
 - ii) Sustainable Travel Fund of £ 78,125.14
 - e) Primary education contribution £135,756.54
 - f) Maintenance obligation for internal highway network in perpetuity
 - g) Local Employment Initiatives
- Together with such other and ancillary clauses as the Chief Legal Officer shall consider appropriate

9.39 CIL

As part of Central Government's move to streamlining the planning obligation process it has introduced the Community Infrastructure Levy Regulations 2010. This requires that all matters to be resolved by a Section 106 planning obligation have to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

- '122(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.'

Given that this is an outline scheme, and so the final floor space and uses are, as yet, not fully established, the CIL figure, generated by the land uses and floor spaces identified in the body of this report, is circa. £300,000.

10.0 CONCLUSION

- 10.1 This site will provide some 528no. new residential units on a single brownfield site in a highly accessible location on the edge of the city centre, which is an area of former industrial uses which have largely been demolished. This creates a poor arrival experience to the city centre along one of its primary arterial routes. Therefore it is likely that this proposal, along with the neighbouring CR1, will act as a catalyst for further development in this part of the city and result in a greater focus of activity and investment in the area, to the benefit of local residents, occupiers and the city in general.
- 10.2 In respect of the availability of employment land, given there is considered to be a sufficient range and number of alternative employment sites, located across the city but particularly in the City Centre, the use of this site for residential use would not undermine the requirement to meet office employment needs over the plan period.
- 10.3 The scheme offers the opportunity to provide linkages to neighbouring sites. It also provides large areas of open space which relate well to each other as well as those which would be laid out as part of the site to the east and across the river. These routes and spaces will be animated by high quality landscaping and pedestrian routes in an environment which is largely free of motor vehicles. It provides links to the surrounding network of streets and allows 24 hour access through all of the public areas. The site is clearly in a sustainable location with both public transport and river corridors running past it. The proposal accords with a range of policies at both national and local levels and is, therefore, considered to be acceptable.

BACKGROUND PAPERS:

Pre-application file: PREAPP/17/00602

Application file: CR1 approval 15/06844/OT (14 July 2016)

Application file: Otter Island (Holts Crest Way) approval - 13/05566/FU

Application file: Non Material Amendments to the original CR1 approval - 18/9/00025/MOD

**DRAFT CONDITIONS FOR PROPOSED
DEVELOPMENT AT CITY REACH, KIRKSTALL ROAD**

APPLICATION REF: 18/00622/OT

Proposal: Hybrid application for redevelopment of the site for residential (C3 and C4), including vehicular, pedestrian/cycle access, servicing, public open space, car parking, landscaping and off-site highway works (full consent sought for part of the car park element only with the remainder in outline with all matters reserved other than access)

- 1) The full application part the development, as defined by drawing ref. P22101 Rev A, 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) A plan showing the anticipated phases of the outline part of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of any application for the approval of reserved matters or any application for the approval of details required by conditions on this permission in respect of the outline part of the development. Phases of the development shall thereafter be carried out in accordance with the submitted plan, unless otherwise approved in writing by the Local Planning Authority, and any reference to `phase` or `phases` in the conditions below shall refer to the phases detailed in the plan thereby approved.

In order to accord with the provisions of the Leeds Core Strategy, Saved Policies of the Leeds Unitary Development Plan Review and the Leeds Natural Resources and Waste DPD, in the interests of amenity, visual amenity, the provision of affordable housing, pedestrian connectivity, highways safety, sustainable development, and in order that the Local Planning Authority is informed of the phasing in order that the relevant sections of the conditions may be discharged.

- 3) Development shall not commence on any phase of the outline part of the development until approval of the following details (hereinafter referred to as the reserved matters) in relation to that phase have been obtained from the Local Planning Authority,
 - a. Appearance
 - b. Landscaping (including the temporary treatment of future phases of the development)
 - c. Layout
 - d. Scale

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

Because the application is in outline only and as no details have been submitted of the reserved matters, they are reserved for subsequent approval by the Local Planning Authority

- 4) Application for approval of reserved matters for the first phase of development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for the approval of reserved matters for each subsequent phase of development shall be made within two years of the approval of reserved matters for the previous phase.

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

- 5) The first phase of the outline part of the development hereby permitted shall be implemented either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the reserved matters to be agreed for that phase whichever is the later. Subsequent phases of the outline part of the development shall be implemented before the expiration of two years from the date of approval of the reserved matters to be agreed for that phase.

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

- 6) The reserved matters shall be submitted in accordance with the approved parameter plans listed in the Plans Schedule.

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

- 7) Prior to the commencement of building works in each phase of development, details and samples of all external walling and roofing materials for that phase shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site prior to the commencement of building works, for inspection by the Local Planning Authority which shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity in order to accord with Leeds UDP Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the NPPF.

- 8) Construction of external walling shall not be commenced for each phase of development until a sample panel of all the materials to be used in the external walling for that phase has been approved in writing by the Local Planning Authority. The sample panel shall be erected on site to establish its detail including junctions between materials and jointing and pointing. The external walling for that phase shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to the completion of that phase of the development.

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

- 9) Prior to works commencing on site the following shall be submitted to and approved in writing by the Local Planning Authority:
- (i) 1:20 details of the junction between the cladding and the brick
 - (ii) 1:20 details of the balconys including soffits and materials to be used to the underside of the balconies
 - (iii) 1:20 details of the parapet wall and its capping
 - (iv) 1:20 details of the typical window reveals

All works shall then be carried out in accordance with the details thereby approved and thereafter retained on site

In the interests of visual amenity in accordance with Policy P10 of the adopted Leeds Core Strategy retained policy BD6 of the Leeds UDP (Review) 2006

- 10) Prior to the commencement of building works in each phase of development, details of the position, design, materials and type of all walls and/or fences or permanent boundary/screening treatment for that phase shall be submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected in accordance with the approved details, before the land/buildings to which they relate are occupied, and shall thereafter be retained.

In the interests of visual amenity, in accordance with Leeds UDPR Policies GP5 and LD1, Leeds Core Strategy Policy P10 and the NPPF

- 11) Prior to the commencement of building works in each phase of development full details of both hard and soft landscape works, including an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority for that phase. Hard landscape works shall include

- (a) proposed finished levels and/or contours
- (b) vehicle and pedestrian access and circulation areas,
- (c) hard surfacing areas,
- (d) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
- (e) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.). Soft landscape works shall include
- (f) planting plans
- (g) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- (h) schedules of plants noting species, planting sizes and proposed numbers/densities. All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations.

The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, Leeds Natural Resources and Waste DPD, and the NPPF.

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

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

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

- 13) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

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

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

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

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

Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site.

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

- 16) Development shall not commence until a drainage scheme (ie drainage drawings, summary calculations and investigations) detailing the surface water drainage works, as well as arrangements for its future maintenance (e.g. adoption by the Water Company), have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be designed in accordance with the Drainage Strategy, Issue 1, Doc. Ref. 110426 201, dated 04/01/2018. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP The site shall be developed with separate systems of drainage for foul and surface water on and off site.

To ensure sustainable drainage and flood prevention in accordance with Leeds UDP Review (2006) Policy GP5, Leeds Core Strategy Policy EN5, the Leeds Natural Resources and Waste DPD and the NPPF.

- 17) No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water, other than the existing local public sewer, for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority.

To ensure that the site is properly drained and, in order to prevent overloading, surface water is not discharged to the foul sewer network in accordance with saved policy GP5 of the Leeds UDP Review (2006)

- 18) Construction activities shall be restricted to 08.00 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays with no works on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

In the interests of residential amenity, in accordance with Leeds Core Strategy, Leeds UDPR Saved Policy GP5 and the NPPF

- 19) No construction works shall begin on any phase of development until a Statement of Construction Practice for that phase has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage;

- d) how this Statement of Construction Practice will be made publicly available by the developer.
- e) location of access and egress from the site and management of vehicle movements entering and exiting the site
- f) car parking for contractors staff and operatives

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

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

- 20) The site shall be developed with separate systems of drainage for foul and surface water on and off site.

To ensure sustainable drainage and flood prevention in accordance with Leeds UDP Review (2006) Policy GP5, Leeds Core Strategy Policy EN5, the Leeds Natural Resources and Waste DPD and the NPPF.

- 21) Prior to the commencement of building works in each phase of the development details of a sound insulation scheme designed to protect the amenity of the residential elements of that phase of the development from proposed and existing noise sources, shall be submitted to and approved in writing by the Local Planning Authority. The uses approved in that phase shall not commence until the approved sound insulation works have been completed, and any such noise insulation as may be approved shall be retained thereafter.

In the interests of residential amenity, in accordance with Leeds Core Strategy, Leeds Saved UDPR Policy GP5 and the NPPF

- 22) Prior to occupation of each phase, details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use commences and shall be retained thereafter for the lifetime of the development.

To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity, in accordance with Leeds UDPR Policy GP5, Leeds Core Strategy Policies T2 and P10 and the NPPF.

- 23) No external lighting shall be installed to each phase of development unless a scheme has previously been approved in writing by the Local Planning Authority for that phase, such scheme to indicate how the placement and type of fitting used has been designed to ensure the protection of the amenity of residents of the scheme, and residential occupiers outside the application site, and how each fitting will avoid

causing a hazard to users of the adjoining highway. The scheme shall be installed and retained thereafter in accordance with the approved details.

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

- 24) No phase of development hereby approved shall be occupied until a management plan for the control of vehicular movements through the site at surface level, which relates to that phase, as well as the parking spaces to be constructed with that phase, has been submitted to and agreed in writing with the Local Planning Authority.

In the interests of sustainable development, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policies T1 and T2, and the NPPF.

- 25) No phase of the development hereby approved shall be occupied until a plan, setting out the location of electric vehicle charging points, car share spaces and any car club parking spaces to be provided in that phase, has been submitted to and approved in writing by the Local Planning Authority. The charging points for that phase shall be provided in accordance with the approved details prior to first use of the car park for each phase, and retained as such thereafter.

In the interests of encouraging more sustainable forms of travel, in accordance with the NPPF, Leeds Natural Resources and Waste DPD, Leeds Travel Plans SPD, Leeds UDPR Policies GP5 and Leeds Core Strategy Policy T2

- 26) There must be no gates or barriers on any part of the access road. The location of any barriers at the entrance to car parking areas must be submitted to and approved in writing by the Local Planning Authority.

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

- 27) Prior to the commencement of building works in each phase, details of cycle and motorcycle parking, and associated facilities to include showers and lockers where required, for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle/motorcycle parking and associated facilities shall be provided prior to occupation of that phase of development and retained as such thereafter.

In the interests of promoting walking, running and cycling as more sustainable means of travel to work, in accordance with the NPPF, Leeds UDPR Policy GP5, Leeds Core Strategy Policy T1 and the Travel Plans SPD.

- 28) No part of any phase of development shall be occupied until all areas shown on the approved plans to be used by vehicles in that phase have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway in accordance with adopted Leeds Core Strategy Policy T2 and Street Design Guide SPD (2009).

- 29) The development shall be constructed in accordance with the sustainable design and construction principles set out in the submitted Sustainability Strategy by Cundall ref. 1014580-RPT-SY-005 Rev A dated 15th January 2018 hereby approved.

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

- 30) Notwithstanding the plans hereby approved, the reserved matters application for the permanent and any temporary treatment of each phase of development shall include a wind study, which shall include wind tunnel testing and shall demonstrate a safe wind environment for the intended activities. The works shall then be implemented as approved prior to occupation of that phase of development.

In the interests of safety and amenity, in accordance with Leeds UDPR Policy GP5 and the NPPF

- 31) Prior to occupation of each phase of development details of a strategy for a CCTV system to be provided within that phase shall be submitted to the Local Planning Authority. This strategy shall then be implemented prior to occupation of each phase of development.

In the interests of safety of the users of the site in accordance with saved policy GP5 of the Leeds UDP Review (2006)

- 32) Prior to the commencement of development of each phase a Construction Environmental Management Plan (CEMP:Biodiversity) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of biodiversity protection zones
 - c) Measures to avoid or reduce impacts during construction to include a programme for up to date surveys of the riverside wall and buildings with bat roosting potential prior to remediation or demolition
 - d) Location and timings of sensitive works to avoid harm to biodiversity features, including nesting birds
 - e) The times during construction when specialist ecologists need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) Use of protective fences, exclusion barriers and warning signs.

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

In order to ensure the protection of existing biodiversity features in accordance with Core Strategy Policy G9 and the NPPF.

- 33) Prior to commencement of development of each phase a Riverside Corridor & Riverside Wall Ecological Enhancement Scheme (EES) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include the following:
- a) Purpose and conservation objectives for the proposed works - to be based on Section 7 of the Preliminary Ecological Appraisal by Thomson Ecology dated January 2018, and include native shrub and tree planting at locations where there is no conflict with the rebuilt riverside wall structure
 - b) Review of the site potential and constraints
 - c) Detailed design and working methods to achieve the stated objectives to include a scheme for the provision of otter access to the site including an otter holt
 - d) Extent and location of proposed works on appropriate scale maps and plans
 - e) Type and source of materials to be used e.g. native species of local provenance
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development
 - g) Persons responsible for implementing the works
 - h) Details of initial aftercare and maintenance
 - i) Details for monitoring and remedial measures

The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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

- 34) Prior to the commencement of development within the relevant phase, a Plan shall be submitted to and approved in writing by the Local Planning Authority of summer and hibernation bat roosting features to be provided within the riverside wall. The agreed Plan shall show the number, specification of the bat roosting features and where they will be located, together with a commitment to being installed under the supervision of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the phase of development within which they are located and retained thereafter.

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

- 35) Prior to the commencement of development a method statement for the control and eradication of Japanese knotweed, Giant hogweed, and Himalayan balsam shall be submitted to and approved in writing by the Local Planning Authority. The agreed method statement shall thereafter be fully implemented.

In order to control the spread of invasive plant species.

- 36) Prior to the commencement of development of each phase, a scheme setting out the measures to be put in place in the event of an emergency flood event, including the designation of a Flood Plan Coordinator and the identification of safe route(s) to be provided into and out of the site to an appropriate safe haven during the event of flood, shall be submitted to, and approved in writing by, the Local Planning Authority. The route(s) shall thereafter be incorporated into the design and layout of the

development along with any associated infrastructure such as signage. The route(s) shall be retained as such throughout the lifetime of the development.

To ensure safe access and egress to and from the site in the event of a nearby flood in accordance with saved policy GP5 of the Leeds UDP Review (2006).

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

In the interests of residential amenity.

- 38) Means of vehicular access to and from the site shall be as shown on the approved plan ref. 3304-SK001 06 rev.B unless otherwise agreed in writing by the Local Planning Authority

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2, T5 and T6.

- 39) Development shall not commence until details of the proposed method of closing off and making good all existing redundant accesses to the development site have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed before the development is occupied.

To ensure the free and safe use of the highway in accordance with the adopted Leeds UDP Review (2006) policy T2.

- 40) The vehicular access gradient shall not exceed 1 in 25 for the first 10m and 1 in 20 (5%) thereafter, unless otherwise agreed in writing by the Local Planning Authority.

To ensure the free and safe use of the highway, and in the interests of disabled access in accordance with the adopted Leeds Core Strategy and the adopted Street Design Guide SPD (2009).

- 41) Development shall not commence until details of the off site highways works on Kirkstall Rd have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully implemented prior to occupation of the scheme hereby approved.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

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

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

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

To ensure that the site is safe and suitable for use.



