

Report of the Chief Planning Officer

CITY PLANS PANEL

20th February 2020

Partial demolition and the erection of two buildings ranging from five to eleven storeys comprising 245 residential apartments with flexible commercial uses at ground floor level (use class A1, A2, A3, D2 and/or B1), hard and soft landscaping and other associated works; Tower Works, Globe Road, Leeds LS11 5QG (19/03590/FU)

Applicant – Cedar (Maple Oak) Ltd.

Date valid – 11.6.19

Target date – 11.9.19

Electoral Wards Affected:

Beeston & Holbeck

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 identified in Appendix 2 (and any others which he might consider appropriate) and also the completion of a Section 106 agreement to include the following obligations:

- **The provision of a commuted sum of £1,679,000 in lieu of on-site affordable housing;**
- **£20,000 for implementing traffic control measures to be provided in the event that on-street parking problems arise as a result of the development**

- **Compliance with agreed Green Travel Plan measures and a review fee of £3,870;**
- **2 car club spaces to be provided on-street outside the site;**
- **Contribution of £6,000 per pay and display space lost as a result of alterations to the highway outside the site;**
- **A Residential Travel Plan Fund contribution of £61,311.25 to encourage the use of sustainable travel modes by the residents of the apartments;**
- **24 hour public access through the site;**
- **Local employment and training initiatives;**
- **Section 106 management fee (£2,250).**

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

1.0 Introduction

1.1 Tower Works closed in 1978 followed by significant demolition during the 1980's leaving a largely unoccupied site other than five listed buildings which stood in isolation. An initial phase of redevelopment of the Tower Works site was completed in 2011-2012 but later stages were not commenced. Revised proposals for a mixed-use phased development comprising 160 dwellings, office space, supporting uses and new public realm were granted planning permission in July 2016. However, that scheme was found not to be deliverable and pre-application discussions regarding a revised scheme commenced during 2018.

1.2 The current proposals for the western half of the wider site propose two predominantly residential buildings set within a new area of public realm. The proposals are brought forward by Cedar (Maple Oak) Ltd, a collaboration between Ask Real Estate and Richardson. The applicant's team presented the emerging pre-application proposals to City Plans Panel on 18th April 2019 following a site visit by Members. A copy of the minutes of that meeting is attached as Appendix 1.

1.3 Planning permission for enabling works to prepare the site for the substantive development has been granted recently. It is expected that these works will commence in the near future so as to facilitate construction of the substantive development during 2020. At the same time, the Council (who own the listed towers and the Engine House) is also presently marketing the Engine House for use as a post-production building for film and/or television production operators.

2.0 Site and surroundings

2.1 The Tower Works site is located on the north side of Globe Road to the west of the junction with Water Lane. The Leeds-Liverpool canal footpath abuts the northern boundary of the site with the canal bridge leading to Granary Wharf and the Southern Station Entrance to Leeds City Station located just 70 metres to the east. The site falls within the boundary of the designated Holbeck Conservation Area and immediately south-west of the Canal Wharf Conservation Area.

- 2.2** The application site comprises 0.85 hectares of the wider 1.1 hectares of brownfield land. Tower Works was originally established as a card clothing pin works in the 1860s and underwent major expansion in the 1890's and 1920's before finally closing in 1978. Demolition from the 1980's onwards removed a significant number of the late 19th century and later sheds which previously covered the site although the outer faces of these buildings were retained as boundary walls.
- 2.3** Five of the surviving buildings are listed but do not form part of the current development proposals: The Engine House (Grade II), 6-8 Globe Road (Grade II), and the three towers. The smaller ornate tower (Grade II*), built in 1864 in the centre of the site, is based upon the Lamberti Tower in Verona. The largest, and most ornate tower (Grade II*), was built in 1899 close to Globe Road and is based upon the Giotto campanile in Florence. The third tower, often referred to as the Little Chimney (Grade II), was built close to the north-east site boundary in 1919, is plainer than the earlier ones and thought to represent a Tuscan tower house. 6-8 Globe Road, and the extension at its western end, is occupied by a number of small businesses which would be unaffected by the development. Landscaping between 6-8 Globe Road and the Giotto tower was completed to a high standard as part of an earlier phase of development whereas the surface treatment in the remainder of the site is largely of a temporary nature still awaiting redevelopment.
- 2.4** The Mustard Wharf development of 250 apartments on the former Granary Wharf surface car park immediately beyond the north-east site boundary commenced in Autumn 2018. The superstructure of blocks A and B of that scheme, either side of the Little Chimney, are nearing completion. Hol Beck runs in a channel adjacent to the south-eastern corner of the site. Land on the southern side of Globe Road forms part of the wider CEG land-holdings for which planning permission was granted for redevelopment in 2018. Enabling works for the detailed element of that development were carried out during 2019 with the substantive development planned to commence in Spring 2020. 16 Globe Road (Globe Quay) located to the west of the site beyond a high brick boundary wall is a four-storey (Grade II) listed building positioned close to the canal with a long courtyard situated between the building and Globe Road.
- 2.5** South of Globe Road there are several listed and non-designated historic buildings dating from the industrial revolution in the period between the late Eighteenth Century and early Nineteenth Century. The surrounding area contains a mixture of land uses including both commercial and residential accommodation.

3.0 Proposals

- 3.1** The proposed development comprises two predominantly residential buildings within the western half of the wider site. A "r-shaped" building would be constructed close to the north, western and south western boundaries of the site with a second building with a north-south axis located between the Verona Tower and Little Chimney.
- 3.2** The building situated close to the western edge of the site would rise from 5 storeys close to Globe Road (Globe House), to 11 storeys to the west of the Giotto Tower and drop down to 7 storeys running up to the canal towpath (Giotto House). A link between Canal House and Giotto House would be 6 storeys, including a two-storey cut at ground and first floor. The main body of the building along the canal frontage (Canal House) would be 9 storeys in height.
- 3.3** The ground floor of Globe House, containing reception and communal lounge space, would sit 2.4 metres behind the retained southern boundary factory wall

which would be repaired and refurbished, with three existing window openings taken down to ground level to provide additional pedestrian access into the site and light into the building. The upper levels of the building would be cantilevered forward, sitting 0.6m behind the southern boundary wall, with the internal floor at level 1 designed to enable clear views out and daylight in to the four duplex apartments proposed in this part of the building.

- 3.4** The original western boundary wall abutting Globe Quay would be retained. At ground floor level the west elevation of Giotto House would be set back 2.5m from the western boundary with Globe Quay. The main body of Giotto House would step back approximately 8m from the western boundary. At the northern end, Giotto House would step back towards the western boundary with Globe Quay. On the canal frontage there would be a 2 storey, 8-9m wide gap between Giotto House and Canal House with upper levels of the building running through up to level 6. The long axis of Canal House running alongside the canal footpath would be located a minimum of 2m from the blank northern side elevation of the Engine House and would extend 19m to the east of that building. Primary entrances into blocks A, B and C would be from within the internal courtyard.
- 3.5** The short, northern, elevation of the second building, block D, would sit 5m back from the canal footpath and run in a southerly direction towards the rear of the listed range of buildings fronting Globe Road. The north-eastern and south-east elevations of the building would be chamfered in response to the diagonal site boundary and the Mustard Wharf development to the east and also the intended future construction of phase 2 of Tower Works. Block D would be 9 storeys in height with a 12.5m wide, 4m deep cut in its footprint located due east of the Verona Tower. At ground and first floor level a 5m wide passageway would be extended through from the proposed main piazza towards a smaller space containing the Little Chimney at its eastern end adjacent to Mustard Wharf.
- 3.6** The ground floor of the buildings would contain entrances to the upper floor residential apartments, reception and management areas, and also communal spaces for residents. Elsewhere, there would be a mix of more functional areas, including bin and cycle stores and rooms for substations. Additionally, three commercial units are proposed, located in those elements of the buildings adjacent to the waterfront. The proposed commercial space, including back of house areas, would extend to 838m² and could be used as Use Class A1, A2, A3, B1 and/or D2.
- 3.7** The upper floors of the buildings would contain 137, one-bedroom apartments (56%); 96, two-bedroom apartments (39%); and 12, three-bedroom apartments (5%), a total of 245 units which would be provided for the build to rent market. The residential accommodation comprises 15 separate flat types, all designed to meet or to exceed the Council's Minimum Space Standards. Communal roof terraces are proposed above Globe House and above the link between Giotto House and Canal House. There would be private terraces on the west side of Giotto House and the east side of Canal House. The roof top of Giotto House would support an extensive array of photovoltaic panels.
- 3.8** The proposed building architecture is informed by the industrial vernacular of the area and Italian classicism. The buildings would be constructed in traditional brickwork, with red brick tones chosen to provide a subtle contrast to that of the towers. Subtle variation in design is intended to enrich simple and regular rhythms. Typically, the base of the buildings would be marked by a two storey plinth with widened openings and colonnades on some commercial frontages. The main body of the buildings would comprise regular window openings and recessed masonry panels, with some apartments benefitting from inset or Juliet balconies. Corners of buildings would be expressed with a larger order to reinforce

distinctiveness. The tops of the taller parts of the buildings would be denoted by a double or triple storey order.

3.9 Five pedestrian routes would be provided into the site including through two-storey routes through the buildings. Approximately 65% of the site would be public space, focused around three key squares characterised by each of the listed towers: Giotto Piazza, Verona Square and Chimney Place. The main public space would comprise two attached areas, Giotto Piazza and Verona Square. The southern half (1,220m²), either side of the Giotto Tower, would have similar proportions to Victoria Gardens. The northern half (837m²), to the west of the Verona Tower, would be approximately 40% of the size of Sovereign Square. A more intimate space, Chimney Place (approximately 480m²) would be formed towards the eastern fringe of the site between the eastern building and the Little Chimney. The public realm would largely be hard-surfaced utilising natural stone flags, natural stone setts and block paving. Two lawned areas, each containing several trees and lined by seating, would be laid out between the Engine House and the Verona Tower. Two lines of trees would be planted with a north-south alignment across the site. An area of tree planting is also proposed directly to the east of the Giotto Tower. Tree and ornamental planting, lined by benches, is proposed within Chimney Place.

3.10 Servicing vehicles would enter the site at the existing access on Globe Road to the west of the Giotto Tower. Vehicular access would be controlled by fall and rise bollards. Other than for the provision of 3 disabled person car parking spaces it is not intended to provide dedicated parking for the residential apartments. The development would be supported by a range of sustainable travel measures including new pedestrian routes across the site and improvements to the canal footpath and Globe Road footpath; cycle parking (245 long stay spaces located in two secure cycle stores and short-stay cycle parking for 70 bicycles); and space for two car club vehicles directly outside the site.

3.11 As the development encompasses the western half of the wider site the remaining area would be landscaped in the event that Phase 2 proposals have not come forward when Phase 1 is occupied.

4.0 Relevant planning history

4.1 The current scheme was the subject of a pre-application presentation to City Plans Panel on 18th April 2019 following a site visit by Members earlier that day (PREAPP/18/00291).

- Members were of the view that the proposed mass and form of the development and its relationship with the surrounding context was acceptable;
- Members were supportive of the emerging architectural approach, however, further details were required and the comments of Members regarding materials etc. were to be noted;
- Members were of the view that the approach to car parking provision within the site was acceptable with the inclusion of some disabled parking required;
- Members were generally supportive of the design of the public realm areas with a suggestion that more greenspace be provided;
- Members considered the proposed housing mix was generally acceptable; and,
- Members expressed the view that the sizes of the apartments within the development was not acceptable. This matter has been addressed by making the rooms larger as set out at paragraph 9.5.15.

A full copy of the minutes of that meeting is attached as Appendix 1.

- 4.2** Since submission of the current application blocks B and C of the western building has been pulled away from the boundary; the western boundary wall retained rather than demolished; and the elevational treatment of the buildings has been developed and refined.
- 4.3** Planning permission for 10 new buildings to be constructed in three phases on the site was granted on 12th July 2016 (15/06578/FU). The approved buildings incorporated 160 residential units and over 11,800m² of new office floorspace. Generally, residential uses were primarily located in buildings towards the west of the site and ranged in height from four to seven storeys (plus rooftop accommodation). Office uses (B1) were identified in buildings towards the eastern half of the site and ranged in height from 4 to 6 storeys. A mix of active uses, including shops, restaurants and cafes, and drinking establishments were proposed at ground level of the buildings adjacent to new public routes and a large public space. The scheme incorporated routes for off-street servicing of the development, access for emergency and refuse vehicles and 29 car parking spaces (comprising 8 disabled person's spaces; 1 car club space and 20 spaces for the residential accommodation).
- 4.4** Prior to application 15/06578/FU, several planning permissions were granted for redevelopment of the Tower Works site culminating in application 08/05144/FU, approved on 19th October 2009. Permission was granted for demolition, new build and change of use to provide a major mixed use scheme comprising B1 (offices); C3 (approximately 117 residential units); D1 (Community facilities), A1 (retail); A3 (café) and A4 (bar) uses with a combined heat and power plant, and ancillary public open space and landscaping. The heights of the buildings typically varied between 7 storey fronting the canal and along the eastern end of the site, and 5 storey fronting Globe Road and within the heart of the site. A variation to this permission (10/02604/FU) involving changes to Block B was approved on 1st April 2011. Only Phase 1A of the redevelopment, involving alterations to 6-8 Globe Road; the construction of Block B to its west; and temporary landscaping was implemented.
- 4.5** Planning permission for enabling works to facilitate the development of the site comprising service diversion and removal of underground flues, demolition of existing wall, demolition of concrete slabs, masonry and basement, canal remedial works, earthworks and piling was approved on 10th December 2019 (19/05003/FU).
- 4.6** Planning permission for the mixed use Mustard Wharf development of the car park beyond the eastern boundary of Tower Works was approved on 21st November 2017 (16/01115/FU). The tallest building, fronting Water Lane at the junction with Wharf Approach, would be 31m (11 storeys) high, stepping down to 23m (8 storeys) high alongside the Tower Works boundary. The superstructure of blocks A and B of that scheme, either side of the Little Chimney, are nearing completion.
- 4.7** CEG gained planning permission for the phased redevelopment of 5 parcels of land extending over 3.5 hectares, including land on the southern side of Globe Road opposite Tower Works, and north of Globe Road to the west of Globe Quay, on 5th October 2018 (17/06455/FU). Advance infrastructure and enabling works for the detailed part of that development on land between Globe Road and Water Lane, including the demolition of Globe Works, were completed during 2019.

5.0 Public / local response

- 5.1** Site notices advertising the application were erected on 21st June 2019 and the application was advertised in the Yorkshire Evening Post on 28th June 2019.
- 5.2** The Leeds Civic Trust (LCT) recognise that the previous planning permission sets parameters for scale and massing. LCT comment that some of the changes from the consented scheme offer a more appropriate response to the design parameters and drivers suggesting that the proposals represent a pragmatic and principled approach to design within this context.

However, LCT state that there are a number of issues which have not been addressed since the applicant presented the scheme to the LCT:

1. The canalside block is too high, lowering it would reveal the Giotto Tower from more viewpoints;
2. There should be an element of contrast between the new blocks and the towers so that the older features stand out in front of the buildings behind;
3. The new buildings appear blocky and the removal of the interesting roofscape in the previous scheme is to be regretted;
4. The facades appear bland with little relief from changes in colour or texture;
5. The windows are too narrow; and
6. There are fewer three-bed units than required by policy despite anecdotal evidence that there is a high level of demand for such properties in the City Centre.

Every effort should be made to integrate the towers and Engine House into the development at an early stage. A flythrough showing how views of the towers would change when arriving by train would be helpful.

- 5.3** 5 letters of objection have been received from residents of Leeds. The planning concerns raised are that the proposals:

- Appear bland, boxy, bulky and monotonous;
- Block views of the towers from the railway;
- Lower buildings would be more suitable around the towers and Engine House;
- Have few interesting features such as balconies or a variety of textures and materials;
- Are not appropriate in such an important historic context;
- Do not present an active frontage to the canal;
- Do not take into account the concerns raised by statutory consultees.

- 5.4** 1 letter has been received on behalf of the owner of Globe Quay, the premises located immediately to the west of the site. There are concerns that the approval of the Tower Works scheme could prejudice the scope for developing Globe Quay by virtue of the juxtaposition of the proposed development to the southern entrance of the Globe Quay site where a new building is planned.

6.0 Consultation responses

6.1 Statutory

- 6.1.1** Historic England - the Italianate towers at Tower Works could be said to be the crowning glories of the industrial heritage of Leeds. We have previously accepted a high level of building on the site; however the critical issue is the dominance of the listed towers, which is a fundamental aspect of their significance, to be retained as far as possible. The proposal, by virtue of its height, bulk and massing, would

reduce both the visibility of the towers and also their dominance in views from outside the site looking towards Holbeck. This would cause serious harm to their heritage significance and the contribution they make to the character and appearance of Holbeck Conservation Area. We therefore raise concerns about the application on heritage grounds.

6.1.2 Ancient Monuments' Society – the changes from the previous development provide some better views of the important towers, however, this is rather negated by their being less visible as part of the Leeds skyline, in particular when viewed from the Canal or for those arriving/leaving by train. This is an important site which deserves more interesting features in the new build, whether that be the design of the windows or roof lines, which were more interesting in the previous application.

6.1.3 Canal & River Trust – whilst we broadly welcome approaches to redevelop the site, we have fundamental concerns that the scale and fenestrations of the canalside frontage now proposed would, when compared with the extant scheme, result in a scheme that would not make a positive contribution to the canal corridor or the wider Holbeck neighbourhood and, by virtue of its inappropriate design, could adversely impact upon the emerging character of the area. Planning permission should not be granted for the following reasons:

1. The proposed development would result in a poor relationship with the waterway corridor by virtue of the height, scale, materials and ground floor relationship of blocks facing the canal, reducing the attractiveness of the adjacent canal corridor to existing and future users for sustainable commuting, recreational travel and health and wellbeing benefits.
2. The scale of blocks A, B and D would visually dominate neighbouring listed buildings, including the Verona Tower and Globe Works, and would substantially erode the distinctiveness of the historic environment in this location; resulting in substantial harm to the setting of both listed buildings and the Holbeck Conservation Area.

6.1.4 Environment Agency (EA) – subject to the removal of A4 Drinking Establishment (more vulnerable) use on the ground floor the proposal is acceptable subject to conditions in respect of the development being carried out in accordance with the flood risk assessment; and provision and management of biodiversity improvements involving the enhancement of Hol Beck's morphology and ecology.

6.1.5 LCC Highways – the proposals are acceptable in principle. A road safety audit should be carried out in accordance with the agreed brief. Cycle parking should be provided in accordance with the Parking SPD. Provision of 2 car club bays on-street is required. Motorcycle parking, disabled parking and electric vehicle charging (EVC) is also required. Improvements to Globe Road, including widening of the footway/narrowing of the carriageway and provision of a controlled crossing is required, compatible with those arrangements agreed for the CEG permission. There would be no scope for servicing from the highway. Access to the development for emergency, refuse, delivery and other servicing vehicles, including large removal vehicles, is required.

A Residential Travel Plan fund, including car club trial membership, would be required to support the Residential Travel Plan.

6.2 Non-statutory

6.2.1 LCC Conservation – The Heritage Statement submitted with the application is a fair assessment of the impact on the surrounding heritage assets and it is agreed

that the proposed development will not harm the Engine House, Entrance Range and the Globe Foundry Fitting Up Shop, the Canal Wharf Conservation Area or the retained factory wall.

Whilst the listed towers will lose their overall dominance they will gain a new context which will enhance their aesthetic value thereby offsetting the impact upon their historic interest. The significance of the listed buildings will therefore be preserved. As the listed buildings are within the Holbeck conservation area it follows that the development will enhance the character or appearance of the conservation area.

- 6.2.2 LCC Flood Risk Management – there are no objections in principle to the proposal. A detailed surface water drainage strategy, utilising Sustainable Drainage Systems (SuDS), should be submitted and approved in writing by the Local Planning Authority. A condition is proposed in this respect.
- 6.2.3 LCC Contaminated Land Team – Further information is required before construction of the development confirming the details of the proposed remediation strategy to ensure that the site is suitable for use. Conditions are recommended in respect of the remediation and validation strategy and measures required in the event of unexpected contamination being identified.
- 6.2.4 LCC Streetscene Services - all commercial waste from the site will be collected by a private company which is acceptable. The residential waste has been designed to accommodate LCC collections. The final strategy will be defined by the operator in due course.
- 6.2.5 LCC Environmental Studies Transport Strategy – the methodology and findings of the submitted noise assessment, recommending a glazing and ventilation strategy such that acceptable internal noise levels are met, are supported. Details of the exact glazing and ventilation specifications to be used should be submitted when known, and as a minimum should meet the requirements detailed in the noise assessment.
- 6.2.6 LCC Nature Team – it is crucial to ensure that lighting between existing structures, northwards towards the canal and along the canal frontage is kept to a minimum to avoid impacts on commuting/foraging bats. Tree planting along the canal frontage is the best opportunity to seek biodiversity gain. Any new buildings should seek opportunities to include features for Peregrine Falcons and bats. Peregrines could also nest on the Giotto or Verona towers.
- 6.2.7 LCC Travelwise – the revised travel plan should be included in the section 106 agreement along with:
- a) Leeds City Council Travel Plan Review fee of £3,870
 - b) provision of two Leeds City Council Car Club provider parking spaces
 - c) provision of a Residential Travel Plan Fund of £61,311.25

Conditions should also cover cycle parking, motorcycle parking and electric vehicle charging points.

- 6.2.8 LCC Housing – fire safety, noise, space, refuse and waste, and odour control considerations should be considered if planning permission is granted.
- 6.2.9 LCC Access Officer – The provision of 100% of units as M4(2) accessible and adaptable units is welcome.

- 6.2.10 Coal Authority – the development is located within the defined Development Low Risk Area. The Coal Authority’s standing advice should be included as an informative if planning permission is granted.
- 6.2.11 West Yorkshire Police – no objection in principle subject to the provision of measures to restrict vehicle access and provide more protection for pedestrian areas and glazed areas of the building. The public open space should have a good management plan to ensure that the areas are maintained. Good quality lighting and monitored CCTV should cover all access doors around the buildings, pathways around the site, public outdoor space and the small parking area. It is positive to see that internal bicycle storage is provided within each block. The main entrance doors leading into each building should include an external intercom system. Provision should be made for safe mail delivery. Doors and windows should be designed to meet relevant security standards. As the development falls within the crowded places criteria curtain walling or ground floor or accessible windows should look to include laminated glazing / blast resistant glazing.
- 6.2.12 Yorkshire Water – the submitted drainage strategy is acceptable. Conditions are recommended to deliver separate systems of drainage and facilities for surface water discharges.
- 6.2.13 West Yorkshire Archaeology Advisory Service (WYAAS) - Tower Works were formed in 1864 and continued to expand in to the early 20th century. The works comprised a two storey office range on to Globe Road, Late 19th century engine and boiler house and three industrial chimneys which also formed part of the works’ dust extraction and pollution control measures. All of these have high regional significance and are protected by various grade II* and grade II listing designations.

There have been a number of phases of archaeological investigation and recording. The earliest built remains recorded on the site is the canal side wall and the western boundary which comprise various stretches of wall predating the foundation of the Tower Works. The excavations and watching briefs have shown that below ground remains that are present are exclusively related to the Harding phases of development during the late 19th and early 20th centuries and include tunnels for the collection and extraction of dust from grinding steel pins etc. and, possibly, the transmission of power. The footings of industrial structures were also recorded.

Given the previous recording of the site and the likely limited information observable from further archaeological fieldwork the WYAAS do not believe any further work is necessary regarding the current application although further archaeological work will be needed in the engine and boiler house when it is put forward for adaptation to modern uses and any works to the structures or substructures of the towers.

7.0 Policy

7.1 Development Plan

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

- The Leeds Core Strategy 2014 (as amended by the Core Strategy Selective Review 2019)
- 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)
- Site Allocations Plan (Adopted July 2019)

7.2 Leeds Core Strategy (as amended) (CS)

7.2.1 The CS sets out the strategic level policies and vision to guide the delivery of development and the overall future of the district. An update of the CS was adopted in September 2019. Relevant CS policies include:

Spatial policies

- Spatial Policy 1 prioritises the redevelopment of previously developed land in a way that respects and enhances the local character and identity of places and neighbourhoods.
- Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space; enhancing streets and creating a network of open and green spaces to make the City Centre more attractive; and improving connections between the City Centre and adjoining neighbourhoods.
- Spatial Policy 6 reviews the housing requirement for the period 2017-2033 with consequential changes to housing distribution SP7 (City Centre 15.5%).
- Spatial Policy 8 supports a competitive local economy including through the provision of a sufficient supply of buildings for B class uses; developing the City Centre for new retail, office and other main town centre uses; and by supporting training/skills and job creation initiatives via planning agreements.
- Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility and provision for people with impaired mobility.
- Spatial Policy 13 states that the Council, with others, will maintain and enhance the canal corridor.

City Centre policies

- Policy CC1 outlines the planned growth within the City Centre including at least 655,000sqm of office floorspace and 7,792 dwellings (revised figure following changes to SP7). Part B encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers. Policy CC1(f)(ii) allows up to 372sqm of convenience retailing without a sequential test if the site is more than 300m from the PSQ or a Local Convenience Centre or if the development would be complementary to an office area or visitor attraction e.g. waterfront. Part (g) of Policy CC1 supports all other town centre uses within the City Centre boundary provided the use does not negatively impact on the amenity of neighbouring uses and that the proposal is in accordance with all other CS policies.
- Policy CC2 states that areas south of the river in City Centre South will be prioritised for town centre uses, particularly large-scale office development, residential and leisure uses.
- Policy CC3 states new development will need to provide and improve walking and cycling routes connecting the City Centre with adjoining neighbourhoods, and improve connections with the City Centre.

Housing policies

- Policy H1 identifies the managed release of sites allocated for housing prioritising delivery in sustainable locations.
- Policy H3 states that housing development should meet or exceed 65 dwellings per hectare in the City Centre.
- Policy H4 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term.
- Policy H5 includes a requirement for 7% of units in developments in the City Centre to be affordable. Build to rent developments can provide either 20% of total dwellings as “Affordable Private Rent” dwellings with rents 20% lower than market rents in the local area and agreement of eligibility criteria with secure arrangements that continue in perpetuity; 7% of units with a mix of intermediate and social rents at benchmark rents; or a commuted sum in lieu of on-site provision of affordable housing.
- Policy H8 specifies that developments of 50 or more dwellings are expected to make a contribution to supporting needs for independent living.
- Policy H9 details minimum space standards.
- Policy H10 identifies accessible housing standards.

Design, conservation and sustainability policies

- Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhance the district’s historic assets in particular, historically and locally important buildings, skylines and views.
- Policy P11 states that the historic environment and its settings will be conserved, particularly those elements which help to give Leeds its distinct identity.
- Policies T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.
- Policy G5 requires mixed use developments over 0.5 hectares in the City Centre to provide the greater area of either 20% of the total site area or a minimum of 0.41 hectares per 1000 population of open space.
- Policy G9 states that development will need to demonstrate biodiversity improvements.
- Policy EN1 sets targets for CO² reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.
- Policy EN2 identifies climate change reduction requirements.
- Policy EN4 major developments should propose district heating connections or provision where technically possible.
- Policy EN5 identifies requirements to manage flood risk.

7.3 Natural Resources & Waste Local Plan (NRWLP)

7.3.1 The plan sets out where land is needed to enable the City to manage resources, such as trees, minerals, energy, waste and water.

7.3.2 Relevant policies include the following:

Water 1 requires development to include measures to improve their overall water efficiency. Water 2 seeks protection of water quality in areas adjacent to sensitive water bodies. Water 4 requires the consideration of flood risk issues and Water 6

requires flood risk assessments. Water 7 requires development not to increase surface water run-off. Land 1 requires consideration of land contamination issues. Land 2 seeks new tree planting as part of an enhanced public realm. Air 1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated.

7.4 Saved Unitary Development Plan Review (UDPR)

7.4.1 Relevant Saved Policies include:

- Policy GP5 states that all relevant planning considerations are to be resolved.
- Policy N19 states that all new buildings within Conservation Areas should preserve or enhance the character and appearance of the Conservation Area by ensuring the siting and scale of buildings is in harmony with neighbouring buildings and the area as a whole; detailed design is such that the proportions relate to each other; that materials are appropriate; and that careful attention is given to boundary and landscape treatment.
- Policy BD2 requires that new buildings complement and enhance existing skylines, vistas and landmarks.
- Policy BD5 requires new buildings to consider both their own amenity and that of their surroundings including usable space, privacy and satisfactory daylight and sunlight.
- BC7 states traditional local materials should be used in Conservation Areas.
- LD1 sets out criteria for landscape schemes.
- LT6 states that the tourism potential of the waterways corridor will continue to be recognised.
- LT6B indicates that the Council will seek to secure footpath access and public rights of way along the canal system, having regard to public safety and nature conservation interests.

7.5 Site Allocations Plan (SAP)

7.5.1 The wider Tower Works site is identified in the SAP for mixed use development comprising 158 residential units and 11,860sqm of office space (MX1-14).

Other material considerations

7.6 National Planning Policy Framework (NPPF)

7.6.1 Chapter 5 refers to the supply of homes. Paragraph 62 states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, 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. Paragraph 76 states that to help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability

7.6.2 Paragraph 108 states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access provided for all users; and any significant impacts on the highway mitigated. Paragraph 110 states that priority should be given to pedestrian and cycle movements; the needs of people with disabilities and reduced mobility addressed; creation of safe, secure

and attractive spaces; allow for the efficient delivery of goods; and be designed to enable use by sustainable vehicles.

7.6.3 Chapter 12 identifies the importance of well-designed places and the need for a consistent and high quality standard of design. Paragraph 127 states that 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.

7.6.4 Chapter 14 identifies the approach to meeting the climate change challenge. New development should avoid increased vulnerability to the range of impacts arising from climate change and should be planned so as to help reduce greenhouse gas emissions, such as through its location, orientation and design (paragraph 150). Paragraph 170 states that new and existing development should not be put at unacceptable risk or be adversely affected by unacceptable levels of soil, air, water or noise pollution.

7.6.5 Chapter 16 refers to the historic environment. Paragraph 192 states that 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.

Paragraph 193 states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).” Paragraph 196 states that “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.”

7.7 Supplementary planning guidance

- Parking SPD
- Travel Plans SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD
- Accessible Leeds SPD

- Biodiversity and Waterfront Development SPD
- Tall Buildings Design Guide SPD
- South Bank Regeneration Framework SPD
- Neighbourhoods for Living SPG
- City Centre Urban Design Strategy SPG
- Leeds Waterfront Strategy SPG

7.7.1 Holbeck, South Bank SPD

The Holbeck, South Bank SPD was adopted in June 2016 as an updated revision to the 1999 and 2006 Holbeck Urban Village planning frameworks. As with earlier versions the main aim of the SPD is to create vibrant, sustainable, mixed use communities whilst safeguarding the unique historic character of the area. The whole of Holbeck, South Bank, is designated as a mixed-use area which should include a mixture of working, living, retailing and recreational opportunities. For sites over 0.5ha 20 per cent of the gross site area should be provided as publicly accessible open space. It is intended that the area should meet some of the identified need for City Centre housing for people on lower incomes. Housing types such as live/work units and family housing is encouraged. Further improvements to connectivity including along the canal towpath are encouraged. At the same time, a pedestrian and cycling friendly environment is sought in part by minimising parking provision.

7.7.2 The site falls within the Tower Works character area. Within the Tower Works area the aim is to maximise the visual impact that the listed buildings have on the area both by protecting and opening up new views. New buildings in their immediate vicinity should respect the scale and heights of listed buildings with the overall aim of the listed towers being visually dominant and important views of them protected. This suggests heights no greater than the ridge of the listed range on Globe Road. Buildings of this height would also relate well with the Round Foundry area to the south. It may be appropriate for new buildings to gradually increase in height away from the listed buildings. Buildings should define street frontages and provide pavement widths responding to building scale. New public realm should be given an adequate sense of enclosure by the buildings that define them. It would be appropriate to the character of this part of the area if these were provided in the form of a series of interlinked smaller spaces of varying character rather than a single large space. Larger spaces should be located adjacent to key points of interest.

8.0 Main issues

- Principle of the development
- Townscape, heritage and design considerations
- Transportation, accessibility and Green Travel
- Public realm
- Housing and amenity considerations
- Flood risk
- Wind
- Climate Change and Sustainability
- Planning Obligations and CIL

9.0 Appraisal

9.1 Principle of the development

9.1.1 Planning permission for the regeneration of the Tower Works site has been granted on several occasions, most recently in July 2016. However, despite its

pivotal location on the South Bank close to the heart of the City Centre, only a small portion of the site, fronting Globe Road, has been developed since the site became vacant during the 1980's.

- 9.1.2 In the Unitary Development Plan Review the site formed part of a wider Strategic Housing and Mixed Use allocation. The more recent Holbeck, South Bank SPD maintains this position, encouraging large scale, mixed use development which should include a mixture of working, living, retailing and recreational opportunities. The SAP reinforces the intent for the site to accommodate mixed uses, including housing and offices. Consequently, the proposed residential development is acceptable in principle subject to all other material considerations.
- 9.1.3 In common with earlier proposals it is intended to develop Tower Works in phases with the first phase comprising approximately three-quarters of the site area, the subject of the current application, being a residential-led phase. 245 apartments are proposed, making a meaningful contribution towards the Core Strategy's aim to provide 10,200 new homes within the City Centre over the plan period (CS policy CC1). Such provision would also accord with CS policy CC2 which identifies a substantial opportunity for residential development in the southern part of the City Centre and would surpass the minimum density requirements of CS policy H3. The intended density reflects the site's highly sustainable location and, in doing so, would assist in making efficient use of the brownfield site in accordance with the CS and NPPF.
- 9.1.4 Areas of the ground floor of the two buildings would contain commercial spaces which could be used by businesses in Use Classes A1, A2, A3, D2 or B1. The premises could comprise a small convenience store, offices, food outlets or potentially a gym. Subject to the extent of the A1 convenience use being limited to 372sqm so as to protect existing retail centres, the proposals would support the vitality of the site and would accord with CS policy CC1.
- 9.1.5 Proposals for the Engine House, although owned by LCC and not part of the current application, are likely to augment the proposed uses. The subsequent phase of development is likely to be office-focussed, supplementing other existing office uses in the Globe Road frontage range. Consequently, the intended mixed use would accord with local and national planning policies and guidance for development within this City Centre location and is acceptable in principle.

9.2 Townscape, heritage and design considerations

- 9.2.1 Tower Works is a unique, landmark, site and redevelopment proposals must strike a balance between development requirements and conservation issues recognising that special regard needs to be paid to the desirability of preserving the listed buildings and their setting or any features of special architectural or historic interest which they possess. Additionally, special attention needs to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 9.2.2 Historic England, Ancient Monuments' Society and the Canal & River Trust have all raised concerns regarding the proposals on heritage grounds as reported at paragraph 6.1. However, for the reasons and considerations set out below officers do not arrive at the same conclusions to those bodies.
- 9.2.3 Current views of the listed towers provide instant recognition for the site and signpost the Holbeck, South Bank area. Following the demolition of buildings on Tower Works and nearby land, these views are currently more dramatic and open than they were previously, particularly from approaches closer to the site. Many of

these views are, however, across cleared areas which themselves presently detract from the character of the area and also the setting of heritage assets.

- 9.2.4 In order to enable regeneration of the area and removal of cleared sites, it is unrealistic to expect the retention of almost 360 degree views of the towers. The Holbeck, South Bank SPD recognises this position and identifies the desirability of retaining key views and opening up further ones where there is an opportunity. Such an approach was undertaken in designing the previous planning applications for redevelopment of the site itself (08/05144/FU and 15/06578/FU) and neighbouring developments of Mustard Wharf (16/0115/FU) and CEG (17/06455/FU) and has also been embraced in the development of the current proposals for Tower Works.
- 9.2.5 The current application proposals rationalise the previously-approved building footprints and decrease the number of cores so as to enable an increase in the number of apartments without a significant increase in the gross floor area of the development. At the City Plans Panel pre-application presentation on 18th August 2019 Members were of the view that the proposed mass and form of the development and its relationship with the surrounding context was acceptable. The application proposals closely reflect those details presented at pre-application stage with the primary change to massing arising from setting the larger building on the western edge of the site back from the historic western boundary wall which will now be retained along with the southern boundary wall onto Globe Road.
- 9.2.6 The proposals are distilled from the development of the primarily r-shaped building located close to the south, west and northern boundaries of the site with a second building with a north-south axis running between the Verona Tower and Little Chimney. The intervening space would comprise an expansive area of public realm (see paragraph 9.4).
- 9.2.7 The applicant asserts that building heights across the site have been directly informed by the key views set out in the Holbeck, South Bank SPD. Consequently, such views are reviewed below taking into account the impact of approved (committed) developments. Where these views have already been concealed by the ongoing Mustard Wharf scheme (View 2) alternative important views were identified to inform design (View 2.1).

Globe Road to the west near the viaduct

- 9.2.8 The rooftop accommodation in the previously-approved scheme was recessed across the development so as to limit its visual impact. This articulation is discarded across the current scheme so as to maximise floorspace and to make construction more efficient. Consequently, whereas the maximum height of the building in the south-west corner of the site is marginally reduced the full-height extrusion of the building form is such that only slightly greater visibility of the top third of the Giotto Tower is achieved.
- 9.2.9 The proposed increase in building height by two storeys of the central element of the building close to the western boundary would largely be concealed behind development proposed by CEG north of Globe Road. Given its position in the foreground to the Giotto Tower, the part that would be visible in this fixed view would compete with the height of the tower. The raised upper floors of the southern element of the proposed eastern building would come into view behind the Giotto Tower, albeit at a lower level so as not to have a dominant impact upon the tower.

- 9.2.10 However, moving eastwards, the gap between the buildings would be more clearly evident. By pulling the approved building fronting Globe Road back a new, framed, view of the Giotto Tower would be opened up at the entrance into the site to the south west of the tower.

Water Lane adjacent to Round Foundry

- 9.2.11 The CEG scheme introduces framed views between two approved office buildings from Water Lane towards the Giotto Tower. The current Tower Works proposals remove a proposed oversailing element of building fronting Globe Road identified in the earlier proposals thereby opening up clear views of the full height of the Giotto Tower from Globe Road and Water Lane and also enhanced views of the side of the Engine House. Views of the building fronting the canal would be more apparent but due to their distance and height would appear as subordinate, background buildings to the Giotto Tower.

Canal bridge by the lock-keeper's cottage

- 9.2.12 Both the previous Tower Works planning permission and approved Mustard Wharf scheme preserved very limited views of the uppermost top of two of the towers from this location. The proposed eastern building would result in the loss of these views entirely. However, given their limited visibility the current proposal would only have a very minor impact.
- 9.2.13 Moving west along the canal towpath, the reconfiguration of the scheme, primarily relocating the eastern building further east and increasing the height of the canal-side and eastern building, would appear to dominate the Verona Tower although the new buildings would be marginally lower. However, this impact is mitigated by the provision of a new, clear, framed view of the Verona Tower from the north sitting in an expansive area of new public realm.

South of the lock-keeper's cottage

- 9.2.14 Framed views of the Little Chimney secured by the Mustard Wharf scheme to the east of Tower Works are now evident on site. Although taller than previously approved the proposed eastern building would be set further to the west of the Little Chimney, providing an additional area of public realm, such that its impact upon key views of the Little Chimney would be insignificant.

Whitehall Road

- 9.2.15 The approved Tower Works scheme included canal-side buildings which would have resulted in just the tops of the Giotto Tower and Verona Tower being visible from Whitehall Road. Remodelling of the scheme includes reduction of the height of the western end of the canal-side building, improving visibility of the top of the Giotto Tower in this longer distance view from the north. The mass of the western end of the building would be transferred to the east resulting in loss of views of the Verona Tower. The reconfiguration of the building along the west boundary of the site result in the taller element of the building appearing a little taller and closer to the Giotto Tower.
- 9.2.16 The development would undoubtedly affect the setting of several listed buildings, comprising the entrance range to Tower Works, the three Italianate towers and the Engine House within the site, together with Globe Quay to the west. The site is also in the Holbeck Conservation Area and adjacent to Canal Wharf Conservation Area which would also be affected.

- 9.2.17 The towers are presently landmarks in the northern part of the conservation area and the wider South Bank due to their prominence, singular character and group value. However their current prominence is largely artificial given that it is to a degree dependent upon the existence of cleared sites in the area. As such, the strategy of maintaining a series of key views through the development reflects the managed approach adopted by the previous planning permissions.
- 9.2.18 Alternative proposals advocated by objectors, whilst enabling the prominence of the towers to be retained to a greater degree would result in a significant loss of floorspace and further undermine the viability of the development.
- 9.2.19 Whilst the listed towers would lose their overall dominance and loss of almost 360 degree views they will gain a new context which will set up a dialogue with high quality buildings, framing views of the towers and exploiting them as incidents in a new urban townscape. This arrangement will enhance their aesthetic value from key views and new vistas beyond the site.
- 9.2.20 The aesthetic value of the towers would be further enhanced from within the new, high quality, public realm where the buildings would be pulled back from the towers enabling additional views relative to the previous approval. Additionally, other listed buildings surrounding the site will sit within an enhanced public realm setting. Further, the setting of Globe Quay to the west would be preserved through the retention of the original boundary wall and the setting back of the primary new building from the boundary. Consequently, the proposals would enhance the aesthetic value of a number of listed buildings thereby offsetting the impact upon their historic interest. As the listed buildings are within the Holbeck conservation area it follows that the development will enhance the character or appearance of the conservation area.
- 9.2.21 As it is not considered that the development would, on balance, have a harmful impact upon the significance of the heritage assets, in this respect, it is not necessary to identify the public benefits. For reference, these include the regeneration of a key site in the City Centre identified in the SAP; new employment opportunities during construction and operation of the development; the delivery of 245 new dwellings and a contribution towards off-site affordable housing; new commercial floorspace; the provision of new public realm and pedestrian routes through and alongside the site; and a net biodiversity gain.
- 9.2.22 As the development would preserve the setting of some heritage assets and enhance the setting of others, it would accord with CS policies SP1 and P11, UDPR policy N19 and the NPPF.

Architecture

- 9.2.23 Whereas the vernacular of the area is dominated by red brick industrial buildings Tower Works is unique in borrowing components from Italian classical architecture. Whilst the detailed design has a relatively simple form so as not to distract from the surrounding listed buildings, the proposed building architecture is informed by both the industrial vernacular of the area and also Italian classicism with buildings having a clearly expressed base, body and crown.
- 9.2.24 Typically, the base of the buildings would be marked by a two storey glazed plinth with a broad window module. This arrangement provides an appropriate approach to the commercial frontages creating usable working spaces and helping to animate the external spaces beyond. A rainscreen cladding system with integrated doors and louvre system is proposed for the ancillary ground floor spaces. The main body of the buildings would comprise regular rhythms of window openings

and recessed masonry panels intended to create a calm canvass and to maintain a consistent pattern directly related to the apartments within the buildings. Variation would be introduced in the form of inset or Juliet balconies to add additional depth and interest to the facades. The tops to the taller buildings would generally be denoted by a double or triple storey order intended to provide elegance in the classical tradition. From base to top, the change in the proportion and progressive slimming of the openings would reinforce the classical principles of design.

- 9.2.25 Restrained variation in the elevations is proposed to supplement the simple and regular rhythms and as an expression of the industrial vernacular. Half-bay modules are proposed above some plinths whilst the corners of some buildings would be reinforced by changes in the rhythm of fenestration. Larger openings are proposed on the corners of the two buildings fronting the canal helping to frame a full view of Verona Tower. In a similar way, openings in the full height recess in Verona House, to the east of the tower, would have larger proportions than the rest of the elevation both helping to break up the building mass and also creating a unique setting to Verona Tower. The principal elevation of Giotto House would front the central courtyard. The step in the height of the elevation would be emphasised by use of double height and width openings, together with a three storey opening for the crown to reflect the proportion and vertical layering of Giotto Tower.
- 9.2.26 The existing Globe Road wall originally formed the perimeter wall to the former factory. The brick wall is decorative with dressed sandstone detailing particularly around the window opening and cornice and presents an attractive feature along Globe Road. The wall, and the plainer wall along the return boundary to Globe Quay, would be retained. The proposed new building, located 2m behind the front boundary wall, would be utilised to give support to the wall which would be tied back to the residential structure. Upper levels of the new building would step forward but retain a 0.5m gap between the building and wall. Three windows in the front boundary wall, two of which have previously been infilled, would be extended down to ground level to increase permeability into the site. Elsewhere, other elements of the wall would be repaired such that the substance of the wall will be preserved and enhanced by the development.
- 9.2.27 The proposed buildings would be constructed in brick chosen following a review of full sized sample panels. At pre-application stage Members commented that some variation in colour was required. The applicant has undertaken a detailed study of existing materials around the site. The Giotto Tower, Little Chimney, Entrance Range and curtilage wall are all characterised by a dark red brickwork with elements of purple and black. The brick choice for Canal House, Giotto House and Globe House is a medium/light red brick with a light mortar to ensure a subtle contrast to the existing brickwork whilst retaining a coherence and overall identity to Tower Works.
- 9.2.28 The Verona Tower was constructed with a lighter brick than other existing buildings with tones shifting from red to orange with delicate shades of pink. The brick choice for Verona House, which would sit between the Verona Tower and the Little Chimney should, therefore, subtly contrast with both of the buildings. A dark brick blend with orange and purple accents is proposed as an appropriate choice between the two towers. The mortar would also have dark tones. The use of bronze coloured rainscreen panels and window frames is to be utilised to echo the details of the original buildings. Consequently, the study has shown that variation in colour of the brickwork, as proposed, will provide both a subtle contrast with existing structures whilst also complementing and reinforcing the identity of Tower Works.

9.2.29 The approach to building design and materiality is considered compatible with the character of the area whilst intentionally not competing with the more detailed architectural form and appearance of the nearby listed buildings. Consequently, the development would accord with CS policies P10 and UDPR policy BD2.

9.3 Transportation, accessibility and Green Travel

9.3.1 The site is located in a highly sustainable, City Centre, location that is accessible by a range of modes of transport with the Station Southern Entrance situated just 250 metres to the east of the site. However, despite its close proximity to the heart of the City Centre, Holbeck has historically been isolated from the centre by road, rail, canal and river infrastructure, together with the large scale of the land holdings. The Holbeck, South Bank SPD highlights the desire to produce a pedestrian and cycling friendly environment, in part by minimising through traffic in the area and by developing sites with the minimum acceptable parking provision.

9.3.2 Whilst the previously-approved scheme identified just 29 car parking spaces no private parking is proposed as part of the current application other than 3 disabled parking spaces provided to support accessible housing. Each of the proposed spaces would be fitted with electric vehicle charging points.

9.3.3 Although the development would be fundamentally car-free, servicing and deliveries would be catered for within the site as there would be no scope for servicing from Globe Road itself. Rise and fall bollards will be provided close to the site entrance controlled by the nearby management suite to regulate vehicles entering and leaving the site. Improvements to Globe Road, including widening of the footway/narrowing of the carriageway and provision of a controlled crossing compatible with those works agreed for the CEG permission, are proposed.

9.3.4 The site was historically covered with buildings such that routes to and from Holbeck were circuitous. The development includes new public realm and associated pedestrian routes across the site which will be secured in perpetuity by the section 106 agreement. Together with the development of nearby sites such as Mustard Wharf and CEG, it will significantly augment the permeability of the area and, in so doing, address CS policy CC3.

9.3.5 The widening of the Globe Road footway abutting the site and the provision of a new pedestrian crossing across Globe Road will enhance cycling and walking links between Holbeck, communities to the south and the City Centre. On the northern edge of the site, through agreement with the Canal & River Trust, the surfacing of the southern canal footpath bordering the development will be improved to enhance its appearance, to encourage pedestrian use and to supplement similar works to be carried out by the Mustard Wharf and CEG developments.

Green Travel Plan

9.3.6 To help support opportunities for sustainable travel the proposals are supported by a Green Travel Plan which brings all the initiatives intended to encourage more sustainable forms of transport together, as well as identifying targets and delivery mechanisms. This will benefit the local highway network, offer sustainability benefits and improve the general environment around the site.

9.3.7 2 car club parking spaces will be provided immediately outside the site to encourage sustainable travel. The promotion of car sharing and the use of car clubs will be a key element of the strategy. Cycle parking for residents will be provided at a ratio of 1:1 within each building, together with visitor parking within the new public realm and bicycle repair facilities.

9.3.8 The measures include the provision of a Residential Travel Plan fund of £61,311.25. A Travel Plan Coordinator (TPC) would be appointed who will be responsible for engaging with the Council to identify how the fund will be used and to promote available travel options to residents. However, it is anticipated at this stage that each residential unit will be offered the opportunity to benefit from one of the following benefits:

- A free public transport ticket;
- A voucher towards the cost of a new bike;
- Credit with the Car Club.

9.3.9 In order to help administer these arrangements a travel plan monitoring fee of £3,870 is required which will be secured by the section 106 agreement.

9.3.10 Consequently, the approach to transport and connectivity issues is underpinned by the principles contained within the CS and also the Travel Plan, Holbeck South Bank and the Parking SPD's. The scheme involves a comprehensive package of measures which would help to deliver significant improvements to connectivity and permeability, and a high quality pedestrian dominated space, without resulting in any disadvantages in terms of highway safety or congestion. The development therefore accords with CS policy T2.

9.4 Public realm

9.4.1 The entirety of the site was historically fully covered with buildings without any public access. Since the removal of redundant buildings and an initial phase of development in 2008 there has been public access across the site through largely temporary landscaped areas. The current proposals identify approximately 5,538m² (65%) of the current site area being set out as public realm, significantly exceeding the requirements of CS policy G5.

9.4.2 The Holbeck, South Bank SPD states that it would be appropriate to the character of this part of the area if open space is provided in the form of a series of interlinked smaller spaces of varying character, rather than a single large space. In accordance with the SPD, the proposed development would comprise three distinctive spaces which have been designed around three listed towers. These spaces, referred to as Giotto Piazza, Verona Square and Chimney Place, propose areas of hard and soft landscaping of different sizes and types to provide variety in the landscaping scheme and encourage a range of users and uses within the site. The spaces would seamlessly connect to each other and also to the neighbouring Mustard Wharf scheme to the north east.

9.4.3 Five pedestrian routes would be provided into the body of the site linking with the main public space (comprising Giotto Piazza and Verona Square) which would extend over 2050m². In addition to providing a setting for the Giotto Tower and the Verona Tower, the extensive, largely hard-surfaced, space (Giotto Piazza) would provide opportunities for events, such as markets or outdoor performances, set within a high quality landscaped setting. The space would also extend to the north providing access to the rear of the Engine House and directly through to the canal footpath. Verona Square, the central space within the scheme, would have raised lawns and tree planting either side of a wide path creating a direct link between the Verona Tower and the Engine House. A 7m offset has been provided from the raised lawns to the Engine House frontage to give flexibility for the future use of the building when it is developed.

- 9.4.4 Chimney Place would be a smaller, triangular-shaped, space (approximately 480m²) formed towards the eastern fringe of the site between the eastern building and the Little Chimney. The design of the space, directly accessible from Verona Square via an open route through the eastern building, would reinforce the connection with the Little Chimney and also with Mustard Wharf. Chimney Place is conceived as a green space with opportunities for ground cover shrubs and trees located between the pedestrian routes that would intersect the space. The footprint of Little Chimney would be replicated in the forms of the planters on both sides of the boundary. The size of the planters proposed in Tower Works would mirror those proposed in Mustard Wharf and by using the same design language this would further reinforce the relationship between the two schemes with Little Chimney acting as the point of symmetry between the two schemes.
- 9.4.5 The hard surfaced areas would utilise natural stone flagged paving; natural stone setts and block paving to present a high quality and usable space. It is intended to use a common approach to surfacing materials at Mustard Wharf so as to help present a cohesive public realm.
- 9.4.6 Whilst final details of soft landscaping would be controlled by a planning condition trees proposed to date include Silver Birch around the lawns in Verona Square, pleached Hornbeams' to the east of the Giotto Tower, and 'flowering' trees in Chimney Place. Where possible, officers consider that ground level tree planting is most appropriate and, supported by load-bearing root zone cells in hard-surfaced areas, would provide sustainable and high quality soft-landscaped spaces.
- 9.4.7 The proposed materiality for the canal footpath will match the neighbouring Mustard Wharf scheme to ensure there is consistency along this length of the canal. Given that it is not intended to bring forward development proposals for the eastern portion of the site at this time interim proposals illustratively imply a level, lawned, area alongside the Mustard Wharf boundary with areas closer to Globe Road retaining their existing treatment. Details will be required by a planning condition to ensure that that space enhances rather than detracts from the wider development and heritage assets.
- 9.4.8 Subject to final details of the landscaping the proposed public realm will significantly enhance the setting of the listed buildings around the site and produce a high quality setting for the new development. As such, the development would accord with CS policies G5 and P10, and UDPR policies LD1 and BC7.

9.5 Housing and amenity considerations

Housing Density

- 9.5.1 CS Policy H3 requires housing developments in the City Centre to meet or exceed 65 dwellings per hectare. The application proposes 245 residential units on a site area of 0.85ha thereby exceeding the minimum policy requirement and making efficient use of brownfield land in a sustainable location.

Housing mix

- 9.5.2 The proposed development comprises 245 build to rent apartments. CS policy H4 seeks an appropriate mix of dwelling sizes to address needs measured over the long term taking into account the nature of the development and character of the location as set out below:

Number of bedrooms	Max %	Min %	Pre-application (%)	Proposed application (%)
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1 bed	50	0	127 (52)	137 (56)
2 bed	80	30	104 (43)	96 (39)
3 bed	70	20	12 (5)	12 (5)

9.5.3 The proportion of three-bedroom apartments in approved schemes in the locality has fallen consistently below 20% (Mustard Wharf 7%; Midland Mills 7%; and Sweet Street 1.3%). At City Plans Panel on 18th April Members commented that the proposed housing mix, including 5% 3 bedroom units, was generally acceptable.

9.5.4 The proposed apartment mix is, according to the applicant, a result of a number of factors:

- A Build to Rent Demand Study submitted in support of the planning application confirms that the proposed mix meets the current and anticipated long-term demand in this part of the city;
- The adjustment of the scheme to policy compliant levels would render the development unviable;
- The internal planning is such that the apartments would be significantly larger than a standard open-market arrangements; and
- The proposed mix will provide a range of accommodation across 15 apartment types.

9.5.5 It is considered that the development would bring forward a sustainable and mixed community. On balance, the overall benefits of this proposal, including the regeneration of this important site and making good use of urban land, would outweigh the CS policy H4 targets for three bedroom flats and reflecting Panel's previous comments, it is considered that the proposed housing mix is acceptable.

Affordable Housing

9.5.6 CS policy H5 sets a minimum target that 7% of new homes in major developments in this part of the city should be affordable housing with a mix of intermediate and social rents at benchmark rents. 245 apartments would generate the need for 17 affordable units based upon this policy. Alternatively, Build to Rent developments such as this can provide either 20% of total dwellings as "Affordable Private Rent" dwellings with rents 20% lower than market rents in the local area and agreement of eligibility criteria with secure arrangements that continue in perpetuity; or a commuted sum in lieu of on-site provision of affordable housing.

9.5.7 CS policy H5 does not outline a hierarchy or preferred approach, instead confirming that each of the three options are appropriate and accepted for developments of this nature as alternatives. This offers full flexibility for the applicant to choose in the case of Build to Rent schemes whether to provide the affordable housing requirement on site or to offer an off-site contribution in lieu of on-site provision. The rationale for this approach was set out in the report to Executive Board in March 2017 which stated at paras 3.1-3.12:

'...it is proposed that the Council recognises that the payment of a commuted sum in lieu of on-site provision is likely to be more in line with the funding model which underpins Build to Rent delivery. Further, that the Council accepts that the Build to Rent funding model can be taken into account as a justification which supports the financial contribution. This would reflect the practicality of delivering Build to Rent housing whilst supporting the delivery of affordable housing within the city centre housing offer as a whole. Significant resources could be generated through the acceptance of Commuted Sums for investment in affordable housing.....The

authority can use these resources alongside other funding to maximise investment in affordable homes.'

9.5.8 National Government Guidance also accepts that Build to Rent schemes are a 'specific asset class' with a funding model that is distinct from Build for Sale developments. The specific guidance offered on provision of affordable units, set against commuted sums, is as follows:

'It is expected that developers will usually meet their affordable housing requirement by providing affordable private rent homes. However, if agreement is reached between a developer and a local authority, this requirement can be met by other routes, such as a commuted payment and/or other forms of affordable housing as defined in the National Planning Policy Framework glossary. The details of this must be set out in the section 106.'

9.5.9 CS policy H5 states that departures from the policy should be justified by evidence of viability considerations. The applicant has submitted a viability appraisal which has been independently reviewed by the District Valuer. The District Valuer has provided a report which concludes that the scheme would support 4.89% (12 units) of affordable housing provision at the Council's adopted affordable benchmark rents, in addition to the other S106 and CIL obligations identified. This would equate to a commuted sum in lieu of affordable units based on published rents of £1,679,000. The applicant has agreed to pay this commuted sum. The details of the District Valuer's appraisal are reported at Appendix 3.

9.5.10 Whilst the full provision of affordable housing cannot be delivered it is clear from policy H5 and also government guidance that where a viability case is verified, affordable housing provision can be reduced, and accordingly the District Valuer's conclusions should be accepted.

9.5.11 Executive Board approved a strategic approach to the use of commuted sums whereby these would be pooled for deployment within the City Centre and the wider zone of influence, to achieve additionality in the number and affordability of affordable housing developed. The Commuted Sums pipeline has approximately £13m set against it based on sums received and those forecast to be received through planning approvals, starts on site and development triggers. Funds have been set aside for the delivery of a development at Meynell Approach in Holbeck and two Council sites (St Cecelia Street and Former Yorkshire Rider Club, Saxton Gardens) that are currently in the process of marketing and disposal to Registered Providers, which will enable delivery of 100% social rent housing. The expectation is that new commuted sums arising from new schemes across the city will follow this approach and a plan for their deployment will be identified through the Council's Regeneration Team in consultation with Members.

Space standards and residential amenity

9.5.12 CS Policy H9 requires all new dwellings to comply with the identified minimum space standards which closely reflect the Nationally Described Space Standards.

9.5.13 At pre-application stage the minimum floor areas identified in CS Policy H9 would not have been achieved although the nett space would have marginally increased relative to a standard apartment. Members of City Plans Panel expressed the view that the sizes of the apartments within the development at pre-application stage was not acceptable.

9.5.14 Whilst the typical open plan Build to Rent arrangement, in which the living space occupies the central core of the apartment with bedrooms clustered around it has

been retained, the units have been increased in size in light of City Plans Panel comments. The size of the units is set out alongside the minimum requirements in the table below:

Number of bedrooms	Number of apartments	Minimum area (m ²) CS policy H9	Proposed minimum size (m ²)
1 bed (1 person)	70	39 (37)	43
1 bed (2 person)	67	50	50
2 bed (4 person)	92	70	70
2 bed duplex (4 person)	4	79	92
3 bed (5 person)	8	86	90
3 bed (6 person)	4	95	100
TOTAL	245		

- 9.5.15 Several of the apartments (23) would also benefit from private external terraces and there would also be communal rooftop terraces on the roofs of Globe House and Canal House providing additional private and semi-private amenity space for the occupants. Residents would also have access to amenity spaces in the entrance lounge areas of the buildings.
- 9.5.16 Consequently, as all apartments comply with CS policy H9 and some 35% of them significantly exceed the minimum requirements, the size of the proposed apartments is acceptable.
- 9.5.17 Windows in the apartments would be close to full height floor to ceiling glazing enabling good levels of daylighting. Many apartments would enjoy long-distance, open, outlooks over the canal to the north or into the public realm within the development. Through the introduction of duplex apartments, those units facing south in Globe House, would not be adversely affected by the retention of the Globe Road boundary wall.
- 9.5.18 Those units facing west in Globe House and Giotto House would look across the open courtyard to the front of Globe Quay. The former warehouse building has permission for use as offices. The courtyard space is presently used for occasional car parking such that no unacceptable loss of amenity would arise as a consequence of the development. The retention of the high western boundary wall would also help to maintain the relative seclusion of the space, albeit there are currently open views into the courtyard directly from Globe Road. The entirety of the ground floor and northwest and southwest corners of the proposed building would be located 2.4m from the common boundary. Apartments in the northwest corner would have windows facing north and south so as not to be affected by the blank, double gable end of Globe Quay. Similarly, apartments in the south west corner fronting Globe Road would also have windows facing north and south such that they would not be unacceptably affected by any future development to the front of Globe Quay close to Globe Road. Subject to the footprint and scale of any future proposals to the front of Globe Quay, those units directly to the north of the frontage range looking west could potentially face an elevation 8m away. Nevertheless, such proposals for Globe Quay would need to be considered on their merits at a time that any such application is submitted. However, as currently proposed, the development would not unreasonably affect the existing amenities enjoyed by the occupants of Globe Quay nor would it unacceptably hinder future development proposals for that site.
- 9.5.19 Apartments in Verona House on the east side of the site facing the boundary to block A of Mustard Wharf would be arranged to avoid direct overlooking between the apartments themselves. At the closest point a single room in four apartments

would each have a window within 3.5m of the neighbouring building which could be overlooked by communal spaces within Mustard Wharf. The potentially problematic juxtaposition between the two areas would be overcome through the use of obscure glazing in the affected rooms without unduly affecting the amenities enjoyed by occupiers of those apartments as a whole. A planning condition is proposed in this respect.

- 9.5.20 CS policy H10 seeks accessible and adaptable housing in new build residential development. All residential units in the scheme would benefit from level access enabled by a series of lifts located within the two buildings. All units would be capable of being simply adapted into accessible dwellings M4(2) without comprising the integrity of the apartment or affecting neighbouring residents. A further 8 units (3%) would be readily adaptable for wheelchair users M4(3). As such, the development would surpass the requirements of CS Policy H10.
- 9.5.21 As a result the development would involve the efficient use of land, a housing mix appropriate to the form and location of the development, a significant contribution towards the provision of affordable housing, and acceptable and accessible living conditions for occupants. The development would not unacceptably affect the amenities of occupiers of neighbouring developments nor unduly hinder the development of neighbouring sites. As a result, the proposals would accord with CS policies H3, H4, H5, H9 and H10.

9.6 Flood Risk

- 9.6.1 The site is primarily located within Flood Zone 2 alongside areas of the site which are identified as Flood Zone 3. The application was supported by a Flood Risk Assessment (FRA) and, subsequently, by a Residual Flood Risk Assessment (RFRA) provided in response to concerns regarding the risks to A4 Drinking Establishment uses (defined as being more vulnerable) in the event of the failure or breach of the Leeds Flood Alleviation Scheme. Whilst the FRA was reviewed and supported by the Environment Agency and Flood Risk Management it is considered that the RFRA requires further modelling before it can be supported. As a result, proposals for the more vulnerable A4 use have been removed from the current application.
- 9.6.2 Subject to conditions regarding implementation of the measures set out within the FRA, a Flood Warning and Evacuation Plan and the identification of habitat enhancement measures, the development would accord with CS policies EN5 and G9, NRWLP policies Water 4 and Water 6, and UDPR policy GP5.

9.7 Wind

- 9.7.1 Whilst the tallest building on the site would be just 11 storeys, given the scale of surrounding buildings, the application was supported by a wind study undertaken utilising high-resolution Computational Fluid Dynamics (CFD) modelling. The assessment tested four scenarios: the existing site baseline conditions; the proposed development in the existing surroundings; the existing site in future surroundings; and the proposed development in future surroundings. The study identified no significant adverse effects in pedestrian areas due to the development; minor significant beneficial effect on winter comfort conditions; and a minor significant beneficial effect on pedestrian safety when assessed with future surrounding schemes. Consequently, as the wind conditions were found to be suitable for the intended uses no wind mitigation was recommended.
- 9.7.2 The submitted study was reviewed by RWDI on behalf of the Council. RWDI confirmed that the assessment was sufficiently robust and the conclusions

acceptable. Consequently, the wind environment would be acceptable and no mitigation is required. Accordingly, this component of the proposal has been shown to be appropriate, and therefore satisfies UDPR policy GP5.

9.8 Climate Change and Sustainability

- 9.8.1 A Climate Change Emergency was declared by the Council on 27th March 2019. Policies EN1, EN2 and EN4 of the CS seek to reduce carbon consumption, energy and water usage in new developments. Further guidance is contained within the NPPF and Building for Tomorrow Today: Sustainable Design and Construction SPD.
- 9.8.2 The redevelopment of the site, as proposed, would involve the effective and efficient use of an area of brownfield land in a highly sustainable City Centre location, thereby reducing the need to travel by car. Further, other than for disabled parking, the development would be car-free and, as such, would reduce potential greenhouse gas emissions. The development will provide 1:1 secure cycle spaces and improved pedestrian links as part of a package of Green Travel Plan measures. Consequently, the development would accord with Chapters 11 and 14 of the NPPF.
- 9.8.3 The energy demand of the development would be passively reduced by maximising daylight whilst reducing solar gains, improving the building fabric and reducing unwanted infiltration. The energy required to service the development would be further reduced through the use of efficient lighting and lighting controls, heat recovery, efficient fans and optimised zoning and controls.
- 9.8.4 Air Source Heat Pumps would be utilised to provide space heating and cooling to the commercial spaces in the development. 620m² of roof mounted photovoltaics would generate electricity for the building. The Passive & Energy efficient design together with Low or Zero Carbon Technologies exceeds both of the key energy planning targets by providing a 3.0% reduction in carbon emissions (demonstrated to be a 26.5% saving using future carbon factors), whilst providing 10.5% of the energy from Low Carbon Energy.
- 9.8.5 The potential for utilising district heating for the development has been considered. However, a combination of both the site's location relative to the network and timing issues are such that district heating does not offer a viable solution. Due to energy efficient and passive design the development would have relatively little demand for continual heat so is not suited to a connection to a district heating scheme in any event.
- 9.8.6 The introduction of tree planting across the public realm would assist with carbon capture, provide shading, interception of rainfall thereby reducing flood risk, and would also contribute to air quality improvement through particulate removal and air pollution dispersal. As such, the trees would have a beneficial impact on the surrounding microclimate in addition to the benefits to the visual amenities of the site.
- 9.8.7 Consequently, the proposed development would accord with CS sustainability policies EN1 and EN2 and would respond positively to the Climate Change Emergency.

9.9 Planning Obligations and CIL

- 9.9.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 (as amended in 2019). These

provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

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

9.9.2 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 the development acceptable in planning terms.

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

- The provision of a commuted sum of £1,679,000 towards affordable housing;
- £15,000 to be provided for implementing traffic control measures in the event that on-street parking problems arise as a result of the development;
- Compliance with Green Travel Plan measures and review fee of £3,870;
- A Residential Travel Plan Fund contribution of £61,311.25 to encourage the use of sustainable travel modes by the residents of the apartments;
- 2 car club spaces to be provided within Globe Road adjacent to the site;
- Contribution of £6,000 per pay and display parking space lost as a result of alterations to the highway;
- 24 hour public access through the site;
- Local employment and training initiatives;
- Section 106 management fee (£2,250).

9.9.4 This development is liable to the Community Infrastructure Levy (CIL) and is likely to generate a CIL charge of £93,306.61. This figure is presented for information only and should not influence consideration of the application. The infrastructure requirements for this development are likely to relate to public transport and public space provision. Consideration of where any Strategic Fund CIL money is spent rests with the Council's Executive Board and will be decided with reference to the 123 list (or Infrastructure Funding Statement as the case may be) at the time that decision is made.

9.10 Conclusion

9.10.1 The proposed residential-led development would bring forward the first phase of a mixed use scheme for Tower Works site finally realising the aspirations for this brownfield site in a pivotal, sustainable location. In doing so the scheme would deliver 245 residential dwellings which would benefit from good levels of amenity, achieve adopted space standards and provide accessible homes. The ground floor of the buildings would contain commercial uses which would help to animate the proposed extensive public realm. Whilst the listed towers will lose their overall dominance they will gain a new context which will enhance their aesthetic value and enhance the character and appearance of the conservation area. The largely-car free development would significantly and sustainably improve connectivity and permeability across the site which forms an important stepping-stone between the City Centre and Holbeck Urban Village and in doing re-inforce recent development in the area.

Appendix 1 – Minutes of the City Plans Panel meeting 18th April 2019

The Chief Planning Officer submitted a report which set out details of a pre-application for revised proposal for redevelopment of Tower Works, comprising 243 residential units, ground floor commercial floor space and new public realm at Globe Road, Leeds. Members visited the site prior to the meeting. Site photographs and plans were displayed and referred to throughout the discussion of the application.

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

- Site / location/ context
- The site as a whole comprises 1.1 hectares of brownfield land.
- Five of the surviving buildings are listed: The Engine Shed (Grade II), 6-8 Globe Road (Grade II) and three towers.
- The proposal is to create two new buildings, the first building ranging in height from 5 to 11 storeys, the second building 9 storeys in height
- 243 residential apartments: 127 one-bedroom, (52%), 104 two bedroom (43%) and 12 three bedroom (5%)
- The relationship between the three towers with the towers being allowed to dominate
- Massing
- Key Views
- The concept of three piazzas/ squares/ flexible space
- Interactive public open space
- Retail and commercial space
- Materials – brick with red brick tones closely related to that of the towers

Members raised the following questions:

- Are the applicants aware that the area can be prone to flooding
- Could alternative materials/ colours be used to contrast with the appearance of the towers
- Do the size of the apartments conform to the Nationally Described Space Standards (NDSS)
- Is the use of a sprinkler system and absence of a multitude of escape routes regarded as acceptable and best practice
- What will be the proposed use of the Towers and the Engine House
- Could more three bedroom apartments be provided

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

- Members were informed that a flood risk assessment has been undertaken and would accompany any formal planning application
- The intention is that there will be no residential or similar accommodation included at ground level
- The applicant confirmed that consideration would be given to the use of an alternative brick, to provide a subtle contrast
- The City Centre Team Leader said the proposed apartments do not conform to the NDSS and justification had been sought from the applicant why conformity to the standard was not appropriate in this development. The applicant's position was that the open plan

layout would still provide net room sizes that met the minimum space standards where these are stated although the gross floor areas did not

- The City Centre Team Leader confirmed that the policy requirement for three bedroom apartments is one that is a blanket policy across the city, but can be applied with discretion in the City Centre and this has been the case in this instance – as it is acknowledged that there is a lower requirement for three bedroom / family-orientated accommodation in city centre locations
- The Chief Planning Officer stated that the approach of installing sprinkler systems was increasingly used and accepted as best practice across developments of this type
- The applicant reported that the towers and Engine House were not in the ownership of the developer so their use could not be confirmed, however, there was ongoing dialogue with the City Council concerning the use of the buildings and their relationship to the proposed development of the remainder of the site
- The applicant suggested there was a preference for more one & two bedroom apartments for City Centre Living, however, further consideration would be given to the provision of more three bedroom apartments
- The applicant emphasised that they have already gone through a tender process and so have a contractor in place ready to start work on the site once planning permission is obtained, such that there would hopefully be no repeat of previous instances where delivery of a development on this site has not been achieved and development has not been progressed

In offering comments Members raised the following issues:

- In general Members appeared to be supportive of the concept of the development but emphasised the need to respect the setting of the existing Listed Buildings including Globe Quay to the west of the site
- Some Members to have certainty about the future maintenance and use of the towers and Engine House
- All Members were of the view that the apartment sizes were too small and did not comply with the NDSS – this is a clear policy requirement and must therefore be met
- Some Members welcomed the removal of an entry corridor in the apartments, to ensure that greater square-footage was given over to actual 'living' space
- Provision of more three bedroom apartments (Family accommodation) should be required to future proof the development
- Some disabled car parking was required
- Further details were required around the public realm provision but the general approach was supported
- The materials proposed for the new buildings create a bland and unrelieved appearance, there was too much red brick and some variation in colour was required
- The space between the Engine House and the new block to the north appeared to be too small
- There was a suggestion that more architectural detailing could be provided to the tops of the new buildings and their design could better reflect the historic design principles of the area
- Proposals for carbon reduction and high sustainable construction standards need to be included in any subsequent planning application
- The wall on Globe Road needs to be retained and better incorporated into the building design

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

- Members were of the view that the proposed mass and form of the development and its relationship with the surrounding context was acceptable
- Members were supportive of the emerging architectural approach, however, further details were required and the comments of Members regarding materials etc. were to be noted
- Members were of the view that the approach to car parking provision within the site was acceptable with the inclusion of some disabled parking required
- Members were generally supportive of the design of the public realm areas with a suggestion that more greenspace be provided
- Members considered the proposed housing mix was generally acceptable
- Members expressed the view that the sizes of the apartments within the development was not acceptable

The Chair thanked the developers for their attendance and presentation suggesting that Members appeared to be generally supportive of the scheme

RESOLVED –

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

APPENDIX 2 – DRAFT CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

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

- 3) No construction works shall commence until the following documents have been submitted and approved by the Local Planning Authority:

- a) A revised Remediation Strategy demonstrating how the site will be made suitable for the intended use, including a programme for all works; and
- b) A detailed Validation Plan providing site specific gas protection design details to demonstrate how the gas protection measures will be installed and validated. The Validation Plan shall include strategies for validation as construction occurs in line with industry standards and for post installation verification of gas protection measures. The construction works and remediation shall be carried out in accordance with the details thereby agreed.

To ensure that proposed remediation works are agreed in order to make the site 'suitable for use'.

- 4) 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.

- 5) Remediation works, where necessary, shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report shall be submitted to the Local Planning Authority in accordance with the approved programme. The development shall not be brought into use until such a 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.

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

writing by, the Local Planning Authority prior to these materials being imported onto the site.

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

7) Prior to the commencement of development a Construction Environmental Management Plan (CEMP:Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities to include impacts of lighting on the canal, and lighting and noise on the bat roost in the Engine House building and potential hibernating feature of the Little Chimney structure;
- b) Identification of biodiversity protection zones to include the Engine House and Little Chimney in relation to roosting and hibernating bats and the canal in relation to light disturbance;
- c) Measures to avoid or reduce impacts during construction;
- d) Location and timings of sensitive works to avoid harm to biodiversity features, including nesting birds in built structures;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) Use of protective fences, exclusion barriers and warning signs.

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

To ensure the protection of existing biodiversity.

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

- (a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- (b) measures to control the emissions of dust and dirt during construction;
- (c) details of access, storage, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles (including workforce parking); and
- (d) confirmation of construction works within the hours of 0800-1800 hours Monday to Saturday and not at all on Sunday and Bank Holidays, unless in exceptional circumstances which shall be agreed in writing in advance by the Local Planning Authority
- (e) how this Statement of Construction Practice will be made publicly available by the developer.

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

In the interests of residential amenity of occupants of nearby property.

9) The development shall not commence until details and a method statement for interim drainage measures during construction works have been submitted to and

approved in writing by the Local Planning Authority. The construction works shall thereafter be carried out in accordance with approved method statement.

To prevent off-site flooding.

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

In the interest of satisfactory and sustainable drainage.

11) A detailed drainage scheme (including drainage drawings, summary calculations and investigations) detailing the surface water drainage works incorporating Sustainable Drainage Systems (SuDS) as well as arrangements for future management and maintenance (including arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use.

To ensure sustainable drainage and to reduce the risk of flooding.

12) No surface water discharges:

a) to the existing on site drainage network shall take place until a survey of the on-site receiving system has been submitted and approved by the Local Planning Authority. The survey should ascertain the condition and/ or structural integrity of the network. Any necessary works identified by the survey shall be carried out prior to the commencement of any surface water connection.

b) from the application site shall take place until works to provide a satisfactory outfall have been completed.

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

13) The development shall be carried out in accordance with the submitted flood risk assessment (August 2019/ 70051843-FLD-001/ WSP) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 28.25 metres above Ordnance Datum (AOD).
- Residential finished floor levels are to be set no lower than 32.75 metres AOD.
- There are to be no basements within the development.

The mitigation measures shall be fully implemented prior to occupation of the development and thereafter retained and maintained for the lifetime of the development.

To reduce the risk of flooding to the proposed development and future occupiers.

14) The development shall not be occupied until a Flood Warning and Evacuation Plan has been submitted to and approved in writing by the Local Planning Authority.

To ensure safe access and egress to the site during a critical storm event.

15) No development shall take place adjacent to the canal towpath until:

a) a scheme of investigation of that section of the canal wall adjacent to the application site has been submitted to and approved in writing by the Local Planning Authority to establish

the structural condition of the wall, and the need for any rebuilding or strengthening works as may be necessary to ensure that the structural integrity of the canal wall can be maintained during and after construction.;

b) details of the proposed foundations, excavations and works method statement shall be submitted to the Local Planning Authority for approval in order to determine the impact of the works on the canal and the retaining wall;

c) a method statement detailing how the canal will be protected during the works has been submitted to and approved in writing by the Local Planning Authority.

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

To establish whether mitigation works are necessary in order to ensure that the development does not adversely affect the canal by weakening or otherwise damaging the offside bank of the canal adjacent to the application site.

16) Development of the superstructure of the first phase of the development shall not commence until details of improvements to the canal towpath abutting the site comprising resurfacing works have been submitted to and approved in writing by the Local Planning Authority. The improved towpath shall be made available for use prior to occupation of the second phase of the development.

In the interests of pedestrian safety and to support sustainable travel.

17) The superstructure of the buildings shall not be commenced until full details of cycle parking and facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved cycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In the interests of sustainable travel.

18) The approved disabled car parking, to include three electric vehicle charging points, shall be implemented in accordance with current British Standard BS8300 unless otherwise agreed in writing prior to occupation of the development.

To ensure the provision of disabled parking and in the interests of sustainable travel.

19) The development shall not be occupied until the proposed vehicular access and 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.

To ensure the free and safe use of the highway.

20) The development shall not be occupied until a Servicing Management Plan (including timescales) has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented and operated in accordance with the approved timescales.

To ensure the free and safe use of the highway.

21) The superstructure of the buildings shall not be commenced until details of works along that part of the site abutting Globe Road and Water Lane comprising the reinstatement of any redundant crossings to full height footway, footway widening, dropped kerbs, tactile paving, and a zebra crossing at Globe Road have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully implemented prior to the first occupation of the development.

In the interests of highway and pedestrian safety and to support sustainable travel.

22) Prior to commencement of construction of the superstructure of an individual building, typical detailed 1:20 scale (or other appropriate scale) working drawings of the following elevational features shall be submitted to and approved in writing by the Local Planning Authority:

- (a) Sections through window and door reveals;
- (b) Balconies, shop-fronts and entrances; and
- (c) Details of roof parapets, eaves line and soffits to each building;
- (d) Photovoltaic panels; and
- (e) Any air conditioning or extract ventilation system, flue pipes, window cleaning equipment or other excrescences proposed to be located on the roof or sides of the building.

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

In the interest of visual and residential amenity.

23) Prior to commencement of construction of the superstructure of an individual building a sample panel of the external facing materials to be used for that building shall be approved in writing by the Local Planning Authority. The panels shall be erected on site to establish the details of the type, bonding and coursing of the materials. The facing materials shall be constructed in strict accordance with the sample panels which shall not be demolished prior to the completion of the relevant building.

In the interests of visual amenity and to ensure that the materials harmonise with the character of the area.

24) No external surfacing works shall commence until details and samples of all surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The surfacing works shall be constructed from the materials thereby approved prior to occupation of the development.

In the interests of visual amenity.

25) No landscaping shall 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;
- (b) vehicle and pedestrian access and circulation areas;
- (c) hard surfacing areas;
- (d) water features including overflow route;
- (e) minor artefacts and structures (e.g. street furniture, refuse or other storage units, directional signs, lighting, bollards etc.); and
- (f) 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, to include temporary landscaping of phase 2 of the development, shall include:

- (g) planting plans;

- (h) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment); and
- (i) 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. The phase 2 landscaping proposals shall be completed in accordance with the approved details and implementation programme unless the phase 2 development has been commenced.

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

26) The landscape details to be submitted pursuant to condition 27 shall provide full construction details of tree pits and raised planted areas to be provided in paved areas. These shall include:

- a) the depth and area of growing media;
- b) specification of topsoils including additives and conditioners;
- c) proprietary structures to support paving over extended sub-surface rooting areas;
- d) tree grilles and guards and means of anchoring root balls;
- e) passive irrigation including directed use of grey water / roofwater or surface water;
- f) active temporary irrigation systems, using mains water or filtered, re-cycled greywater, its application rate, distribution system and controls; and
- g) means of positive piped drainage of pits.

To ensure that the cultural requirements for viable landscape and tree establishment are integrated into the development scheme design.

27) No landscape works shall take place until a plan, schedule and specification for landscape management has been submitted to, and approved in writing by, the Local Planning Authority. This shall include reference to planting and hard landscaped areas, including paving, water features and other street furniture. The schedule shall identify the frequency of operations for each type of landscape asset and reflect the enhanced maintenance requirement of planted areas during the establishment period. It shall provide for an annual inspection during late summer for any areas of failed tree or shrub planting, and the identification of the replacements required in the autumn planting season. Maintenance shall commence when each phase of development is completed. Maintenance shall be carried out thereafter in accordance with the approved management plan.

To ensure successful establishment and aftercare of the completed landscape scheme in the interests of visual amenity.

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

To ensure maintenance of a healthy landscape scheme.

29) Notwithstanding drawing TWR-WSP-00-XX-DR-E-630201 prior to the installation of any external lighting a Lighting Design Strategy for bats shall be produced by an

appropriately qualified ecological consultant and submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for commuting and foraging bats - using an appropriately scaled map to show where these areas are;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb commuting and foraging bats.

All external lighting shall be installed in accordance with the specifications and locations set out in the Strategy, and shall be maintained thereafter in accordance with the Strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority in the areas identified in the Strategy as particularly sensitive for commuting and foraging bats.

To safeguard a protected species.

30) Prior to commencement of construction of the superstructure of an individual building, proposals for the provision and management of habitat enhancement shall be submitted to and approved in writing by the Local Planning Authority. The measures shall include:

- a) a summer bat roosting and winter bat hibernating feature to be provided close to the north west boundary of the site near the interface with the canal. The agreed Plan shall show the specification of the bat roosting features and where they will be located, together with a commitment to being installed under the supervision of an appropriately qualified bat consultant;
- b) a roost for Peregrine Falcons within the Tower Works site; and
- c) a review of opportunities for enhancement of Hol Beck along the site boundary.

All approved features shall be installed prior to first occupation of the residential accommodation and thereafter retained.

To maintain and enhance biodiversity.

31) Prior to commencement of construction of the superstructure of an individual building, details of the glazing and ventilation specifications to be used for that building, meeting or exceeding the requirements detailed in the submitted WSP Noise Assessment RPAC-0001-5 May 2019, shall be submitted to and agreed in writing by the Local Planning Authority. The use of the building shall not commence until the agreed sound insulation works and ventilation measures have been completed. The measures shall be retained and maintained thereafter for the lifetime of the development.

In the interest of residential amenity.

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

In the interests of residential amenity.

33) No installation of externally mounted plant or equipment shall take place until details of the installation and/or erection of any air conditioning or extract ventilation system, flue pipes, window cleaning equipment or other excrescences proposed to be located on the roof or sides of the building, including details of their siting, design, noise attenuation, and external appearance have been submitted to and approved in writing by

the Local Planning Authority. The equipment shall only be installed in accordance with the approved details.

In the interests of amenity and visual amenity.

34) Prior to the occupation of each building the approved bin stores for that building shall be provided and made available for use. The bin stores shall thereafter be retained and maintained as such in accordance with the approved details. Refuse bins shall not be stored outside the approved areas except temporarily on collection days.

To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity.

35) Within 6 months of the first occupation of the residential accommodation a post-construction review statement demonstrating compliance with CS policies EN1 and EN2 shall be submitted and approved in writing by the Local Planning Authority.

The development shall thereafter be maintained and any repairs shall be carried out in accordance with the approved post completion review statement.

To ensure the implementation of appropriate sustainable design principles.

36) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use, of the Class A2, A3 and D1 premises referred to in this permission, to any use within Use Class A1; or from any use of B1 premises to C3 accommodation, as detailed in the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking or re-enacting that Order with or without modification).

In order that the Local Planning Authority can retain control over uses which could be harmful to the character of the area and to the viability of the City Centre in general.

37) The northern bedroom windows of Units D.01.01 and D.02.02 and the secondary lounge windows to Units D.01.02 and D.02.02 in Verona House shall be fitted with obscure glazing prior to first occupation and thereafter be retained as such.

In the interests of residential amenity.

38) A maximum of 372m² of the commercial premises shall be used for Use Class A1 (convenience).

In order to protect existing retail centres.

39) A minimum of 75% of the canal-facing elevation to commercial units B and C shall be maintained as active frontages.

In order to maintain an open, attractive and active frontage in this location.

40) Following completion of 50% of the dwellings within the development and secondly at the stage of the final completion of the remaining 50% of the dwellings, a post-construction Accessible Housing Certification Table containing the full details of the following matters shall be submitted to and approved in writing by the Local Planning Authority;

- Which and how many dwellings within the development have satisfied M4 (2)* accessible and adaptable dwellings standards *contained within Part M Volume 1 (Approved

Document) of The Building Regulations 2010, or any such Approved Document or Regulations for the time being in force, including any modification, extension or re-enactment of the same and including all instruments, orders, regulations and directions for the time being made, issued or given under the Approved Document or Regulations (or deriving validity from the same).

The accessible dwellings shall be provided in accordance with the agreed details and shall be retained as provided for thereafter.

In the interests of disabled people and access for all.

APPENDIX 3 – DISTRICT VALUER’S INDEPENDENT REVIEW OF THE DEVELOPMENT VIABILITY APPRAISAL

1.0 Introduction

Further to your instructions dated 8th November 2019, and my terms of engagement dated 11th November and draft report dated 19th December. I have now concluded discussions with the applicants agent, and I am pleased to supply my final report.

It is understood that Leeds City Council Planning Authority require an independent opinion on the viability information provided by Deloittes Real Estate, in terms of the extent to which the accompanying appraisal is fair and reasonable and whether the assumptions made are acceptable and can be relied upon to determine the viability of the scheme.

This report gives both your authority and the applicant opportunity to consider the recommendations and impact of the assumptions and to revert back if there are any discrepancies or clarifications needed.

The report gives overview of the applicant's viability appraisal, then provides advice on those areas of the appraisal which I consider to be incorrect, along with justifications where appropriate. A summary of the key differences of opinion and impact is then provided.

1.2 Viability Conclusion

This report explains that it is my independent conclusion that a scheme fully compliant with planning policy is viable.

It is my opinion that the scheme can viably support the whole of the required CIL charge of £100,520, Section 106 contributions of £122,242 and 4.89% on site affordable housing (12 Units) based on LCC published affordable rents.

I have also concluded the scheme can viably support the whole of the required CIL charge of £100,520, Section 106 contributions of £122,242 and 20% on site affordable housing (49 Units) based on discounted rents at 80% of the market rents.

Alternatively, the scheme can support a commuted sum in lieu of affordable housing (based on LCC published affordable rents) of £1,679,000 (One Million Six Hundred & Seventy Nine Thousand Pounds).

1.3 Executive Summary Viability Assessment Inputs (summary)

Appraisal Input	Applicant	DVS 4.89% Affordable (conclusion)	Agreed or Not Agreed
Gross Realisation	£60,446,047	£59,335,024	Agreed
Market Housing	£56,900,450	£55,104,751	Agreed
Commercial	£3,545,597	£3,545,597	Agreed
Affordable Housing	£NIL	£1,317,158	Agreed
Professional Fees	£3,537,638 (8.5%)	£3,133,322 (8%)	Agreed
Gross to Net Rent Adjustment	25%	23.75%	Agreed
Investment Sales Cost	£903,234	£795,951	Agreed
Marketing	£100,000	£100,000	Agreed
CIL / S 106	£117,715/£117,492	£100,520/£122,242	Agreed
Build Costs	£39,166,525	£39,166,525	Agreed
Abnormal Cost & External Costs	£4,819,868	£4,819,868	Agreed
Developer's return	9% Profit on Cost (£4,890,018)	8.08% profit on cost (£4,380,594)	Agreed
Benchmark Land	AUV	AUV	Agreed

Value (basis)				
Benchmark Value (figure)	Land	£2,075,000	£1,805,000	Agreed

2.0 Assumptions and Limitations

This report is for the purposes of determining viability and it is not a Red Book valuation report.

2.1 Date of Viability Review

The viability review has been assessed at 20th December 2019 and adopts values and build costs at this time.

2.2 Validity

This report remains valid for 3 (three) months from the date unless market circumstances change or further or better information comes to light, which would cause me to revise my opinion.

2.3 Conflict of Interest

In accordance with the requirements of the RICS standards, the VOA has checked that no conflict of interest arises before accepting this instruction. It is confirmed that I am unaware of any previous conflicting material involvement and am satisfied that no conflict of interest exists. Should any such difficulty subsequently be identified, you will be advised at once and your agreement sought as to how this should be managed.

In accordance with the requirements of the recent RICS Professional Standard 'Financial Viability in Planning: Conduct and Reporting', (effective from 1 September 2019) it is confirmed that:

- In carrying out this viability assessment review the valuer has acted with objectivity impartiality, without interference and with reference to all appropriate sources of information.
- The professional fee for this report is not performance related and contingent fees are not applicable.
- DVS are not currently engaged in advising this local planning authority in relation to areawide viability assessments in connection with the formulation of future policy.
- The appointed valuer REDACTED is not currently engaged in advising this local planning authority in relation to area wide viability assessments in connection with the formulation of future policy.

2.4 Restrictions on Disclosure and Publication

The report has been produced for Leeds City Council only.

DVS permit that this report may be shared with the applicant and their viability advisor Cushman and Wakefield as named third parties.

In the event the report is published on your planning portal, the report must be redacted to protect commercially sensitive information.

The report should only be used for the stated purpose and for the sole use of your organisation and your professional advisers and solely for the purposes of the instruction to which it relates. Our report may not, without our specific written consent, be used or relied upon by any third party, permitted or otherwise, even if that third party pays all or part of our fees, directly or indirectly, or is permitted to see a copy of our report. No responsibility whatsoever is accepted to any Third Party who may seek to rely on the content of the report.

The figures contained within this report, including revenues and costs, are site specific and are not necessarily appropriate for another similar site that we may have appraised in the past or the future.

It is agreed that your authority and applicant / their viability advisor will neither make available to any other third party nor reproduce the whole or any part of the report, nor make reference to it, in any publication without our prior written approval of the form and context in which such disclosure may be made.

None of our employees individually has a contract with you or owes you a duty of care or personal responsibility. You agree that you will not bring any claim against any such individuals personally in connection with our services.

This report is considered Exempt Information within the terms of paragraph 9 of Schedule 12A to the Local Government Act 1972 (section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information Act 1985) as amended by the Local Government (access to Information) (Variation) Order 2006 and your council is expected to treat it accordingly.

2.5 Status of Valuer

It is confirmed that the viability assessment has been carried out by RICS Registered Valuer, REDACTED acting in the capacity of an external valuer, who has the appropriate knowledge and skills and understanding necessary to undertake the viability assessment competently and is in a position to provide an objective and unbiased viability assessment.

In accordance with the requirements of the RICS professional standard 'Financial viability in planning: conduct and reporting', (effective from 1st September 2019) it is confirmed that :

- In carrying out this viability assessment review the valuer has acted with objectivity impartiality, without interference and with reference to all appropriate sources of information.
- The professional fee for this report is not performance related and contingent fees are not applicable.
- DVS are not currently engaged in advising this local planning authority in relation to areawide viability assessments in connection with the formulation of future policy.
- The appointed valuer, REDACTED is not currently engaged in advising this local planning authority in relation to area wide viability assessments in connection with the formulation of future policy.
- Neither the appointed valuer, REDACTED nor DVS advised this local planning authority in connection with the area wide viability assessments which supports the existing planning policy.

As part of the DVS Quality Control procedure, this report and the appraisal has been reviewed by REDACTED, Registered Valuer.

2.6 Inspection and Background

REDACTED has inspected the site and is familiar with the area and property values in the locality.

The applicant proposes to develop a substantial Build-To-Rent apartment scheme (BTR), commercial floor space and landscaped public realm.

The scheme will be situated in the Southbank area of Leeds and includes a proposal for 245 apartments and 9,020 ft² of flexible commercial floor space.

The site is located within the south western area of Leeds City Centre within the Holbeck / South Bank area of Leeds. The site is bounded by Globe Road and the Grade II listed Entrance Range to the south, Globe Quay and surface car parking to the west, the Leeds – Liverpool Canal and towpath to the north, and the forthcoming Mustard Wharf residential scheme, which is currently under construction, to the east.

The site is within walking distance (0.5 miles) to the Leeds Train Station, which links to an extensive rail network across the Leeds City Region, Yorkshire and the Rest of the UK. The Leeds-Liverpool Canal towpath is in close proximity to the site, providing pedestrian and cycle links to the east of the City Centre. The Site is also within easy access of the City's major road network including the A61 and the M621, which connect with a number of routes including the M1 and M62.

3.0 The Development Proposed

3.1 The Scheme

The site extends to approximately 2.13 acres (0.86 hectares) and can be accessed via two points of entry on the southern boundary of the Site. Whilst sitting within the site, the application boundary excludes the Grade II listed Giotte and Verona Towers, Grade II Little Chimney and Grade II Engine House, which are unaffected by development.

The Site was formerly in use as the Tower Works factory complex, which operated from 1864 until its closure in 1981. Extensive demolition of buildings across the Site has taken place in recent years, pursuant to planning permission reference 08/05144/FU. At present, the Site is predominantly cleared and composed of temporary surfacing, including gravel, tarmac and areas of grassed landscape to the east of the Site, and extensive areas of low quality hard landscaping and self-seeded trees and shrubs in a secured area at the west of the Site. The Grade II listed Entrance Range, which sits immediately adjacent to the southern boundary of the Site fronting Globe Road, has already been successfully regenerated to provide modern, flexible office space within the original Entrance Range building and within a ground plus three storey extension to the west. This represented the first and only phase of development delivered under the 2008 planning permission for the Site.

The 245 residential apartments are to be provided for the build to rent market. There will also be three commercial units that have been strategically located in highly visible areas adjacent to the canal towpath to the north of the site. There is no car parking provided as part of the Proposed Development, with the exception of three accessible car parking spaces provided within the public realm and three motorcycle spaces. However 245 cycle spaces will be provided at a ratio of 1:1 cycle car parking spaces to the number of apartments proposed.

The Proposed Development is to sit at five to eleven storeys, adjacent to Mustard Wharf to the east, standing at three to ten storeys, and the outline scheme for CEG: South Bank, which includes seven storey commercial buildings to the south and a circa forty storey building as part of the Outline element of the permission to the west.

We understand the buildings will be predominantly clad in brick or a brick panel system. We understand the proposed material palette has been developed in response to the Site's context within the Holbeck Conservation Area and its associated former industrial buildings, which is dominated by red, warm toned brick with accents of darker and cooler toned materials.

Approximately 65% of the entire Site will be dedicated to public space, focused around three key squares characterised by each of the listed towers: Giotto Piazza, Verona Square and Chimney Place. The three entrances to the buildings are directly off the central public realm. There are communal amenity spaces within the proposed development that will allow for weekly or monthly events as well as work from home space fitted with hot desks and two communal roof terraces. The layout of the upper floors of the buildings are largely similar and comprise residential apartments, circulation space, lift and stair cores, and servicing/storage space.

Summary of Accommodation

Use	Proposed Development
Residential Units	245 units which meet Nationally Described Space Standards, including: 137 no. 1 bed apartments (55.9%) 96 no. 2 bed apartments (39.2%) 12 no. 3 bed apartments (4.9%)
Commercial Space	838 sq. m. (Use Class A1, A2, A3, A4, B1 and / or D2).
Cycle Parking	245 secure cycle parking spaces for residents (1 :1 ratio).
Accessible Parking	Three accessible spaces located within the public realm.

I make no comment about the density, design, efficiency, merit or otherwise, of the suggested scheme. The building areas are summarised below:

Name	Net Internal Area	Gross Internal Area
Commercial	838 sq m (9,020 sq ft)	838 sq m (9,020 sq ft)
Residential	14,287 sq m (153,785 sq ft)	19,766 sq m (212,761 sq ft)
TOTAL	15,125 sq m (162,805 sq ft)	20,604 sq m (221,781 sq ft)

3.2 Applicant's Assessment

I refer to the applicant's surveyor's report dated 7 November 2019 entitled Financial Viability Appraisal Tower Works Phase 1 with appraisals therein. There are 2 viability appraisals within the applicant's report comprising a scenario where the current consented scheme for 160 owner occupied apartments including 9 affordable units at published council transfer rates.

A second appraisal relates to the proposed scheme of 245 PRS units and commercial space and concludes no affordable housing can be provided over and above any CIL or Section 106 costs. 100% of the units are privately rented apartments.

The applicants advisor has arrived at their opinion of benchmark land value (BMLV) by undertaking a residual valuation based on the current planning consent, for a 160 unit owner occupation scheme, which has been implemented but not constructed/completed.

LCC have instructed me to assume the planning consent has been implemented as the current owners have undertaken ground works to implement the planning use.

Deloitte's regard their approach to the BMLV as the EUV plus approach which I do not agree with. The planning consent may have been implemented but it is not the current land use. The approach adopted by Deloitte is an alternative use value (AUV) which is referred to in RICS and NPPF guidance. I refer you to my comments below which specifically deal with an AUV approach.

I have conducted negotiations with Deloitte Real Estate following my request for additional information.

The applicant's viability appraisal concludes that having undertaken their appraisals their client cannot provide any affordable units within a PRS scheme.

The applicants PRS appraisal is based upon a number of assumptions which are not fully evidence based particularly in respect of some costs. The applicant has assumed the scheme requires a profit on Gross Development Cost of 10% for the residential element and commercial element.

In addition the applicant has assumed the base build cost is equivalent to £176.60 /ft² with associated professional fees at 8.5% total build costs less main contractor, overheads and profit and risk.

The appraisal also assumes a construction contractors contingency of 2.5% for risk allowance against the build costs. Furthermore the appraisal allows £100,000 for marketing.

The appraisal also assumes a total project length of 25 months. Finally the appraisal prepared by the applicant's adviser has made an allowance for operating costs within the completed scheme whereby gross rents are discounted at 25% to account for operating costs.

To review the reasonableness of this conclusion I have considered each appraisal input in turn.

3.3 Development Period

The applicant's surveyor has adopted a 31 month development period. This development programme is considered reasonable and accepted by DVS.

3.4 Gross Development Value (GDV)

I have considered the applicant's Gross Development Value (GDV) contained within their viability report which I have summarised below and compared with the DVS conclusion:

Appraisal Input	Applicant	DVS 4.89% Affordable (conclusion)	Agreed or Not Agreed
Gross Realisation	£60,446,047	£59,335,024	Agreed
Market Housing	£56,900,450	£55,104,751	Agreed
Commercial	£3,545,597	£3,545,597	Agreed
Affordable Housing	£NIL	£1,317,158	Agreed

3.5 Market Housing Revenue

I have first considered the reasonableness of the valuation of apartments under Market Housing. I summarise below my understanding of the applicant's report which sets out the Gross Rental Value (GRV) per annum for each apartment type (1, 2, 3 bedrooomed) and is expressed as a range dependent on the floor area of each apartment.

Applicants Estimated Apartment Rental Values

Description	Rent Per Annum
1 bed	£10,980 to £11,460
2 bed	£15,720 to £17,520
2 Bed Duplex	£20,460
3 bed	£22,500 - £23,040

The applicant has concluded the Gross rental per annum for the apartments is £3,438,720 per annum.

Having checked revenues from VO records and other sources of information, including data from previously agreed PRS rental values in Leeds City Centre I summarise below my impartial opinion of apartment rental values:

DVS Rental Value Conclusions

Description	Rent Per Annum
1 bed	£10,980 to £11,540
2 bed	£15,750 to £17,400
2 Bed Duplex	£20,460
3 bed	£23,100 - £23,400

I agree, in general with the applicant's rents however I have increased the rental value of some of the apartment types.

Summary of DVS Evidence

1 Bed Apartments
 REDACTED
 2 Bed Apartments
 REDACTED
 2 & 3 Bed Apartments
 REDACTED

Net Rental Income Capitalisation Yield

The manner in which the revenue is assessed for a PRS Scheme it is essential to consider the total rental value of the accommodation and then make an adjustment for the running costs for the entire development. For instance, the landlord will receive rent from tenants, however, the landlord is also required to pay for all of the operational costs in relation to heating, cleaning, maintenance and general management of communal areas.

I summarise below the applicant's surveyor's allowance for running costs within the scheme:

Description	Cost expressed as a percentage of gross revenue
BTR Operating Costs	25%

Therefore, the rental value of each apartment builds up a total gross revenue for the development after which it is important to make a deduction to the gross rent for the ongoing management of the property including cleaning, maintenance, utilities costs and voids/lettings these.

The applicant has subsequently allowed for a deduction to gross rents of 25% which covers site staff, building operations, tenancy operational expenditure and management fees. Their viability report did not include a detailed commentary justifying the allowances adopted

I have adopted a lower percentage for calculating the net rental income of 23.75% which is based on agreements with other developers in Leeds where PRS viability appraisals have been submitted.

Operation Voids	2.5%
Bad Debt	0.5%
Council Tax Voids	1%
Void Utilities	1.5%
Management Fees	9% inclusive of VAT
Operational Expenditure	9.25%
Total	23.75%

Capitalisation Yield

Following a deduction for operational costs a valuer is then required to capitalise the net rent to arrive at a value at which the completed scheme will be sold. The applicant has adopted an initial yield of 4.25% which I consider not supported by comparable transactions. I am acting impartially to determine viability and I am aware that the most recent yield evidence supports 4.5% which has been adopted in my appraisal.

3.6. Affordable Housing - Proportion

Leeds City Council Core Strategy stipulates a requirement for affordable housing provision in respect of all new-build residential dwellings.

The subject site lies within part of the Core Strategy, which stipulates a requirement for 7% affordable housing based on the total number of units, of which 40% of units should provide for households on lower quartile earnings and 60% on lower decile earnings.

Policy states that affordable housing requirements can be varied by way of a viability assessment.

LCC's adopted Policy stipulates a requirement for 7% affordable housing. Based on the proposed residential development of 245 no. units, adopted policy requires that 17 no. units should be of affordable tenure.

Alternatively the developer can provide 20% of all residential units subject to a 20% discount off market rents.

Finally, I understand the council will consider a payment (commuted sum) in lieu of on site affordable units.

The applicant has presented a viability appraisal assuming 0% (NIL) of the scheme as affordable which does not reflect accord with current policy.

In accordance with national planning policy guidance, alternative approaches to affordable housing provision for the BTR sector are considered appropriate. The applicant has not presented a scenario where 20% of the scheme (245 unit) are affordable and the rents are discounted by 20% from Market Rental Values.

3.7 Affordable Housing Revenue

It is understood that there are formal transfer values in this location, consequently for the AH revenue I have adopted transfer rates as summarised below:

Affordable Transfer Values

Table 2 below sets out affordable rent benchmarks. These apply in situations where a Private Rented Scheme Provider and the City Council have agreed that affordable housing provision will be provided on-site, or in buildings off-site. Management companies responsible for administering the rental of dwellings would be expected to rent the affordable dwellings at rents that accord with the benchmarks subject to arrangements agreed with the City Council.

Table 2: Affordable Rents for PRS Schemes

Dwelling Type	Affordability	Benchmark £/sqm/week	Benchmark £/sqm/mth
Apartment	Lower Decile	1.30	5.64
	Lower Quartile	1.68	7.28

The benchmarks apply to the gross internal floorspace of dwellings, and exclude service or maintenance charges.

I have also adopted the above transfer values, as a price per sq ft, when assessing the value of the affordable units which is expressed in terms of the rates below:

	Benchmark/£ per sq ft per annum
Lower Decile	£6.29
Lower Quartile	£8.11

3.8 Ground Rent Revenue

Further to the evidence regarding the tenure on disposal of PRS apartments in Leeds ground rent investment value is excluded. In reality an institutional investor acquires the entire building and collects the rents from individual tenants, therefore it is not appropriate to adopt an additional revenue as the business model does not conjunctionally support a grant of long ground leases.

3.9 DVS Conclusion Gross Development Value (GDV)

My opinion of GDV for a planning compliant scheme compromises assuming 4.89% affordable units at published transfer values:

Market Housing £55,104,751

Affordable housing £704,676

Commercial £3,545,597

Total GDV £59,355,024

The applicant's surveyor's GDV is £60,446,047. This is not like with like as it reflects no provision of affordable homes.

As part of any future negotiation or appeal process, and in the event further or better sales evidence, I may revisit this opinion of GDV.

4.0 Gross Development Costs

4.1 Construction Cost

The matter of construction costs have been referred to Leeds City Council's Quantity Surveying Consultant in respect of planning viability Rex Proctor and Partners (RPP). RPP had reviewed the appraisal and cost plan undertaken by Gardener and Theobald and have commented as follows.

"The fully measured cost plan and rates have been reviewed and we comment as follows;

- The overall cost/ sqft (incl externals and abnormals) is £190/sqft. This is in excess of where we would have expected the costs to be for a mid-market specification. Typically we would expect costs to be in the £170 to £180/ sqft region.
- However the cost does include a number of abnormal cost elements – site prep, drainage attenuation, work to existing retaining walls – these equate to approx. £8/sqft
- The scheme is in a number of separate blocks
- Extensive external works and public realm/ landscaping are included – again increasing the base starting cost from the normal provision.
- Excluding externals/ abnormals the cost/sqft is circa £182 – again higher than we would expect but not excessively so.
- The costs include £250k for ground floor amenity space fit out and Space Invaders fit out of £252K – these equate to £2.21/sqft – which reduces the base build to just under £180/sqft
- The measures and rates have been reviewed and in the main we agree with them.
- Sub contract prelims are included in the measured works which you could argue are in part double counted with the % addition for main contractor prelims – although the main contractor prelims are just under 10% which is not excessive.

□ Risk in the build cost is included at 2.5% - 1% design development and 1.5% construction risk – not unreasonable

□ Costs are current day

In summary the costs whilst slightly on the high side do appear reasonable given the design information available and the nature of the scheme and mix of accommodation."

I have accepted the build cost subject to the comments above.

4.3 Abnormal/Additional Costs

The applicants' appraisal accounts for £2,237,125 of abnormal/additional costs. These comprise:

Item	Cost
Demolition	£94,418
Road/Site Works	£1,415,207
Furniture (£3,500 per apartment)	£857,500
TOTAL	£2,367,125

These costs have been considered by your QS advisor and further to this I have adopted this total in my appraisal with the exception of the furniture cost. In my appraisal this has been reduced to £2,000 per apartment totalling £490,000 in line with agreed costs on similar PRS schemes in Leeds City Centre.

4.4 Planning Obligations

The applicant has allowed for CIL at £117,715 and section 106 costs of £117,492.

The following costs have been included in my appraisal following consultation with Leeds City Council:

CIL: £100,520

Section 106 Costs: £122,242

Loss of Pay & Display Parking Space Fixed amount £42,000

Travel Plan Fixed amount £61,372

TRO Fixed amount £15,000

Travel monitoring Fixed amount £3,870

4.5 Section 106 Hierarchy and Timing

Regarding the timing of these contributions, I have sought guidance from your Authority and consequently I agree with Deloitte's cash-flow assumption for the Section 106 costs.

4.6 Professional Fees

The applicant has used 9% for professional fees, applied to build cost and externals.

On the evidence available to me and following consultation with Rex Proctor and Partners (LCC QS advisors) 9% is regarded to be outside normal parameters and cannot be accepted.

My appraisal includes the following professional fees:

Project Build Professional Fees: 8%

The applicants' agent has allowed for £100,000 for marketing fees for the apartments when the scheme is completed which is accepted in the first year of operation after which the rental leakage/running costs should cover this expense.

In addition, the applicant has allowed 1% agents fees and 1% legal fees for selling the completed scheme which totals £903,234 which I consider excessive based on the lot size. Based on agreements for other PRS schemes in Leeds I have included fees of 0.85% for agents and 0.5%

for legal fees which totals £727,491. My adjusted allowance for disposal fees accounts for quantum and the likely fee levels which would be agreed on a competitive tendering basis with agents.

I have included 1.8% of GDV in respect of purchaser's costs for acquiring the completed scheme which includes the cost of stamp duty, legal fees and project monitoring. My allowance, based on my impartial view, is equivalent to £1,055,185 compared to the applicant's lower allowance of £230,464.

4.7 Finance

The debit rate of 6% is not considered to be within an acceptable range for a forward funded PRS scheme. I have adopted 5% to reflect the finance rates agreed on other PRS schemes in Leeds City Centre.

5.0 Profit

The applicants are seeking a minimum profit margins equivalent to 10% of gross development costs.

Paragraph 18 of the NPPG Viability & Plan Making states:

For the purpose of plan making an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers in order to establish the viability of plan policies. Plan makers may choose to apply alternative figures where there is evidence to support this according to the type, scale and risk profile of planned development. A lower figure may be more appropriate in consideration of delivery of affordable housing in circumstances where this guarantees an end sale at a known value and reduces risk. Alternative figures may also be appropriate for different development types.

When assessing a scheme with affordable housing it is recognised by the NPPG, that lower profit should be applied to reflect the different risk levels associated with disposing of affordable homes compared to general market housing.

For my review I have also adopted a target profit of 8% of gross development costs for the entire scheme. I consider profit margins at these levels to be well supported by other similar PRS developments DVS have appraised and reviewed in Leeds.

My viability conclusion shows a profit in excess of my target profit which means there would be a surplus after contributing Section 106 Costs and affordable units.

6.0 Benchmark Land Value

6.1 Site Description

The subject site extends 2.13 acres (0.86 hectares) and is a predominantly cleared site. In 2016, planning permission was approved for a two-phase residential and office development comprising 160 private sale residential apartments and 11,800 sq m of office floor space to the east of the site. The consent remains extant; however development has not taken place.

6.2 Applicant's Benchmark Land Value

The applicants benchmark land value is based on a residual appraisal of the 2016 planning permission for phase 1 of the development site, which was the 160 apartments with some ground floor commercial accommodation. The residential areas that we have adopted are those contained within the 2016 Design and Access Statement produced by Jestico + Whiles for the previously consented scheme. The overall gross internal area and the area of the commercial elements have been derived from the Feasibility Cost Report Nr 4 dated 14 March 2016.

The benchmark land value (BMLV) is based on the current planning consent, for a 160 unit owner occupation scheme, which has been implemented but not constructed/completed.

LCC have instructed me to assume the planning consent has been implemented as the current owners have undertaken ground works to implement the planning use.

Deloitte's regard their approach to the BMLV as the EUV plus approach which I do not agree with. The planning consent may have been implemented but it is not the current physical land use. The approach adopted by Deloitte's is an alternative use value (AUV) which is referred to in RICS and NPPF guidance. I refer you to section 6.5 below for further comments on the benchmark land value (BMLV).

6.3 Purchase Price

In connection with purchase price this RICS guidance states at para 3.6.1.2 *"It is for the practitioner to consider the relevance or otherwise of the actual purchase price, and whether any weight should be attached to it, having regard to the date of assessment and the Site Value definition.."*

However, the new NPPG on viability (July 2018) very much dissuades the use of a purchase price as a barrier to viability and advocates an Existing Use Value (EUV) plus approach to land value. At paragraphs 13 and 14 the policy explains the premium for the landowner should reflect the minimum return at which it is considered a reasonable landowner would be willing to sell their land while allowing a sufficient contribution to comply with policy requirements.

In this instance the applicant has not disclosed the site purchase price.

6.4 EUV

The Existing Use Value, under the NPPG para 15 definition,

EUV is the value of the land in its existing use together with the right to implement any development for which there are policy compliant extant planning consents, including realistic deemed consents, but without regard to alternative uses. Existing use value is not the price paid and should disregard hope value. Existing use values will vary depending on the type of site and development types. EUV can be established in collaboration between planmakers, developers and landowners by assessing the value of the specific site or type of site using published sources of information.

6.5 Benchmark Land Values

I agree, in principal, with the applicants residual calculation for the site with consent for 160 apartments, however, I have adjusted a number of inputs and added the freehold value of ground rents which results in the DVS residual value of £1,805,000 which is lower than the applicant's conclusion of £2,075,000.

The principal difference in our respective valuations is profit. The applicant has a target profit of 15% on gross development costs which I believe is artificially low which increases the BMLV.

My department have assessed numerous owner occupied schemes in Leeds and the minimum profit required for an owner occupied scheme would be in the region of 15% of gross development value. The combined profit (blended) for the market value homes, affordable and commercial units for my BMLV residual is 14.94%.

The applicant has also added a 10% premium to their residual land (£1,890,000) value to arrive at the benchmark land value "BMLV".

"Deloitte's" state they have adopted an EUV plus approach which I consider inappropriate. It is, in fact, an Alternative Use Value (AUV) approach:

PPG Para 17

"Where AUV is used this should be supported by evidence of the costs and values of the alternative use to justify the land value. Valuation based on AUV includes the premium to the landowner. If evidence of AUV is being considered the premium to the landowner must not be double counted."

Furthermore, I disagree with this approach as the proposed use is within the same use class as the current planning consent therefore I do not consider an incentive is appropriate in accordance with guidance above.

6.8 Market Value Evidence

At Para 14 the NPPG says that

Where recent market evidence is used to inform assessment of benchmark land value this evidence should be based on developments which are compliant with policies, including for affordable housing. Where this evidence is not available plan makers and applicants should identify and evidence any adjustments to reflect the cost of policy compliance. This is so that historic benchmark land values of non-policy compliant developments are not used to inflate values over time.

Due to the complex nature of how large city centre schemes are developed it is often difficult to obtain appropriate evidence and then correctly analyse it.

6.8 Conclusion on Land Value

In conclusion, I disagree with the applicants BMLV based on an EUV Plus approach. I have included concluded an AUV approach is appropriate in accordance with guidance and concluded the bench mark land value is £1,805,000 in order to determine viability.

9.0 DVS Conclusion

This report explains that it is my independent conclusion that a scheme compliant with planning policy is viable.

It is my opinion that the scheme cannot viably support the whole of the required CIL charge of £100,520, Section 106 contributions of £122,242 and 7% affordable housing.

I have concluded the scheme can support 4.89% on site affordable housing (12 Units) based on LCC published affordable rents and all of the CIL and section 106 contributions.

9.1 Sensitivity Analysis

In accordance with RICS guidance I have considered sensitivity analysis. Assuming the gross development costs increase by 0.25% the scheme delivers a profit level below the target of 8% profit on cost.

Construction: Gross Cost				
0.000%	+0.250%	+0.500%	+0.750%	+1.000%
39,166,525	39,264,441	39,362,357	39,460,274	39,558,190
(£2,884,981)	(£2,890,873)	(£2,896,765)	(£2,902,657)	(£2,908,549)
8.083%	7.854%	7.626%	7.399%	7.173%

10.0 Recommendations

If the factual matters above relating to unit numbers, floor areas, tenure split, planning obligation hierarchy, cost of planning obligations, cost of abnormals etc. are incorrect my report would not be valid and I would have to revise my appraisal and advice.

I emphasise that my appraisal embraces the costs and revenues appropriate to the review date and is therefore valid only if the building construction work commences within 12 months and proceeds at a rate consistent with achieving sales in the market.

If commencement of the works were to be delayed and is then undertaken at some other time when market conditions may be different, then I believe a re-appraisal will be required adopting the costs and revenues then obtaining.

Should it be that on site affordable housing is preferred before any other contribution e.g. 'Education' or 'pubic open space' then another appraisal could be carried out at additional cost, to

determine the maximum numbers of affordable units that would be viable as part of a revised report.

Some of the content of this report may be regarded by DVS, Applicant's surveyor or the applicant as commercially confidential and, in this regard, I assume that you will restrict the report's circulation as appropriate.

Globe Road, Leeds - (12 units) 4.89% affordable housing

Globe Road, Leeds - (12 units) 4.89% affordable housing

Summary Appraisal for Phase 1

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rent Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial Net MRV MRV	Initial Net MRV at Sale
Private 1b 1p	12	5,424	24.29	10,980	100,467	131,760	100,467
Private 1b 1p	22	10,186	23.71	10,980	184,190	241,560	184,190
Private 1b 1p	31	14,694	23.16	10,980	259,540	340,380	259,540
Private 1b 1p	61	32,818	20.99	11,290	525,126	688,690	525,126
Private 1b 1p	2	1,162	19.86	11,540	17,599	23,080	17,599
Private 2b 3p	6	3,876	24.38	15,750	72,056	94,500	72,056
Private 2b 3p	2	1,464	21.89	16,020	24,430	32,040	24,430
Private 2b 4p	70	52,710	22.15	16,680	890,295	1,167,600	890,295
Private 2b 4p	8	6,288	22.14	17,400	106,140	139,200	106,140
Private 2b 4p Duplex	4	3,896	21.01	20,460	62,403	81,840	62,403
Private 3b 5p	7	6,783	23.84	23,100	123,296	161,700	123,296
Private 3b 5p	1	1,044	22.41	23,400	17,843	23,400	17,843
Private 3b 6p	3	3,261	21.53	23,400	53,527	70,200	53,527
Private 1b 1p	4	1,936	22.69	10,980	33,489	43,920	33,489
Commercial	1	9,020	25.00	225,500	225,500	225,500	225,500
Construction Cost	1	221,781		0	0		
AFF LD Private 1b 1p	5	2,690	6.29	3,384	12,902	16,920	12,902
AFF LD Private 2b 4p	3	2,259	6.29	4,736	10,834	14,209	10,834
AFF LD Private 3b 5p	1	969	6.29	6,095	4,647	6,095	4,647
AFF LQ Private 1b 1p	1	538	8.11	4,363	3,327	4,363	3,327
AFF LQ Private 2b 4p	2	1,506	8.11	6,107	9,313	12,214	9,313
Totals	247	384,305			2,736,924	3,519,171	2,736,924

Investment Valuation

Private 1b 1p							
Current Rent	100,467	YP @	4.5000%	22.2222	2,232,600		
Private 1b 1p							
Current Rent	184,190	YP @	4.5000%	22.2222	4,093,100		
Private 1b 1p							
Current Rent	259,540	YP @	4.5000%	22.2222	5,767,550		
Private 1b 1p							
Current Rent	525,126	YP @	4.5000%	22.2222	11,669,469		
Private 1b 1p							
Current Rent	17,599	YP @	4.5000%	22.2222	391,078		
Private 2b 3p							
Current Rent	72,056	YP @	4.5000%	22.2222	1,601,250		
Private 2b 3p							
Current Rent	24,430	YP @	4.5000%	22.2222	542,900		
Private 2b 4p							
Current Rent	890,295	YP @	4.5000%	22.2222	19,784,333		
Private 2b 4p							
Current Rent	106,140	YP @	4.5000%	22.2222	2,358,667		
Private 2b 4p Duplex							
Current Rent	62,403	YP @	4.5000%	22.2222	1,386,733		
Private 3b 5p							
Current Rent	123,296	YP @	4.5000%	22.2222	2,739,917		
Private 3b 5p							
Current Rent	17,843	YP @	4.5000%	22.2222	396,500		
Private 3b 6p							
Current Rent	53,527	YP @	4.5000%	22.2222	1,189,500		
Private 1b 1p							
Current Rent	33,489	YP @	4.5000%	22.2222	744,200		
Commercial							
Market Rent	225,500	YP @	6.0000%	16.6667			
(1yr Rent Free)		PV 1yr @	6.0000%	0.9434	3,545,597		
AFF LD Private 1b 1p							
Current Rent	12,902	YP @	4.5000%	22.2222	286,702		
AFF LD Private 2b 4p							
Current Rent	10,834	YP @	4.5000%	22.2222	240,765		
AFF LD Private 3b 5p							
Current Rent	4,647	YP @	4.5000%	22.2222	103,277		
AFF LQ Private 1b 1p							
Current Rent	3,327	YP @	4.5000%	22.2222	73,932		

APPRAISAL SUMMARY**LICENSED COPY****Globe Road, Leeds - (12 units) 4.89% affordable housing**

AFF LQ Private 2b 4p					
Current Rent	9,313	YP @	4.5000%	22.2222	206,954
					59,355,024

GROSS DEVELOPMENT VALUE 59,355,024

Purchaser's Costs			(1,068,390)	
Effective Purchaser's Costs Rate		1.80%		(1,068,390)

NET DEVELOPMENT VALUE 58,286,633**Additional Revenue**

Recovery S/C 23.75% aff units			18,460	
				18,460

NET REALISATION 58,305,093**OUTLAY****ACQUISITION COSTS**

			1,805,000	
				1,805,000
Stamp Duty			79,750	
Agent Fee		1.00%	18,050	
Legal Fee		0.50%	9,025	
				106,825

CONSTRUCTION COSTS

Construction	ft²	Build Rate ft²	Cost	Cost
Construction Cost	221,781	176.60	39,166,525	39,166,525

Developers Contingency		3.00%	1,248,578	
Demolition			94,418	
Road/Site Works			1,415,207	
CIL			100,520	
Loss of Pay & Display Parking Space			42,000	
Travel Plan			61,372	
TRO			15,000	
Travel Monitoring			3,870	
				2,980,965

Other Construction

Furniture Packs	245 un	2,000.00 /un	490,000	
Externals			2,452,743	
				2,942,743

PROFESSIONAL FEES

Professional Fees		8.00%	3,133,322	
				3,133,322

MARKETING & LETTING

Marketing			100,000	
Letting Agent Fee		10.00%	22,550	
Letting Legal Fee		2.50%	5,638	
				128,188

DISPOSAL FEES

Selling Agent Fees		0.85%	504,518	
Sales Legal Fee		0.50%	291,433	
				795,951

FINANCE

Debit Rate 5.000%, Credit Rate 2.000% (Nominal)				
Land			252,953	
Construction			2,632,028	
Total Finance Cost				2,884,981

TOTAL COSTS 53,944,499**PROFIT****4,360,594****Performance Measures**

Profit on Cost%			8.08%
Profit on GDV%			7.35%
Profit on NDV%			7.48%
Development Yield% (on Rent)			5.07%

Globe Road, Leeds - (12 units) 4.89% affordable housing

Equivalent Yield% (Nominal)			4.59%
Equivalent Yield% (True)			4.73%
IRR	Oct 2018	to May 2021	11.70%
Rent Cover			1 yr 7 mths
Profit Erosion (finance rate 5.000)			1 yr 7 mths

Globe Road, Leeds - Commuted Sum Calculation

Globe Road, Leeds - Commuted Sum Calculation

Summary Appraisal for Phase 1

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rent Rate ft ²	Initial MRV/Unit	Net Rent at Sale	Initial MRV	Net MRV at Sale
Private 1b 1p	12	5,424	24.29	10,980	100,467	131,760	100,467
Private 1b 1p	22	10,186	23.71	10,980	184,190	241,560	184,190
Private 1b 1p	31	14,694	23.16	10,980	259,540	340,380	259,540
Private 1b 1p	67	36,046	20.99	11,290	576,778	756,430	576,778
Private 1b 1p	2	1,162	19.86	11,540	17,599	23,080	17,599
Private 2b 3p	6	3,876	24.38	15,750	72,056	94,500	72,056
Private 2b 3p	2	1,464	21.89	16,020	24,430	32,040	24,430
Private 2b 4p	75	56,475	22.15	16,680	953,888	1,251,000	953,888
Private 2b 4p	8	6,288	22.14	17,400	106,140	139,200	106,140
Private 2b 4p Duplex	4	3,896	21.01	20,460	62,403	81,840	62,403
Private 3b 5p	8	7,752	23.84	23,100	140,910	184,800	140,910
Private 3b 5p	1	1,044	22.41	23,400	17,843	23,400	17,843
Private 3b 6p	3	3,261	21.53	23,400	53,527	70,200	53,527
Private 1b 1p	4	1,936	22.69	10,980	33,489	43,920	33,489
Commercial	1	9,020	25.00	225,500	225,500	225,500	225,500
Construction Cost	1	221,781		0	0		
Totals	247	384,305			2,828,759	3,639,610	2,828,759

Investment Valuation

Private 1b 1p							
Current Rent	100,467	YP @	4.5000%	22.2222	2,232,600		
Private 1b 1p							
Current Rent	184,190	YP @	4.5000%	22.2222	4,093,100		
Private 1b 1p							
Current Rent	259,540	YP @	4.5000%	22.2222	5,767,550		
Private 1b 1p							
Current Rent	576,778	YP @	4.5000%	22.2222	12,817,286		
Private 1b 1p							
Current Rent	17,599	YP @	4.5000%	22.2222	391,078		
Private 2b 3p							
Current Rent	72,056	YP @	4.5000%	22.2222	1,601,250		
Private 2b 3p							
Current Rent	24,430	YP @	4.5000%	22.2222	542,900		
Private 2b 4p							
Current Rent	953,888	YP @	4.5000%	22.2222	21,197,500		
Private 2b 4p							
Current Rent	106,140	YP @	4.5000%	22.2222	2,358,667		
Private 2b 4p Duplex							
Current Rent	62,403	YP @	4.5000%	22.2222	1,386,733		
Private 3b 5p							
Current Rent	140,910	YP @	4.5000%	22.2222	3,131,333		
Private 3b 5p							
Current Rent	17,843	YP @	4.5000%	22.2222	396,500		
Private 3b 6p							
Current Rent	53,527	YP @	4.5000%	22.2222	1,189,500		
Private 1b 1p							
Current Rent	33,489	YP @	4.5000%	22.2222	744,200		
Commercial							
Market Rent	225,500	YP @	6.0000%	16.6667			
(1yr Rent Free)		PV 1yr @	6.0000%	0.9434	3,545,597		
					61,395,795		

GROSS DEVELOPMENT VALUE

61,395,795

Purchaser's Costs
Effective Purchaser's Costs Rate

(1,105,124)

1.80%

(1,105,124)

NET DEVELOPMENT VALUE

60,290,670

Additional Revenue

Recovery S/C 23.75% aff units

18,460

18,460

APPRAISAL SUMMARY**LICENSED COPY****Globe Road, Leeds - Commuted Sum Calculation**NET REALISATION **60,309,130****OUTLAY****ACQUISITION COSTS**

	1,805,000	
		1,805,000
Stamp Duty	79,750	
Agent Fee	1.00%	18,050
Legal Fee	0.50%	9,025
		106,825

CONSTRUCTION COSTS

Construction	ft ²	Build Rate ft ²	Cost	
Construction Cost	221,781	176.60	39,166,525	39,166,525

Developers Contingency	3.00%	1,248,578	
Demolition		94,418	
Road/Site Works		1,415,207	
CIL		100,520	
Loss of Pay & Display Parking Space		42,000	
Travel Plan		61,372	
TRO		15,000	
Travel Monitoring		3,870	
Commuted Sum		1,679,000	
			4,659,965

Other Construction

Furniture Packs	245 un	2,000.00 /un	490,000	
Externals			2,452,743	
				2,942,743

PROFESSIONAL FEES

Professional Fees	8.00%	3,133,322		
				3,133,322

MARKETING & LETTING

Marketing		100,000	
Letting Agent Fee	10.00%	22,550	
Letting Legal Fee	2.50%	5,638	
			128,188

DISPOSAL FEES

Selling Agent Fees	0.85%	521,864	
Sales Legal Fee	0.50%	301,453	
			823,318

FINANCE

Debit Rate 5.000%, Credit Rate 2.000% (Nominal)			
Land		252,953	
Construction		2,822,946	
Total Finance Cost			3,075,899

TOTAL COSTS**55,841,784****PROFIT****4,467,347****Performance Measures**

Profit on Cost%	8.00%
Profit on GDV%	7.28%
Profit on NDV%	7.41%
Development Yield% (on Rent)	5.07%
Equivalent Yield% (Nominal)	4.59%
Equivalent Yield% (True)	4.73%

IRR	Oct 2018	to May 2021	11.44%
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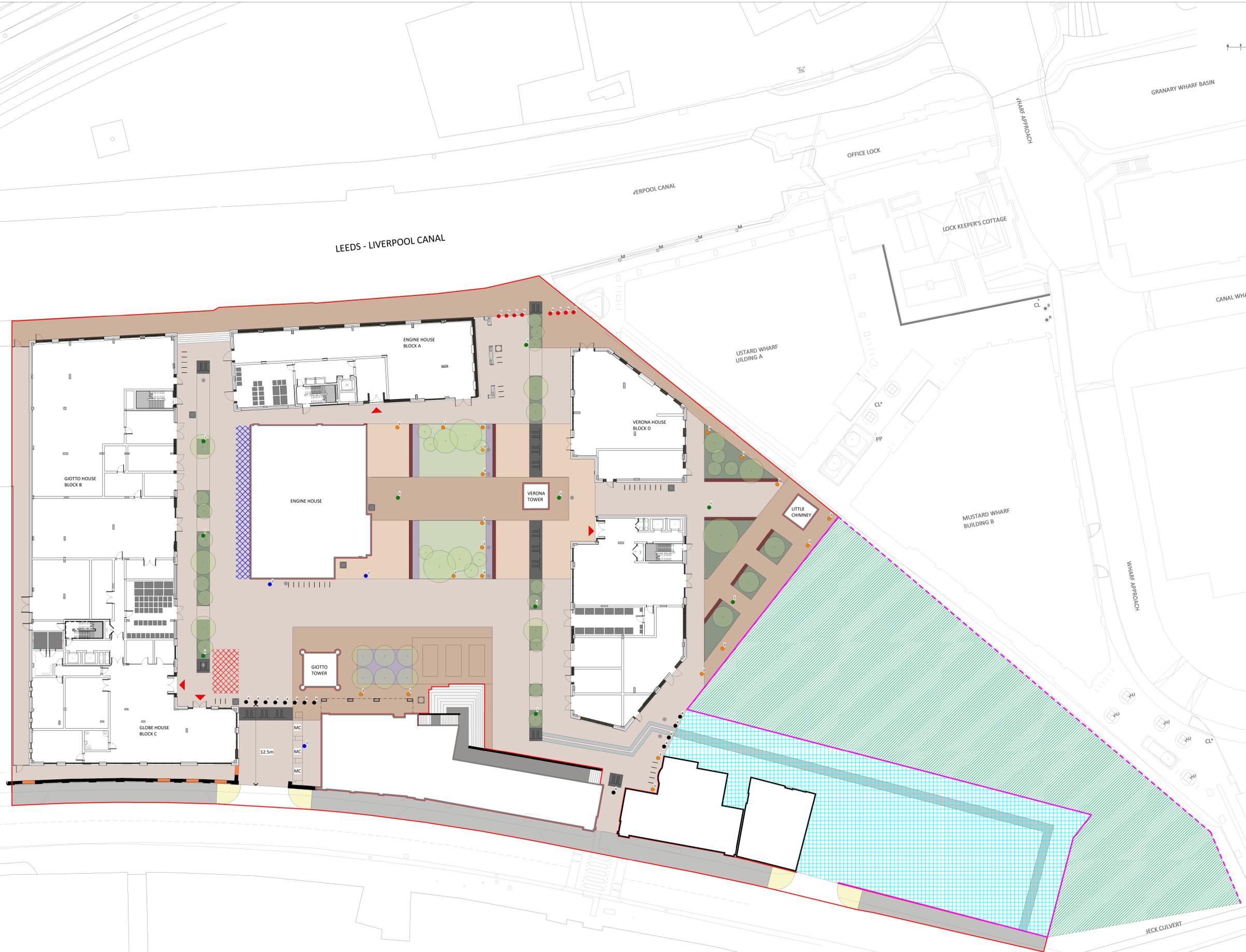
Rent Cover	1 yr 7 mths
Profit Erosion (finance rate 5.000)	1 yr 7 mths



This drawing is not to be scaled. All dimensions to be checked on site. Discrepancies, omissions and/or errors between this drawing and information given elsewhere must be reported immediately to head office for clarification before proceeding.

Legend

- Site Boundary
- Hardworks**
 - Paving Type 1 Natural stone flags
 - Paving Type 2 Natural stone sets
 - Paving Type 3 High quality block paving
 - Paving Type 4 Concrete Paving to Globe Road
 - Paving Type 5 Natural stone feature paving including branding artwork
 - Paving Type 6 Self compacting gravel
 - Paving Type 7 Cropped granite setts, flamed & tumbled finish
 - Paving Type 8 Granite flamed & polished feature artwork paving including engravings / inlays
 - Conservation kerbs, including drop kerbs, Tactile paving and tarmac bellmouth
 - Hardscape solid sandstone step units or similar - Hard York inlay with contrasting visibility strip to top and front. Stainless steel handrail with top and mid rail to Building Regs Part M.
- MC Motorcycle spaces 3no. spaces
- 3no. disabled parking spaces
- Delivery vehicle waiting area indicated with demarcation studs
- Residential waste collection area
- Softworks**
 - Proposed Lawn
 - Ornamental shrub planting Refer to Planting Strategy
 - Proposed Trees Refer to Planting Strategy
- Furniture**
 - 9no. Litter bins
 - Multi directional lighting column
 - Directional lighting column
 - Lighting Bollard
 - HVM Bollards (retractable)
 - Bollards (demountable)
 - Cycle storage 35no. cycle stands providing 70no. spaces
 - Hardwood timber bench to planter edge
 - Proposed architectural metal screen / gate in existing Globe Road Wall
 - Residential building entrance
- Temporary Phase 2 Proposals**
 - Level land, at grade with Phase 1 finished ground levels
 - Surface finishes as existing with permanent canal over topping route implemented in Phase 1
 - 1100mm height post and rail fence
 - 1100mm height post and rail fence, by others



For Planning	S3	P20	EG	MGO	09/12/19
For Planning	S3	P19	EG	JGR	09/10/19
For Planning	S3	P18	EG	JGR	19/09/19
For Planning	S3	P17	EG	JGR	19/09/19
For Planning	S3	P16	EG	JGR	18/09/19
For Planning	S3	P15	EG	JGR	09/09/19
For Planning	S3	P14	EG	JGR	30/08/19
Stage 3	S4	P13	BWH	JGR	16/08/19
For Review & Comment	S3	P12	BWH	JGR	09/08/19
For Planning	S4	P11	EGA	JGR	09/06/19
Additional proposed trees included	S2	P10	DWR	EGA	20/05/19
For Planning	P09	DWR	EGA	02/05/19	
Issued for information	P08	DWR	EGA	04/04/19	
Issued for information	P07	BWH	EGA	13/03/19	
Issued for information	P06	DWR	EGA	26/02/19	
Revision	Rev	Author	Appr	Date	

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 277 W. Chicago St, Chicago, Illinois 60606, USA
 www.oobe.co.uk | info@oobe.co.uk

Client: Cedar Maple Oak
 Project: Tower Works
 Title: Site Plan

Dwg No: 5059-OOB-ZZ-DR-L-0002 Scale: 1:200 @ A0
 Revision: P20 Date: February 2019
 Stage 3