



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 9th May 2019

Subject: ERECTION OF 8 STOREY BUILDING PROVIDING STUDENT ACCOMODATION COMPRISING 88 STUDIO ROOMS AND COMMUNAL FACILITIES; ASSOCIATED VEHICULAR ACCESS, BASEMENT CAR PARKING AND SERVICING, AND LANDSCAPING APP. REF. 18/00147/FU. LAND AT PARK LANE AND BELLE VUE ROAD

APPLICANTS: MORNINGTON LTD

Electoral Wards Affected:

Little London and Woodhouse

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions attached to this report at Appendix 1 (and any others which he might consider appropriate) and also the completion of a Section 106 Agreement to include the following obligations:

- **Restriction on occupancy to full-time students only during term times**
- **Local Employment Initiatives; and**
- **Any other obligations which arise as part of the application process.**

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:

- 1.1 This application is for the use of a site which has been vacant for 15 years since the original industrial building was demolished as part of the larger development site. This resulted in the Concept Place student accommodation being erected to the west. The application site has permission for a residential scheme of 18 units which

was never constructed. The applicant has brought forward a scheme for 88 student studios with associated communal living facilities, basement car parking and servicing and landscaped area.

2.0 SITE AND SURROUNDINGS:

2.1 This site occupies most of the peninsula of land located to the eastern side of the existing 3 - 13 storey student block known as Concept Place and has road frontages to both Park Lane and Belle Vue Rd. It is also notable for its change in levels which is significant across the site sloping up from Park Lane in the south to Belle Vue Rd in the north. There is a large stone wall to part of the Park Lane frontage which constricts the adjacent public footway to approximately 1m. The site is roughly surfaced at its western half where the original industrial building once stood. The remainder of the site to the east is largely overgrown with naturally seeded vegetation. There is an existing stone retaining wall which runs across the site and this supports the ground adjacent Belle Vue Road where there are 4 semi-mature trees. The very end of the peninsula (approximately 15m to each road frontage) is not in the ownership of the applicant and outside the application site.

2.2 The surrounding area has a mixed urban character. To the south is an electricity sub-station and landscaped peninsula of land and the now under construction student scheme at 46 Burley Street. To the south of this is the Grade II listed St Andrews Court office scheme and then Marsden House and Opal student schemes which rise to 12 storeys. To the north of the site is the residential area of Kendal Walk, Kendal Bank and Kendal Rise, containing the Grade II listed Belle Vue House, which are on higher ground above the site with grass and planted banks to the back edge of footpath and a communal car parking court. Beyond this are further residential blocks and houses in Little Woodhouse and beyond this lies the extensive campus of Leeds University.

2.3 The closest Conservation Area is situated on the western side of Hanover Square – Woodhouse Square Conservation Area which is on higher ground approximately 100m to the east of the application site.

3.0 PROPOSAL

3.1 This is to construct a student residential scheme, having primary elevations to both Park Lane and Belle Vue Rd, with the main site access and all servicing taking place from Park Lane.

3.2 The application scheme proposes a building of between 3 and 8 storeys, containing student accommodation, with a tapering footprint, located on the wider western part of the site adjacent Concept Place. The lower three floors plus basement level are apparent from Park Lane but are set below street level to Belle Vue Road. The upper floors would have a 'V-shaped- footprint with accommodation facing both road frontages, and the top floor would be recessed along the building's south facing elevation. To the north the building presents an articulated façade designed to reduce the scale of the proposal so that it relates to the more domestic scale properties to the north.

3.3 The scheme contains 88 student studios which range between 19 sqm and 50 sqm in size:

- 8 no. 19sqm
- 59 no. 21 sqm

- 13 no. 22-24 sqm
- 6 no. 26-27 sqm
- 2 no. 48-50 sqm

There are also associated communal facilities of approx. 250sqm plus a 50sqm external terrace at first floor level. These communal facilities would comprise a gym, a common room and a laundry located at ground floor level, a sun room located at first floor level – giving access to the external terrace - and a cinema room on the second floor.

- 3.4 The gap between the proposed building and Concept House is 7m and this is where the ramp to the basement car park is proposed to be accessed from Park Lane. This roughly aligns with the existing drop-crossing which is still in evidence from the previous use. The retaining wall to the north of the ramp would receive a new facing in brickwork to mask the existing concrete piles. This lowest level of the building would accommodate vehicle parking comprising a disabled parking space, 2 no. standard parking spaces, 18 no. cycle parking spaces, a plant room and lift access to the upper floors of the building. The on-site parking spaces would be used to facilitate drop-offs and pick-ups at the start and end of term.
- 3.5 At the level above the basement, on the Park Lane frontage, the building would be set back from the line of the current stone boundary wall which would be removed to allow the footway to be doubled in width from its current 1m. This would contain level access to the main entrance door and the building's reception area, adjacent which is located the site management office. This elevation would contain elements of full height glazing to illuminate the communal areas at this level. The refuse storage area is also accessed from this point as refuse and servicing would occur from Park Lane. The set-back of the building also allows acceptable visibility splays to be achieved to the car park access.
- 3.6 The student accommodation commences at first floor level, although the communal 'sun room' is also located here. This gives access to the building's private sun-deck which is at the eastern end of the building and would face out over the landscaped peninsula of land to the east. 6no. more cycle parking spaces are located adjacent the terrace in an enclosed area.
- 3.7 On the 4th floor the building is at the same level as the public highway on Belle Vue Road to the north. This provides the opportunity to create an emergency escape, although this door would not be used to access and egress or service the building other than in the event of an emergency. This is to remove any potential for impact on the occupiers of the residential properties to the north.
- 3.8 On Park Lane the elevation is approximately 35m long and is parallel to the road. The elevations are of brick which is set up to produce a regular open frame effect with recessed full height windows and integrated louvre panel. A metal vertical panel is also used to complete the composition. This elevation also contains a stepped over-hang at first and second floor levels which is the result of the footway widening and the need for 5.3m of clear headroom above the public highway. At the base of the elevation is a dark grey brick plinth and the composition is topped by a recessed and glazed upper floor with projecting eaves detail.
- 3.9 The linearity of the southern elevation is in contrast to the northern elevation which is heavily articulated and includes a series of set-backs which produce 2 wings that sit close to the footway. These step-up to the top floor which is also set back and glazed. These wings are a similar principle, but on a smaller scale, to the

neighbouring Concept Place. The eastern elevation, facing over the landscaped area, uses the same architectural language to resolve the 2 primary road frontages, which it does through the use of glazing and a set-back roof form. The western elevation faces the gable of Concept Place and so is relatively blank. However, the visible north-western corner contains a vertical strip of windows in order to articulate the building when viewed in the street scene.

- 3.10 The peninsula of land to the east includes 400m² of external landscaping on the triangular, steeply sloping site. The intention is to reuse and partially extend the existing stone retaining wall which sits within this area and supports the ground levels adjacent Belle Vue Road. The existing trees will be retained and further tree planting introduced to reinforce the visual impact of the landscaping as this area would be clearly visible from the surrounding public highway and long distance views.
- 3.11 In respect of sustainability, the scheme would include a combined heat and power source, good levels of natural daylighting due to large windows to reduce the use of artificial light-sources and the ability to naturally ventilate rooms through opening windows. Kitchen and bathroom areas would have highly efficient mechanical ventilation with a heat recovery system, low water usage taps and showers and dual flush cisterns.
- 3.12 In respect of accessibility the applicant has stated that the scheme contains some larger studio bedrooms. These can be readily converted to suit persons with disabilities and it is proposed that this would be done on an “as needed” basis specifically adapted to the requirements of the individual which could be programmed to occur at the start of the tenancy. In addition, one room would be fully fitted out incorporating an accessible bathroom so there would be immediate availability if required. All sockets, switches and fittings would be located to be easily accessible for disabled persons. One disabled parking space is to be located in the basement.

4.0 RELEVANT PLANNING HISTORY

4.1 Current application site

The planning history for this site is linked to that of the neighbouring Concept Place student scheme.

- 4.2 An application for a student scheme (348 bed-spaces, small A3 unit and 15 car parking spaces) was approved in principle by Members at Plans Panel West in June 2004 (ref. 20/447/03/FU). Planning permission was granted with associated Section 106 agreement to cover green-space contribution, and any necessary T.R.O.'s, on 9th September 2005.
- 4.3 A subsequent amended scheme was approved for 63 cluster flats (341 bed spaces), 45 student 1 bed units and 18 private flats with retail unit and car parking app. ref. 20/387/05/FU. The 18 private flats were situated in a detached building on the site now under consideration. The building was 5-6 storeys on Park Lane with 3 storeys visible on Belle Vue Rd and approx. 20m in length. As a consequence of Concept Place having been completed the permission remains extant for this 18 unit building and so construction could be commenced at any time.
- 4.4 The current application site was the subject of a pre-application enquiry in 2015 PREAPP/15/00515. This was for a student scheme for 105 studios in a building wider and taller than that proposed by this application. This was never presented to

Members at Plans Panel. Part of the written officer response to the pre-applicant was that the building was too large for the site. As a result of this pre-application advice the building initially submitted as part of the current application was reduced in size. However, this has itself been amended through negotiation with the applicant and the building has been reduced in size still further to its current form.

4.5 Site at 46 Burley Street

This site is a short distance to the south-east of the application site, on a plot defined by Park Lane to the north and Burley Street to the south. Planning permission was granted on 19th March 2017 app. ref. 16/01322/FU for a 'Student residential accommodation building comprising 87 studio flats, including ancillary communal facilities and retail unit, associated landscaping and car parking'. The approved development is for a new building of part 4, part 5 and part 6 storeys along the Park Lane frontage, and part 7 and part 8 storeys along the Burley Street frontage. This scheme has now commenced on site.

5.0 **RESPONSES FROM PUBLIC**

5.1 This application was advertised on site (2nd February 2018) and in the press (26th January 2018). The following responses have been received:

5.2 Letter of objection from the Rt Hon Hilary Benn, MP for Central Leeds:

He writes to express his objection to the development. He agrees with local objectors that there is an over-provision of student flats in the immediate area. He also considers that the applicant is trying to over-develop the site.

5.3 17 no. letters of objection have been received from local residents as well as those from a wider area. These make the following points:

Scale and design: *(Please note that the scheme has been amended since these objections were submitted)*

- Height and massing are too great,
- The height does not provide an adequate stepping down from Concept House as the land falls away
- It is taller than the previous approval.
- The height and massing is insensitive to the narrow corner site
- It is adjacent the Conservation Area so the architecture needs to fit into the area
- The Little Woodhouse Neighbourhood Design Statement makes various references to the area's unusual topography and the views this creates over the Kirkstall Valley which would be negatively impacted by the proposal.
- Policy requires developments to be 65 units per hectare, as this site is 0.11 of a hectare only 8 units need to be provided on this site to meet the requirement.
- That the scale of the existing Concept House was not accurately described on the plans approved at the time.

Amenity:

- The houses on Kendal Walk will be overly dominated by the height of the proposed development
- Completely blocks the current views out from Kendal Rise and Kendal Walk
- Negatively affect the neighbourhood and surrounding areas
- Neighbourhoods for Living requirements are not met.

- Leads to late night/early evening noise and casual damage in the area which increases during term-time.
- Many of the student units are too small
- A tree lined boulevard along Belle Vue Rd has been promised as part of previous approvals.

Highways

- The proposals build right up to the pavement on Park Lane which is too close. The adjacent pavement is already too narrow on Park Lane and for both reasons the building should be set back
- There are no plans to ameliorate the inevitable taxi/parking issues that will arise,
- There should be no highways land used during the construction phase
- The increased footfall in the area will increase the likelihood of accidents particularly at the Park Lane/Belle Vue Rd junction.
- The lack of a Travel Plan for this scheme because it is less than 150 students – this should be assessed in tandem with 46 Burley St, so that the accumulated number is assessed.
- As there are only 3 parking spaces provided on site, students will park in surrounding streets.
- The walking route will result in students walking through the residential areas.
- The current hoardings are unsightly (*these have subsequently been improved to wire mesh fencing*)

Character of the area

- The neighbourhood is already over-dominated by student housing and these proposals worsen the situation
- A Unipol report published in June 2017 shows that students now comprise 76% of the population of Little Woodhouse compared with 50% in 2007. If the Council approves yet another student housing block in the area, it will help to create a student monoculture.
- The long term impact of an increased concentration is that, rather than having a mixed and diverse urban community (including students), more private houses will be turned into 'student lets' thereby reducing the number of houses available to residents of Leeds.
- Believe that many of the bed spaces in Purpose Built Student Accommodations (PBSA) are vacant and therefore there is no requirement for additional PBSAs.
- As part of the Neighbourhood Plan draft objectives it is suggested that if PBSAs have to be built they are constructed in a way that means they could be easily adjusted/remodelled to meet another demographic e.g. young professionals, or couples. The original proposal of residential apartments is far more flexible and would appeal to a mix of people. Studio flats only appeal to students. Therefore, need to avoid 'built in obsolescence' if student numbers start to decline.

5.4 One objector did welcome the use of this land after many years of it being surrounded by hoardings. In addition one letter of Support was received from a local resident subject to the footways being reinstated and improved on Belle Vue Rd. This support letter also questioned the current contra-flow nature of Park Lane suggesting a one-way system may be preferential.

Suggested methods to mitigate the presence of students in the area

- The area will be disrupted during student 'moving in days'. It is suggested that the parking bays are used for limited time slots over the moving in period to reduce impact on the highway.
- The parking bays could be used for taxi drop-offs, rather than parking, to minimise the inevitable disruption of taxis and hire cars queuing up outside.
- Any noise emanating from the building should be immediately stopped by the management on site. Therefore a management proposal, including advertised contact details, must be part of this proposal.

Miscellaneous

- Several objectors stated they believed this proposal would result in house prices falling in the area. *This is not a material planning consideration and cannot be taken into account.*

6.0 CONSULTATION RESPONSES

6.1 Statutory

No statutory consultees were consulted on this application

6.2 Non-Statutory

Highways Development Services: The building has been set back at the lower levels to allow for the construction of a widened footway to 2m. This increase will run as far as the junction with Belle Vue Road where there is an unusual configuration of steps and footway. The widened footway will need to be constructed to adoptable standards and offered for adoption under a mini S278 Agreement. The proposed overhang is at an acceptable height and is adequately clear of the footway.

The Parking SPD recommends a maximum 1 space per 8 student bed spaces in the city centre fringe. However, given the location and surrounding on-street parking controls, the 3 spaces proposed are acceptable and should accommodate the operational and disabled parking needs of building managers and residents. Occupiers of the building will not be eligible for parking permits for the surrounding permit controlled zones and a direction should be added to any approval advising this.

A car parking management plan will be required to ensure drop-off and pick-up at the beginning and end of term times are managed so as to minimise the impact on the adjacent highway. The proposed use of the on-site spaces is acceptable for this purpose subject to a management plan.

The proposed basement parking layout is acceptable in terms of tracking and dimensions. The number of cycle parking spaces is acceptable. A security shutter is shown in an acceptable location over 8m from the edge of the highway.

There is currently a single yellow line which runs along the entirety of the Park Lane and Belle Vue Rd frontages and this does not require amendment. Park Lane has adequate width to accommodate servicing on street.

In respect of the points raised by objectors regarding the increased danger on the streets in the area and the possibility of making the roads in the area one way - The Transport Statement provided with the application was produced in June 2017,

therefore the accident records since this date have been reviewed in the vicinity of the site. 3 additional accidents have been recorded at the junction of Park Lane/Belle Vue Road. In addition, a serious accident was recorded on Park Lane involving a pedestrian. It is considered that there are no accident patterns that could be addressed through the planning application.

Making either of these roads one way in either direction would not be supported, given that it would be likely to increase traffic speeds and exacerbate the concerns that have been expressed by the objectors. Making these roads one way would also be likely to cause either access or egress issues for a number of streets in the vicinity including Hanover Square, Victoria Terrace etc.

Given this development is unlikely to add any significant volume of traffic to the highway network in the area (student accommodation with *very little* parking), no other highways measures are recommended other than those already set out above.

Environmental Studies Transport Strategy Team: No objection.

The Coal Authority: Concurs with the recommendations of the Report on Preliminary Risk Assessment; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. The Coal Authority recommends that a condition be used requiring these site investigation works prior to commencement of development. In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

Sustainability - Contaminated Land: No objection subject to conditions controlling phase 2 site investigation, remediation and the suitability of any soil brought onto the site.

Flood Risk Management (FRM): No objection subject to a condition controlling surface water drainage details

Yorkshire Water: No objection subject to conditions controlling surface water drainage details

Police Architectural Liaison Officer: The development creates a safe and secure environment that reduces the opportunities for crime without compromising community cohesion

Wind Impact Assessment

The applicant's wind assessment shows that there are existing windy conditions in this area attributable to existing buildings. The proposed development does not make the existing wind conditions worse, apart from one location which is at the south-western corner of Marsden House, 130m to the south-west of the application site (location no.2), up wind to the prevailing south-westerly wind direction.

In respect of this location the applicant's wind consultant (BMT) states the following:

'It was observed during the study carried out, location no.2 exceeded the safety criteria by 0.09% due to the introduction of the Park Lane Revised Scheme. This was the only new location which exceeded the safety criteria due to the introduction of the Park Lane Revised Scheme. Taking into account the conservative nature of the methodology, the minor exceedance observed at this location, and based on BMT's experience in assessing wind microclimate conditions around buildings, BMT can conclude the wind conditions at street level around the proposed development are likely to remain consistent between the original and the revised design and at location no.2 i.e. the development will not result in pedestrian safety issues at location no.2. Consequently, the conclusions presented within BMT's original report would remain the same. Therefore, we believe the introduction of the Park Lane Revised Scheme will not cause new safety issues around the site.

Acting on behalf of the council, RWDI have independently reviewed the submitted wind assessment and accept this conclusion.

7.0 RELEVANT PLANNING POLICIES

7.1 Development Plan

7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purposes of decision making in this case, the Development Plan for Leeds currently comprises the following documents:

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

7.1.2 The Leeds Core Strategy 2014

This sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The site is located just outside the identified City Centre, the boundary of which runs along Park Lane. Relevant Core Strategy policies include:

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

Policy H6(B) specifically refers to proposals for Purpose Built Student Accommodation (PBSA). It states that PBSA will be controlled:

- (i) To help extend the supply of student accommodation taking pressure off the need for private housing to be used.
- (ii) To avoid the loss of existing housing suitable for family accommodation.
- (iii) To avoid excessive concentrations of student accommodation (in a single development or in combination with existing accommodation) which would undermine the balance and wellbeing of communities.

- (iv) To avoid locations which are not easily accessible to the universities by foot or public transport or which would generate excessive footfall through residential areas which may lead to detrimental impacts on residential amenity.
- (v) The proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhances existing historic assets – in particular historically and locally important buildings, landscapes and spaces.

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

Policies EN1 and EN2 comprise sustainability policies which seek to reduce total predicted carbon dioxide emissions, provide low carbon energy sources and look to encourage sustainable design and construction.

Policy P12 landscape – character, quality and bio-diversity to be conserved and enhanced to protect distinctiveness.

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

Saved policies that are relevant to this scheme are:

BD2 Design of new buildings

BD4 All mechanical plant

BD5 states that a satisfactory level of amenity for occupants and surroundings should be provided.

LD1 landscaping

GP5 - all relevant planning considerations

7.1.4 Natural Resources and Waste Local Plan 2013 (NRWLP)

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

- Water 7 surface water run-off
- Land 1 contaminated land
- Land 2 trees

7.2 National Planning Policy Framework (NPPF - Revised February 2019)

The NPPF was revised in February 2019 and, working in conjunction with the National Planning Practice Guidance (NPPG), outlines the national planning policies for England and how these are expected to be applied. One of the key principles running through the NPPF is a presumption in favour of Sustainable Development set out in three parts: Economic, Social and Environmental. The revised NPPF now seeks to tighten definitions on the presumption in favour of sustainable development and increases the emphasis on high-quality design and place-making.

The below sections of the Revised NPPF are also considered to be relevant:

Section 9: Promoting Sustainable Transport – developments should give priority first to pedestrian and cycle movements and facilitate access to high quality public transport; address the needs of people with disabilities; create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles; avoid unnecessary street clutter; respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Section 11: Making effective use of land – 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.

Paragraph 123 (c): Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Section 12: Achieving Well-designed places

Paragraph 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 and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.3 Supplementary Planning Documents

- 7.3.1 Neighbourhoods for Living: A Guide for Residential Design in Leeds (December 2003) aims to provide further guidance on good design in residential schemes in Leeds. Neighbourhoods for Living is relevant to all residential development in Leeds and provides advice and principles for good residential design across the themes of

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

7.3.2 Building for Tomorrow Today – Sustainable Design and Construction: Advocates the use of a range of measures to ensure that the best possible practices are used to ensure a sustainable environment is created.

7.3.3 Parking SPD - sets out the level of parking (cars, cycles and motor cycles) required for designated uses in different parts of the city.

7.4 Other Material Considerations

7.4.1 Residential amenity standards: DCLG – Technical Housing Standards 2015 (Nationally Described Space Standards, NDSS): Sets out internal space standards within new dwellings. The NPPG advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the NDSS.

With this in mind The Council is currently carrying out its Core Strategy Selective Review (CSSR) which will allow the national standards to be incorporated within the Core Strategy. The current position in respect of the CSSR is set out below.

7.4.2 Core Strategy Selective Review (CSSR):

Paragraph 48 of the NPPF makes clear that the amount of weight given to relevant policies in emerging plans relates to a) how advanced the emerging plan is, b) the extent to which there are unresolved objections to relevant policies and c) the degree of consistency of those policies with the NPPF.

A selective review of CSSR has been undertaken. Taking the above factors into consideration: a) the CSSR is at an advanced stage with hearing sessions concluded in February and the Inspector's Main Modifications (MMs) being issued on 10th April 2019, b) the Inspector is proposing that the MMs are those which are necessary to make the CSSR sound having had regard to all the objections to the plan, and c) it follows that consistency with the NPPF has been addressed by the Inspector in her MMs.

As MMs have now been issued by the Inspector, the CSSR can now be afforded significant weight. Those policies within it that are not subject to a MM can be afforded more weight, as it is implicit that the Inspector considers the policy sound without modification.

The CSSR includes a review of the housing requirement 2017-2033 and the adoption of the NDSS into local policy (Policy H9). The supporting text to this policy states that:

regarding development of PBSA's, the NDSS were not designed with student housing in mind. There are clear differences between student and

general housing in that students live in student accommodation for only a fixed period of time, other accommodation (communal rooms) is often provided. Provision of reasonable space standards is still important for student accommodation and this will need to be judged on a case by case basis.

The policy itself states that:

H9: Development of student accommodation.....will not be subject to the space standards... Instead such development should reflect the NDSS with appropriate adjustments to address the particular characteristics of these types of development. They should also meet standards of general amenity for occupiers to include adequate space, light and ventilation.

7.4.3 Site Allocations Plan (SAP): The SAP is at a highly advanced stage as the Inspector has issued proposed Main Modifications and these were the subject of consultation between 21 January and 4 March 2019. At the time of writing this report, the Inspectors are having regard to the consultation responses made on Main Modifications before reaching their conclusions on the soundness and legal compliance of the SAP in their final report.

However, where no Main Modification is proposed in relation to an allocation, the SAP can be afforded significant weight. As this site is unallocated in the SAP it is considered to be a windfall site. This is considered by policy H2 of the Core Strategy, which states that such sites will be acceptable in principle providing the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development.

7.4.4 Kirkstall Road Renaissance Area Planning Framework (KRRAPF): This is Informal Guidance for planning purposes dating from 2007 and aims to promote the regeneration of the area in a manner which will establish a sense of place and guide developers in formulating proposals for the re-development of land using positive urban design principles. This is underpinned by a need to ensure that a consistent approach is taken to all development in the area.

The KRRAPF is split into a series of character areas and this site falls into the 'City Heights' area which is 'characterised by rising topography and high buildings'. It is noted that employment use is supported on remaining land and further student accommodation is not considered to provide mixed and sustainable communities. To respect the area's topography, the heights should generally step down from the north towards the waterfront. Any proposed in-fill buildings should be designed to ensure that they are properly integrated with neighbouring existing buildings in terms of height and massing.

New buildings must contribute to formation of new attractive public streets/spaces by:

- appropriate height, scale and massing,
- siting and orientation,
- landscaped settings,
- emphasising corners,
- locating entrances on public access streets/paths,
- making sure buildings and window details are attractive and interesting,
- facilitating pedestrian access through the area and avoid potential conflict with traffic.

Parking must be located so that it is not visible externally (basement or multi-storey). Surface car parking will not be permitted. Appropriate bicycle parking will be required in all new buildings.

Whilst guidance on the appropriateness of student use in the area has been superseded by the more recent adoption of the core Strategy Policy H6(B), it is considered that the guidance on the physical character of the area and design principles to be adopted remain robust.

7.4.5 Little Woodhouse Neighbourhood Design Statement 2011 is an adopted SPD. It states that Burley Road is a major traffic route into and out of the City. Thin strips of land formerly occupied by industrial buildings are now giving way to purpose-built student housing flats. The topography of the site, which rises to the north, is highlighted. General design advice includes:

- building materials include red-brick as the basic walling material
- infill development should maintain existing building line
- Views and vistas - new development should both maintain the positive views in and out of the area and take advantage of them in its location, orientation and outlook.
- new development should be sensitive and responsive to its context.
- buildings in key locations – in corner positions or at the end of vistas and other key locations, buildings should be designed and detailed in a manner which reflects the importance of their location

7.4.6 Emerging Little Woodhouse Neighbourhood Plan

The site is located within the Little Woodhouse Neighbourhood Area. Little Woodhouse Neighbourhood Forum are currently preparing a Neighbourhood Plan and pre-submission consultation is expected to take place in the Summer or Autumn of 2019.

8.0 KEY ISSUES

1. Principle of the proposed use and the residential amenity of future occupiers
2. Residential amenity of surrounding occupiers
3. Design, layout and height
4. Landscaping
5. Highways and servicing
6. Planning Obligations

9.0 APPRAISAL

9.1 Principle of the proposed use and the residential amenity of future occupiers

9.2 The fact that the site has an extant permission for residential use, Use Class C3, does not preclude other types of development proposals being submitted and these will be considered on their merits. The principle which needs to be addressed is whether the use as student housing is acceptable in this location. Core Strategy Policy H6B relates specifically to the provision of student housing and is therefore highly relevant to this proposal. The application is assessed as follows against the criteria within Policy H6B:

9.3 H6B(i)

i) states that development proposals should help extend the supply of student accommodation taking pressure off the need for private housing to be used.

This proposal would assist this objective by providing 88 purpose-built student bed-spaces which would help to take pressure off the need to use private housing for student accommodation.

9.4 H6B(ii)

ii) states that development proposals should avoid the loss of existing housing suitable for family occupation

The proposal would meet this objective, because it does not propose the loss of any existing family housing. It is accepted that 18 flats would no longer be built under the extant permission. However, it is also considered that flats are not usually attractive to families with children, as this type of accommodation has been considered more likely to be occupied by those without children. Therefore, proceeding with this current proposal would not adversely impact upon provision of potential family housing.

9.5 H6B(iii)

(iii) seeks to avoid excessive concentrations of student accommodation which would undermine the balance and wellbeing of communities.

9.5.1 The proposed student accommodation at this site is for 88 students, in the context of approximately 4,000 existing and approved purpose built student bed-spaces in the area between Burley Street and Kirkstall Road (Marsden House, IQ Student Village, Concept Place, The Tannery, Liberty Park, IconInc, Sentinel Towers, The Foundry). Therefore, it is acknowledged that there is an existing concentration of student housing between Burley Street and Kirkstall Road.

9.5.2 H6(iii) seeks to avoid excessive concentrations of student accommodation. Whether the concentration is excessive in the area depends on the consideration of the local context. Whilst excessive concentrations of student populations can cause harm to discrete residential areas, it is considered that, as a result of the site location within a busy City Centre type environment, with local mixed land use functions and close proximity to the educational campus areas, the proposed student accommodation, as a small percentage increase to an existing concentration, could be tolerated in this location.

9.5.3 If the local community is defined across a wider area that includes Little Woodhouse and the area along Kirkstall Road to the south and west, it is considered that the mix and type of residential accommodation is extremely varied, and therefore a balanced and mixed community is achieved. The key issues would be the location of a community boundary, identifying affected individuals/groups, what the harm would be, identifying the individuals/groups causing harm, and the collection of robust, credible evidence to that effect. However, there is not sufficient evidence to suggest that, in general, the purpose built student housing developments in the Burley Road/Kirkstall Rd corridor, which have taken place in the last 15 years, have directly led to significant additional harm to existing residents in the Little Woodhouse area. Indeed many of these developments have taken vacant sites or disused former industrial and commercial land and have populated them with

buildings, activity, new pedestrian routes and open spaces and landscaping to the benefit of the area, rather than its detriment.

9.5.4 Therefore, it is considered that the proposed addition of 88 new student bed spaces would not undermine the balance and well-being of existing communities in the area.

9.6 H6B(iv)

(iv) states that proposals for student housing should avoid locations which are not easily accessible to the Universities by foot or public transport or which would generate excessive footfall through quiet residential areas which may lead to detrimental impacts on residential amenity.

The site is approximately 800m from the University of Leeds, approximately 700m from the LGI and 1200m away from the main Leeds Beckett University campus. The location and surrounding topography of the site means that students are likely to travel along the more convenient and direct main roads to nearby educational campuses and city centre facilities, rather than through more traditional residential streets such as the Kendals to the north.

9.6.1 When walking from the City Centre it is more likely that future residents of the site would use a more direct route along Burley Rd or Park Lane. Whilst there may be some travel through existing residential areas, this is more likely to take place through the day and would be limited in number compared to the more direct routes. Therefore it is considered that the development is in a location which is accessible to the universities and would not lead to a loss of amenity in surrounding areas through excessive footfall through quiet residential areas.

9.7 H6B(v)

(v) states that the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.

9.7.1 Core Strategy Policy P10 and Saved UDPR Policies BD5 and GP5 also provide more general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. The assessment of amenity is also a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space. The detailed size of the accommodation is set out in paragraph 3.3 above. The Council is not seeking to adopt the national minimum space standards for purpose built student accommodation as set out in the text to the Core Strategy Selective Review at para. 7.4.2 above. However, as required by emerging and existing policy, the proposal still needs to demonstrate acceptable levels of residential amenity.

9.7.2 All of the units are self-contained flats and, whilst smaller than the NDSS minimum size of 37 sqm, these are for student occupation only. The site is unusually constrained by its shape and topography, however, the units have been designed to mitigate any potential adverse impact on amenity.

9.7.3 In respect of the site constraints, the accommodation at the lower levels has to be accessed from a corridor built adjacent the site retaining wall. In addition, the

requirement for a 2m wide footway and the set back of the building line to achieve the clear headroom above, constrains the extent of the southern elevation. The elevational treatment of regularly spaced windows sets the horizontal subdivision. The smallest units of 19 sqm are exclusively contained at these lower 2 levels. However, set against this is the fact that they are south facing, have full height windows, have a clear view out from an elevated position looking south over the area of open space which sits in front of the building. They are also at the same level as the communal facilities making them more easily accessible to the residents of these units. In this situation, faced with this unusual set of circumstances, it is considered that these units, which contain all of the facilities to enable living, sleeping, studying, eating, cooking, food preparation, storage and circulation, are acceptable.

- 9.7.4 Due to the orientation of the site the units are divided between those that face due south-west and those that face north-east, with two thirds of the units (59 no.) benefiting from the southerly aspect. It is accepted that, due to the shape and orientation of the site, some of the units have to face north. However, it is considered that, due to the large floor to ceiling windows proposed, the levels of natural lighting and relatively unencumbered views (the nearest properties are 25m to 35m away) and the fact that most of the larger rooms are oriented in this direction, this would result in these rooms having a sufficient level of internal amenity to be considered acceptable.
- 9.7.5 In addition to the facilities contained within the rooms, 250 sqm of internal communal space, as well as the external terrace, are to be provided as part of this scheme. This would provide additional levels of residential amenity and encourage residents to socialise outside their private accommodation within the 2 level common room areas, the cinema room or the gym facilities. In terms of external amenity space the resident's terrace would be south-west facing and adjacent the sun room and would be raised above the adjacent public footway in order to provide both privacy and security.
- 9.7.6 Given the above it is considered that the proposed student dwellings would benefit from satisfactory internal living conditions in relation to noise, size and layout with satisfactory daylight, circulation and juxtaposition of living functions. Other PBSA schemes have been approved in the city which provide large amounts of communal space which not only provide additional facilities for the students but also assist in generating a more social atmosphere where they have many opportunities to meet their fellow occupiers. For example, schemes at St Alban's place, Symons House and more locally at Woodhouse Square and 46 Burley Street, all contain studios with additional communal facilities.
- 9.7.7 Therefore, it is considered that the room sizes, when combined with the amount and range of communal facilities, external space and the overall benefits of the scheme, would, on balance, meet the residential amenity and sustainability objectives of Core Strategy Policy H6B, Saved UDPR Policies GP5 and BD5 and emerging Core Strategy Policy H9.
- 9.7.8 In respect of additional points raised in the objections not covered by the above – The policy implication of H6(B)(i) is that the more students that are located in PBSA's the less likely they are to be accommodated in existing local housing stock, thereby making these properties more likely to be occupied by families. There is evidence that there is still demand for PBSA rooms. However, if adaptation for future residential use was required, studio rooms can be turned into a one bedroom or two bedroom flats by lateral expansion i.e. a doorway between 2 studios, where one of

the studios is converted to an en-suite bedroom, provides a one bedroom flat that meets the NDSS. A two bedroom flat can be created in a similar way by the use of 3 studios and the insertion of 2 doors. The use of this building for Use Class C3 residential would require planning permission at which time unit sizes could be controlled.

- 9.8 In this case both the Leeds Core Strategy and the NPPF are supportive of sustainable development, and it is considered that this proposal is sustainable in terms of design, amenity, transport provision and site location. With regard to the Kirkstall Road Renaissance Area Planning Framework this advises against further student residential development in the defined City Heights area. However, this document is informal planning guidance which pre-dates the Core Strategy, which does not restrict further residential development in this area.
- 9.9 The Council's affordable housing policy (Core Strategy Policy H5) does not apply to purpose-built student housing proposals. Therefore a Section 106 obligation is required to restrict the occupation of the development to full-time students only.
- 9.10 Residential Amenity of surrounding occupiers
The application building would be situated 25m from the nearest residential properties to the north on Kendal Walk. The southern elevation of the nearest building contains obscure glazed windows in the side gable (3 windows in total), with the primary living space windows facing west-east. Belle Vue House to the north, which does have primary windows facing towards the proposal, is 35m away. Both of these properties are on raised ground to the north which affords these units a good aspect. At this distance, and in the context of the character that exists in this immediate area, this relationship is considered to be acceptable in terms of impact on both the existing and future residents.
- 9.11 A small number of local residents in their representations on this and other proposals have expressed concern regarding general noise and disturbance as a result of students generally. However the area is characterised by a mixture of uses including significant existing student accommodation, which contribute to a busy edge of City Centre environment. It is considered that this proposal in itself would not unduly affect this existing character. Therefore, it is considered, on balance, that the relatively small percentage increase in student numbers brought by this application would not result in a significant adverse impact on the nearby traditional residential areas.
- 9.12 In respect of additional points raised in the objections not covered by the above: cross-sections show that the height of the proposal is equivalent to the heights of the buildings on Kendal Walk which are between 25m and 35m away and at this distance it is not considered that the proposal would have an over-dominant impact, especially as the windows in the closest properties are obscure glazed. Some views across the valley will be blocked from the properties in Belle Vue House and angled views from those at Kendal Walk, but again the proposal is some 25-35m away and the loss of an outlook is not a material planning consideration. The proposed gap of 25m to 35m is considered to adequately safeguard existing residential amenity in the context of a dense urban environment. The objectives of Neighbourhoods for Living are considered to be met by this proposal
- 9.13 Design, Layout and Height
The envelope of the building has been informed by both the neighbouring and existing buildings in the area. The Park Lane elevation relates in scale to Concept Place. The building has a definite base, middle and top which would give it a well-

defined and clear order. Some detail is provided by the stepped set back at 1st and 2nd floor levels and this serves to relate the design to the rise up the hill to the east. The composition is topped by the recessed glass top floor which terminates the composition well. The elevational treatment is calm and well-mannered with a regular pattern of window openings set into a masonry framework. Brick and glass is in evidence throughout this area and has been chosen for this reason. This treatment is considered to be acceptable.

- 9.14 To the rear the building has been considerably modified since its initial submission. The scheme now provides more articulation and uses the wings of its larger neighbour as inspiration for its design. The 2 smaller elements which sit close to the back edge of footpath are considered to provide an appropriately reduced scale, similar to the projecting wings of Concept Place. The taller elements are then set further back to minimize impact on the Belle Vue Road elevation, which it considers it does successfully.
- 9.15 The result is a highly articulated building form designed to respond to all of its neighbours and the unusual topography of the site. The submitted package of drawings includes a long elevation of this part of the street with all of the existing and currently under construction buildings in place. This indicates that the height of the building, as it is now proposed, fits well into its setting. In respect of the desire to maintain views across the valley referred to in the Little Woodhouse Neighbourhood Design Statement, the site already has an extant permission for a building in this location. It is considered that the proposal, for the reasons stated above, would still allow views past and over the building, and also provide the benefit of a retained area of landscaping to the side which would occupy a considerable length of Belle Vue Road. Therefore, it is considered that the massing and design would complement the area, retain views, both to and from the majority of the area to the north, and is considered to be acceptable.
- 9.16 In respect of additional points raised in the objections not covered by the above: although there is an extant permission for a smaller residential development on this site the Local Planning Authority has to make a decision on the merits of the proposal which is in front of it. There is often more than one acceptable way to develop a site. It is considered that the height and massing are acceptable and respond to the topography and the buildings in this area. The nearest Conservation Area terminates along the western side of Hanover Square and is therefore some distance from the application site. In any case it is considered that the design of the building fits well into the area in which it is located. Policy requires that land is used efficiently and the proposal is considered to represent an efficient use of the land whilst still achieving a significant area of landscaping. The plans showing the local area would appear to officers to be accurate and reflect all previous consents.
- 9.17 Landscaping and open space provision
The proposal includes 400 sqm of landscaping on the peninsula of the site. This would provide a welcome area of natural amenity and bio-diversity which would be maintained by the development, to the advantage of the wider area. The proposal is to retain the existing semi-mature trees on the Belle Vue Road frontage but also to supplement these with new planting which would create a visual link to the trees at the rear of Concept Place to the west. The retention of the stone retaining wall through the centre of the landscaping would provide an attractive feature as well as maintain stability to the highway to the north. This landscaping and the positive impact it will have on this area is fully supported by officers.
- 9.18 Highways and Servicing

The site is well located for walking and cycling to the City's main further education campuses. It is also within walking distance of the local retail and leisure facilities, the railway station and City Centre bus stops and interchanges. Therefore, the site is considered to be in a sustainable location. Servicing would occur from the public highway on Park Lane only, which removes it from proximity to the residential uses to the north of Belle Vue Road. The existing TRO would permit this. The vehicular and pedestrian entrances, and the refuse storage areas, are all located on Park Lane which makes this practically the only option in any case. The public footway is to be widened to 2m as a result of this proposal which means it would be wide enough to accommodate this increased activity. This increase in public footpath would be secured by condition and Transport Development Services support the arrangements.

- 9.19 The Parking SPD sets out that a maximum of 11 spaces would be required for this proposal but accepts minimal or no car parking where there is considered to be no adverse impact on the highway. In this case on-street parking is controlled by T.R.O.'s in the local area and so, it is considered that 3 car parking spaces (including one specifically set out for disabled parking) are acceptable given the sustainable location of the development, the nature of the student housing use and the parking controls on surrounding streets. In addition, any permission would carry an informative advising that no permits would be issued to occupiers for use of the on-street residential parking control areas.
- 9.20 Transport Development Services require a strategy to manage student arrival and departures at the start and end of term. Given the relatively small capacity of the building and the presence of 3 on-site parking spaces, the whole process of drop-off and pick-up at the start and end of term can be achieved over a 2 day period by offering half hour slots within the basement parking area (6 slots per hour over a 2 x 7.5hr days = 90 slots). Therefore this process does not have to occur from the highway. In addition a short stay car park exists on Burley Rd to park vehicles that may arrive early for their slot. The applicant has agreed this method of managing pick-ups and drop-offs and this would be controlled by condition.
- 9.21 In respect of additional points raised in the objections not covered by the above: The building now provides a 2m wide footway on the Park Lane frontage and is set back from the Belle Vue Rd footway. Any highways land used during construction would have to be carried out under license granted by the Highway Authority and is therefore controlled by other legislation. Highways officers consider that the proposal does not present a hazard to highways users.
- 9.22 The scheme is not of sufficient size to require its own travel plan as set out in the Travel Plan SPD. In addition, the applicant's submitted Transport Assessment states that:

The University of Leeds has produced a Travel Plan for students, which indicate(s) a commitment to sustainable travel throughout the university community. Leeds Beckett University has provided information regarding walking, cycling, public transport for staff and student as part of their Transport Strategy. The University of Leeds Travel Plan and the Leeds Beckett University Transport Strategy are both available to all students and can be downloaded at their respective websites. All students of this development will be encouraged to download the relevant information from the websites.

9.23 Officers consider that the site has good access to public transport and is within walking distance of the universities and city centre services. This, considered with the limited on site car parking and wide spread of on street car parking controls would ensure that the development does not have an adverse impact on the existing highway network and would rely on sustainable modes of transport.

9.24 Planning obligations

From 6th April 2010 guidance was issued stating that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is all of the following:

- (i) necessary to make the development acceptable in planning terms. Planning obligations should be used to make acceptable development which would otherwise be unacceptable in planning terms.
- (ii) directly related to the development. Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement.
- (iii) fairly and reasonably related in scale and kind to the development. Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.

According to the guidance, unacceptable development should not be permitted because of benefits or inducements offered by a developer which are not necessary to make development acceptable in planning terms.

Further to the above, the following matters are emerging which would form part of a Section 106 Agreement to be concluded with the applicants:

- Restriction on occupancy to full-time students only during term times
- Cooperation with local jobs and skills initiatives

9.25 CIL

The proposal would be subject to the Community Infrastructure Levy (CIL) and the sum calculated is £22,364. This is for information only and in this case is not a material planning consideration in the assessment of the overall planning application and the decision making process.

10.0 CONCLUSION:

10.1 Paragraph 11 of the NPPF notes the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or specific policies in the Framework indicate development should be restricted.

- 10.2 The application proposal has the potential to deliver new student residential dwellings in a sustainable location that would contribute to improving the local environment as well as offering economic benefits such as jobs during construction and site operation.
- 10.3 The proposal is considered to be in accordance with the Development Plan, and national planning policy as described above and it is recommended that planning permission be granted subject to the conditions set out at Appendix 1 and the planning obligations outlined at the head of this report.

BACKGROUND PAPERS:

Pre-application file: PREAPP/15/00515

Appendix 1: Draft Conditions for 18/00147/FU

DRAFT

Applicant Morningson Limited

Application Number: 18/00147/FU

Agent: Christopher Wickham Assocs
35 Highgate High Street
London
N6 5JT
United Kingdom

Proposed Development At: Land At Junction Of Park Lane & Belle Vue Road, Woodhouse, Leeds, LS3 1DP

Proposal: Erection of 8 storey building providing student accommodation comprising 88 studio rooms and communal facilities; associated vehicular access, basement car parking and servicing, and landscaping

- 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) Prior to the commencement of building works, a sample panel of all external facing materials, roofing and glazing types to be used shall be constructed on-site and approved in writing by the Local Planning Authority. The external cladding and glazing materials shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to the completion of the development.

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

- 4) No building works to which these details relate shall be commenced until full 1:20 scale working drawings detailing the following, have been submitted to and approved in writing by the Local Planning Authority:
 - a. soffit, roof line and eaves treatments and relationship to top floor glazing
 - b. typical window reveals

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, in order to accord with Leeds Core Strategy Policy P10, Saved UDPR Policies GP5 and BD2, and the NPPF.

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

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

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

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

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

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

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

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

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

- 9) Prior to the commencement of development a Coal Mining Legacy Report shall be submitted to and approved in writing by the Local Planning Authority which shall set out the following in respect of works to be carried out on the site:

1. The extent of Intrusive Site Investigation Works which shall be carried out to establish the ground conditions and the potential risks posed to the development by past coal mining activity
2. The findings arising from the Intrusive Site Investigation Works
3. In the event that the Intrusive Site Investigation Works confirm the need for remedial works to take place, the details of a Remedial Works Package
4. The programme of implementation of the Remedial Works Package

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

As the extent of coal mining legacy activity is not accurately known on site, the Coal Authority consider it necessary for the exploratory works, and possible remediation, to be carried out by the applicant prior to commencement of development in accordance with saved policy GP5 of the Leeds UDP Review 2006

- 10) Development shall not commence until a drainage scheme (i.e. drainage drawings, summary calculations and investigations) detailing the surface water drainage works as well as arrangements for its future maintenance (e.g. adoption by the Water Company) has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall comply with the Councils Minimum Development Control Standards for Flood Risk - see the Natural Resources and Waste LDF with surface water discharges restricted to 4 l/s for the 1:100 rainfall event with 20% uplift for climate change. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP

- 11) There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works, unless otherwise approved in writing by the Local Planning Authority.

To ensure that no surface water discharges take place until proper provision has been made for its disposal

- 12) Landscaping works shall not commence until full details of both hard and soft landscape works, including an implementation programme, 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) car parking layouts,
 - (d) other vehicle and pedestrian access and circulation areas,
 - (e) hard surfacing areas,
 - (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
 - (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works shall include

- (h) planting plans, including those trees to be retained on site

- (i) written specifications (including soil depths, tree pits, cultivation and other operations associated with plant and grass establishment) and
- j) schedules of plants noting species, planting sizes and proposed numbers/densities.

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

To ensure the provision and establishment of acceptable landscape in accordance with Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5, N23, N25 and LD1.

- 13) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules, to include a minimum 5 year planting defects period, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds Core Strategy Policy P12, Saved UDP Review (2006) policies GP5 and LD1 and the NPPF.

- 14) Development shall not be occupied until all areas shown on the approved plans to be used by vehicles have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

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

- 15) Prior to the occupation of the development hereby approved, details of a car park and servicing management plan including access security measures, pick-up drop off arrangements, and servicing shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt this shall make clear that all pedestrian access and servicing shall be from Park Lane to the south and not from Belle Vue Road which shall be used for both emergency and disabled access and egress only. The development shall be operated in accordance with the approved management plan thereafter.

In the interests of sustainable development, amenity, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policy T2, Leeds UDPR Policy GP5, and the NPPF.

- 16) Prior to the occupation of the development hereby approved, details of an electric vehicle charging point car parking space shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided in accordance with the approved details prior to first use of the car park, and retained as such thereafter.

In the interests of encouraging more sustainable forms of travel and to reduce the impact of development on air quality, in accordance with the NPPF, Leeds Natural Resources and Waste DPD 2013, the Parking SPD, and Saved Leeds UDPR Policy GP5.

- 17) Development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall be retained for the lifetime of the development.

In order to ensure the development is provided with adequate, on site, cycle and motor cycle parking.

- 18) Prior to first occupation 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. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details of how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented before the development hereby permitted 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 and to promote recycling, in accordance with the NPPF and Leeds UDPR Saved Policies GP5 and the NPPF.

- 19) Prior to the commencement of development, a Statement of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:
- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
 - b) measures to control the emissions of dust and dirt during construction;
 - c) location of site compound, site hoardings and plant equipment/storage;
 - d) location of contractor and sub-contractor parking;
 - e) how this Statement of Construction Practice will be communicated by the developer to local residents and who they should contact in the event of concerns
 - f) that construction works shall be restricted to 0800-1800 hours Monday to Friday, 0800-1300 hours on Saturdays, with no works on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

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

- 20) Any gates across the access road to the development site shall be set back a minimum of 8m from the back of the footway and shall not open outwards over the public highways.

In the interests of free and safe use of the highway in accordance with saved policy GP5 of the Leeds UDP (Review) 2006

- 21) No building works shall take place until details for the provision of highways works shown indicatively on plans A-01-001_ F, A-04-000 G and A-04-001 G have been submitted to and approved in writing by the Local Planning Authority for inclusion in the section 278 Highways Agreement or to be secured by such other procedure as may be agreed between the applicants and the Local Planning Authority. Works shall be carried out in accordance with the approved details.

In the interests of pedestrian and vehicular safety in accordance with policy GP5 of the Leeds UDP (Review) 2006.

- 22) Prior to the installation of any extract ventilation system or air conditioning plant, details of such systems 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 and in accordance with Saved Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 23) Noise insulation shall be provided to each of the units of living accommodation which shall comply with the recommendations set out in the submitted Noise Impact Assessment Report 19013/NIA1 by Hann Tucker Assocs. hereby approved. These measures shall thereafter be retained on site for the lifetime of the development.

In the interests of residential amenity

- 24) The development shall be constructed in accordance with the sustainable design and construction principles set out in a document to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

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

- 25) a) No works shall commence until all existing trees, hedges, bushes shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be retained for the duration of any demolition and/or approved works.

b) No works or development shall commence until a written arboricultural method statement for a tree care plan has been submitted to and approved in writing by the local planning authority. Works or development shall then be carried out in accordance with the approved method statement.

c) No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services, without the prior written approval of the Local Planning Authority.

d) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition and/or approved works, to allow inspection and approval of the works.

To ensure the protection and preservation of trees, hedges, bushes and other natural features that make a positive contribution to the character and amenities of the area. In the absence of appropriate measures the retention and long term health of such vegetation could be compromised by the carrying out of the approved development.

Plans Schedule :-

Plan Type

Plan Reference

Received

Reason(s) for granting consent:-

For information:-

- 1) In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with the National Planning Policy framework.
- 2) The applicant should be aware that there is an Agreement/Obligation by way of undertaking under Section 106 of the Town and Country Planning Act 1990 affecting this site or that there is likely to be a need to enter into such Agreement/offer an Obligation to discharge the requirements of conditions above.
- 3) This permission does not give consent to any advertisement intended to be displayed on the site for which separate express consent may be necessary under the Town and Country Planning (Control of Advertisements) Regulations 2007.
- 4) This permission does not absolve the applicant(s) from the requirements for compliance with a Building Regulation approval, or the duty of compliance with any requirements of any Statutory Body, Public Utility or Authority.

The applicant is advised that where any of the following apply, The Party Wall Act 1996 provisions are relevant, and you may well need to serve notice and get agreement from adjoining owners/neighbour(s) to carry out the work;

- work carried out directly to an existing party wall or structure
- new building at or astride the boundary line between properties
- excavation within 3 or 6 metres of a neighbouring building or structure depending on the depth of the hole or proposed foundations.

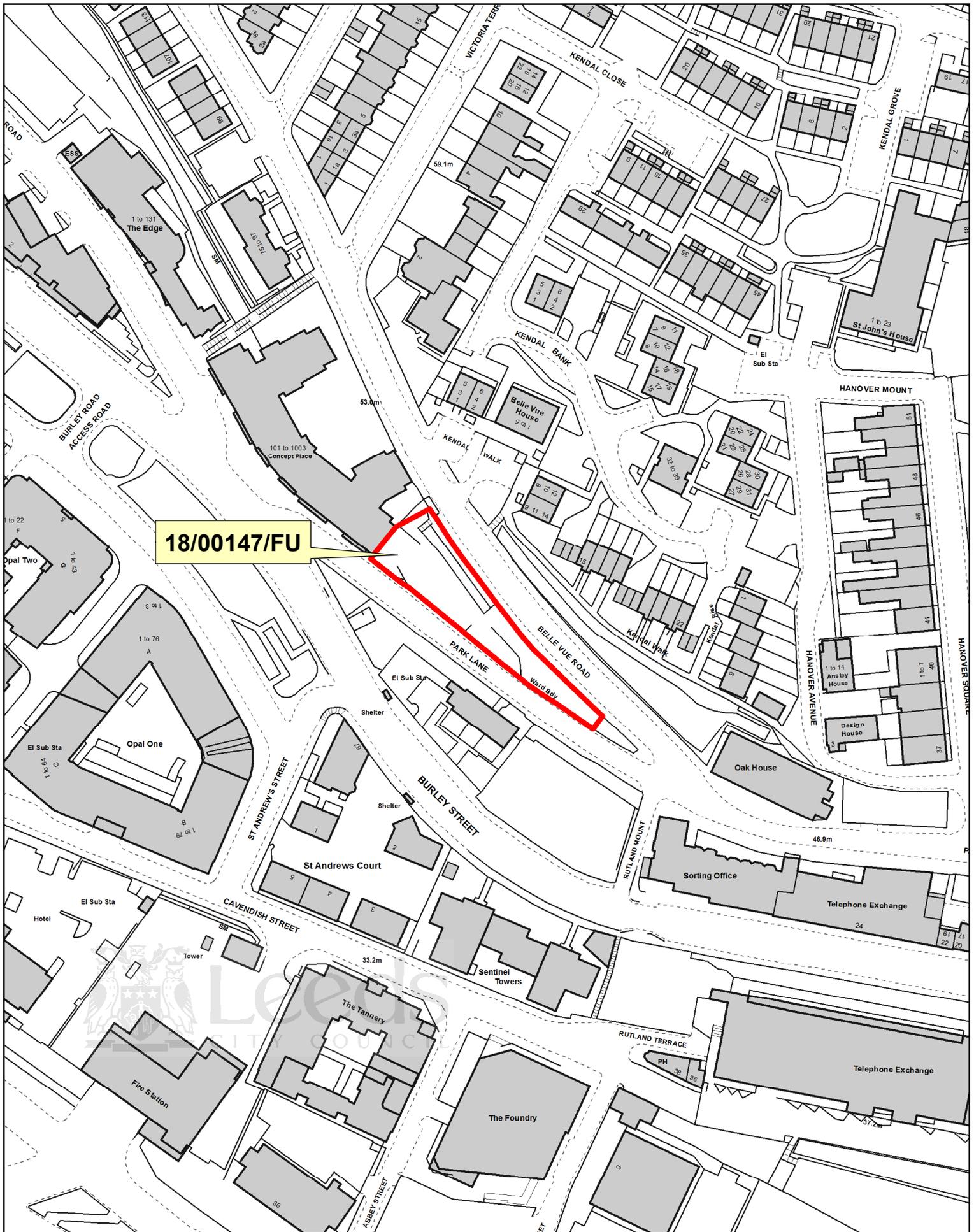
- 5) This permission does not give consent to any structural, elevational or sanitary alterations, including flue pipes, for which separate formal approval would be necessary, and a separate application(s) should be made before the commencement of any works, under the Town and Country Planning Act 1990 and/or the Building Act 1984.
- 6) All reports addressing land contamination should be compiled in accordance with best practice and policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

Prior to preparing any reports in compliance with conditions related to land contamination the applicant is also advised to refer to the Leeds City Council guidance leaflets in the series:- The Development of Contaminated Sites:
The Blue Leaflet (CL2) - Reports in Support of Planning Applications
The Yellow Leaflet (CL4) - Residential Development on Land Affected by Contamination

These leaflets can be obtained at www.leeds.gov.uk/contaminatedland

- 7) The applicant is advised that remediation of any contaminated site is required to a standard such that the site would be suitable for use policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006. This includes the quality of imported soils and soil forming materials. The developer is responsible for ensuring that development is safe and suitable for use for the intended purpose.
- 8) The applicant is advised that future occupiers of the development hereby permitted will not be eligible for on-street parking permits within the existing or any future controlled parking zones in the locality.
- 9) In order to discharge condition 21 of this permission it is necessary to obtain separate Highway Authority approval of the specification and construction details and enter an agreement under Section 278 of the Highways Act 1980. The applicant is advised to make early contact with the Department of Highways and Transportation (0113 378 7007; email: s278mini@leeds.gov.uk) prior to submission of condition discharge details.

Further information regarding rights of appeal, removing site notices etc will appear from this point forward on the final decision notice when it is produced.



CITY PLANS PANEL

© Crown copyright and database rights 2019 Ordnance Survey 100019567

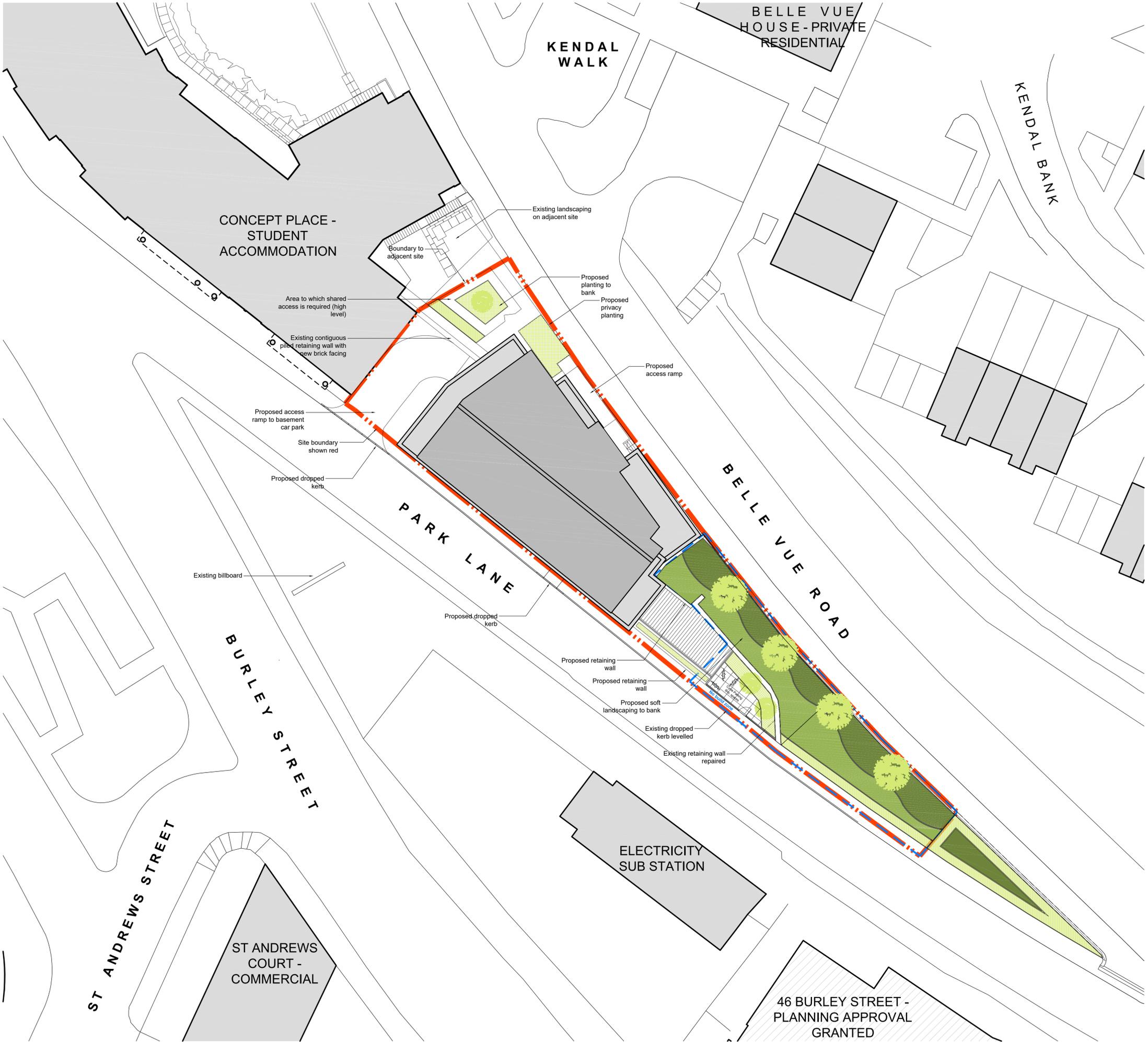
PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500



DO NOT SCALE FROM THIS DRAWING.
 VERIFY ALL DIMENSIONS AND SETTING OUT ON SITE.
 NOTIFY ANY DISCREPANCIES TO THE ARCHITECT.
 FOR STRUCTURAL INFORMATION, REFER TO
 STRUCTURAL ENGINEER'S DRAWINGS.
 FOR M&E INFORMATION, REFER TO M&E ENGINEER'S
 AND SUB-CONTRACTOR'S DRAWINGS.
 FOR HEALTH & SAFETY INFORMATION, REFER TO
 HEALTH & SAFETY RISK ASSESSMENTS.

THIS DRAWING IS INDICATIVE OF DESIGN INTENT
 ONLY. ALL CONSTRUCTION DETAILS, FINISHES AND
 INTERFACES TO BE CONFIRMED & AGREED WITH THE
 ARCHITECT PRIOR TO CONSTRUCTION.



PLANNING

REVISION F	BY: BP	CHECKED: DMB	DATE: 12.02.2019
UPDATE TO APPLICATION 18/00147/FU			
REVISION E	BY: BP	CHECKED: DMB	DATE: 02.11.2018
UPDATE TO APPLICATION 18/00147/FU			
REVISION D	BY: BP	CHECKED: RJB	DATE: 13.10.2017
DRAWING NUMBER CHANGED FROM PL01 TO A-01-001			
REVISION C	BY: BP	CHECKED: DMB	DATE: 04.12.2015
REVISED SCHEME FOR PLANNING			
REVISION B	BY: J/V	CHECKED:	DATE: 07.02.2012
REVISED SCHEME FOR PLANNING			
PLOT DATE:			

CLIENT:
**PARK LANE
 STUDENT HOUSING**

PROJECT:
 Proposed Site Plan

DRAWING:
 DRAWN BY: ELS
 SCALE: 1:200 @ A1
 DATE: November 09

Hadfield Cawkwell Davidson
 Broomgrove Lodge, 13 Broomgrove Rd, Sheffield, S10 2LZ T 0114 266 8181 www.hcd.co.uk
 Architecture | Engineering | Interior Design | Masterplanning | Urban Design
 DRAWING NO: ARCH / 2009-165 / A-01-001 / F
 REV: F

PROPOSED SITE PLAN 1:200

