



## Report of the Chief Planning Officer

### *City Plans Panel*

Date: 13<sup>th</sup> September 2018

**Subject: Planning Application reference 18/03033/FU for demolition of existing buildings and construction of a mixed-use residential scheme comprising up to 928 apartments, ancillary ground floor commercial uses, car parking and public realm set over 5 buildings of 6-20 storeys at 123-125 Hunslet Road, Hunslet, Leeds LS10 1LD**

**Applicant**

X1 Developments Ltd.

**Date Valid**

14.05.2018

**Target Date**

21.09.2018

**Electoral Wards Affected:**

**Hunslet and Riverside**

Yes

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**DEFER and DELEGATE to the Chief Planning Officer for approval subject to the lifting of Highways England's holding direction regarding the impact of the proposed development on the strategic highway network, the conclusion of discussions with the Environment Agency regarding flood modelling, and the specified conditions set out in Appendix 1 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:**

- **5% Affordable housing pro-rata mix split 60:40 lower decile:lower quartile in accordance with the adopted policy for the area**
- **Residential travel fund for Travel Plan measures £229,680**
- **Travel plan monitoring fee £6,640**
- **Public access to and maintenance of routes and spaces within the site**
- **Cooperation with local jobs and skills initiatives**

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

## **1.0 Introduction:**

This application is brought to City Plans Panel because it relates to a proposed major residential development on vacant brownfield land in the South Bank of the City Centre.

## **2.0 Proposal**

- 2.1 The applicants X1 are keen to promote the creation of a new neighbourhood to complement nearby Leeds South Bank regeneration proposals including the City Park. X1 state that they would make all flats available for private leasehold sale, retaining the freehold long term and managing the whole scheme directly from an on-site office with 24-hour security.
- 2.2 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 proposal would feature a hierarchy of hard and soft amenity spaces including publicly accessible amenity space at ground level, private ground floor forecourt gardens and terraces, shared residents-only courtyards at first floor level 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).
- 2.3 Block 1 would consist of 127 flats in an L-shaped block facing Black Bull Street. The block would be part 8, part 12 storeys, with a first floor private communal terrace for residents only. The building would be faced in red-brick and would be set back from the northern boundary to the Ruth Gorse Academy by some 15m in order to provide a wide landscaped pedestrian and cycle route through the site. The block is also set by around 7.5m from the footway to Black Bull Street to allow soft landscaping tree planting similar to that at the College of Building opposite, as well as front garden terraces for the stacked two-storey townhouses. There would be a gym and café facing into the courtyard, along with a bins store and secure cycle store.
- 2.4 Block 2 would consist of 166 flats in an L-shaped block facing Hunslet Road and Chadwick Street, to form an enclosed public courtyard with block 1. The building would be part 8, part 6 and part 10 storeys in height, with a first floor communal garden space and with a 15m wide, 6m high oversail above the service vehicle route. The façade would be red brick with recessed soldier course detailing around the windows, with either Juliet or recessed frameless glass balconies. The top two floors would be framed in a lighter treatment of anodized aluminium. The internal elevations to the courtyard would be a white ceramic framework with recessed windows and balconies. There would be a ground floor retail/café unit facing onto the pedestrian link from the corner of Black Bull Street and Hunslet Road.
- 2.5 Block 3 would be sited on the south eastern side of Chadwick Street and wrap around the junction of Sayner Road and Hunslet Road and include 194 flats. It would be part 6, 8, 9 and 10 storeys in height, with red-brickwork framing to the Hunslet Road and Sayner Lane elevations, a double height brick framework to the top two storeys with recessed balconies.
- 2.6 Block 4 would face onto Chadwick Street and the junction with Armouries Drive. It would feature 210 flats, a gym and a café at ground floor, 10 ground floor car parking spaces, along with bin stores, cycle stores and plant rooms.

- 2.7 Block 5 would be located at the junction of Sayner Road, Chadwick Street South and Armouries Drive, and would step from 6, 8, 10 storeys up to a 20 storey glass tower in unitised glazing panels with clear glazing, two shades of look-a-like glazing and perforated ventilation panels, and provide 231 flats, with a gym, 15 car parking spaces, bin stores, cycle stores and plant rooms at ground floor.
- 2.8 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 in the total 928 flats would be as follows:
- 280 one bed flats (30%)
  - 433 two bed flats (47%)
  - 215 three bed flats (23%)
- 2.9 All flats would meet the overall flat sizes prescribed within the Nationally Described Space Standards.
- 2.10 X1 have committed to providing 5% affordable housing provision on site split 60% lower decile price and 40% lower quartile price in accordance with the current adopted policy for the area. This equates to 46 flats made up of 14 one-bed flats, 22 two-bed flats and 10 three-bed flats. The phasing plan indicates that the affordable housing would be in block 3. Should the development not proceed to Phase 3, and therefore the affordable housing is not delivered, then a clawback mechanism would lead to an off-site commuted sum proportionate (5%) to the development built to that stage. There are 293 units in phases 1 and 2 (127 in phase 1 and 166 in phase 2 - 15 affordable units in total). Upon the delivery of Phase 3, all affordable housing will be provided on site in the locations identified on the plans, which have been proposed in a range of locations around the building to ensure a pepper-potted tenure-blind approach, subject to future agreement with a Housing Association through the Section 106 agreement.
- 2.11 At ground floor facing onto the courtyard spaces there would be a community room, management office (250sqm), a gym (535sqm) and 550sqm flexible A1 retail/A2 financial and professional services/A3 cafe/B1 office uses, with no more than 200sqm A1 convenience retail.
- 2.12 The raised podium in the centre of the scheme would be achieved by closing Chadwick St at the Hunslet Road junction. This would unify the two parts of the site 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 Chadwick Street South. Car parking would be provided at the ground floor of block 2 and at the ground floor and basement level under blocks 3, 4, and 5. 320 car parking spaces (34% of the maximum Parking SPD standard for dwellings in this area of the City Centre) would be provided. 13 car parking spaces would be provided above ground along Chadwick Street for visitor parking.
- 2.13 A minimum of 10% energy generation would be developed through on site low carbon energy sources including roof-top solar panels. The scheme would also deliver a reduction of at least 20% below the current building regulations target for carbon emissions. The applicant is in discussions with the Council regarding the potential connections to the District Heat Network.
- 2.14 The application is supported by the following documents:

- Scaled building and landscape plans
- Planning Statement
- Design and Access Statement
- Statement of Community Engagement
- Air Quality Assessment
- Biodiversity Assessment
- Daylight/sunlight Assessments
- Drainage Strategy
- Flood Risk Assessment
- Energy Strategy
- Lighting Assessment
- Heritage Statement
- Land contamination report
- Coal Recovery Report
- Coal Mining Risk Assessment Report
- Noise Assessment
- Transport and Travel Plan
- Sustainability Statement
- Ventilation Report
- Visual Representations (included within Design and Access Statement)
- Wind Studies

### **3.0 Site and Surroundings:**

3.1 The site is currently a vacant brownfield former car sales and repair garage of 2.4 hectares either side of Chadwick Street, bounded by an unsightly galvanised palisade fence. Further to the north and east are residential and office blocks at the mixed use development Leeds Dock, including the part 6, part 20 storey Clarence House residential tower. To the north of the site are the 3 storey Malthouse and Small Mill offices. The Malthouse and Small Mill are considered to be undesignated local heritage assets. The areas to the south, east and west are known as the 'education hub' including the three storey Ruth Gorse Academy, Leeds College of Building Campus, Grade II listed Leeds City College Printworks Campus, and Grade II listed Leeds University Technical College (Braime's). Further to the east of Black Bull Street is the former Tetley brewery site, part of which has approval in principle from City Plans Panel for a mixed use development including the City Park. The site lies within the designated City Centre, in the South Bank and Aire Valley regeneration areas, and flood risk zones 2 and 3.

### **4.0 History of Negotiations**

4.1 Four pre-application meetings took place with planning, design, highways and landscape officers and the applicant's professional team in 2017/18. The applicant undertook their own pre-application publicity which began on 12 March 2018 and included a leaflet drop to local businesses, residents and Ward Councillors and a public exhibition on 22 March 2018. The proposals were made available to view on a dedicated public consultation website. A letter was also distributed to approximately 350 site neighbours on 27 April 2018. The responses to the applicant were generally positive and are summarised in their submitted Statement of Community Engagement.

4.2 Ward Councillors were consulted at pre-application stage on 13th April 2018. Councillor Nash had no objection in principle to the redevelopment of the site subject to demonstration that the proposed heights are appropriate in the context of the surrounding area.

4.3 The applicant's professional team made a pre-application presentation to City Plans Panel on 10 May 2018. Members gave the following feedback:

- 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
- 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

## **5.0 Relevant Planning History**

5.1 None

## **6.0 Public/Local Response:**

6.1 Planning application publicity

- Leeds City Council website (Public Access) 14.05.2018
- Site Notices posted 22.05.2018
- Press Notice published 01.06.2018
- Hunslet and Riverside Ward Councillors consulted by email 23.05.2018

6.2 Comments have been received from:

6.2.1 Leeds Civic Trust generally welcome the plans to re-use the disused site for housing and the proposed principles of the scheme such as the closure of Chadwick Street, the respect given to heritage buildings and the extensive public realm. They particularly welcome the high proportion of three-bed flats given the proximity to Ruth Gorse Academy and the future potential primary school nearby. However, they feel the following issues should be addressed:

- the visual relationship of the tallest tower with Clarence House and the taller buildings approved in principle in outline for the former Tetley site, and suggest a range of verified views should be provided, with and without other proposed tall buildings with views from Crown Point Bridge and John Smeaton Way included.
- access to the car parks is deep into the site and places more traffic onto the central shared street, a two-way ramp closer to the northern end of the site would be better
- there should be more acknowledgement of routes into the surrounding areas including Hunslet Stray
- the provision of three-bed flats and stacked townhouses are welcomed however the rear access to the properties would be via a long corridor which would be unattractive, and the front access from the street would be subject to road noise and pollution
- the proposed play area should be more centrally located so it can be overlooked more
- the proposed commercial units should face the street onto Black Bull Street and Hunslet Road to attract passing custom

6.2.2 Neighbouring landowner Yorkshire Design Services, The Small Mill, Chadwick Street (to the north of the site) have no objections to the overall development proposal and consider that it will add to the character and the vitality of the area positively. However they would like to raise some issues regarding construction noise and vibration and the landscaping to the boundary with the Small Mill offices. The proposed ground level in the new development will be higher than the existing

level at the Small Mill and they suggest the introduction of a hard-paved boundary treatment directly adjacent to our property, railings to an appropriate height, the stepping away of tree positions and where appropriate the substitution of larger species with those of a smaller mature stature so that they can safely maintain and access their building and avoid undue overshadowing to their offices.

6.2.3 A local resident at Clarence House, Leeds Dock, to the north of the site, supports the redevelopment of the site in principle, however has concerns regarding the following matters:

- Overshadowing and loss of daylight to flats at Clarence House
- Wind impact
- Consultation with local residents at pre-application stage was not widely publicised
- The tenure of the development is buy-to-let only which will not provide opportunity for people to buy homes and more likely to attract families.

## **7.0 Consultations**

### **7.1 Statutory**

#### 7.1.1 Coal Authority

No objection. A planning condition is recommended which would require the submission and approval of a detailed site investigation and any necessary remedial works.

#### 7.1.2 Environment Agency (EA)

The EA have no objection to the modelled assessment approach, however they cannot recommend approval until further clarification on the climate change allowances used in the submitted model have been considered at 30% and 50%. Discussions are on-going at the time of writing and a verbal update will be given at Plans Panel.

#### 7.1.3 Highways England

Highways England broadly support the proposed scheme. However they require a fuller understanding of the potential impacts arising on the Strategic Road Network (SRN) as a result of the development before they can provide a full formal response. A Transport Assessment (TA) has been submitted in support of the application, however Highways England require further modelling to be undertaken by the developer to confirm their conclusions that this development will have no material impact on the Strategic Road Network. Discussions to address the above comments between the applicant, the Council and Highways England are ongoing at the time of writing the report, and progress will be updated verbally at Panel.

### **7.2 Non-statutory**

#### 7.2.1 Leeds City Council (LCC) Conservation Team

No objection.

#### 7.2.2 LCC Transport Development Services

Highways officers have advised that the proposal is acceptable in principle, subject to the considerations in section 10.5 of this report.

#### 7.2.3 LCC Flood Risk Management

No objection subject to a condition that requires full details of a surface water drainage scheme, and that the development is carried out in accordance with the submitted flood risk assessment.

#### 7.2.4 LCC Nature Conservation

There should be no significant nature conservation concerns with the application proposal.

- 7.2.5 LCC Environmental Studies (Transport Noise)  
No objection subject to a condition requiring details of a sound insulation and dwelling mechanical ventilation scheme.
- 7.2.6 LCC Environmental Studies (Air Quality)  
No objection subject to air intakes for the mechanical ventilation system being located on the roof or elevations away from Hunslet Road and Black Bull Street.
- 7.2.7 LCC Environmental Health  
No objection subject to conditions.
- 7.2.8 West Yorkshire Police  
No comments to make on the application.
- 7.2.9 Yorkshire Water  
No objection subject to conditions regarding surface water drainage.
- 7.2.10 Historic England  
Historic England do not wish to offer comments and suggest that the Local Planning Authority seeks the views of its specialist conservation advisers.
- 7.2.11 Leeds-Bradford Airport  
No objection
- 7.2.12 Atkins wind consultants  
The independent peer review of the submitted wind tunnel test report concurs that the proposal would not lead to adverse safety concerns, subject to the installation of all prescribed mitigation measures in accordance with the details as tested in the wind tunnel model.

## **8.0 Relevant Planning Policies**

### **Statutory Context**

- 8.1.1 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 Policies Unitary Development Plan Review (UDPR) 2006
  - The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015)
  - Aire Valley Leeds Area Action Plan (AVLAAP, Adopted 2017)

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) also needs to be addressed when assessing this proposal.

### **Development Plan**

#### **Core Strategy**

8.2.1 The Leeds Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. Relevant Core Strategy Policies include:

- Spatial policy 1 location of development
- Spatial policy 2 hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture
- Spatial policy 3 role of Leeds City Centre
- Spatial policy 4 regeneration priority programme areas
- Spatial policy 5 Aire Valley Leeds urban eco-settlement
- Spatial policy 6 housing requirement and allocation of housing land
- Spatial policy 7 distribution of housing land and allocations
- Spatial policy 8 economic development priorities
- Spatial policy 9 provision for offices, industry and warehouse employment land and premises
- Spatial policy 11 transport infrastructure investment priorities
- Spatial policy 13 strategic green infrastructure
- Policy CC1 City Centre development
- Policy CC2 City Centre south
- Policy CC3 improving connectivity between the City Centre and neighbouring communities
- Policy EC2 office development
- Policy P8 sequential and impact assessments for main town centre uses
- Policy H3 density of residential development
- Policy H4 housing mix
- Policy H5 affordable housing
- Policy EN1 carbon dioxide reduction
- Policy EN2 sustainable design and construction
- Policy EN4 district heating
- Policy EN5 managing flood risk
- Policy G9 biodiversity improvements
- Policy P10 design
- Policy P11 heritage
- Policy P12 landscape
- Policy G1 enhancing and extending green infrastructure
- Policy G5 open space provision in the City Centre
- Policy T1 transport management
- Policy T2 accessibility requirements and new development

### 8.2.2 **Saved Unitary Development Plan Review policies (UDPR)**

Relevant Saved Policies include:

- Policy GP5 all planning considerations
- Policy BD2 requires that new buildings complement and enhance existing skylines, vistas and landmarks.
- Policy BD5 states that a satisfactory level of amenity for occupants and surroundings should be provided.
- Policy LD1 identifies the criteria for landscape schemes.

### 8.2.3 **Natural Resources & Waste Local Plan**

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

- Air 1 management of air quality through new development
- Water 4 development in flood risk areas
- Water 6 flood risk assessments



- Water 7 surface water run-off
- Land 1 contaminated land
- Land 2 Trees
- Minerals 3 coal

#### 8.2.4 **Aire Valley Leeds Area Action Plan (AVLAAP)**

The site lies within the boundary covered by the AVLAAP which has been adopted in accordance with Core Strategy Spatial Policy 5. The site lies within the South Bank character area of the plan and is allocated for mixed use development under site reference AV9 with a significant proportion of housing (at least 191 dwellings), with a range of other acceptable uses defined under Policy SB4 (employment uses that are complementary to housing, hotels, education, small scale convenience retail, cafes, bars, leisure, community uses, cultural uses or other appropriate uses subject to consideration of other policies). Aire Valley Leeds is one of the largest regeneration and growth opportunities in Leeds City Region (LCR). The South Bank sub-area has potential to deliver landmark development of national and European significance, including a re-integrated southern half to Leeds City Centre, a new City Park for Leeds, educational facilities and new sustainable housing.

#### 8.3 **Relevant Supplementary Planning Guidance includes:**

- South Bank Leeds Regeneration Framework SPD
- Parking SPD
- Accessible Leeds SPD
- Street Design Guide SPD
- Travel Plans SPD
- Tall Buildings SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD

#### 8.4 **National Planning Policy Framework (NPPF) July 2018**

The NPPF sets out the Government's planning policies for England and how these should be applied (para 1), and is a material consideration in planning decisions (para 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para 38). The Framework sets policies on the following issues which are relevant to this planning application proposal (including section numbers):

- 2 Achieving sustainable development (paras 7, 8, 10, 11, 12)
- 4 Decision making (paras 38, 39, 40, 41, 43, 47, 48, 54, 55, 56, 57, 58)
- 5 Delivering a sufficient supply of homes (59, 63, 64)
- 6 Building a strong competitive economy (80)
- 7 Ensuring the vitality of town centres (85, 86)
- 8 Promoting healthy and safe communities (91, 92, 95)
- 9 Promoting sustainable transport (102-11)
- 11 Making effective use of land (117, 118, 119, 122)
- 12 Achieving well designed places (124-131)
- 14 Meeting the challenge of climate change and flooding (148-165)
- 15 Conserving and enhancing the natural environment (including ground conditions para 178-179 and noise para 182)
- 16 Conserving and enhancing the historic environment (including paras 189-200 in particular relating to the setting of non-designated heritage assets)

#### 8.5 **Other material considerations**

##### 8.5.1 **Core Strategy Selective Review (Submission 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 policies. The submission draft plan was submitted to the Secretary of State for Housing and Local Government on 9 August 2018 and is evidence of the Local Planning Authority's emerging policy position.

## 9.0 **Main Issues**

9.1 Principle of the proposed development

9.2 Impact of the design, scale and layout of the proposed buildings on the character of the surrounding area and the setting of nearby Listed Buildings and non-designated heritage assets

9.3 Residential quality, mix and sustainability

9.4 Highways, transportation and access

9.5 Flood risk

9.6 Wind

9.7 Planning obligations

## 10.0 **Appraisal**

### 10.1 **Principle of the proposed development**

Leeds Core Strategy policies would support a residential development in principle at this City Centre South Bank site. The site is allocated for mixed use development with a significant proportion of housing (at least 191 dwellings) and a range of complementary uses included in Policy SB4 in the adopted AVLAAP under site ref. AV9 and site specific guidance at paragraph 4.2.52. The proposal meets the site requirements set out in the policy:

- a. the provision of open space within the development in accordance with Core Strategy Policy G5. Policy G5 states that within the City Centre, open space provision will be sought for sites over 0.5 hectares for mixed use development to provide the greater area of either 20% of the total site area, or a minimum of 0.41 hectares per 1,000 population of open space. In areas of adequate open space supply or where it can be demonstrated that not all the required on site delivery of open space can be achieved due to site specific issues, contributions towards the City Centre Park and new pedestrianisation will take priority. In this case the site requirement is 0.65 hectare. The proposal would provide approximately 0.73 hectare or 30% of the site area.
- b. the provision of a shared cycle / pedestrian route through the site creating a link between Black Bull Street, Chadwick Street and Sayner Road (see section 10.3 below)
- c. a layout to promote the creation of active frontages along road frontages including Black Bull Street, Hunslet Road, Chadwick Street and Sayner Road where possible. The proposal would achieve this through small scale commercial units (Policy SB2) or townhouse front doors and habitable space.
- d. any development should preserve the special architectural interest or setting of the nearby listed buildings and undesignated heritage assets nearby (see section 10.2 below)
- e. Appropriate flood risk mitigation measures set out in the AVL flood risk exception test and the site specific flood risk assessment (FRA) should be applied. The developer has prepared an acceptable FRA in support of their planning application submission.
- f. the site is located within Phase 2 of the indicative heat network shown on Map 6 (see section 10.4 below).

In summary, it is considered that the proposal is in accordance with adopted Development Plan policy and would contribute towards the delivery of much needed new dwellings in the City Centre on a longstanding brownfield site, and deliver a number of place-making, public realm, connectivity and regeneration benefits for the South Bank.

## **10.2 Impact of the design, scale and layout of the proposed buildings on the character of the surrounding area and the setting of nearby Listed Buildings and non-designated heritage assets**

- 10.2.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 state the statutory duty of Local Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The following paragraphs assess the application against the relevant legislation, policy and guidance including paragraphs 189-200 of the NPPF. The heritage assets affected by this proposal and their significance are described in the submitted supporting documents, and are summarised at section 3 of this report. Part of the application site is currently a vacant car sales and repair premises. It is considered that the rear of the new buildings would provide an appropriately 'civic' scaled and detailed 'back-drop' to the Malthouse, Printworks and Braime's, and although taller in height, it is considered that the proposal would not dominate the setting of these buildings from the surrounding streets due to the generous spaces in between the buildings, the proposed building materials, and the overall architectural composition. The site is currently vacant and detracts from the setting of the heritage assets, which are isolated by the existing low-rise utilitarian warehousing associated with the former car dealership. Therefore it is considered that the proposal would enhance the significance and setting of nearby heritage assets in accordance with paragraphs 189-200 of the NPPF.
- 10.2.2 The scale, massing, with appropriate modern window proportions and rhythm, a vertical emphasis with a clearly defined simple "base, middle and top" order and materials including ceramic cladding, anodised aluminium clad framing, red-brick framework with recessed soldier course detailing, have been designed to complement the historical setting in a considered and contextual manner to provide a calm and neutral foil to this historic setting. The proposed brickwork treatment would provide contrasting details in a sympathetic natural material, which would highlight focal points and complement the listed buildings at the Printworks and Braime's, and also complement the materials, scale and form of the nearby recent developments, including Leeds Dock. The development would also improve existing links and create new links to connect Black Bull Street, Chadwick Street and Sayner Road, as set out in the AVLAAP.
- 10.2.3 The redevelopment of this site is considered important to the continuing regeneration of Leeds South Bank, as an extension of a well-connected, greened, liveable City Centre southwards. The proposed range of building heights and forms is considered appropriate in the context of the varying scales of development around the site – from 3 storeys at Leeds College of Building and the Ruth Gorse Academy, and the Grade II Listed Braime's Pressings (Leeds UTC) and Alf Cooke Printworks (Leeds City College), to the mixed-use Leeds Dock to the north, at generally 8-12 storeys with a 20 storey tower. It is considered the taller elements of the proposal at the corner of Armouries Drive, Chadwick Street South and Sayner Road at 16-20 storeys would be an elegant glass form, which responds to the existing street frontage and new pedestrian spaces, and forms a grouping of taller buildings along the existing Clarence House. With reference to Leeds Civic Trust's

comments, it is considered that the detailed “with and without other proposed tall buildings” longer distance views are not necessary in this case, as the building, and its future context, would be read against a back-drop of City Centre-scale buildings, and it is not considered that the 16 and 20 storey elements of this scheme would be harmful on the skyline in longer distance views.

- 10.2.4 In summary, the application proposal would promote the delivery of new housing, employment, opportunities for active ground floor uses appropriate to the character and function of the area, enhanced public realm and pedestrian connectivity, and the regeneration of an unsightly under-utilised site. With reference to the statutory requirements of the Planning (Listed Buildings and Conservation Areas Act (1990) (as amended), on balance it is considered that the proposal would enhance the setting of nearby Grade II-listed Printworks and Braime’s Pressings for the reasons described above. Therefore the proposal addresses the statutory requirements of the Planning (Listed Buildings and Conservation Areas Act (1990) (as amended), the Development Plan Leeds Core Strategy Policies P10, P11 and P12, Saved UDPR Policies GP5, BD2, LD1, and the NPPF paragraphs 189-200.

### 10.3 **Public Realm and Connectivity**

- 10.3.1 AVLAAP Policy SB1 Pedestrian and cycle connectivity in the South Bank, relates to measures to improve connectivity in the area, links to other locations in the city centre and surrounding communities and measures to reduce the physical and visual impact of vehicular traffic infrastructure. The proposed layout would provide new linkages through the site linking Black Bull Street to Chadwick Street and Chadwick Street to Sayner Road, to provide a finer urban grain, and improving connectivity across the South Bank of the City Centre. This reflects the indicative routes referred to in Policy SB1 and SB3 and shown on Map 7 of the AVLAAP and the site specific requirements under Policy AVL7, Site AV9 and paragraph 4.2.52. It is considered that the scheme would contribute to improving east-west and north-south connectivity between the City Centre and neighbouring communities and in particular would help deliver better pedestrian connections across the South Bank. All publicly accessible areas of the site, including pedestrian and cycle routes, will need to be secured as publicly accessible land in the Section 106 agreement. The scheme would also incorporate the Council’s two-way cycle superhighway along Hunslet Road and Black Bull Street.

- 10.3.2 AVLAAP Policy SB3 relates to new and enhanced green routes and spaces in the South Bank, including the provision of new greenspace, and the planting of street trees along pedestrian/cycle routes and major road frontages. This would be provided on the site by street trees and planting within the site boundary along its perimeter to Black Bull Street and Hunslet Road, as promoted in the Aire Valley Leeds Area Action Plan Policy SB3, and carried out successfully by Leeds College of Building and in part by Ruth Gorse Academy on Black Bull Street. This treatment is also proposed to Chadwick Street and Sayner Road. It is considered that the proposal for a series of routes and spaces and the balance of hard and soft landscaping within the courtyard, including raised grassed areas and planting beds, would offer a high quality treatment to the spaces in between the proposed buildings and the existing neighbouring buildings. Exact details of hard and soft landscaping, including details of tree pits and soil depths, planting plans, boundary treatments, bollards, raised planters, lighting, CCTV, landscape management and maintenance plans, and samples of surfacing materials, would be controlled by condition prior to commencement of development to ensure continuity of high quality materials and planting across the site.

10.3.3 In summary the proposed layout of the scheme would meet Core Strategy objectives in Policies CC1, P10, P11 and P12, Saved UDPR Policies GP5, BD2 and LD1.

#### **10.4 Residential Quality, Mix and Sustainability**

10.4.1 It is considered that the proposed dwellings would have an appropriate size, layout, outlook, daylight, privacy, circulation and juxtaposition of living functions.

10.4.2 With reference to Policy H4, the proposal would provide a policy compliant mix of dwelling types, including over 20% provision of 3-bed flats.

10.4.3 The applicant has committed to the targets in the current Core Strategy Policies EN1 and EN2 and would provide 10% on-site low carbon energy generation, 20% betterment on carbon emissions above the 2013 building regulations, the low water usage target for dwellings, and provision of green roofs. Core Strategy Policy EN4 District Heating identifies the potential for district heat networks to serve major developments in this area, including this site and the developer is discussing this with relevant Council officers. The applicants have indicated that later phases from phase 3 onwards may connect into the scheme.

10.4.4 Road, school, external mechanical plant noise from industrial premises (Allied Glass) have been assessed by the applicant. A sound insulation scheme would be controlled by condition, with details of an appropriate whole house mechanical ventilation system and glazing specification, to ensure that the amenities of future occupiers are acceptable.

10.4.5 As well as providing high quality hard and soft landscaped public realm throughout the site, for the enjoyment of residents and visitors passing through, private space such as balconies and resident-only communal roof terraces are proposed which would provide outdoor amenities for future residents.

10.4.6 With reference to the concerns from the local resident at Clarence House, Leeds Dock, a daylight/sunlight assessment has been submitted in support of the planning application. A revised daylight and sunlight assessment was submitted following representation from a local resident, and this used more detailed plans showing the layout of the flats in Clarence House, rather than an estimated layout. This demonstrates that the loss of light risk to these existing apartments is lower than previously predicted due to their open plan kitchen/lounges having large expanses of glazing. The assessment states that the lowest floors within the tower on floors 1-5 would still receive good levels of daylight with the proposed X1 development in place. The predicted average daylight factors are above the BRE guidelines in all cases for key rooms such as combined kitchens and living spaces. The assessment notes that the construction of the proposed development may result in some reduction in daylight to the lower floors of the tower, however, they would still meet the recognised BRE daylight recommended standard. It is also noted that the gap between Clarence House tower and the closest part of the proposal at Block 4 (16 storeys) would be some 35m away, with the tallest part of proposal Block 5 (20 storeys) being some 50m away at its closest distance. It is considered that these relationships would be acceptable, as these distances would be wider than many City Centre streets, and would be appropriate to the scale of the buildings as proposed. It is therefore considered on balance that this relationship is acceptable in privacy, visual dominance, outlook and overshadowing terms. It is considered that in the more densely built character of a City Centre location, the proposed layout and massing would give appropriate space between buildings, and not have significantly adverse effects on the amenities of neighbouring properties.

- 10.4.7 Regarding other amenity matters raised by the local resident and local business, it is considered that these potential amenity impacts can be appropriately mitigated through the imposition of planning conditions during the construction stages, including a requirement for the applicant to submit a works management plan for each phase which would include restrictions to hours of operations, restrictions on construction deliveries, workforce parking, cabins, noise, vibration, dust, mud, traffic management, and communication with local residents and businesses throughout.
- 10.4.8 It is considered that the scheme would on balance meet the residential amenity, housing mix and sustainability objectives of Core Strategy Policies CC1, H4, EN1 and EN2 and Saved UDPR Policies GP5 and BD5.

## **10.5 Highways, transportation and access**

- 10.5.1 The site is in a very accessible and sustainable location. It is in walking distance to the bus station, railway station and Hunslet Road and Chadwick Street bus stops. There are local facilities available and secondary and higher education close by. Primary education and health care currently relies upon existing facilities in the surrounding residential areas. The site meets the Core Strategy accessibility guidance. Nearby public car parking provision can be found on-street on Chadwick Street and Carlisle Road and at the Leeds Dock multi-storey car park. The surrounding area is a controlled and enforced parking zone with the exception of Carlisle Road. The applicant has satisfactorily justified their approach to residential parking provision, and demonstrate that the proposed level of car parking (34% of the total number of flats) and approach to accessibility would not result in adverse impact on highways safety or amenities. The Council's parking guidelines do not set a minimum parking requirement for development in the City Centre but requires that the development does not result in adverse highway safety or amenity issues. The proposed level of parking spaces is considered acceptable given the sustainable location of the development and the controlled nature of surrounding streets. Exact details of proposed car club parking bays, electric vehicle charging points (32 spaces), secure long stay cycle parking (612 spaces), short stay external cycle parking (25 spaces) and motorcycle parking (9 spaces) would be controlled by condition, as well the provision of a car park management plan.
- 10.5.2 The development proposes the stopping up of the southern section of Chadwick Street and other smaller areas of public highway. The applicant would need to apply to carry this out under S247 of the Town and Country Planning Act. Much of the internal street layout within the site could be offered for adoption through Section 38 of the Highways Act, which would be the Highways officers' preferred approach, as the Council would need to be protected from any future obligation to adopt and maintain any areas that will remain private. However, a clause within the S106 agreement to confirm that the developer will maintain these for the life of the development would be acceptable instead. The immediate surroundings of the site are reflective of its previous use rather than a high quality environment that will be safe and attractive to the proposed residential use and consequential increase in pedestrian and cycle movement. Whilst the site is within the South Bank, the park and other infrastructure improvements need to rollout in to the vicinity of the site. The landscape masterplan proposes an improved environment around the edges of the site, the final design will need to reflect the South Bank public realm proposals. The works to existing and widened footway and cycle track areas would be delivered by a Section 278 agreement under the Highways Act and would require adoption of additional land as public highway. Due to the changing nature of the area bounded by Hunslet Road, the River Aire and South Accommodation Road, it is considered appropriate that a 20mph zone should be promoted in the area, the

CITU development is already funding a scheme on Clarence Road. This site will increase pedestrian, cycle and vehicle movement and should fund an extension of the 20mph zone in the vicinity of the site around Chadwick Street, South Chadwick Street, Sayner Road and Carlisle Road. A planning condition would control all off-site highways works related to the development.

- 10.5.3 Vehicular access is proposed from two locations on Chadwick Street for all vehicular access to the site. The access points have requisite the visibility. One access uses Chadwick Street outside the site, the second is a modified layout of an existing access point on Chadwick Street South. Servicing and deliveries are proposed within the site and the layout allows this to occur. A service management plan is proposed within the Transport Assessment to control the activity, however this assumes control over choice of providers. In reality many deliveries will be at the request of residents including removals, large household items, food and parcel deliveries. The service management plan will need to reflect how these activities are managed. Notwithstanding the current plan a planning condition should be imposed to require a revised plan. The plan must avoid vehicles waiting on the highway to enter the site, or delivering off the highway due to difficulties accessing the site. The principle of the proposed bin storage locations are considered acceptable in terms of visual amenity (located in clearly defined bin stores, and concealed from the street scene) and highways terms. Exact details of servicing and deliveries management and refuse and recycling storage and collection would be controlled by condition.
- 10.5.4 A travel plan and monitoring fee would be secured through the s106 agreement. The Travel Plan includes a Residential Travel Fund for future residents at the site, which would include the provision of car club trial provision for residents.
- 10.5.5 The transport assessment adequately assesses the impact of the site on the surrounding highway network and confirms that the traffic generated from the development can be accommodated without a severe detrimental impact. The applicant's highways consultant states that the development would lead to small increase in vehicles on the strategic road network (M1 and M621). Highways England have requested modelling work to understand this impact further and determine if any mitigation is necessary, and if any is required what that mitigation might be. Highways England therefore request that the application is not determined until the outcome of this work. Members are requested to defer and delegate approval to the Chief Planning Officer pending the outcome of this consultation.
- 10.5.6 Subject to the outcome of the further work requested by Highways England, it is considered on balance that the proposal makes appropriate provision for sustainable means of travel and would not give rise to additional road safety or amenity issues, and the application proposal would on balance meet the objectives of Core Strategy Policies T2 and P10, Saved UDPR policy GP5 and the Parking SPD.

## **10.6 Flood Risk**

- 10.6.1 The Environment Agency (EA) has provided a response to the application confirming that is it content with the modelling approach used to assess the potential flood risk, on and off-site, arising from the development. Modelling has been undertaken on the basis of the EA's defence design that uses a 20% increase in flows with climate change. The EA has sought further clarification of the effects of 30% and 50% increase in flows in the climate change scenarios, both for

overtopping and breach. At the time of writing discussions between the applicant's engineers and the Environment Agency are on-going, and the matter will be updated verbally at Panel. Subject to confirmation from the Environment Agency that the submitted Flood Risk Assessment is acceptable including mitigation and flood warning and evacuation measures, it is considered that the regeneration benefits of the proposal would outweigh the potential flood risk on the site, in this case.

## **10.7 Wind**

10.7.1 The applicant has submitted two quantitative wind reports prepared by an appropriately qualified and experienced wind expert (RWDI), an initial Computational Fluid Dynamics (CFD) based wind microclimate study and a subsequent detailed wind tunnel study. The initial CFD based review identified a number of locations in the Development where the wind microclimate would not meet the expected comfort levels, for the intended usage. There was also an area to the south west of block 3, on Hunslet Road, where conditions exceed 15m/s for more than 0.025% of the year, which would pose a safety hazard to pedestrians. The follow-on wind tunnel study provided a detailed assessment of the wind microclimate within the development, including a range of mitigation measures that were introduced to resolve issues that were identified in the earlier CFD study. These measures would offer better wind environment conditions than at present in the development and in the direct vicinity of the development. The wind environment in the development and the surrounding area has therefore been shown to be suitable for the intended use. The proposed designed-in mitigation measures are:

- Increased height of trees on Black Bull Street by 2 – 3m (tested as not in leaf);
- Two additional 7m tall trees on Black Bull Street at north-western corner of Block 1;
- Porous screen (3m tall, 2m wide,  $\leq 50\%$  porosity) suspended perpendicular to Black Bull Street on street side of 7m tall pole at north-western corner of Site boundary;
- Turf on Chadwick Street, west of measurement locations 34 and 36, replaced with 1.5m tall dense shrubs/hedging in planter;
- Dense shrubs or hedging surrounding Block 1 café spill-out space in 'hit-and-miss' formation;
- Additional 7m tall tree on northern side of Block 1 café spill-out space;
- Planting south of Block 5 entrance undercut increased in height to 1.5m;
- Additional 1.5m tall planting to north of Block 5 entrance undercut between undercut and existing landscaping (extending from measurement location 70 to 74) with three 3m tall multi-stem trees;
- Porous side screen 2m tall protruding 1.5m from façade line on northern side of Block 5 entrance;
- Balcony stack at south-eastern corner of Block 4 northern section moved north-west by 3m.

With the development built including the above mitigation measures, the applicant's wind consultant RWDI states that the occurrence of strong winds at measurement locations 81 (entrance to Clarence House) and 240 (Hunslet Road) at the existing Site and instances of winds exceeding 15m/s for close to 0.025% of the time at measurement locations 2 (Black Bull Street) and 225 (Block 4 balcony) have been reduced such that there are no locations at or surrounding the site where winds are likely to cause distress to pedestrians. The wind report has been independently peer reviewed on behalf of the Council by Atkins and they have confirmed that the report findings including the proposed mitigation measures are reasonable. Both RWDI and Atkins state that the development including the proposed landscaping



scheme must be built in accordance with the submitted plans, as changes to the landscaping scheme, wind mitigation measures, or building massing as tested would be expected to change the wind microclimate, which may result in windier conditions than presented. It is therefore noted that any changes to the proposal is likely to require revised analysis by an experienced wind engineer. The full details of the mitigation measures would be controlled by planning condition.

## **10.8 Other considerations**

- 10.8.1 Comments from Leeds Civic Trust and a local resident refer to their preference for alternative development layouts, however the application has been made for the layout proposed, which has been assessed in the paragraphs above.
- 10.8.2 The Local Planning Authority encourages family housing within Leeds City Centre, however under planning legislation it is not able to control the tenure of the proposal, except the required 5% affordable housing. In this case the applicant has stated that the remaining 95% flats would be available on the open market for private leasehold sale.
- 10.8.3 Whilst the applicant undertook a reasonable level of pre-application publicity and consultation, it is not always possible to reach all local residents and landlords. The LPA has publicised the application in accordance with statutory requirements and the application is posted on its website, which local residents can sign up to receive alerts and track applications in their local area.

## **10.9 Planning obligations**

- 10.9.1 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.
- 10.9.2 Current adopted policies are likely to result in the following necessary Section 106 obligations:
- Affordable Housing 5% pro-rata mix, split 60:40 lower decile:lower quartile on-site, in accordance with the current policy for the area.
  - Public access to and maintenance of routes and spaces within the site
  - Residential Travel Fund for Travel Plan measures £229,680
  - Travel plan monitoring fee £6,640
  - Cooperation with local jobs and skills initiatives
- 10.9.3 The proposal would be subject to the Community Infrastructure Levy (CIL) and the initial sum calculated is £501,829.34. This is for information only and is not a material planning consideration.

## **11.0 Conclusion**

- 11.1 This scheme is a significant regeneration opportunity that has potential to contribute to the delivery of the Council's adopted place-making vision for the transformation of the South Bank area, and high quality development which would bring with it a number of new sustainable dwellings. The scheme would provide a range of flat and townhouse types and sizes, a range of active ground floor retail and food and drink units and would provide jobs both during construction and once occupied. The proposed redevelopment would also enhance the character of the surrounding area, by regenerating a prominently-located vacant, unsightly and under-utilised

brownfield site that currently does not make the best use of City Centre land and currently detracts from the setting of nearby Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that decision makers should give considerable importance and weight to the desirability of preserving special interest of listed buildings and their setting. It is considered that the proposal would enhance the setting of the Grade II listed former Alf Cooke Printworks and Braime's Pressings, and the undesignated heritage assets The Malthouse and Small Mill. The proposal is on balance in accordance with the Development Plan and national planning policy as described above. It is recommended that planning permission is granted, subject to the conditions and planning obligations set out, the conclusion of discussions with the Environment Agency regarding flood modelling and the lifting of Highways England's holding direction regarding the impact of the proposed development on the strategic highway network.

**Background Papers:**

Application file 18/03033/FU

## Appendix 1 Draft Conditions for 18/03033/FU

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 plans listed in the Plans Schedule.

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

3) The development shall be carried out in accordance with the approved phasing plan Reference .....

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.

4) No development including demolition works shall commence within a phase until a Works Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The works management plan 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 demolition and construction
- c. measures to reduce vibration during construction and demolition
- d. location of site compounds and plant equipment/storage
- e. location of contractor and sub-contractor parking
- f. traffic management of deliveries and waste removal
- g. demolition and construction activities and deliveries to site shall be restricted to 0800-1800 hours Monday to Friday, 0800-1300 hours on Saturdays, with no demolition or construction activities on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.
- h. how this Statement of Works Practice will be communicated by the developer to local residents and businesses and who from the developer team they can contact in the event of queries about the works.

The approved details shall be implemented at the commencement of work on each phase, and shall thereafter be retained and employed until completion of works on that phase. The Works Management Plan shall be made publicly available for the lifetime of the demolition and construction phase(s) of the development in accordance with the approved method of publicity.

In the interests of amenity and road safety.

5) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore below ground works 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, below ground works 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 and past coal workings is identified, risks assessed and proposed remediation works are agreed in order to make the site safe, 'suitable for use' and to protect the water environment.

6) If remediation is unable to proceed in accordance with the approved Remediation Statement for that plot, 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 plot/site shall cease unless otherwise agreed in writing by the Local Planning Authority, pending approval of an amended or new Remediation Statement designed specifically to address the relevant issue or unexpected contamination. That amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works for that plot 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 and to protect the water environment.

7) 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 and format pursuant to Condition 6 or 7 (as applicable). The plot or relevant part of the development shall not be brought into use until such time as all verification information in relation to that plot or relevant part of the development 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 and that the site does not pose any further risk to the water environment.

8) 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 have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details. No piped discharge of surface water shall take place until works have been completed in accordance with the approved details.

To ensure sustainable drainage and flood prevention.

9) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment ref ..... including the preparation of flood warning and evacuation plans for the occupants and users of the site prior to first occupation of the relevant plot or phase.

To ensure safe access and egress from and to the site, to ensure the satisfactory storage of/disposal of surface water from the site, and to reduce the risk of flooding to the proposed development and future occupants.

10) Prior to the commencement of above ground works within each phase an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme comprising:

a. a recycled material content plan (using the Waste and Resources Programme's

(WRAP) recycled content toolkit)

b. a Site Waste Management Plan (SWMP)

c. an energy plan showing the amount of on-site energy produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand

d. details that demonstrate a minimum of 20% carbon dioxide emissions reduction against Part L of the 2013 Building Regulations,

e. the implementation of the low water usage target 110 litres/person/day

The development of each phase shall be carried out in accordance with the detailed scheme approved for that phase, and

f. Within 6 months of the final occupation of each plot a post-construction review statement shall be submitted to the Local Planning Authority including demonstration that the building(s) have achieved the relevant certification.

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

In the interests of sustainable development.

11) The gradient of all pedestrian ramps shall meet BS8300:2009+A1:2010 or as amended. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of accessibility for all.

12) Prior to the commencement above ground works within each phase construction details of the proposed footway crossings along the site frontage, and details of the proposed method of closing off and making good any redundant accesses, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be constructed in accordance with the approved details and be fully implemented prior to the first occupation of that plot of the development to the satisfaction of the Local Planning Authority.

In the interests of the free and safe use of the highway.

13) Prior to the commencement of above ground works within each phase a sample panel of all external facing materials, roofing and glazing types to be used for that building work shall be constructed on-site and approved in writing by the Local Planning Authority. The external materials shall be constructed in accordance with the sample panel(s) which shall not be demolished prior to the completion of the building works.

In the interests of visual amenity and the character of the surrounding area

14) Prior to the commencement of above ground works within each phase, full 1 to 20 scale working drawing typical details of the following shall be submitted to and approved in writing by the Local Planning Authority for that building work:

a. soffit, roof line and eaves treatments

b. junctions between materials

c. each type of window bay proposed

d. ground floor frontages

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

In the interests of visual amenity and the character of the surrounding area.

15) Prior to the commencement of above ground works within each phase, a detailed acoustic assessment of each building and a noise insulation scheme, including details of any necessary whole house mechanical ventilation equipment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to protect the amenity of the residents of the proposed dwellings from noise from surrounding roads, nearby mechanical plant, nearby late-night entertainment uses and any plant or equipment associated with the approved building. The noise insulation scheme for the development shall be designed to achieve internal noise levels in living spaces not exceeding 35dBLAeq and 30dBLAeq in bedrooms at night, with peak levels kept below 45dBLAmax. The approved scheme shall be implemented prior to occupation of the dwellings and retained thereafter.

In the interests of residential amenity.

16) Prior to the commencement of above ground works of each phase, a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, shall be submitted to and approved in writing by the Local Planning Authority for each type of use in the building(s). The approved scheme shall be implemented before the relevant plot is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity, pedestrian and vehicular safety and to promote recycling.

17) Landscaping works shall not commence within each phase until full details of both hard and soft landscape works, including an implementation programme for that phase, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include

- a. proposed finished levels and/or contours,
- b. boundary details and means of enclosure,
- c. external car parking layouts,
- d. other vehicle and pedestrian access and circulation areas,
- e. hard surfacing areas including samples to be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability.
- f. minor artefacts and structures such as visitor cycle stands, furniture, play equipment, signs, CCTV and lighting
- g. proposed and existing functional services above and below ground such as drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports to ensure no conflict with proposed landscaping works

Soft landscape works shall include, where relevant:

- h. planting plans
- i. written specifications (including soil depths, , cultivation and other operations associated with plant and grass establishment) and
- j. schedules of plants noting species, planting sizes and proposed numbers/densities.
- k. details of tree pits, grilles, irrigation systems, underground root cells and soil volumes
- l. soil method statement including soil quality to BS 3882:2015 and BS 8601:2013 or equivalent quality.
- m. implementation programme

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

prior to the date agreed in the implementation programme.

In the interests of the provision and establishment of acceptable landscape, visual amenity, community safety, highways safety and sustainable travel.

18) 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 within each plot. 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 for each plot.

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

19) A landscape management plan for the lifetime of the development or each relevant phase or plot, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase or plot of the development. The landscape management plan shall be carried out as approved thereafter.

To ensure successful aftercare of landscaping.

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

To ensure maintenance of a healthy landscape scheme.

21) Prior to the commencement of above ground works within each phase a site wide plan shall be submitted to and approved in writing by the Local Planning Authority which includes details of:

- a. bat roosting features within buildings and, or public realm
- b. integral bird nesting features within buildings and, or public realm for House Sparrow, Starling and Swift.

The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a 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 dwelling on which they are located and retained thereafter.

To maintain and enhance biodiversity.

22) Prior to the occupation of each phase of the development all areas shown on the approved plans to be used by vehicles (including relevant parking areas) within that phase have been fully laid out, surfaced and drained such that surface water does not

discharge or transfer onto the highway

To ensure the free and safe use of the highway.

23) Prior to the occupation of each phase of the development hereby approved, details of a car park and servicing management plan for that phase including where relevant to that phase:

- access security measures for the site and the car parking areas within blocks
- pick-up drop off arrangements
- servicing and delivery arrangements
- disabled car parking spaces
- secure residential cycle and motorcycle parking
- residential electric vehicle charging points
- confirmation that parking spaces within the blocks shall be let only to residents at the development
- provision of three at-grade surface car club spaces including any necessary Traffic Regulation Orders
- at-grade surface car parking spaces for public short-stay car parking including any necessary Traffic Regulation Orders

shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the approved details for that phase prior to the first occupation of that phase. The plot of the development shall be operated in accordance with the approved management plan thereafter.

In the interests of sustainable travel, air quality, amenity, and vehicular and pedestrian safety.

24) Prior to the installation of any extract ventilation system or air conditioning plant details of such systems, including where relevant details of odour and smoke filtration for hot food uses, shall be submitted to and approved in writing by the Local Planning Authority. Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The systems shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997.

In the interests of visual and residential amenity

25) Any A3 food, A4 drinking establishment, leisure or entertainment-type use hereby approved shall not be occupied 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 be retained thereafter.

In the interests of residential amenity.

26) The hours of delivery to and from the non-residential premises shall be submitted to and approved in writing for each phase prior to occupation.

In the interests of residential amenity.



27) Full working drawing details of the wind mitigation measures described in RWDI report RWDI #1802585 REV B dated 27th July 2018 and shown on drawing references .....shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. Works shall be completed in accordance with the approved details prior to first occupation of the building and retained as such thereafter.

In the interests of pedestrian, cyclist and vehicular safety

28) Prior to the commencement of building works, full details for the provision of relevant offsite highways works as shown on drawing no. PL765-VW-004 and including an extension of the 20mph zone in the vicinity of the site around Chadwick Street, South Chadwick Street, Sayner Road and Carlisle Road, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed prior to first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

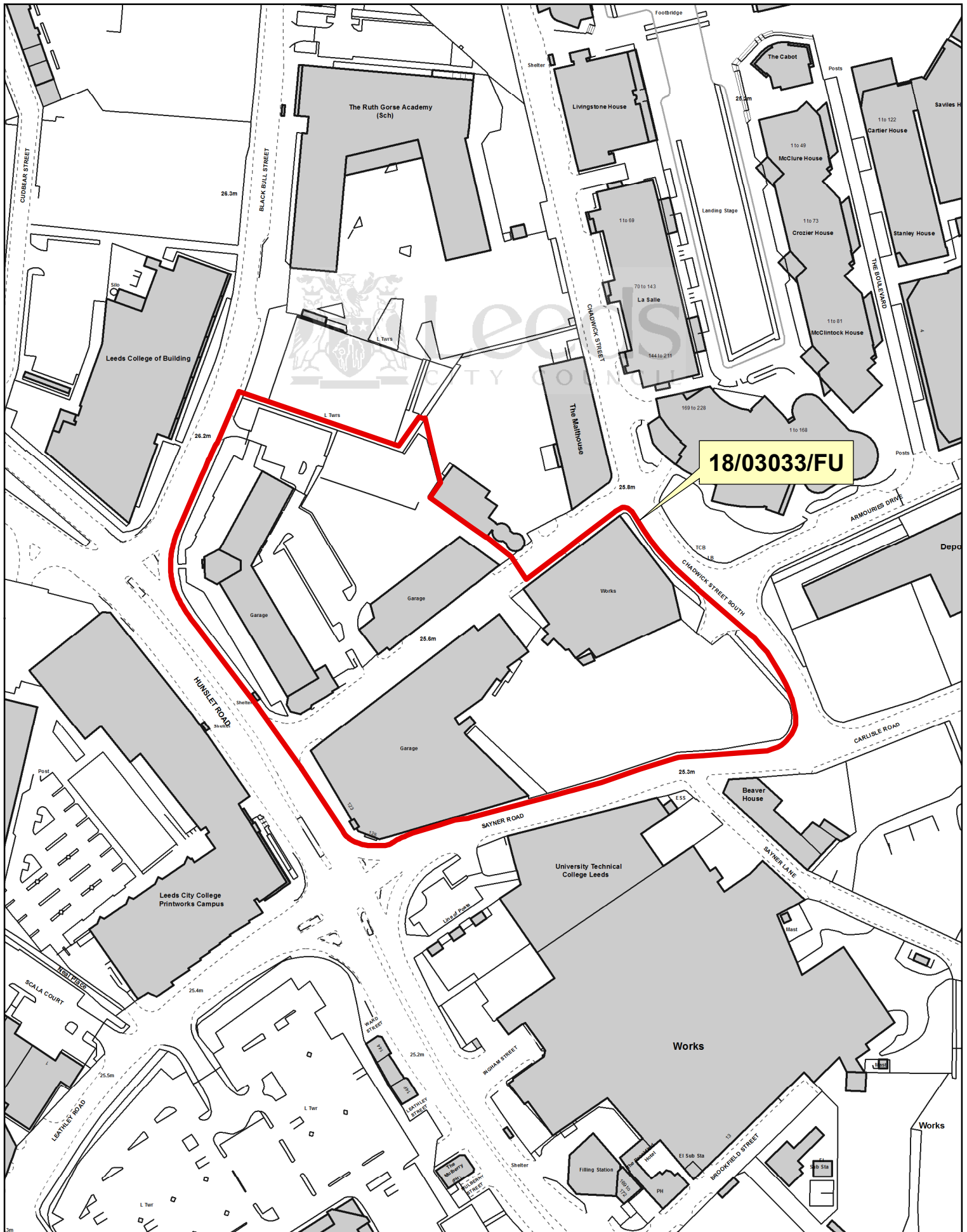
In the interests of pedestrian and vehicular safety

29) Notwithstanding the description of development, no more than 200 square metres of ground floor floorspace shall be used for Class A1 use (Retail) as defined in the Town & Country Planning (Use Classes Amendment) Order 2005 (or any order revoking or re-enacting that order with or without modification). Any A1 retail use shall only be for convenience goods only.

In the interests of the vitality and viability of existing retail centres.

30) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development ) Order 1995 (or any order revoking or re-enacting that order with or without modification) planning permission shall be obtained before any change of use of any of A3 restaurant/café or A4 drinking establishment units hereby approved, to any use within use classes A1 and A2 as defined in the Town & Country Planning (Use Classes Amendment) Order 2005 (or any order revoking or re-enacting that order with or without modification).

In the interests of the vitality and viability of existing retail centres.



# CITY PLANS PANEL

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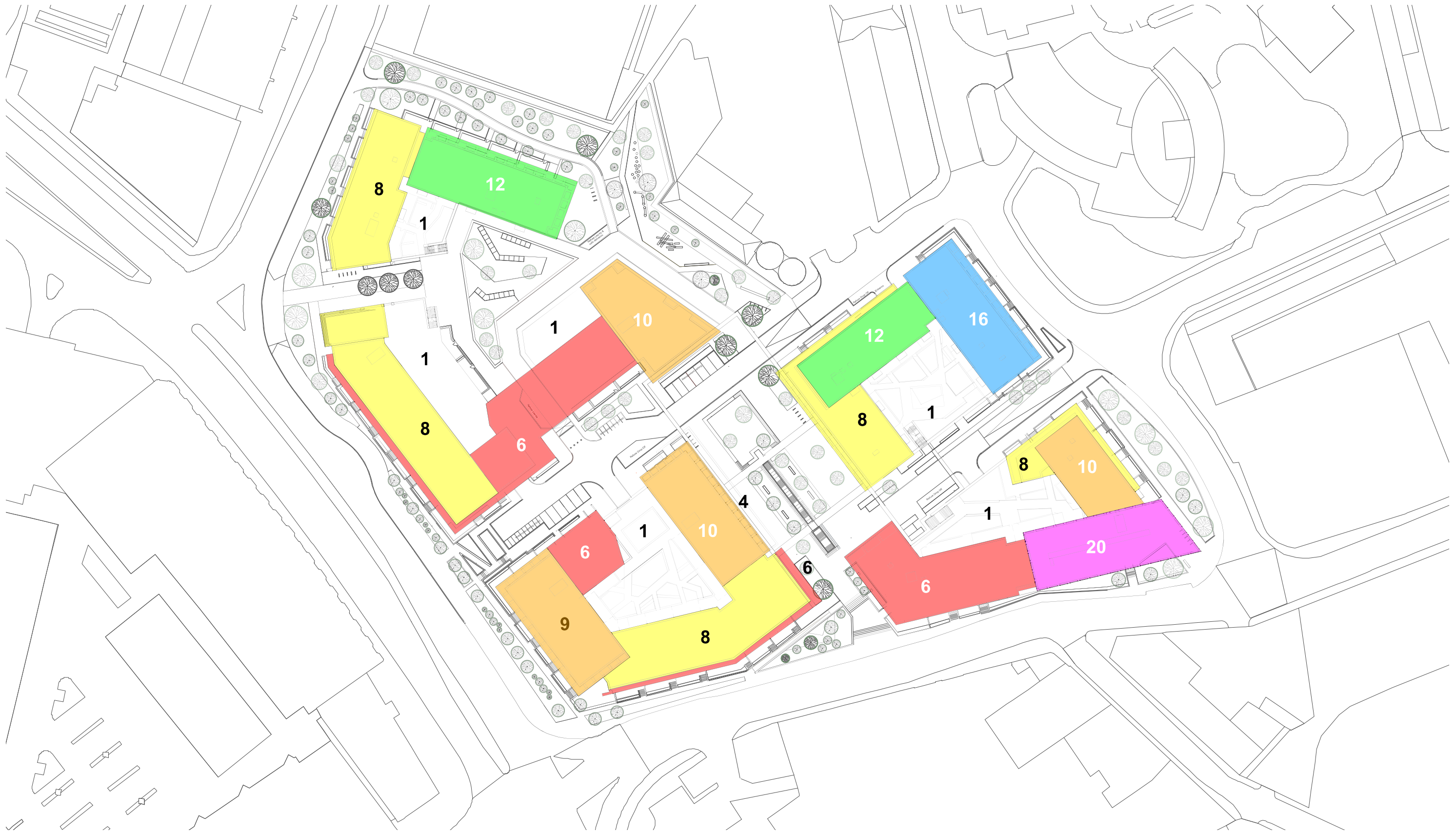
PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/2000



1247 - X1 South Bank

X1 Developments



Drawing Title: **Proposed Massing Strategy Plan**

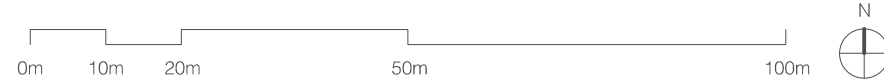
Date: 10.05.18

Drawing no: 1247 - 1140 revision: A

Scale: 1:1000 @ A3

Drawn: AA

Scale:



Key:

<span style="color: red;">■</span> 5-6 storeys	<span style="color: green;">■</span> 11-12 storeys
<span style="color: yellow;">■</span> 7-8 storeys	<span style="color: blue;">■</span> 13-16 storeys
<span style="color: orange;">■</span> 9-10 storeys	<span style="color: magenta;">■</span> 17-20 storeys

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