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**Report of the Chief Planning Officer**

***CITY PLANS PANEL***

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

**Subject: 18/02481FU – POSITION STATEMENT for Residential development, associated facilities with linked podium and landscaping / public realm**

**At Doncaster Monk Bridge Whitehall Road, Lower Wortley Leeds LS12 1BE**

**APPLICANT**

BAM Monk Bridge Ltd

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**Electoral Wards Affected:**

**Hunslet & Riverside**

Yes

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**POSITION STATEMENT**

**Members are requested to note this report on the proposal and give views in relation to the question posed in the conclusion to aid progression of the application.**

**1.0 INTRODUCTION:**

- 1.1 This is a position statement brought to City Plans Panel for the Full application submitted which follows an earlier pre-application presentation to City Plans Panel (2<sup>nd</sup> November 2017) for a multi-storey residential development (Private Rented Sector or 'PRS') on a site south of the listed viaduct which crosses through the former Doncaster Monkbridge Ironworks site off Whitehall Road in the City Centre.
- 1.2 Matters of financial viability, highway safety and wind impact / mitigation are to yet be fully resolved. Those matters will be subject of a final report. In the meantime, this position statement is presented to allow Members to comment on the proposals as submitted.

- 1.3 The scheme would comprise 463 apartments, designed by Nick Brown Architects, developed by BAM as land owners and managed as a PRS scheme in conjunction with a specialist tenant management service.
- 1.4 The development would contain an element of private landscaped and recreational space between (at podium level) and to the top of the two main residential tower blocks. Surrounding the blocks would be a small area of landscaped public realm.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The site forms part of the wider land holding owned by the applicant south of the grade II listed viaduct, which was formerly part of the wider Doncaster Monkbridge Iron & Steel works.
- 2.2 The site is located to the southwest of the commercial core of the city centre but within the defined city centre boundary. The Leeds Liverpool Canal is to the east of the site with the working railway line to the west. There is a mix of residential, commercial and industrial activities in the surrounding area.
- 2.3 The listed viaduct to the north was constructed in 1846 for the Leeds and Thirsk Railway Company. The viaduct has not been in use since the 1960s when the former Wellington train station closed and was subsequently demolished. It is in separate ownership.
- 2.4 One office building and access roads to serve the commercial plots south of the viaduct have been constructed and connected to Whitehall Road as part of previous planning permissions for the wider site but otherwise the site is cleared of all buildings.
- 2.5 The area is surrounded by a mixture of residential apartment blocks, the river and the canal, cleared land and office developments along Whitehall Road. The general theme of architecture along Whitehall Road is modern and contemporary, aside from the historic viaduct.
- 2.6 This particular section of the applicant's ownership has been previously granted Outline planning permission for 2 blocks of office development (5 and 6 stories in height), part of an overall group of 5 office blocks. Aside from Phase Red (to the opposite corner of the wider site) these have not been built out and the section of land forms part of a phased development which is now termed Phase Purple B.
- 2.7 The site is currently unallocated within the designated City Centre in the saved Unitary Development Plan Review Proposals Map. Within the emerging Local Development Framework Site Allocations plan, the Doncaster Monkbridge site is identified as a mixed use site (MX1-11).
- 2.8 The site lies in flood risk zones 1 (low risk) and 2 (medium risk).

## **3.0 PROPOSAL**

- 3.1 The proposal is for 2 blocks of residential development consisting of 17 and 21 stories set either side of a raised area of shared landscaped private amenity space. The development would total 463 residential apartments which would be specifically built for rental purposes (Private Rented Scheme or 'PRS'). The development would be retained by the applicant and managed by a Specialist Provider. The

apartments have a main pedestrian entrance set on the south side of the development.

- 3.2 The proposal includes parking space for 101 cars at ground and basement levels as well as an ancillary gym, cycle storage space (for 459 bicycles) and concierge space.
- 3.3 The buildings would be set around an area of landscaped public realm with tree planting, seating and grassed / planted areas.
- 3.4 The accommodation would consist of the following:
  - 70 x Studios (15%) (size range 31m<sup>2</sup> – 32m<sup>2</sup>)
  - 162 x 1-bedroom apartments (35%) (size range 39m<sup>2</sup> – 57m<sup>2</sup>)
  - 208 x 2-bedroom apartments (45%) (size range 62m<sup>2</sup> – 64m<sup>2</sup>)
  - 23 x 3-bedroom apartments (5%) (size range 74m<sup>2</sup> – 79m<sup>2</sup>)
- 3.5 The blocks would be identical in external materials and appearance aside from the height difference and the placement of metal wind protection baffles to a lower section of the west side of the 17 storey (western) block. The main building materials would consist of a brick structure with recessed windows creating shadow lines and a grid pattern. The roof tops would be flat with the addition of two terrace gardens to the southern sections of the top floors. These are communal spaces available to residents to book / hire sporadically throughout the year.
- 3.6 The style of the architecture has emphasis on verticality with horizontal banding. The entrances at ground floor level will be of double height, like that seen on the proposals elsewhere within the built and approved office buildings within the site.
- 3.7 Parking space is available within the ground floor and basement via ramped access provision which is reached through the southern side in between the two blocks and underneath the central landscaped (private) first floor level amenity space.
- 3.8 The applicant is proposing a total of 459 cycle parking spaces (nearly one cycle space to each apartment) in a communal facility at ground level. A communal gym space is available to all residents at this level. The level of parking space (101 spaces including 8 disabled and 11 electric with a further 12 as transferable spaces, should demand arise in the future) amounts to 22% of the total number of apartments. There are also 47 motorcycle spaces proposed.
- 3.9 The amenity space is mainly hard surfacing treatment – decking, walkways, benches with some soft planting in raised planters and trees secured through tree pit design, to give some shading and softening within the surroundings.
- 3.10 Externally landscaped designs include new benches and further trees. This would be part of the wider public realm and connects with the proposed hard surfacing set in front of the listed viaduct and commercial units expected as part of the Foundation development to the north side of the Doncaster Monkbridge site. Additionally (temporary) screening for wind mitigation is proposed to the undeveloped Phase Yellow site (in-between Whitehall Road and the site) until this site is developed (extant consent for 10-storey office block).

- 3.11 The development is expected to generate planning obligations, secured through a Section 106 Agreement, in the form of:
- Sustainable Travel Plan Fund ('RTPF') contribution of £94,592.50
  - Travel Plan together with Monitoring Fee (£4,315)
  - City Car Club contribution of £20,000 to support use of two parking spaces adjacent to development on east side (deducted from cost of RTPF)
  - Traffic Regulation Order contribution (£10,000 offered by applicant) towards access road restrictions and possibly on surrounding streets, dependent on the outcome of survey analysis to be undertaken
  - Use of local employment skills in construction
- 3.12 In respect of Affordable Housing, the applicant is offering two options (which both offer the same profit level and therefore neither is preferred):
- Option 1 – 5% of all apartments are affordable (i.e. 24 units), but instead of the affordable rent benchmarks in LCC guidance for lower quartile and lower decile households, a discount of 27.5% from market rent across all dwellings is proposed. This provides an overall percentage of affordable housing in line with the adopted Core Strategy Policy H5 overall figure.
- Option 2 – 7% of all apartments are affordable (i.e. 33 units), but instead of the affordable rent benchmarks in LCC guidance for lower quartile and lower decile households, a discount of 20% from market rent across all dwellings is proposed. This is based upon the emerging Core Strategy Selective Review overall figure.
- 3.13 However, as a result of this approach to affordable housing, which do not meet the recommended benchmark figures set out in the Council's PRS guidelines, a Viability Appraisal is being undertaken with the District Valuer (which at the time of writing is still under review by the DV and a verbal update on this will be outlined at Plans Panel) as outlined in the applicant's Planning Statement:
- "6.49 BAM has considered in detail the viability of the scheme, and how affordable housing can be delivered within this PRS scheme. An Affordable Housing Viability Statement has been submitted as part of this application. This considers and demonstrates that an adopted policy compliant provision of affordable housing is unachievable within the scheme."*
- 3.14 Further to the guidance contained within the revised NPPF (para. 64) and as outlined within the 22nd March 2017 Council Executive Board paper titled 'The development of mixed residential communities in Leeds City Centre', the individual characteristics of PRS schemes can mean that the traditional approach to securing affordable housing should be more individually assessed due to their particular characteristics.
- 3.15 For both options a policy compliant approach to pepper-potting the units across both blocks and the different floors of the development, and a pro-rata allocation across the mix is proposed. The applicants are willing to agree a Local Lettings Agreement and accept Local Authority nominations and considerations for tenancies.

#### **4.0 RELEVANT PLANNING HISTORY**

- 4.1 The site has a complex planning history and the key applications are outlined below with a brief summary provided for each.
- 4.2 06/02880/OT: Outline application to layout access and erect multi-level mixed use development for residential and office uses up to 33 storeys high, with ancillary class A1, A2, A3, A4, A5, D1 and D2 uses and associated car parking and landscaped areas, approved 10<sup>th</sup> September 2007.

This is the main application that relates to the wider Doncaster Monkbridge site (i.e. that to the north and south of the viaduct and the viaduct itself). This outline consent granted permission for five office buildings to the south of the viaduct (up to 12 storeys high), works to the viaduct to introduce commercial uses in the arches and a landscaped area on top plus four residential towers of 16, 23, 29 and 33 storeys providing a total of 720 apartments to the north of the viaduct. The principle of development, means of access and siting of the buildings were agreed and a detailed design code set the design principles and scale of the buildings. Both the residential and commercial office elements of this remain extant.

- 4.3 The following elements of the Outline consent have been progressed:

06/05718/FU: Laying out of access road and erection of 8 storey office block, with basement car parking and rooftop plantroom, approved 10<sup>th</sup> September 2007; 'Phase Red' – fronting Whitehall Road – built and occupied

08/03199/RM: Laying out of pocket park with landscaping, approved 28<sup>th</sup> October 2008. As required by the outline consent, the pocket park between the canal and river was approved and subsequently laid out.

13/02017/RM: Reserved matters application for 10 storey office block with basement car park and roof top plant room, approved 12<sup>th</sup> October 2015. 'Phase Yellow' – also fronting Whitehall Road and yet to be built out.

17/05182/RM: Reserved matters application for 8 storey office building fronting the Leeds – Liverpool canal totalling 8 storeys yet to be built out. 'Phase Purple A' - this pending application is submitted for amended exterior designs further to pre-application presentation made to City Plans Panel in January 2017).

- 4.4 To the north of the viaduct, permission has been granted for the Foundation scheme, a development totalling 607 apartments split between Private Rented Sector (PRS) and private residential sale together with public realm and restoration improvements to the listed viaduct. This was presented to City Plans Panel in May 2017 with the applications approved in September 2017.
- 4.5 A pre-application presentation in respect of the scheme was made to City Plans Panel in November 2017 to which the following was noted:

In offering comments Members comments can be summarised as follows:

- Members emphasised the need that a high quality public open space scheme be provided
- The majority of Members were supportive of the use of brick
- Members welcomed the proposed design of the building

- Members were of the view that the scale of the proposed new buildings and their relationship with the surrounding context was acceptable
- Members were of the view that the mix of apartment sizes was acceptable
- Members accepted that the space within the apartments offered sufficient levels of amenity for future occupiers
- Members welcomed the approach to the affordable housing provision
- Members were of the view that the proposed level of parking provision was acceptable (although this should be noted to have involved a higher level of parking – 132 spaces).

In summing up the Chair said Members were supportive of the proposal and welcomed the submission of a formal application

## **5.0 HISTORY OF NEGOTIATION AND ENGAGEMENT**

- 5.1 Meetings have been held between the agent and architect with planning, highways, design, landscaping and housing officers during September / October 2017 within the pre-application process and have continued during the planning application submission since (April 2018 onwards).
- 5.2 Hunslet & Riverside Ward Councillors were consulted on 30<sup>th</sup> April 2018. No comments have been received.

## **6.0 RELEVANT PLANNING POLICIES**

### **6.1 Statutory Context**

- 6.1.1 **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.

### **6.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)**

- 6.2.1 Section 66. In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority.....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

### **6.3 The Development Plan**

- 6.3.1 For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

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

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

6.3.3 The policy guidance in Annex 1 to the revised 2018 National Planning Policy Framework (NPPF) is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

## **6.4 Leeds Core Strategy 2014**

6.4.1 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant policies are set out below:

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

Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space; enhancing streets and creating a network of open and green spaces to make the City Centre more attractive and improving connections between the City Centre and adjoining neighbourhoods.

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

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

H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site. For the City Centre, applications with 15 or more units should provide 5% of the total units as affordable units.

Policy H5 is being considered as part of the Core Strategy Selective Review (Feb 2018) in which PRS schemes are proposed to be specifically targeted due to their inability to involve a 3rd party in the form of a Registered Provider (RP) of affordable housing. The review sets out that under H5, PRS developments shall make provision of affordable units in the following ways: i) on-site, according to national policy advice, currently 20% Affordable Private Rent dwellings at 80% of local market rents administered by a management company with appropriate arrangements for identifying households in need, including city council nomination rights, which apply in perpetuity, or ii) on-site, the percentage of affordable housing specified for zones 1-4 and mix of Intermediate and Social Rented types of affordable housing set out in the first paragraphs of this Policy (an increase to 7% of the total number of units is proposed), or iii) a commuted sum in lieu of on-site provision of affordable housing of option ii)

H8 states that for developments of 50 or more dwellings are expected to make a contribution to supporting needs for Independent Living. Very large scale development will have potential to provide sheltered schemes, as part of a wide housing mix. Smaller developments may contribute in other ways, including provision of bungalows or level access flats.

H9 (Core Strategy Select Review) states Minimum Space standards for new dwellings reflecting the Nationally Described Space Standards, however with some exceptions including higher density residential development; quality of accommodation will be expected through other means for example amenity, common areas etc rather than just floor space.

H10 (Core Strategy Select Review) states that for new build residential developments should include the following proportions of accessible dwellings: 30% 35% or 40% dwellings designed to meet Building Regulations requirement as 'accessible and adaptable dwellings'.  
2 % 3 % or 5% dwellings designed to meet Building Regulations requirement: 'wheelchair user dwellings' either wheelchair *accessible* or *adaptable* for residents who are wheelchair users.

P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.

P11 refers to heritage assets which will be conserved and enhanced (including any nationally significant industrial heritage). Innovative and sustainable construction which integrates with and enhances the historic environment will be encouraged. Enabling development may be supported in the vicinity of historic assets where linked to the refurbishment or repair of heritage assets.

T1 and T2 identify transport management and accessibility requirements to ensure new developments are adequately served by highways and public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility. Sustainable travel planning and parking policies are also outlined within this.

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

EN4 outlines that where technically viable and appropriate for the development, and in areas with sufficient existing or potential heat density, developments of 1,000m<sup>2</sup> or more or 10 dwellings or more should look to utilize district heating systems where possible.

EN5 details how the Council will manage and mitigate flood risk including:  
(ii) Requiring flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated  
(iii) Reducing the speed and volume of surface water run-off (new build)

## **6.5 Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies**

### **6.5.1 Relevant Saved Policies include:**

BD2 - New buildings should complement and enhance existing skylines, vistas and landmarks.

BD5 - A satisfactory level of amenity for occupants and surroundings should be provided.

LD1 - Sets out criteria for landscape schemes.



The eastern part of the site is within the Waterfront Strategy Area as designated by the UDPR (2006). This strategy seeks to enhance the waterfront.

## **6.6 Leeds Natural Resources and Waste DPD 2013**

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

## **6.7 Site Allocations Plan (SAP)**

6.7.1 In May 2017 the Council submitted the Site Allocations Plan (SAP) to the Secretary of State for independent Examination. Hearing sessions have been undertaken since Autumn 2017.

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

6.7.3 This site is identified in the Publication Draft of the Site Allocations Plan as part of a larger site that also includes the land to the south of the viaduct. This site is identified as being able to deliver 463 units & 50,380 sqm of offices in Phase 1 (MX1-11).

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

Affordable Housing SPG

Parking SPD

Tall Buildings Design Guide SPD – States that this site is within a 'string' of sites that would be suitable locations for tall buildings (evidenced by the City Island).

Travel Plans SPD

Building for Tomorrow Today: Sustainable Design and Construction SPD

Street Design Guide SPD

City Centre Urban Design Strategy

Leeds Waterfront Strategy SPG

## **6.9 Material Planning Considerations**

## **6.10 National Planning Policy Framework (NPPF) (2018)**

6.10.1 The NPPF sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so. The following paragraphs are considered most relevant:

### Sustainable Development

7, 8: sets out that planning should be committed to achievement of sustainable development and that the system should perform three key roles: economic, social and environmental.

### Housing

59: To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

62: Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required <sup>[27]</sup>, and expect it to be met on-site unless:

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- b) the agreed approach contributes to the objective of creating mixed and balanced communities.

64: Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership <sup>[29]</sup>, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) is proposed to be developed by people who wish to build or commission their own homes; or
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.

### Design

92: Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and

enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

### Education

94: It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

### Safety, Security

95: Planning policies and decisions should promote public safety and take into account wider security and defence requirements by:

- a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to

- congregate <sup>[41]</sup>. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and
- b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

### Open/Greenspace

96: Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

### Transport Considerations

102: Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

105: If setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development;
  - b) the type, mix and use of development;
  - c) the availability of and opportunities for public transport;
  - d) local car ownership levels; and
- the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

108: In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and

any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

110: Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

#### Density of Development

117: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land [44].

122: Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

the importance of securing well-designed, attractive and healthy places.

#### High Quality Buildings/Development

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

127: Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users <sup>[46]</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### Energy

148: The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

### Flood Risk

157: All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.

163: When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment <sup>[50]</sup>. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

### Heritage

189: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary

190: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

192: In determining applications, local planning authorities should take account of a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

193: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

195: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

## **6.11 National Planning Practice Guidance (NPPG)**

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

### The private rented sector

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

## **6.12 Other Material Considerations**

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

### 6.12.2 The Leeds Standard and the DCLG Technical Housing Standards

6.12.3 The Leeds Standard sets out the importance of excellent quality housing in supporting the economic growth ambitions of the Council. The Leeds Standard sizes closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has been adopted as formal planning policy in Leeds given their evidence base in determining the minimum space requirements they are currently used to inform decisions on the acceptability of development proposals. The Council has

committed to prepare a Development Plan Document (DPD) which will allow the national standards to be applied to new housing development in Leeds. This is programmed to be incorporated within the Core Strategy selective review, with public consultation taking place later this year.

- 6.12.4 This is supplemented by inclusion of policy H9 in the Core Strategy Select Review, however this emerging policy does give an indication that flexibility should be given to high density residential development.

## 7.0 CONSULTATION RESPONSES

Canal & River Trust: No objections.

Environment Agency: No objections. Standing Advice applies.

Historic England: No objections.

Network Rail (NR): No objection but has requirements which must be met given the proximity of an electrified railway line:

- Agreement of construction practice including uses of cranes, scaffolding, excavations etc (due to close working proximity to railway)
- Drainage design to be agreed with NR as directed away from railway
- Residential amenity should be carefully considered given the proximity of the railway including adequate sound proofing over a 24hr period.
- Security fencing along the boundary. The fence needs to be trespass-proof
- NR to be agreeable to design and species selection of landscaping
- NR agree glare from lighting unlikely to affect railway line but monitoring condition requested for both glare / glint (24mths post construction)

Yorkshire Water: No objections (development should be carried out in accordance with Flood Risk Assessment).

### 7.1.2 Non-Statutory:

Affordable Housing Officer: Comments awaited.

Contaminated Land Team: Due to a change in end use (residential, rather than office) additional reports to be provided. Phase 1 Desk Top Study required.

Environmental Studies (Transport Noise): No objections although recommendation that a slightly higher standard of insulation will future proof against uncertainty with future increases in rail noise.

Flood Risk Management: No objections (subject to conditions).

Highways Services: Access roads within the development should be designed to an adoptable standard / adopted including additional footways (e.g. eastern side of site). Revised servicing / delivery arrangements to be agreed. Pedestrian crossing points across estate roads leading to development to be provided. Ground floor car park layout widths to be increased. Traffic Regulation Order to be provided / agreed to prevent on street parking around the development within surrounding 800m radius.

Local Plans: Flood Risk Sequential Test considered to have been met.

Sustainability – Conservation: No objections.

Sustainability – Landscape Officer: Further clarification over tree pit design required. Drainage and tree planting to be separated further in 3 locations. Larger planters required for podium trees. Automated rain water harvesting / irrigation details to be agreed for podium area.

Sustainability - Nature Conservation: No objections.

Travelwise: Travel Plan supported by two Car Club spaces; location to be agreed.

West Yorkshire Police (Architectural Liaison Officer): No objections.

Wind Consultant (Peer Review):

*“Mitigation, including two attachments to the west façade of the development and a set of staggered porous panel near the north corner are shown to be necessary to guarantee safety conditions around the development, especially in the passage between the development and the viaduct to the north and between the development and the building to the south.*

*Even with the above mitigations, residual areas of possible distress are shown. Outline possibilities for mitigation are proposed in the report but have not been quantified. Therefore, further (mitigation) work is needed to ensure acceptability for ‘General Public’ and cycling, particularly along Whitehall Road. However the report demonstrates that appropriate mitigation may be achieved without further change to the currently proposed massing.”*

## **8.0 PUBLIC / LOCAL RESPONSE:**

- 8.1 Site notices were displayed around the site and the application was advertised in the Yorkshire Evening Post on 11<sup>th</sup> May 2018.
- 8.2 24 letters of representation (mixture of objections / comments) including a petition of 138 signatures have been received (from residents and their Management Company) at City Island).
- 8.3 The following points have been outlined although it appears that a number of these submissions / comments are made in duplicate and / or in confusion to the site / application for the pending Reserved Matters submitted north of the viaduct for the Foundation scheme (ref. 18/02565/RM):
- View from property affected
  - Privacy compromised
  - Reduction in sunlight
  - Overshadow City Island
  - Support development of site / residential development and associated amenities (retail units / restaurants) welcomed
  - Storey heights out of keeping with area
  - Loss of trees
  - Impact on wildlife
  - Residents not made aware of proposals / consultation process inadequate including for leaseholders who do not reside at City Island



- CCTV should be provided for City Island residents aimed at those moving through from Monkbridge
- Wind impact should be modelled / tested to avoid high winds along Canal
- Additional light and noise pollution
- Loss of property value
- Generate high level of traffic / Whitehall Road negatively affected
- Detrimental impact on listed viaduct and other listed buildings such as the Roundhouse
- Noise, dust and smoke through construction should be minimised / controlled

## **9.0 MAIN ISSUES**

1. Principle of Development
2. Design, Massing and Protection of the Special Character and settings of Listed Buildings
3. Housing Mix, Internal Design, Affordable Housing Provision
4. Highway Considerations
5. Flood Risk Management
6. Ecology
7. Wind
8. Landscaping
9. Outstanding Representation Points

## **10.0 APPRAISIAL**

### **10.1 Principle of Development**

- 10.1.1 The site forms part of a wider mixed use allocation in the Site Allocations Plan – ref. MX1-11 (Inner Area). This includes the land to the north of the listed viaduct subject of the recent approved ‘Foundation’ residential development scheme. The allocation notionally details the site as to contain 463 residential units and 50,380m<sup>2</sup> of office development. This number of residential units is lower than the 2006 Outline consent (726) and the recent Foundation scheme (607). The proposal would increase the density of development to provide 1,070 residential units.
- 10.1.2 The further increase in residential use of the Doncaster Monkbridge allocation / site is considered acceptable; it is sustainably located in the City Centre, offers good public transport, cycling and walking connections including how the site can link into the viaduct connections and the city, shown and detailed within the Foundation scheme.
- 10.1.3 The increase in density of development to this site is also expected to assist with the ongoing vitality of the listed viaduct which will look to accommodate small commercial units contributing to future use and upkeep of this key connection into the City Centre.
- 10.1.4 The residual loss of office space will still leave some 35,633m<sup>2</sup> of office space (71% of the allocation figure). In the context of the wider City Centre, there is a significant provision of office accommodation following a number of permissions over recent years including a significant coverage across the neighbouring MEPC site. The Doncaster Monkbridge site still has capacity to provide a further 8 storey (Phase Purple A) and 10 storey (Phase Yellow) office buildings behind and to the side of the existing occupied 8 storey (Phase Red) office building.

10.1.5 Given the site location and sustainability characteristics, the increase in residential capacity of the site is considered suitable under policies CC1 and T2. Given the level of B1a employment space approved already within the City Centre, the reduction by under a 1/3 of this site's provision is considered on balance acceptable as part of its mixed use allocation.

## 10.2 Design, Massing and Protection of the Special Character and settings of Listed Buildings

10.2.1 The proposal would feature two tall buildings in the foreground of the listed viaduct. The development would be seen in the background of some other listed buildings in the area such as The Roundhouse and Half Roundhouse. The applicant has produced a Heritage Statement which concludes that the development would have a 'low adverse' impact upon the listed viaduct of which less than substantial harm will occur (reference to the NPPF).

10.2.2 The statement outlines that the original Monkbridge Ironworks would have afforded little in the way of historic clear views to this impressive structure. Resultantly the public benefits of the scheme in supporting the future long term protection of this asset through sustainable re-use is considered to outweigh the level of harm generated from the building blocks set in front of part of the structure. The Heritage Statement is considered a reasonable and realistic assessment.

10.2.3 The vertical shaping and massing of the blocks is designed to integrate with the wider masterplan of the site and should not significantly alter views into and through to the listed viaduct over and above the siting and footprints of the 5 and 6 storey blocks of the previous office consents.

10.2.4 The vertical designs also assist with provision of the views through to the horizontal shaping of the listed viaduct. The simple rectangular blocks would sit in line with the surrounding blocks built and previously approved on the southern side of the viaduct.

10.2.5 The design and massing has been considered in respect of both the existing and future context of the site with seven modelled views taken from strategic points around the development.

10.2.6 In terms of the existing context, there are some notable tall buildings within the City scape, including City Island at up to 15 stories tall in parts. Other examples further along the riverside include Candle House and further on, Bridgewater Place at 32 stories.

10.2.7 Given the surrounding context which includes the River Aire and Leeds-Liverpool Canal, Whitehall Road and the operational railway lines it is considered by Officers that there is sufficient 'breathing space' for a tall development of 17 to 21 stories high. The Tall Buildings Design Guide (2010) recognises that the wider Doncaster Monkbridge was the focus of a permitted tall building as was the triangular shaped site to the south side of Whitehall Road (both over 30 stories). The former has now been superseded by the recent approval of the Foundation scheme with tall blocks up to 21 stories in height.

10.2.8 The design and siting would also be acceptable in the (future) context of the Foundation scheme to the north of the viaduct which increases in mass towards the City Centre. Together with the yet unbuilt office blocks (Phases Yellow and Purple A) the development will be largely obscured in large parts by the emerging surrounding context, as can be in the various views submitted.

10.2.9 The designs are considered to provide simple but effective vertical lines with a strong linear grid pattern which sits at ease and in juxtaposition adjacent to the horizontal and regular arched structure of the listed viaduct. The predominantly brick and glazed built elevations sit effectively in the surrounding area with the backdrop of City Island, the MEPC development and approved Foundation Scheme all using these same materials in different quantities.

10.2.10 With reference to some of the representation points submitted (again it should be noted many are made under a joint reference with the Foundation scheme) it is not considered that the proposed buildings would unduly impact upon existing residents of City Island from privacy, overshadowing or over-dominance. At the nearest point the 21 storey block would be set around 110m from the nearest point of the City Island block at mid-way which curves up from 7/8 stories to 14/15 stories and in particular account / review of the urban grain (spacing and position of blocks) that already is established within this development. Mention has also been made of the impact upon existing resident views; the development site has long been identified as such in the Development Plan for multi-level block development. Although visual amenity and relationship of new development spacing and massing to existing developments is carefully considered, 'existing views' cannot be materially protected through the Planning process.

10.2.11 The design emphasis is supported by Officers under LDF policies P10 and P11.

### 10.3 Housing Mix, Internal Design, Affordable Housing Provision

10.3.1 The site, although set within the designated City Centre Boundary, is also set within the Inner Area Housing Market Characteristic Area (as opposed to the City Centre HMCA). In beginning to undertake the background research to this, the applicants have therefore initially appraised the demographics of both areas. The scheme is 100% flats to which policy H4 outlines may be suitable in a certain urban context. The site is a busy area of Leeds City Centre which is subject to transport noise and surrounded by densely built development. It is not considered that family housing or a large number of 3-bed properties are appropriate in this context.

10.3.2 Both these areas have been found to have higher than average percentages of young adults (20-34 years old) than the district average; 38% compared to 25%.

10.3.3 The analysis has suggested that the profile of renters in these locations are often young professionals aged 20-34, likely to be co-habiting couples, multi-person households within house shares, or one person households. This is 83% rather than 44% for the Leeds City wide average. Therefore the housing mix proposed comprises of the following (as detailed in bold) with reference to LDF policy H4:

Size	Maximum (%) – Leeds District wide	Minimum (%) – Leeds District wide	Target (%) - Leeds District wide	<b>Site (%)</b>
Studio/1-bed	50	0	10	<b>50</b>
2-bed	80	30	50	<b>45</b>
3-bed	70	20	30	<b>5</b>
4-bed	50	0	10	<b>0</b>

10.3.4 Aside from the 3-bed units, the scheme falls within the ratios recommended. It is more reliant on studio / 1-bed units, but this is reflected by the initial research undertaken as to the needs of the demographics. The profile of the demographics

suggests that these resident groups will not demand large percentages of 3-bed units.

10.3.5 Under LDF policy H4, the submitted Housing Needs Assessment (contained within the Planning Statement) is considered acceptable and justified in the mix proposed.

10.3.6 The size of the apartments is as follows:

Studio apartments – 31-32m<sup>2</sup> each

One-bed apartments – 39m<sup>2</sup> -57m<sup>2</sup> each

Two-bed apartments – 62m<sup>2</sup> - 64m<sup>2</sup> each

Three-bed apartments – 74m<sup>2</sup> – 79m<sup>2</sup> each

10.3.7 The studios are set just below the Leeds Standard which for a studio unit sets a standard of at least 37m<sup>2</sup>.

10.3.8 The 1, 2 and 3-bed units meet the minimum nationally prescribed space standards.

10.3.9 The units come with the communal benefit of gym provision and foyer lounge areas at ground floor level in addition to external 'private' areas for resident use such as the podium space and top floor roof terrace gardens available to book.

10.3.10 The majority of the accommodation would meet the Nationally Described Housing Standards, with the exception of the studio flats (which are 31m<sup>2</sup> / 32m<sup>2</sup>). However, it is considered that the proposed layout, daylight, circulation and juxtaposition of living functions in these flats together with the provision of communal spaces such as a gym, foyer space and residential terrace area (which together total nearly 1,500m<sup>2</sup>) would be satisfactory and on balance it is considered that these are acceptable. This also reflects the guidance of emerging Core Strategy Select Review policy H9.

10.3.11 The apartments are considered to provide sufficient outlook and light and sufficient separation distances between the two blocks of apartments (33m).

10.3.12 The applicant is offering 5% of the total units (which amounts to 24) on site to be provided at discounted rents. However the proposed level of discount would not comply with the Council's Affordable Benchmark Figures. The discounted units would be pepper-potted across the mix and the blocks. This has been proposed to be split pro rata evenly across all unit sizes.

10.3.13 The applicant has outlined that the discounted rental units would be operated by the same management company that will operate the whole development on behalf of the owner. The applicant has confirmed that the tenancy would be to the terms of the Local Lettings Agreement as signed and secured under legal agreement. This would consider and accept Local Authority nominations.

10.3.14 The applicant has submitted a Viability Statement to support provision of discounted rental units based on following two options:

Option 1 – 5% of all units (i.e. 24 units) to be provided at a discount of 27.5% from market rent.

Option 2 – 7% of all units (i.e. 33 units), to be provided at a discount of 20% from market rent.

10.3.15 As this approach is not complaint with Core Strategy policy H5, the District Valuer has been appointed to assist in analysis of the scheme's viability. This work is ongoing and the outcome will be subject of the final report to Panel.

#### 10.4 Highway Considerations

10.4.1 The Highway consultation recognises that the site is well placed for walking and cycling. It is also noted that the applicant is offering a secure internal / lockable cycle space for nearly every single apartment. Whitehall Road is an advisory cycle route and the canal offers attractive cycling links to and from the site in addition. The site additionally will be able to connect to the stairway within and onto the listed viaduct as to also connect to the City Centre core.

10.4.2 The proximity of the site to bus stops on Whitehall Road also takes advantage of frequent and regular services into and out of the City. These measures together will form a high density sustainable site for residential use taking advantage of its proximity to the services, shopping and facilities available within the City Centre.

10.4.3 The provision of car parking at 101 spaces amounts to 22% of the number of the units. This is considered appropriate given the sustainable location within the City Centre boundary and walking / cycling / public transport connectivity. This also meets the guidance of the Parking SPD which in this City Centre 'core' location refers to the Residential Street Design Guide and thus states that it is expected that sites would generally average no more than 0.6 spaces per dwelling. Visitor parking is not normally appropriate in such instances. Sufficient disabled (8) and electric spaces (11) are included within this to the ratios set out in the SPD. Additional spaces (12) can be upgraded to electric use if demand further rises.

10.4.4 The existing estate spine roads do however require improvements including footpath widening and other measures to be brought up to adoptable standards. Discussions have been taking place with the Council's Section 38 team in Highways to reach agreement on the necessary alterations / improvements. Revised plans have been received on the geometrical alterations required and Highways are overseeing these revisions at the time of writing. The applicant is also still (at time of writing) investigating how this can be satisfactorily addressed from a constructional / cost perspective with reference to the current estate roads (unadopted); it is their ultimate intention to reach a point at which the roads can be adopted.

10.4.5 The applicant have submitted revised servicing arrangements to ensure sufficient and safe provision for longer vehicles as well as delivery vans etc are catered for without adversely affecting traffic circulation and sight lines through the wider Monkbridge estate (including north of the viaduct on the Foundation site). Also large vehicle turning arrangements have now been provided should this development be completed before the Foundation scheme develops. Also changes were being made within the revised plans to address outstanding concerns with the car park circulation widths. At time of writing these matters are being reviewed by Highways.

10.4.6 A Travel Plan has been required and provision of a financial contribution at £94,592.50 to support the Sustainable Travel Plan Fund including the provision of free residential use of the City Car Club. As part of this space for two publically accessible cars is shown within the revised plans provided to the eastern side of the site.

10.4.7 Traffic Regulation Orders will be required to the estate roads and possibly within the surrounding road network, subject to detailed investigation which is considered can

be covered through condition. Any works would be done in conjunction with the same restrictions sought through the Foundation scheme (which is expected to have different areas of control affected i.e. to the north as well as the Monkbridge estate roads). A contribution of £10,000 has been offered by the applicant to facilitate this as which would be secured through the Section 106 Agreement.

## 10.5 Flood Risk Management

10.5.1 The site lies partially in Flood Zone 2 therefore a Flood Risk Assessment has been provided together with a Sequential Assessment of sites. This has been undertaken consistent to the parameters (area) used within the Foundation scheme, namely the Inner Area Housing Market Characteristic Area.

10.5.2 The site is designed with non-habitable accommodation at ground floor level. No objections have been made against the emerging drainage designs as per liaison with the Environmental Agency, Yorkshire Water, Canal & Rivers Trust and Flood Risk Management. This includes drainage of surface water to the River Aire.

## 10.6 Ecology

10.6.1 An Ecological Assessment of the site has been undertaken and reviewed / accepted by the Council's Nature Conservation Officer. In respect of bats, this has found that the site offers no roosting potential and its little vegetation means low value for foraging. Further to analysis work undertaken with the adjacent Foundation scheme, some small summer day roosts were found in the listed viaduct. However the report concludes that this development is not expected to impact upon these roosts either directly or indirectly. The report goes on to conclude that there are no other ecological impacts which are considered would pose constraints on the proposed development.

## 10.7 Wind

10.7.1 The submitted wind study has been peer reviewed for the Council. The review has concluded that some further mitigation works maybe necessary towards Whitehall Road (due to the unknown timings of some of the adjacent blocks / site developments). The applicant has considered this matter and further revisions have been made to the proposals to include the provision of temporary screening on the adjacent development site should the proposed PRS development occur prior to the development of that site's 10 storey office block (under application 13/02017/RM).

## 10.8 Landscaping

10.8.1 The landscaping scheme to the podium will give residents a private decked area to supplement to existing Pocket Park set between the river and canal which offers publically accessible open space secured under the terms of the original Outline consent (reference drawn to policy G5).

10.8.2 Set around the development additional greenery from pit planted trees is shown to the surrounding public realm areas. The Landscape Officer has recommended that sufficient sized and designed cell systems are used to bed these in place which could be maintained from sustainable rainwater harvesting / drainage systems. These comments have been reviewed by the applicant and further detail has been provided through recent revised and additional information. Notwithstanding that it is expected that the detailed design of these would be secured by condition, a verbal

update of any additional commentary on this by the Landscape Officer will be provided at Panel.

10.8.3 It is considered that there is sufficient balance between hard materials externally and soft landscaping.

#### 10.9 Outstanding Representation Points

10.9.1 It is clear that a number of the representations have been made in combination with the application for Reserved Matters for the Foundation Scheme; for instance reference is drawn several times to the loss of trees to which this site does not contain trees.

10.9.2 A Constructional Management Plan will be conditioned to ensure disturbance is overseen with residential amenity in mind. This will include routing of vehicles, delivery of materials, wheel washing of vehicles to dampen dust etc.

10.9.3 It is not precisely clear from many of the objections if the comment over a lack of public consultation is specific to this application alone. In any event, the pre-consultation undertaken is considered to have been comprehensive. This consisted of: On the 6<sup>th</sup> December 2017, the agents and applicant set out to hand out over 2000 A5 flyers inviting nearby residents, occupiers and members of the public to the public consultation event which was held at No1 Leeds on the 13<sup>th</sup> December 2017.

10.9.4 All surrounding buildings, were targeted and wherever possible the proposals were discussed with local residents encountered and they were encouraged them to attend the event. The flyers were distributed throughout the whole day. At City Island and Waterside the agent and applicant were not provided access to each apartment and it was requested by the management staff that invitations and A3 printed posters with them in order that they could pin the posters up in the resident common areas and distribute the flyers accordingly.

10.9.5 Circa 500 flyers and 4 invitation posters were left at the City Island Management suite and over 220 flyers and 4 posters with the management staff at Waterside. In addition, a 10 minute presentation on the proposed scheme was given to the Waterside Management staff, in their management suite, in order that they could relay our plans to residents and encourage people to attend the event.

10.9.6 The applicant and agent claim that everyone met throughout the day were verbally very positive about the proposals (although no documentation of this has been recorded in writing).

10.9.7 Any 'loss' of property value, should this ever occur, is not considered to form a material consideration of this planning application, whether subjective or quantified.

10.9.8 From a light and noise pollution perspective, the apartment blocks would be located in a City Centre environment which is subject to existing elevated sources of light and noise, from adjacent buildings, the railway line and surrounding main roads. It is not agreed that they will cause an unacceptable impact in this regard.

10.9.9 The comment that CCTV should be provided (comments appear to suggest that this should be around the routes from the Pocket Park to City Island and beyond). This is an existing route and the development is considered positive from a safety / security perspective given it will greatly increase the levels of natural surveillance and interaction between sites south and north of the viaduct.

## 10.10 Emerging Legal Agreement

10.10.1 Further to the above, the following matters are emerging which would form part of a Legal Agreement to be concluded with the applicants and this would be secured under a Section 106 Agreement:

- Sustainable Travel Plan Fund ('RTPF') contribution of £94,592.50;
- Travel Plan together with Monitoring Fee (£4,315);
- City Car Club contribution of £20,000 to support use of two parking spaces adjacent to development on east side (deducted from cost of RTPF);
- Traffic Regulation Order contribution (£10,000 offered by applicant) towards access road restrictions and possibly on surrounding streets, dependent on the outcome of survey analysis to be undertaken;
- Use of local employment skills in construction.

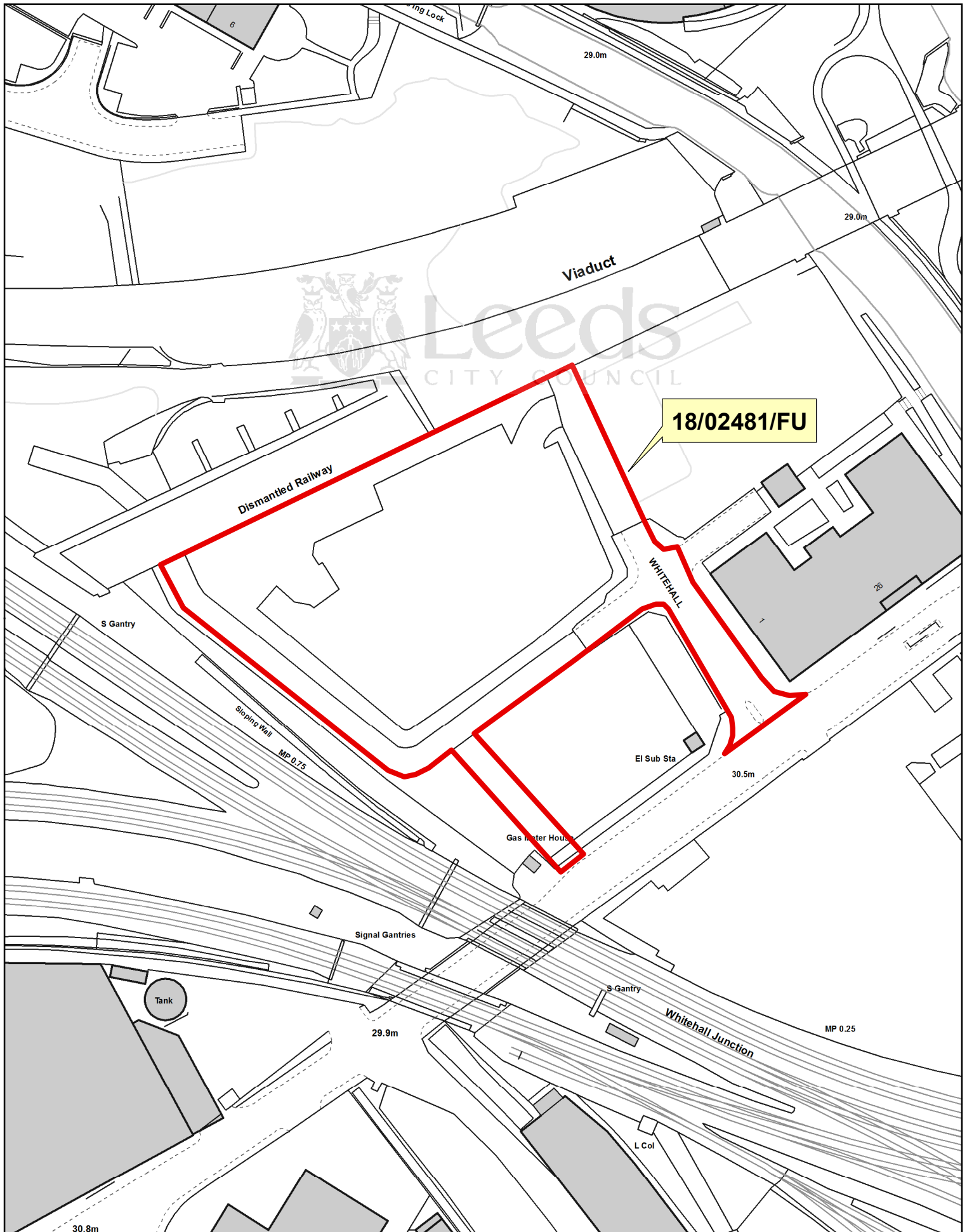
## 11.0 CONCLUSIONS

11.1 Notwithstanding the outstanding matters relating to highway safety, wind impact and financial viability as reported above, Members are asked to comment on the proposals in respect of detailed design, landscaping and residential mix and layout to inform the final report.

### **BACKGROUND PAPERS:**

Application file: 18/02481/FU





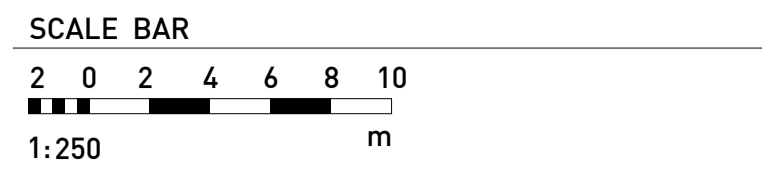
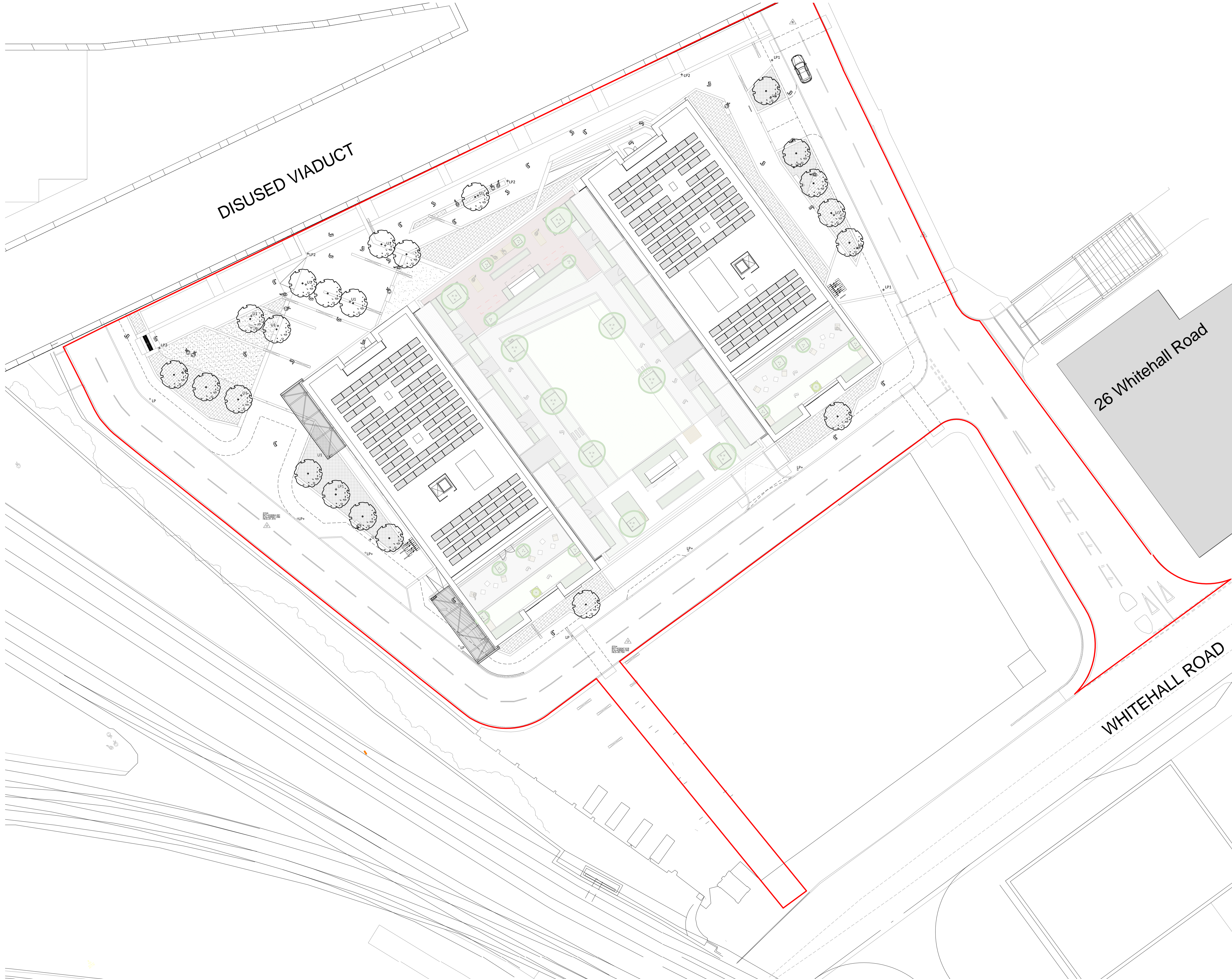
# CITY PLANS PANEL

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SCALE : 1/1250





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Key  
 Nominal red line planning application boundary of phase Purple B Site

I	Highways and Landscape updates	14.08.18		
H	PLANNING ISSUE	04.04.18		
G	PLANNING ISSUE	29.03.18		
F	PLANNING ISSUE	28.03.18		
E	Demise line added	22.02.18		
D	Latest issue	03.01.18		
C	CAD issue to Sir Robert Mc Alpine	19.12.17		
B	Pre app issue	29.06.17	YA	
A	Minor amends	09.06.17		
Rev	Description	date created	Date	Dr by / App by
original by				Approved by
PC		05/23/17		MC



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project  
 Latitude Purple B

drawing title:  
 Site Layout as Proposed

project number  
 2016-108

drawing number	revision
P110	I

scale:	issue status
1 : 250 GA1	TENDER

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