



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 27th April 2017

Subject: Planning Application 16/05198/FU

Proposal for demolition of existing buildings and construction of multi-level development comprising 224 apartments and commercial unit with associated parking and landscaping, at Land At Corner Of Whitehall Road And Springwell Road, Holbeck, Leeds, LS12 1AW

Applicant: Citylife

Electoral Wards Affected:

Beeston and Holbeck

Yes

Ward Members consulted
(referred to in report)

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 (and any others which he might consider appropriate), and following completion of a Section 106 Agreement to cover the following additional matters:

- **Affordable Housing commuted sum of £634, 474**
- **Employment and Training for Local People**
- **Contribution of £15,000 Traffic Regulation Order (including car club space);**
- **Contribution of £5,000 Loss of revenue for lost parking space for Car Club space;**
- **£15,000 Car Club fund for residents;**
- **£38,900 Sustainable Travel Fund; and**
- **£3,120 Travel Plan Monitoring fee.**

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

Conditions

1. Time limit – 3 years.
2. Development to be carried out in accordance with approved plans.
3. Section 106 agreement.
4. Wall, paneling and roofing materials to be submitted and approved.
5. 1:20 section of junctions and window reveals to be submitted
6. Vehicle areas laid out prior to occupation.
7. Cycle parking.
8. Construction Management Plan to be submitted and approved prior to commencement of development
9. Provision for contractors during construction.
10. Development not to commence until drainage drawing, calculations detailing surface water have been submitted to, and approved in writing.
11. Development not to commence until Ground Floor levels, including basement entry level have been submitted to, and approved in writing by the Local Planning Authority.
12. Full Landscaping (including tree, planting, surfacing and boundary treatments).
13. Landscape management plan to cover maintenance of all new landscaping for the first 5 years, and the management of on-site open space and areas of landscaping not within individual plots for the lifetime of the development.
14. Specialist landscape management for the lifetime of the development to cover all landscaping upon the private roof terraces.
15. Details of extraction ventilations systems form ground floor uses to be submitted to, and approved by the LPA.
16. Details of Grease Trap
17. Details of bin storage and enclosures.
18. Deliveries including refuse collection restricted to 08:00 to 20:00 Monday to Friday and 08:30 to 16:00 on Saturday with no deliveries on Sundays
19. Hours of Ground floor uses restricted between 08:00 and 23:00 hours
20. Limit of 55dB at the nearest noise sensitive premises to plant and machinery
21. Submission of Phase 2 contaminated land survey
22. Amended remediation statement in the event of unexpected contamination.
23. Verification reports following remediation.
24. Importing of soil (to be tested)
25. Removal of asbestos
26. No construction or deliveries to be understand outside the hours of 08:00 and 18:00 Mondays to Saturdays

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel for a decision. The application was previously presented to Members of the City and Strategic Panel on 7th July 2016, to gain Members views on the emerging plans, at the pre-application stage. The main concern of members was the fact that some flats did not meet with the national described spacing standards. The plans have since been revised to make the 2-bed flats larger in size, so that now all of the units meet with the national spacing standards (on lower levels of occupancy). The number of units has also increased by 9, from 215 units to 224. This has been achieved by having an additional floor to the lowest part of the building. The lowest part of the building is now 4 storey's in height, not 3, as previously proposed at the pre-application stage.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site lies at the junction of Whitehall Road, Springwell Road and Springwell Street, in an inner city part of Leeds, which is located in an area of transition just outside the boundary of the city centre. The site is also located along the Whitehall Road corridor, which is a main vehicular route, heading south-west from Leeds Train Station. The site is currently occupied by a low rise, industrial shed type buildings. It is not clear what the previous use of these buildings were. The form of these buildings is considered to be poor and there is no objection to their demolition.
- 2.2 The site lies in area which historically was characterised by heavy industry and the railway. As the historical industries have ceased, many nearby sites have been cleared and benefit from planning consent for large, new mixed uses which are predominantly residential blocks.
- 2.3 The most notable site nearby is the Green Bank site which lies directly to the north of this site, across the adjacent train line. The Latitude building at the former Doncaster Monk Bridge site lies nearby on the opposite side of Whitehall Road. Heading north, towards Leeds Train Station, there is a number of large scale office currently under construction along the Whitehall Road corridor, such as Wellington Place, and recently completed developments include a new Premier Inn hotel, and a large mixed used development 'Central Square' on the former Lumiere site. Directly south of the site is a relatively modern 4 storey mixed use block which accommodates a carpet and sandwich shop on the ground floor, with flats above.
- 2.4 The western edge of Holbeck Conservation Area and Holbeck Urban Village lies approximately 300m to the east of the site. Holbeck itself lies about 400m to the south west. The site is unallocated through the Leeds UDP.

3.0 PROPOSAL

- 3.1 The proposal is for a new residential apartment block, which steps up in height, from 4 storeys up to 16 storeys, with ground floor commercial units. The proposal comprises of 224 apartments, some with external roof terraces. The proposal is to be constructed from brick. It is proposed for all apartments within the block to be Private Rental Sector model (PRS model). This is a model where the freehold of the building is retained and all the apartments would be owned and managed by a sole company, and only available on the rental market.
- 3.2 The proposal comprises of the following residential units.
- 45 x studio apartments
 - 95 x one bed apartments
 - 69 x two bed apartments
 - 15 x three bed apartments
- 3.3 Two of the flats on each floor have a sizable external roof terrace (created by the stepped form of the building), these vary in size but most offer spaces between 36 sq m and 42 sqm. 53 parking spaces are proposed for the apartments. The parking area is located to the rear of the building and has a landscaped deck roof which will offer the future occupiers a further sizable external amenity area, which is approximately 650 sq m in size.
- 3.4 The ground floor includes two cycle store areas at 100 sq m and 31 sq m, two other stores at 35 and 48 sq m each, two offices each at 33 sq m, a plant room at 66 sq

m, and a 520 sq m of commercial space divided into two units (160 sq m and 384 sq m) with the following uses - A1, A3, A4, B1.

4.0 HISTORY OF NEGOTIATIONS AND PLANNING HISTORY

- 4.1 Officers have had one pre-application meeting with the developers and their professional team in June 2016. This was also attended by highways and design officers. At the meeting the proposal to redevelop the site was welcomed and advice was given on housing mix; elevation treatment; need to be in accordance with the Tall Buildings SPD; landscaping of the site and the building; parking numbers; access matters; trip generation; affordable housing provision (5% of total) etc. The applicants were also informed of need to address potential obligation issues including affordable housing, greenspace, Travel Plans etc. and the need to undertake wind study analysis and impact on views.
- 4.2 The developers presented this proposal to Holbeck Neighbourhood Forum on 14th May, where Councillors Gabriel and Ogilvie were in attendance. The emerging plans were presented to City Plans on 7th July 2016.
- 4.3 There is no relevant planning history to this site which is concerned with the comprehensive redevelopment of the site.

5.0 PUBLIC/LOCAL RESPONSE:

- 5.1 The application was publicised by site notices which were posted adjacent to the site on 1st September 2016. An advert was also placed in the local press on 23rd September 2016. To date, the only representation received to the application has been from Leeds Civic Trust, who has confirmed their support to the application. The points made in their letter, are highlighted below.
- The scheme is 'trailblazing' in a unloved corner of Holbeck
 - Support new people living in central Leeds City Council
 - Hope the traffic island in front of the site is closed, and turned into a small pocket park
- 5.2 All three Ward Members, Councillors Congreve, Ogilvie, and Gabriel have confirmed their support to the application.

6.0 RELEVANT PLANNING POLICIES

- 6.1 National Planning Policy Framework (NPPF)
The National Planning Policy Framework (NPPF) came into force in March 2012 and represents the government's commitment to sustainable development, through its intention to make the planning system more streamlined, localised and less restrictive. It aims to do this by reducing regulatory burdens and by placing sustainability at the heart of development process. The National Planning Policy Framework (NPPF) sets out the Governments 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.

The NPPF 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.
- Encourage the reuse of existing resources, including conversion of existing buildings.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

The NPPF states that LPA's should 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). LPA's should normally approve applications for change to residential use where there is an identified need for additional housing in the area (para 50).

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and achieves standards of amenity for all existing and future occupiers of land and buildings. One of the core principles is the reuse of land that has previously been developed. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50).

On 6 March 2014 the Government launched the National Planning Practice Guidance, which brought together most national planning guidance and circulars under one web-based resource.

Development Plan

6.2 The Leeds Core Strategy was adopted by the Council on 12th November 2014. This now forms the development plan for Leeds together with the Natural Resources & Waste Plan and saved policies from the UDPR. A number of former UDP saved policies have been superseded by Core Strategy policies and have been deleted as a result of its adoption. Appendix 1 of the Core Strategy provides a full list of 'deleted' UDP policies and policies that continue to be 'saved' (including most land use allocations). Relevant Saved Policies would include:

- Policy BD2 (Design and siting of new buildings)
- Policy BD5 (All new buildings and amenity)
- Policy GP5 (All planning considerations)
- Policy LD1 (Landscaping)

6.3 Relevant Core Strategy Policies include:

- Spatial Policy 7 – Sets out the spatial distribution of the district wide housing requirement between Housing Market Characteristic Area. The site is in the City Centre HMCA with a requirement to provide 10,200 units (2012-28) Being consistent with the site allocation in the draft AVLAAP, the proposed development will contribute to the achievement to the housing targets set out under both the above policies.

- Spatial Policy 8 states that training/skills and job creation initiatives would be supported by planning agreements linked to the implementation of appropriate developments given planning permission.
- Spatial Policy 11 – Transport Investment Priorities – 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 EC3 – Safeguards existing employment land and industrial areas unless specific criteria are met.
- Policy H2 – New housing development on non-allocated sites & Policy T2 accessibility requirements – refers the capacity of infrastructure and accessibility standards in Appendix 3. Links to local shops, primary schools, secondary schools, parks and employment locations are important.
- Policy H3 – Density of development. A minimum density target of 65 dwellings per hectare is set for edge of centre locations.
- Policy H4 says that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location.
- Policy H5 – Affordable Housing. The affordable housing requirement would be 5% of the total number of units, with 40% for households on lower quartile earnings and 60% for households on lower decile earnings
- Policy EC3 Safeguarding existing employment land and industrial areas.
- Policy G4 – Open space requirements. Outside the City Centre the normal requirement is 80 sqm per dwelling. The delivery of a proportionate amount of open space per dwelling, both private and shared communal, and the provision of public realm, is important and is currently being discussed with the developer. Contribution to specific off-site greenspace enhancements to mitigate a shortfall on-site may be required.
- Policy G9 Biodiversity improvements
- Policies EN1 & EN2 Policy set targets for CO2 reduction and sustainable design & construction, including meeting the energy and carbon emissions reduction targets of the former Code for Sustainable Homes Level 4 and at least 10% low or zero carbon energy production on-site.
- Policy P10: Good design appropriate to its scale and function.
- Policies T1 and T2 identify transport management and accessibility requirements for new development.

6.4 Natural Resources & Waste Plan

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. Policies regarding flood risk, drainage, air quality,

trees, and land contamination are relevant to this proposal. The site is within the Minerals Safeguarding Area for Coal (Minerals 3) and Sand and Gravel (Minerals 2).

6.5 Relevant Supplementary Planning Guidance includes:

- SPD Street Design Guide
- SPD Travel Plans
- SPD Building for Tomorrow Today: Sustainable Design and Construction
- SPG Neighbourhoods for Living
- SPD Parking
- Tall Building Design Guide SPD 2010
- Emerging Holbeck Neighbourhood Plan (Draft May 2016) encompasses the following matters;
 - Need for affordable housing.
 - Need for single bedroom properties, larger family homes (4 beds plus) and independent living facilities.
 - Provision of pedestrian and cycle links, and green corridors, along with active frontages. Encourage cross links between Holbeck and Holbeck Urban Village.
 - Encouraging a mix of uses in appropriate areas, improving look of the area, enhanced public realm.
 - The application site is marked as for general employment/commercial uses, within the strategic green infrastructure, and the small triangle of land in the road junction to the front is earmarked as local green space.

Other material considerations

6.6 Vision for Leeds 2011-2030

One of the aims is that by 2030 Leeds' economy will be more prosperous and sustainable. This includes having a skilled workforce to meet the needs of the local economy, and creating significant job opportunities. The vision also states that Leeds will be a great place to live, where local people benefit from regeneration investment, and there is sufficient housing, including affordable housing, that meets the need of the community.

6.7 The Leeds Standard

The Leeds Standard was adopted by the Council's Executive Board on 17 September 2014. The introduction of a Leeds Standard seeks to ensure excellent quality in the delivery of new council homes under three themes: Design Quality, Space Standards and Energy Efficiency Standards. It sets out how the Council can use the Leeds Standard in its role as Council landlord through its delivery and procurement approaches. 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 Leeds Standard sets out the importance of excellent quality housing in supporting the economic growth ambitions of the council.

7.0 MAIN ISSUES

- Principle of Development
- Design / Landscaping Matters
- National Spacing Standards/ Level of Amenity Offered to Future Occupiers
- Car parking provision and accessibility

- Over-looking/ Over-shadowing
- Wind Issues
- Affordable Housing
- S106
- Conclusion

APPRAISAL

7.1 Principle of development

The principle of this application lies with development of an under-used site, which is currently used for parking and storage, on an unallocated site, for a predominately residential use. The site lies just outside the boundary of Leeds city centre, on a strategic route (A58) in and out of the city centre which leads to Leeds Train Station. It is considered that the proposal accords with both national and local planning policy on new build housing, and developing and regenerating brownfield sites, within existing urban areas.

7.2 SP4 of the adopted Core Strategy identifies South Leeds as a Regeneration Priority Programme Area, where priority is given to improving housing quality, affordability and choice. Policy SP6 identifies the need for 70,000 new homes within Leeds over the Plan period from 2012 to 2028, with 500 per annum being delivered from small and unidentified sites. It is considered that the proposal will make an important contribution towards housing delivery and complies with policy SP6.

7.3 Policy H1 of the adopted Core Strategy states that 65% of new housing, within the first 5 years of the plan period (2012- 17) should be delivered on brownfield sites. Policy H2 supports new housing development on non-allocated land providing that:

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

It is not considered that the proposal exceeds the capacity of transport, educational and health infrastructure. Highways have raised no objections to the proposal with regard to the impact on the local highway network, this issue is discussed in full later in this report in paragraph 7.22. CIL contributions would be made available to provide additional health care and education provision. Given the size of the units proposed, and location of the development it is considered the demand on education provision would be very minimal. It is also considered the proposal complies with the adopted Accessibility Standards. The site lies adjacent to the boundary of the city centre and is within a 10-15 minutes' walk to local services both within the city centre and Holbeck. Imgram Road Primary School (within Holbeck) is within a 20 walk and direct bus service from the site, and Ruth Gorse Academy, Black Bull Street (secondary school) is also within a direct 30 minute walk from the site.

7.4 Policy H3 states that in 'fringe' locations such as this, housing development should meet or exceed 65 dwellings per hectare. This site has an area of 0.3 hectares, and 224 apartments are proposed. This works out at a density of 746 units per hectare, which is way in excess of the minimum density requirements, and provides a very efficient use of the site.

7.5 Although the proposed development does provide a mix of unit sizes, the number of 3 bed units is under the minimum requirements of policy H4. The table below highlights Policy H4 (Housing Mix) outlining the suggested min. and max levels of accommodation sizes and the proposed mix of accommodation:

Size	Max%	Min%	Target%	Actual Number	Actual %
1 bed	50	0	10	140	62.5
2 Bed	80	30	50	69	30.8
3 bed	70	20	30	15	6.7
4 bed	50	0	10	0	0

7.6 As can be seen the proposal does not provide for the target identified in Policy H4 however it does reflect the draft neighbourhood plan, which calls for single bedroom properties, larger family houses (4 beds +) and independent living facilities. Whilst the proposal does not provide the latter two, it would not necessarily be felt appropriate to have larger family housing within such a flatted scheme due to the lack of immediate outdoor amenity space. Given the proximity to the city centre, it is likely that the demand for single room units would be higher and could help to take the demand away from the existing larger terraced properties in Holbeck which are under threat of conversion to HMO's and flats.

7.7 The principle of this application is very much supported. The proposal would regenerate an unused brownfield site, which is located in a very sustainable location. The proposal would provide a new quality building, pushing the regeneration of this part of Holbeck further south along the Whitehall Road corridor, and the development has the potential to act as a catalyst to promote further regeneration in this part of Holbeck, and provide a new link, activity and focal point between the new developments which are sited to the east and within Holbeck Urban Village, such as Tower Works and the new developments situated along the Whitehall Road corridor. The proposal would provide an active ground floor frontage, and a degree of interaction with the street scene.

Design / Landscaping Matters

7.8 The proposal steps up in height from 4 storey to a peak of 16 storeys (81m). It is considered that the proposal complies with the general design principles of the adopted 'Tall Buildings' SPD which is that the site would provide a gateway along one of the routes to the train station, at the end of an existing ribbon of tall buildings that stretches out along Whitehall Road (including buildings still under construction or proposed). The design has taken on-board comments made by Officers at the pre-application stage, with regard to the building being constructed from a single brick material, this is contextual to Leeds. It is considered having a single brick material as opposed to a mixture of brick colours, gives the building an increasing simple and elegant appearance. It is considered that the panels located to the side of the windows, within the recessed window openings should be a simple linear appearance as opposed to some of the more complicated and heavily patterned options. It is also considered that the windows arrangements within the recessed sections which have been simplified, also create a gentle and simple pattern within the elevations, which aids the quality of the development.

7.9 The elevation has as a very simple ordered appearance. The brickwork grid creates a frame for identical openings in which the windows and recessed brick panels sit. Variety is created, both with a subtle change in window type, and the introduction of

a coloured panel set in place of the brick recess. Windows are vertically proportioned, high performance, dark grey PPC aluminium framed. They are set within an equal opening that is split into three equal sections of which either double doors, 2 x single windows, or a single window sit. The remainder is predominantly a recessed brick panel with the exception of approximately 30% that is replaced with a coloured panel to add interest and variety. It is considered the rising height of the building, from 4 storeys to 16, reduces significantly the mass of the building and creates visual interest, whilst creating a striking landmark building which successfully provides assimilation with the relatively low heights of the surrounding buildings.

- 7.10 It is noted that the building will appear tall within the context of the current surroundings, which comprise of low rise warehouses and cleared sites. However it is important to note that this section of the Whitehall Road corridor is likely to change in the future. Pre-application discussions have commenced on the opposite site, which was occupied by Polestar printers for a high density residential scheme. Members will recall a pre-application presentation which was given recently on 27th October 2016, upon the former Doncaster Monkbridge site, for a residential block which reaches 21 storeys in height, which lies on the opposite side of Whitehall Road, to the north-west.
- 7.11 The planting of trees along the Whitehall frontage is again something which is very much welcomed by Officers and will continue the boulevard theme of tree planting which is emerging along Whitehall Road. Nearby recent developments such as Whitehall Place and Latitude (Doncaster Monkbridge site) have all included tree planting along Whitehall Road. This also fits with the aspirations of the emerging Holbeck Neighbourhood Plan to provide 'green corridors'. This will contribute towards the quality and perception of the Whitehall Road as a main route leading to and from Leeds Train Station.
- 7.12 The Landscape Officer has raised concerns regarding the longevity and health of the landscaping which is proposed for the roof terraces due to the exposed location and heights of these areas. Further details on this landscaping have been submitted including information on trees types and soil volumes. These details confirm both evergreen and deciduous trees are to be planted on the roof terraces in planters which are 1m in height and offer soil volumes of 4 cubic metres, which will include an irrigation system. The wind issues of this application are detailed in full in this report in paragraphs 7.25 – 7.30. The landscaping upon the roof terraces do not part of the wind mitigation measures to ensure safe and comfortable conditions for people at ground level on the street, but its function is to reduce wind levels on these external terraces, to ensure they are useable and comfortable to the future occupiers. The maintenance of all of the landscaping within the roof terraces will require specialist care, and this will be secured by a planning condition.
- 7.13 At the pre-application stage, there was a discussion regarding the potential to include a small area of highways land, which is triangle in shape (historically accommodating a Public Convenience, now demolished) which lies between Whitehall Road, Springwell Road and Springwell Street. This discussion included closing off part of Springwell Street, to increase the area of landscaping and public realm in front of the building. Officers have queried why this scheme has not been proposed as part of this planning application. The agent has replied by stating this land is not within their control and ownership, and could be developed using CIL money with the Neighbourhood Forum by the Council.

National Spacing Standards/ level of Amenity Offered to Future Occupiers

7.14 The development offers a large communal roof terrace, above the car park, and 20 apartments have individual roof terraces. The size of the units varies from studios, to 3 bed apartments. Leeds have adopted a set of Standards, based on the Department for Communities and Local Government Technical nationally described space standards, and this applies to Council Housing. When looking at private housing schemes it is appropriate to assess the scheme against either the Leeds Standard or the DCLG standard, both will carry limited weight at the moment due to the fact that we do not yet have adopted policy for private developers. However they do provide a useful guide against which to assess the practicalities and amenity provision of a housing scheme. When the application was presented to Members at the pre-application stage, Members raised concerns on the size of 2 – bed flats as they did not meet the DCLG housing standard. The plans have been amended to address these concerns and now all the flats meet with the minimum DCLG minimum size standards.

7.15 The table below shows the size of the proposed apartments, against the DCLG Standards, it should be noted that the size standards apply to gross internal floor areas and the figures given are minimum sizes.

	Proposal – square metres (minimum size)	DCLG housing standards – square metres
Studio	31	n/a
One bed	37	37
Two bed	61	61
Three bed	74	74

7.16 The Local Government Technical nationally described space standards, does not explicitly identify the minimum space for a studio flat, i.e one which lacks a separate bedroom. Other recent approved scheme in Leeds, such as the redevelopment of Centenary House, North Street (which gained planning approval on 31.10.16) granted consent for studio flats which are 33 sq m in size. It is considered that the 31 sq m proposed in this instance is typical of the size of studio flats, which do not have a separate bedroom area. The size of the studio flats was not raised as an issue by Members when the scheme was considered at the pre-application stage.

7.17 It is noted that the bedroom sizes given here are those for the lowest number of people considered to reside in each type of accommodation. The National Space Standards provides varying sizes of accommodation depending on both the number of bedrooms and the number of occupants, so for example whilst a one bed, one person flat should be 37 sq m, a one bed, two person flat is recommended to be 50 sq m. More recently Plans Panel have been considering space standards based on the “worst case” scenario, or the maximum number of people recommended for the number of bedrooms. This ensures the unit is an appropriate size for all intended residents as it is not possible to control the number of occupants within a unit. However, at the time that this application was presented to Plans Panel at the pre-application stage this was not the approach taken, and consequently it is seen as unreasonable to insist on compliance with the larger sizes for this particular scheme. This would not prejudice the determination of other schemes on the “worst case” scenario. It is important to note this scheme does meet with minimum spacing

standards based on bedroom numbers alone, but not the maximum occupation of the bedrooms in terms of number of people.

- 7.18 It is not considered the two ground floor commercial units which total 520 sq m in size, would have an adverse impact on the residential occupiers of the upper floors. As the proposal is for an entire new build scheme, the building will be constructed to provide a noise buffer to the residential occupiers. Quite often, conflict exists between differing uses when the building is old, and been converted and there is no scope to 'design out' potential conflict issues. Within Leeds City centre there are successful examples of residential units co-existing above commercial units in mixed used developments such as Leeds Dock (formerly Clearance Dock). Conditions are recommended which relate to openings hours (08:00 until 23:00) which is considered to be acceptable within an inner-city location such as this. Other conditions including sound insulation are proposed, and further conditions which relate to extraction and ventilation equipment, should the commercial units be occupied by a hot food / restaurant use.

Over-looking/ Over-shadowing

- 7.19 The proposal will introduce a new residential block, in an inner area which historically has been an industrial and commercial area. The proposal will be significantly taller than any surrounding properties and as such there are no over-looking issues envisaged. Similarly it is not considered that the proposal would prejudice the development of adjacent sites. A distance of 20m lies to the former Polestar printing site, which lies opposite across Whitehall Road. It is likely that this site will come forward in the near future for residential development, and any development upon this site will be set within the site, and not directly adjacent to the highway, further increasing this distance. The site lies approximately 80m to the south-west, of the Green Bank site, which lies on the opposite side of the train line.

Car parking provision and accessibility

- 7.20 The scheme proposes 53 covered car parking spaces, which would equate to 23.6% parking provision. The site is located in a sustainable location with good access to public transport on Whitehall Road and is located approximately 1km (1/2 mile) to Leeds City Train Station, which is within a good walking distance. The facilities of the City Centre are also within walking distance, and there are also shops, restaurants, bars, gyms etc. along Whitehall Road and its environs. Highways have raised no objection to this level of parking. It is considered that future occupiers of this development would choose this development, due to its proximity to the Train Station and city center, and the fact most amenities are within reach, without the need to own a car.
- 7.21 It is not considered the proposal would be occupied by persons where car ownership levels are high. The anticipated low levels of car ownership are also strengthened by the type of housing proposed (flat development of a high density) is typically occupied by professionals, on a relatively short term basis, before they enter the housing market as owner occupiers. Experience within Leeds on other city center and inner city flats scheme has shown car ownership is low. It is also not considered that the proposal would lead to high levels of on-street parking surrounding the development. All of the adjacent streets are subject to Traffic Regulation Orders and the nearest unrestricted street parking lies approximately 750m away to the south. It is not considered this distance would encourage car ownership. Cycle parking is been provided at one space per unit.
- 7.22 Similarly, due to the low levels of car ownership within the site, it is anticipated that the Vehicular Trip Generations will be low. Using methodology based on

comparable flats, on developments over 80 units and town and edge of center locations, it is anticipated there would be 40 vehicular movements in the AM peak, and 42 in the PM peak.

7.23 The following off-site highway works have been agreed with the agent as part of the development proposals.

- £15,000 Traffic Regulation Order (including car club space);
- £5,000 Loss of revenue for lost parking space for Car Club space;
- £15,000 Car Club fund for residents;
- £38,900 Sustainable Travel Fund; and
- £3,120 Travel Plan Monitoring fee.

7.24 Highways Officers have also requested funding at a cost of £65,000 to fund a pedestrian/ toucan crossing at Whitehall Road, opposite the site. The applicants have declined to make this contribution stating it is not required to make the development acceptable in highway terms. It is not considered the application could be resisted on this ground alone. There is a crossing located approximately 192m away, further along Whitehall Road which offers a safe place for pedestrians to cross. At present the opposite side of Whitehall Road is derelict site, which was formerly occupied by the Polestar Printworks site, and suffered considerable fire damage in October 2016, during demolition works.

Wind Issues

7.25 The application has been supported by a full wind study, given the fact the proposal is for a tall building, in an area which is characterised by low rise buildings. Leeds City Council appointed ARUP as consultants to review this wind study. The study tested the existing situation, the situation with the proposed building, and the situation with the proposed building and mitigation measures. The methodology used demonstrates that by adding the building wind conditions across the site are made windier than exists already.

7.26 The increase in wind conditions can result in what is termed as “uncomfortable” conditions which should be avoided. The windier conditions are caused by channeling, corner accelerations and downdraughting as a result of the new building. During the summer months conditions are typically calmer overall. The roads around the site are also affected, and in the case of Whitehall Road, where it is proposed to site commercial units, then the channeling of wind down here will result in wind conditions that are too windy to be comfortable for people strolling through the area (due to the presence of retail units). Around the area of the southern stairs channelling between the blocks results in wind situations which are uncomfortable (this is described as wind that is a nuisance for most activities and wind mitigation is recommended). The podium communal roof terrace recorded winds as sitting and standing conditions which is considered acceptable. The rooftop terraces had wind conditions suitable for sitting and standing use. As sitting uses are generally desired in private amenity spaces the aim is therefore to achieve a sitting comfort level so mitigation would be required. This has been done with landscaping,

7.27 With regard to safety concerns these are measured by finding areas of Strong winds (over 15m/s for comparison this equates to Beaufort Force 7, near gale conditions when whole trees are in motion). A number of areas around the building were identified as exceeding the safety threshold.

- 7.28 The consultants have then implemented mitigation measures and tested the effects that these have on wind conditions in and around the new building. The mitigation strategy includes the following measures:
- Main building set back 1.5m on Whitehall Road frontage.
 - Three storey high undercut at the northern corner.
 - Northern corner chamfered.
 - Deflector canopy at the north western façade consisting of six, 4m square deflectors angles at 60 degrees (6.4m in height).
 - Twenty 6m high evergreen trees at ground level on Whitehall Road and to the north of the Proposed Development.
 - Porous screens near the northern corner at thoroughfare edge.
 - 3m wide by 6m high porous screen to south of the billboard on site boundary.
 - 2m high porous fence around the northern site boundary.
 - Southern stairs removed and a screen.
 - Billboard rotated to face Whitehall Road.
 - 5m high deciduous trees on the podium.
 - Hedges and trees have been added to balconies.
- 7.29 Revised plans have been submitted which include amendments and alterations to include these mitigation measures. The applicants have confirmed the proposed wind baffles are on land within their ownership and not upon the adopted highway. The impact of these mitigation measures was to reduce wind levels to those deemed appropriate for the area being measured. Perhaps most importantly however was that the mitigation measures resulted in there being no instances of wind speeds over the 15m/s safety threshold for more than 2.2 hours per year.
- 7.30 The report is considered to be thorough and appropriate and has been revised in line with Arup recommendations and it is considered to overcome issues of wind concern.

Affordable Housing

- 7.31 Due to the site location, in a 'fringe' location (zone 4), following the advice of policy H5 of the adopted Core Strategy, the development would need to provide an Affordable Housing contribution of 5% provision. The applicants have stated due to the fact the development is contained within one single block, which would have shared service charges, it is unlikely a Social Registered Landlord (SRL) would be willing to take units within this development. Generally SRL's only take on flats when they are contained within their own block, so they are not subject to separate third party management and services agreements, which can be costly. It is considered more appropriate in this instance to accept a commuted sum towards Affordable Housing provision.
- 7.32 This approach is too accepted by Leeds City Council's Executive Board, who on the 22nd March 2017 endorsed an approach which recognises that the acceptance of commuted sums from Build to Rent (BTR) schemes may be appropriate and justified in accordance with Core Strategy Policy H5. Members may also recall at the previous Plans Panel meeting on 6th April 2017, the issue regarding the approach of accepting a commuted sum over on-site provision on large PRS/ BTR development was discussed in detail and explained by Officers on a scheme at Wharf Approach, Granary Wharf Car Park. The value of this commuted sum has been subject to much negotiation between the agent and Officers in Asset Management. All commuted sums are evidence based on sales values.

- 7.33 This commuted sum has been based on the PRS/ BTR value of the flats, rather than their value as open market housing. This approach accords with the requirements of the SPG3: Affordable Housing Supplementary Planning Guidance Annex Note at paragraph 5.3 with regard to the methodology for calculating off site commuted sums, whereby the calculation of the market price of the property(ies) minus the benchmark price equals the amount of subsidy the developer pays for affordable housing. The sum is therefore fully policy compliant and accords with long established practice.
- 7.34 The methodology of how a commuted sum is calculated for a PRS/ BTR development is currently under-going a review by colleagues in Asset Management as it is a growing, new emerging type of housing development within Leeds, and to date there is only one benchmark figure used, which is based on another established PRS/ BTB scheme in Leeds, Indigo Blu (which is located opposite Crown Point Retail Park). A workshop with Members is also due to take place in the near future on this topic. However until this work is complete, the methodology, and accepted benchmark figure used on calculating the affordable housing commuted sums on other recent PRS/ BTR schemes at Wharf Approach, Granary Wharf Car Park and the former Yorkshire Evening Post site, will also be adopted in this instance.
- 7.35 With a mix of flat sizes within this development ranging from a studio to a 3 bed unit, the 5% contribution has worked out using this sum, with a proportionate representative of the different units proposed. These calculations were based on a sale value of £185 per sq m. The commuted sum for Affordable Housing works out at £634, 474, this would be secured through a S106 agreement.
- 7.36 Whilst this is acceptable, provided the flats remain as PRS/ BTR units, The Council would expect an up-lift in value for open market flats. As a result it is proposed that, should the applicant decide to sell just one of the units within the first 10 years of the development, then the further payment of £240, 800 (in addition to the commuted sum of £634, 474) would be made to the Council. This is based on the assumption that the sale prices within this development would reach £205 per sq m on the open market. This sum has been based on evidence of the sale prices of other comparable development in city fringe locations.

Section 106 Obligations and CIL

- 7.37 The proposal would be subject to the Community Infrastructure Levy (CIL) which is estimated at £63,750 based on the current proposal (this excludes the ancillary ground floor commercial uses, as it is unknown what use class will occupy this space).

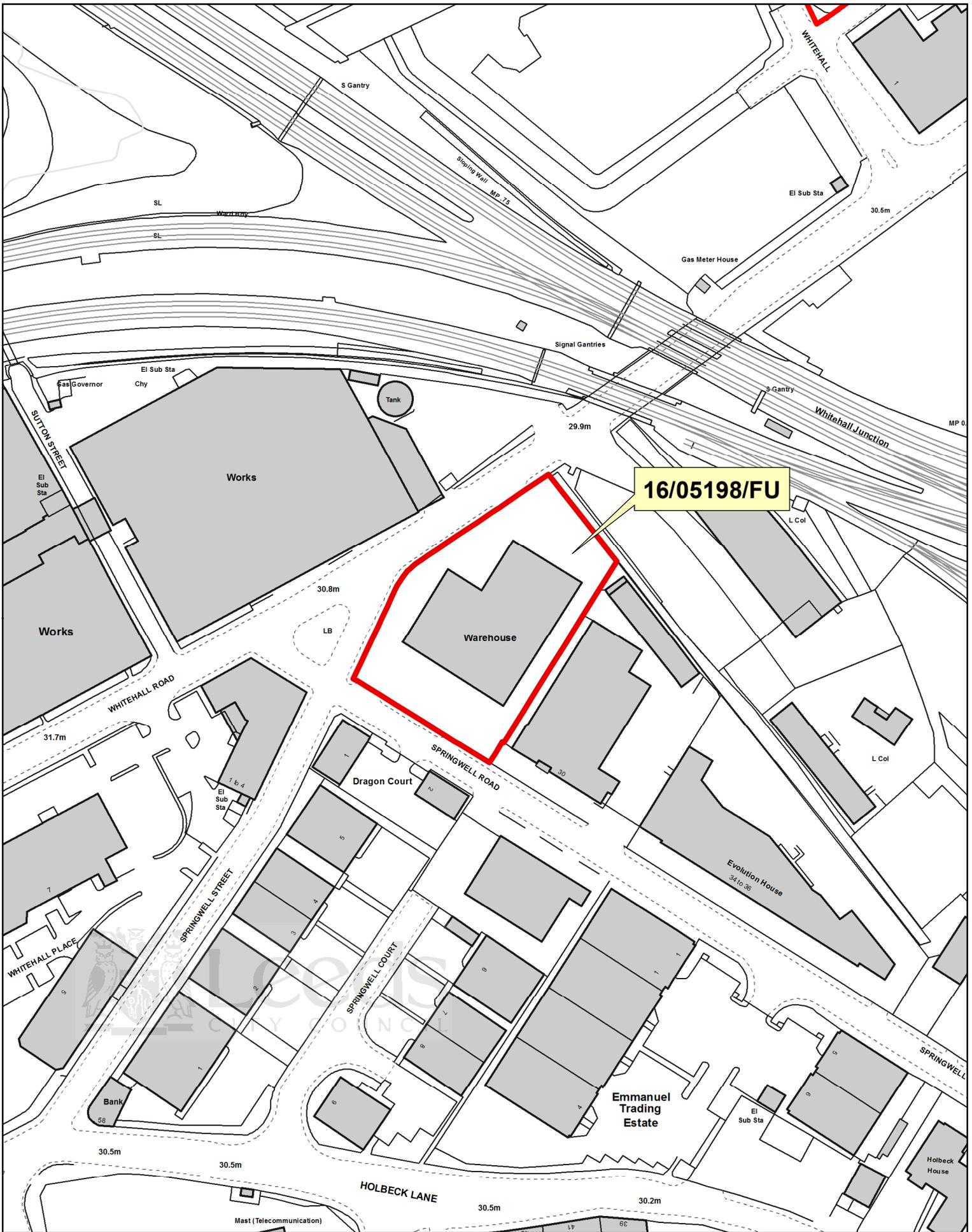
Adopted policies would result in the following necessary Section 106 matters:

- Affordable Housing – commuted sum of £634, 474
- Specific travel plan measure contributions to be agreed
- Travel plan monitoring fee
- Off-site greenspace contribution in accordance with Policy G4
- Cooperation with local jobs and skills initiatives
- Management fee

- 7.38 Other obligations may become apparent during the progress of any application, e.g. off-site highway works, metro contributions.

8.0 Conclusion

This scheme is a significant regeneration opportunity that will contribute positively to the regeneration of Holbeck and provide a striking, landmark building along the Whitehall Road corridor. The development is likely to act as a gateway into the city centre along Whitehall Road, but could also catalyze further redevelopment of the area to the west leading into Holbeck and bringing new investment and job opportunities. The proposal will provide quality new residential accommodation, upon a brownfield site, contributing towards housing delivery. The proposal also offers significant CIL contributions and commuted sum towards affordable housing. The proposal is recommended for approval subject to conditions,



CITY PLANS PANEL

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