



Report of the Chief Planning Officer

CITY PLANS PANEL

20th February 2020

Pre-application presentation of proposed multi-level student residential accommodation development with ground floor commercial space on the site of 44 Merrion Street, Leeds LS2 8LW (PREAPP/19/00563)

Applicant – Merrion Street Ltd.

Electoral Wards Affected:

Little London and Woodhouse

Yes Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Plans Panel for information. The Developer will present the details of the proposed development to allow Members to consider and comment on the proposals at this stage.

1.0 Introduction

1.1 This presentation is intended to inform Members of the emerging proposals for the redevelopment of former offices at 44 Merrion Street, Leeds 2 which were recently vacated by the Santander bank. The development would involve the demolition of the existing building and the construction of a multi-storey student residential accommodation development with a mix of ground floor uses, potentially including retail space and a community/arts centre.

2.0 Site and surroundings

2.1 The existing 3-4 storey Santander office building is L-shaped with its principal elevation fronting Merrion Street. A rear projection extends towards the new Symons House student accommodation building to the north. A parking courtyard is situated between the two, serving the offices and providing access for vehicles to service Symons House. Fairfax House, an eight storey office building fronting Wade Lane, is arranged on a perpendicular axis to 44 Merrion Street and Symons House,

effectively enclosing the western end of the parking court beyond a pedestrian route which steps up from Merrion Street to Belgrave Street. There is a level pedestrian route between these two roads at the eastern edge of the site. Trees alongside both footpaths help to soften the character of the spaces.

- 2.2 The Grand Quarter Conservation Area is located adjacent to the south and eastern boundaries of the site extending down New Briggate towards The Headrow. Ground levels fall towards the south and east towards the City Centre core and the City Centre conservation area beyond. St John's Church and surrounding greenspace forms the western third of the Grand Quarter Conservation Area. St John's Church and churchyard, located south of Merrion Gardens (created in 1932 as a garden of rest), is the oldest surviving church in the city centre. Its exceptional significance as a rare example of a virtually intact 17th century church is recognised in its Grade I listing. The conservation area also includes the Grand Theatre (Grade II*); Grand Arcade (Grade II); and 51C New Briggate (previously Nash's fish restaurant), a Grade II listed house dating from the early 18th Century. The built environment of the conservation area is typically dominated by relatively low buildings with a high level of architectural detail. However, 26-34 Merrion Street, is a plain two storey terrace located to the east side of the site, stepping down Merrion Street to the three-storey The Wrens public house located at the junction with New Briggate.
- 2.3 Buildings at higher ground levels to the north of the site are noticeably larger in scale than 44 Merrion Street and those in the conservation area. These include Symons House, a part 9, part 23, storey building; St Alban's Place, rising to 18 storeys north of Belgrave Street; and the emerging buildings situated on the northern side of Merrion Way including a 37 storey building on the former site of Hume House.
- 2.4 Merrion Street presently comprises a two lane carriageway, together with a long lay-by for taxi parking outside the site. It forms part of the City Centre Loop and is a busy road at peak hours. Merrion Place is a narrow road linking Cross Belgrave Street and Belgrave Street and provides access to the parking court.
- 2.5 Buildings to the south and east of the site, including the Grand Theatre, Belgrave Music Hall, Parkside Tavern, The Wrens and other bars located around the Grand Arcade, are predominantly in leisure uses. Fairfax House and 44 Merrion Street are in office use whilst there is a mix of residential apartments and student accommodation on and to the north of Belgrave Street. The Merrion Centre to the north-west contains a wide mix of uses. Consequently, what was for many years an office-focused area, is now very much more of a mixed use area.

3.0 Proposals

- 3.1 It is intended to demolish the existing building and to construct a new building extending across approximately three-quarters of the site area. The building's podium would comprise a ten storey element situated on the western edge of the site, approximately 9 metres from Fairfax House and a similar height to that building. The top 5 storeys of that section of the building would be canted back from the building line below. The rear portion of the western element, approximately 15 metres in depth, would be a single storey component topped by a roof terrace with access from the footway passing along the western edge of the site. The lowest levels of this part of the building are likely to contain retail space and plant areas, along with potential community and arts facilities in space towards the rear.
- 3.2 Moving eastwards down Merrion Street, the podium of the building would step down to 5 storey height. A two storey high covered concourse located towards the centre

of the frontage would provide a north-south pedestrian route through the building and access to the student accommodation reception. The double height ground floor frontage would contain retail space, with student amenity space located towards the rear.

- 3.3 A tower would be located above the podium on the eastern side of the site, separated from the podium levels by a tall, single storey recessed level. Unlike the podium, which would follow and reinforce the Merrion Street building line, the tower would be slightly rotated, to sit back a little from the podium and to align with Symons House 15 metres to the north. Each of the elevations would have a centrally positioned crease, set back 1 metre from the outer corners. The corners, themselves, would be inverted such that the plan form would resemble a form of Maltese Cross.
- 3.4 The top of the tower would be at level 31 (33 storeys in total when the podium is added). In common with upper levels of the podium it would contain student accommodation. A mix of clusters and studios is proposed resulting in approximately 545 bedspaces. Dedicated student amenity areas are identified at lower levels and upper levels of the development towards the eastern end of the site. The 10 bedroom clusters would each have shared kitchens and living areas.
- 3.5 The building podium is likely to utilise an expressed masonry frame whereas the tower would be extensively glazed in clear and fritted glass.
- 3.6 A servicing area to the rear of the building, accessed from Merrion Place, would be shared with Symons House. The space would also be laid out to also accommodate two disabled person parking spaces.
- 3.7 Opportunities to retain 3 existing trees located close to the building are presently being reviewed. The developing public realm proposals identify the possibility of introducing street trees along the Merrion Street frontage; and potentially some off-site trees along the western footway and within Merrion Gardens, together with green walls and planters. Subject to agreement with the Council's Highways and Transportation section there are also aspirations to reduce the dominance of the highway along Merrion Street, potentially narrowing the carriageway; reducing or relocating the taxi rank; and decluttering street furniture. New or relocated pedestrian crossings could better connect desire lines across Merrion Street. Merrion Place between Merrion Street and Belgrave Street, could also be reconfigured to make it a more pedestrian friendly environment.

4.0 Relevant planning history

- 4.1 The existing office building was constructed following the grant of planning permission in 1979 (H20/399/79/).
- 4.2 The Grand Quarter Conservation Area was designated in 2017.
- 4.3 Planning permission for the demolition of the buildings to the east, 26-34 Merrion Street, and the construction of a five storey part commercial, part residential, building was granted on 14th May 2019 (19/00861FU). This followed planning permission for its redevelopment with a four storey building (18/00407/FU); and an earlier planning permission for addition of two floors to the existing building (17/03112/FU).
- 4.4 Planning permission for several tall buildings containing purpose built student accommodation to the north of the site has been granted during recent years:

- Symons House, Belgrave Street - part 9, part 23 storeys (17/06605/FU)
- St Alban's Place, Belgrave Street – part 7, part 11, part 18 storey (16/07741/FU)
- Hume House, Wade Lane - 37 storeys (18/01819/FU).
- White Rose View, Merrion Way - one 17 and one 27 storey building (18/05738/FU)

4.5 Planning permission for a 17 storey office building 50m to the west of Wade Lane in the Merrion Centre was approved in July 2019 (18/07799/FU).

5.0 Consultation responses

5.1 LCC Highways – If the site boundary is to be set back to accommodate any footway widening the land should be dedicated as highway and the footway should be constructed to adoptable standards. The site is accessible to sustainable forms of travel and the proposed layout is more conducive to pedestrian use. Vehicle capacity on Merrion Street should not be reduced given its strategic position in the highway network, unless the City Square scheme alters circulatory arrangements. Any modifications to the bus stops or taxi rank would require consultation with WYCA and Hackney Carriages. Any changes to the pedestrian crossings should reflect pedestrian desire lines and be subject to a robust safety audit process. There are proposals to develop cycle route improvements along Merrion Street and the development should contribute towards its provision. Bicycle parking should correspond with the draft Transport SPD. The bin store proposals presently appear too tight. A transport statement, a travel plan and a management plan for refuse collection and servicing arrangements and another for the start/end of term pick up/drop off will be required with any planning application. The development would not be expected to provide dedicated parking facilities but should contribute towards pedestrian improvements to and from the site.

5.2 LCC Flood Risk Management (FRM) – the proposed development is located in Flood Zone 1 and therefore at low risk of fluvial flooding. Records show that the risk of groundwater flooding is also negligible and there have been no known flooding incidents at the site. However, a Surface Water Drainage Strategy proposal incorporating Sustainable Drainage Systems (SuDS) will need to be submitted to and approved in writing by the Local Planning Authority. The surface water runoff rate should revert back to the greenfield situation. However, where the greenfield rate is shown to be not viable, FRM will allow a 50% reduction from the existing rate.

5.3 LCC Conservation - The proposed tower will affect the setting of St John's Church (Grade I) and the City Centre and Grand Quarter Conservation Areas in views north. The impact of the development needs to be assessed via verified views.

5.4 LCC Contaminated Land Team - A minimum of a Phase 1 Desk Study Report will be required in support of the application. Depending on the outcome of the Phase 1 Desk Study, a Phase 2 Report and Remediation Statement may also be required.

5.5 LCC Environmental Studies (noise) - Noise maps prepared by Defra indicate that parts of the site are affected by road traffic noise, and as such, at the detailed planning stage a noise assessment should be submitted to quantify environmental noise levels across the site to inform any mitigation measures (glazing/ventilation) that may be required to ensure that occupants enjoy a good standard of residential amenity inside their dwellings. The noise report should include references to the

ProPG Planning and Noise Guidance, BS8233:2014 and World Health Organisation Guidelines for Community Noise.

- 5.6 LCC Access – All shared areas and external area / approaches should be designed in line with BS8300-1:2018 to be inclusive as per Accessible Leeds SPD.
- 5.7 LCC Landscape - Depending upon confirmation from the tree survey, tree T7 a visually important Acer located near to the south-west corner of the existing building, should be kept and protected. Trees along Merrion Street would be beneficial to the setting of the building and to mitigate removals elsewhere.
- 5.8 West Yorkshire Archaeology Advisory Service - The site is outside the historic core and has been heavily developed and re-developed since the 18th century and, as such, there is not much scope for archaeology remaining.

6.0 Policy

6.1 Development Plan

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making for this proposal within the City Centre boundary, 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)

6.2 Leeds Core Strategy (CS)

6.2.1 The Core Strategy sets out the strategic level policies and vision to guide the delivery of development and the overall future of the district. Relevant Core Strategy policies include:

- 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.
- Spatial Policy 8 supports 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.
- Policy CC1 outlines the planned growth within the City Centre. Part B encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.
- 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 within the City Centre.
- Policy H2 refers to new housing development on non-designated sites.

- Policy H3 refers to housing density requirements.
- Policy H6B refers to proposals for purpose built student accommodation. Development will be controlled to take the pressure off the need to use private housing; to avoid the loss of existing housing suitable for families; to avoid excessive concentrations of student accommodation; to avoid locations that would lead to detrimental impacts on residential amenity; and to provide satisfactory living accommodation for the students.
- Paragraph 5.2.46 of the supporting text to policy H9 states that “Provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis, and via the application of any national standards that might be created in the future”.
- Policy EC3 safeguards existing employment land, stating that the loss of an existing Class B use in an area of employment shortfall will only be permitted where the loss of the premises can be offset sufficiently by the availability of existing general employment land and premises in the surrounding area.
- 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.
- Policy P12 states that landscapes, including their historical and cultural significance, will be conserved and enhanced.
- 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 G6 protects existing open space and pedestrian corridors in the City Centre.
- Policy G9 states that development will need to demonstrate biodiversity improvements.
- Policies EN1 and EN2 set targets for CO² reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.
- Policy EN4 states that where technically viable major developments should connect to district heating networks.
- Policy EN5 identifies requirements to manage flood risk.
- Policy ID2 outlines the Council’s approach to planning obligations and developer contributions.

6.3 **Saved Unitary Development Plan Review policies (UDPR)**

6.3.1 Relevant Saved Policies include:

- Policy GP5 states that all relevant planning considerations are to be resolved.
- Policy BD2 requires that new buildings complement and enhance existing skylines, vistas and landmarks.
- Policy BD4 relates to provision for all mechanical plant on and servicing of new developments.
- Policy BD5 requires new buildings to consider both amenity for their own occupants and that of their surroundings including usable space, privacy and satisfactory daylight and sunlight.
- Policy LD1 sets out criteria for landscape schemes.
- Policy N19 requires new buildings adjacent to conservation areas to preserve or enhance the character or appearance of the relevant areas.

6.4 **Natural Resources & Waste Local Plan (NRWLP)**

6.4.1 The NRWLP sets out where land is needed to enable the City to manage resources, like trees, minerals, waste and water and identifies specific actions which will help use the natural resources in a more efficient way.

6.4.2 Relevant policies include:

- 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.
- Water 1 requires water efficiency, including incorporation of sustainable drainage
- Water 4 requires the consideration of flood risk issues
- Water 6 requires flood risk assessments.
- Water 7 requires development not to increase surface water run-off and to introduce SUDS where feasible.
- Land 1 requires consideration of land contamination issues.
- Land 2 requires that development conserves trees where possible.

6.5 **Site Allocations Plan (SAP)**

The site is not specifically identified in the SAP. St John's Churchyard and the Garden of Rest is identified as protected Green Space.

Other material considerations

6.6 **National Planning Policy Framework (NPPF)**

6.6.1 The revised National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) replaces previous planning policy guidance and statements in outlining the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the NPPF is a presumption in favour of Sustainable Development set out in three parts: Economic, Social and Environmental. Relevant paragraphs of the NPPF are as outlined below.

6.6.2 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.

6.6.3 Chapter 12 identifies the importance of well-designed places and the need for a consistent and high quality standard of design. Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. 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.

6.6.4 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).

6.6.5 Chapter 15 identifies guidelines for conserving and enhancing the natural environment. 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. Development should, wherever possible, help to improve local environmental conditions.

6.6.6 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.”

6.7 **Supplementary planning guidance**

- Accessible Leeds SPD
- Travel Plans SPD
- Tall Buildings SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD
- Neighbourhoods for Living SPG
- Parking SPD

- City Centre Urban Design Strategy SPD

- 6.7.1 The Grand Quarter Conservation Appraisal and Management Plan (2017) states that new development should respond sensitively and creatively to the historic environment; ensure that public realm and traffic management measures respect and enhance the special character of the conservation area; protect the important contribution that trees make to the special character of the conservation area; ensure the historic environment plays a positive role in addressing climate change; promote and celebrate the special architectural and historic interest of the conservation area; and ensure that the setting of the conservation area is considered.

7.0 Issues

Members are asked to comment on the proposals and to consider the following matters:

7.1 Principle of the development

- 7.1.1 The site is located within the designated City Centre. CS Policy CC1(b) encourages residential development in city centre locations providing that the development does not prejudice the functions of the City Centre and that it provides a reasonable level of amenity for occupiers. Policy H2 of the CS states that windfall sites will be acceptable in principle providing the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as a condition of development.

- 7.1.2 Policy H6B relates specifically to the provision of student housing. It has been established that there are approximately 38,000 university students in the city presently without access to purpose-built student accommodation suggesting that additional provision of such accommodation is unlikely to result in an over-supply of purpose-built student accommodation in the near future. CS paragraph 5.2.26 states that growth in new purpose built student accommodation is to be welcomed in order to meet need and to deflect pressure away from private rented houses in areas of over-concentration.

- 7.1.3 The proposal is considered against the criteria set out below within the adopted policy H6B (identified in italics):

(i) *To help extend the supply of student accommodation taking pressure off the need for private housing to be used.*

The provision of approximately 545 student bedspaces would help to reduce the need to use private housing for student accommodation.

(ii) *To avoid the loss of existing housing suitable for family accommodation.*

The existing building on the site was last used as office accommodation and the new building would be used primarily for the provision of purpose built student accommodation. The development would therefore not involve any loss of existing housing and would avoid the loss of residential family accommodation.

(iv) *To avoid locations which are not easily accessible to the universities.*

The site is within the City Centre and is well-placed with regard to access to Leeds Beckett University, the Leeds University of Arts and the University of Leeds along Merrion Street and Woodhouse Lane or Wade Lane and Merrion Way. Forthcoming improvements to Merrion Way and the provision of new crossings across Wade Lane brought forward by other developers of student accommodation in the area will help to improve accessibility to the universities further and would accord with Core Strategy policies SP11, CC3 and T2.

Criteria (iii) and (v) of policy H6B are considered in the amenity section, at paragraph 7.2 below.

- 7.1.4 The existing building, 44 Merrion Street, comprises vacant B1 office space. Core Strategy Policy EC3 seeks to retain such a use unless the development (i) would not result in the loss of a deliverable employment site; or (ii) existing buildings are considered to be non-viable in terms of market attractiveness, business operations, age, condition and or compatibility with adjacent uses; or (iii) the proposal will deliver a mixed use development which continues to provide for a range of local employment opportunities and would not undermine the viability of the remaining employment site.
- 7.1.5 The site is not in an area of the city with a shortfall of employment land. The Santander offices closed during 2019 and the proposal would reduce the available office supply by a relatively small amount. New office development has recently taken place at Merrion House and approval was granted last year for nearly 13,000m² of B1 office floorspace in a new 17 storey tower in the nearby Merrion Centre. There remains a significant amount of committed or newly completed office floorspace elsewhere within the City Centre, together with office space nearby such as within St John's Centre and Fairfax House. Additionally, there has been a shift in the focus of new office accommodation towards the west side of the City Centre to areas such as Wellington Place. Further, the scheme proposes a mix of uses, including retail space and potentially community and arts facilities. A sequential test may be required depending upon the type and extent of A1 use. However, the development would provide employment opportunities for local people in both the construction and subsequent operation of the development. As a result, the development would accord with CS policies SP8, EC3 and CC1b.
- 7.1.6 **Do Members consider that the loss of office accommodation and proposed use of the site for student accommodation is acceptable in principle?**

7.2 Amenity considerations

- 7.2.1 Criteria (iii) of Core Strategy policy H6B aims *to avoid excessive concentrations of student accommodation which would undermine the balance and wellbeing of communities.*
- 7.2.2 Largely due to its proximity both to the universities and also the City Centre the area is a focus for new purpose-built student accommodation supplementing older developments at Sky Plaza on the west side of Clay Pit Lane, and Arena Village on Wade Lane. Havana Residence on Cookridge Street (96 bedspaces); Vita St Alban's Place (376 bedspaces) and Symons House, Belgrave Street (353 bedspaces) have opened during the past 18 months. During the next 18 months Unite White Rose View (976 bedspaces) and Olympian Homes Hume/Altus House (752 bedspaces) will open on Merrion Way, and Vita 2 (312 bedspaces) will open on Portland Crescent. Planning permission is also in place for 98 student studios on land north of the QOne Residence, Wade Lane and an application for

redevelopment of Commerce House on Wade Lane (210 bedspaces) is due to be submitted in the near future. The student accommodation in the proposed development would provide around 545 bedspaces.

- 7.2.3 What was for many years an office-focused area, around the mixed-use Merrion Centre, is presently undergoing a rapid change to a largely residential one comprising a mix of private rental apartments and purpose-built student accommodation. This includes former offices in nearby buildings at Belgrave House, Warwick House, Zicon House and Brunswick Point which already have been, or are currently being, converted to private rental accommodation.
- 7.2.4 It is not considered that existing local residents would be adversely affected by student accommodation in the proposed location given the area's use, levels of student accommodation already present in the area, and the manner in which purpose-built student accommodation is managed. Similarly, it is not considered that the number of students proposed would result in an excessive concentration of students that would undermine the wellbeing of the area within the context of a busy mixed use, City Centre environment. It is more likely that the students would help to support existing businesses within the City Centre. Further, the development's proximity to both the main university campuses is such that more established, residential communities around Lovell Park would not be adversely affected by the development.
- 7.2.5 Criteria (v) of policy H6B requires that *the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.*
- 7.2.6 Although Policy H9 in the CS expressly excludes purpose built student accommodation from the space standard a footnote states that "Provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis, and via the application of any national standards that might be created in the future".
- 7.2.7 CS Policy P10 and Saved UDPR Policies BD5 and GP5 provide more general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. The assessment of amenity is also a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, daylighting, outlook, privacy and external amenity space.
- 7.2.8 Officers and Members have visited several student housing schemes to review the level of amenity provided for occupiers. These include Fresh Student Living at Darley Bank in Derby (April 2014) where the studio was 22m²; Downing's Cityside, Calverley Street, Leeds (May 2016) where the student showflat was also 22m²; Vita Student's Telephone House, Sheffield (September 2016) where the average studio size was 20m²; and in March 2018 Unite's development at Angel Lane, Stratford where Members viewed a 10 bedroom cluster flat where the cluster bedrooms of 11m² were supported by 23m² kitchen/living spaces, together with other internal and external amenity space located around the building. Most recently, Members visited the Vita St Alban's Place development in October 2019. Members viewed the communal facilities located at the lower levels of the building and two student studios, the smallest of which had a floor area of 20m².

7.2.9 City Plans Panel has previously approved the following student accommodation developments:

- Planning permission for Vita's scheme at St Alban's Place, in which the smallest studios would be just over 20m² (78% of the total provision), was granted April 2017 (16/07741/FU). In approving the scheme it was recognised that the size of the majority of the studios would be restricted, providing little or no opportunity for socialising. However, each studio was found to benefit from a good outlook, natural daylighting and a suitable noise environment. In order to provide acceptable levels of amenity and communal living the studios are supplemented by managed areas of dedicated communal facilities at the two lowest levels of the building.
- In December 2017, City Plans Panel approved the redevelopment of Symons House, Belgrave Street by LSSH where the proposed smallest studio would be 21.3m². 2 to 5 bedroom clusters in that development would have 14m² bedrooms with kitchen/living spaces increasing in size from 21-43m², all supported by areas of dedicated amenity space.
- During summer 2018 City Plans Panel approved the Unite and Hume House proposals on Merrion Way. The Unite scheme comprised 4, 5 and 7 bedroom clusters with 23-40m² kitchen/amenity space, and 30m² studios. Hume House comprised a similar mixture of studios (22m²) and 4, 5 and 6 bedroom clusters with 21-35m² kitchen/amenity space, the area depending upon the size of the cluster.

In each of these purpose-built student schemes the dedicated additional amenity spaces within the building were considered critical in providing overall acceptable levels of amenity for the occupiers of the development.

7.2.10 The format of the proposed scheme is similar to the purpose-built student accommodation schemes referred to above. The smallest studio would be 20m², although there are also references to double and twin studios where occupancy will need to be clarified further. Areas of dedicated amenity space for use by students would be provided within the building, the extent of which needs to be confirmed to ensure that the space available to students would be consistent with other purpose-built student schemes recently approved in the City Centre. Similarly, whilst the general configuration of cluster rooms appears appropriate, at application stage the size of clusters and supporting spaces needs to be confirmed to show that the level of amenity for occupiers of these types of room would be acceptable.

7.2.11 Student bedrooms would be located throughout the development. Those facing north would be located a minimum distance of 15 metres from southward-facing student bedrooms within Symons House. In a City Centre location such as this the intervening distance is considered acceptable in terms of both overlooking and outlook albeit it is recognised that daylighting of student apartments in Symons House will diminish to a degree relative to the existing scenario. Those apartments facing south in the new building would enjoy open aspects and, subject to window dimensions and floor to ceiling heights, good levels of natural daylighting. The tower element would contain apartments with east and west-facing windows which would not benefit from such advantageous conditions. A minimum distance of 10 metres would be achieved to both existing buildings to the east and proposed building to the west. Due to the juxtaposition of the buildings and the depth of the facades such an arrangement is considered acceptable.

7.2.12 Primarily due to the proximity of Merrion Street which is a heavily trafficked route and also leisure uses to the east, a noise assessment will be needed to quantify environmental noise levels across the site to inform any mitigation measures (glazing/ventilation) that may be required to ensure that occupants enjoy a good standard of residential amenity inside the apartments.

7.2.13 **Subject to confirmation of detailed proposals do Members support the approach towards living conditions for the student accommodation?**

7.3 Townscape considerations

7.3.1 In accordance with paragraph 193 of the NPPF great weight should be given to the conservation of nearby heritage assets which include St John's Church and the Grand Quarter Conservation Area. Any new development must also provide good design that is appropriate to its location, scale and function (CS Policy P10). Part (i) of the policy states that the size, scale, design and layout should be appropriate to its context and that (Part ii) the development should protect and enhance skylines and views. These policies accord with guidance in the NPPF which requires that development establishes a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; to respond to local character and history; and to reflect the identity of local surroundings.

7.3.2 Views are relatively contained within the immediate network of streets as a result of the enclosing urban development and the curvature of streets such as New Briggate. St John's Church tower is an important landmark but is relatively little seen in New Briggate where it is screened by trees and buildings. Here, the gateway and steps up into the churchyard form a focal point emphasised by the hard surfaced public realm space in front of them. Views of the church open up along Merrion Street when moving east past Wade Lane, or moving west beyond 21 Merrion Street. A series of smaller landmark features help define the sense of place in the urban form including the architectural emphasis of corners with roof turrets, angled corner doorways and flat-iron forms. Buildings are designed to form 'end stops' to streetscape views, for example The Wrens at the junction New Briggate with Merrion Street. Additionally, groups of trees make a significant contribution to the quality of the townscape within the conservation area including those at St John's churchyard and Merrion Street gardens.

7.3.3 The site is located 55 metres to the north of St John's Church. Primarily as a result of the absence of significant built development between the two, the existing Tall Buildings SPD identifies the site as being within a zone of exclusion centred around St John's Church and Merrion Gardens intended to protect buildings, vistas and public spaces from the visual impact and physical proximity of tall buildings. A tall building on the site would also be in a protected view looking north up Briggate.

7.3.4 The proposed development would replace a 1970's building that contributes little to the character of the street or to the setting of the adjacent conservation area. Consequently, its removal would not be resisted. The proposed building would comprise two principal components, a podium and a tower. The podium element would introduce a taller western end, similar in height and width to Fairfax House to the west, albeit extending further towards Merrion Street. The remainder of the podium would step down to the height of the building approved to the east of the site and, in doing so, represent a suitable transition between its two neighbours along Merrion Street. Subject to the choice of materials this part of the Merrion Street streetscape would be reinforced, helping to form a more cohesive setting to St

John's Church. The introduction of retail units at ground level would further restore and improve the character of the street which is presently dominated by the highway.

- 7.3.5 The proposed tower would be clearly evident in views around St John's churchyard alongside the church tower and above and beyond its nave. Albeit of an entirely different scale, age and materiality there are commonalities between the two. The proportions of the towers are similar; they have a similar almost square footprint; and the inverted corners of the proposed tower reference the angle buttresses on St John's Church. There are also opportunities to subtly reference the 3 stage tower of St John's Church within the proposed tower. In this way, despite the difference in scale which would be perhaps most evident when observing the buildings from close to the junction of Merrion Street and Wade Lane, the two buildings would develop a positive dialogue, again strengthening the character of the space.
- 7.3.6 Beyond the immediate setting of the church, the proposed tower would be visible from several nearby and more distant locations which are presently being reviewed by the applicant. The scale of the tower would be most apparent when viewed uphill westwards along Merrion Street from its junction with New Briggate. Notwithstanding the presence of Symons House to its rear, the tower would appear as a dominant and isolated point of height. As elsewhere, given its scale, the quality of the architecture and materiality will be critical in ensuring that the building appears as a positive addition in the local streetscape.
- 7.3.7 The area to the north of the site is characterised by a number of large, existing modern, buildings such as the Merrion Centre, Wade House, Arena Point (Tower House), CLV Arena Village, Leeds Arena, and the tallest building in the area, Sky Plaza situated on the west side of Clay Pit Lane. Partly in recognition of this context the Tall Buildings SPD identified that there could be the opportunity for a cluster of tall buildings in the area to the north and east of the Merrion Centre, extending close to the site. Following the catalytic effect of the introduction of the arena the following tall buildings have been recently constructed or will be completed within the next 18 months in this area: Symons House (maximum 23 storeys) immediately north of the site; St Alban's Place (maximum 18 storeys) north of Belgrave Street; Hume (Altus) House (maximum 37 storeys); White Rose View (17 storey and 27 storey towers) on the north side of Merrion Way. There are also proposals for a 17 storey office building within the Merrion Centre to the west and an 18 storey building immediately north of QOne on Wade Lane.
- 7.3.8 Whereas there is some variation in scale, following the completion of the new buildings referred to above, building heights will, as a rule, ascend from the west along Merrion Way to a high point at Hume (Altus) House and then generally descend from that point towards the north, east and south towards the site and the city centre. Longer distance views of this "doming" effect around the arena would be visible from the north and east of the City Centre. Although appearing as an anomaly to this doming effect when viewed from the east there are other existing points of height in the north-south spine of tall buildings running through the City Centre such as K2 and West Riding House and ultimately Bridgewater Place. Consequently, subject to the proportions, materiality and architectural quality of the building, the tower could be a positive marker slightly off-set from the north-south spine. In key views from the south up Briggate, the proposed tower would sit just off the axial view, largely screening new views of Symons House and emerging views of Hume (Altus) House. Again, subject to the building appearing as an elegant and high quality structure, as a point of height, it could enhance this important view.

7.3.9 Do Members consider that the proposed mass and form of the development and its relationship with the surrounding context is acceptable?

7.4 Transportation and accessibility

7.4.1 The site is located in a highly sustainable location close to the many amenities offered by the City Centre and is readily accessible by a range of modes of transport. The development itself would be car-free (other than for two disabled persons parking spaces) supporting the sustainable approach to parking provision advocated in the City Centre in the Parking SPD. Space would be provided within the courtyard to the rear to be utilised for servicing the development and also Symons House. A detailed Servicing Strategy, Transport Statement and also a Management Plan for student drop off and pick up at start and end of term time needs to be developed and agreed.

7.4.2 Long-stay bike storage areas for the development are proposed at the lowest level of the building facing the pedestrian routes passing the eastern and western boundaries of the site. The cycling facilities would form a key element of the Travel Plan which will be submitted with the planning application.

7.4.3 Level access would be provided into the concourse of the building from both Merrion Street and also from the courtyard to the rear. Reception areas to the student accommodation above would be situated on both sides of the concourse which would be further activated by the proposed retail units. Lifts running throughout the building would provide access to all floors from the reception areas ensuring level access to accord with Accessible Leeds SPD and CS policy T2.

7.4.4 The development, accommodating 545 students, will result in additional pedestrian and cycling movements to and from the universities, placing greater demands on existing and proposed highway crossings and footways along the route. Recent and ongoing student developments in the area have contributed towards improvements to St Alban's Place, Belgrave Street, Wade Lane and Merrion Way in order to mitigate the impact of those schemes by developing a more pedestrian friendly environment. As a consequence, and in common with the recent purpose built student developments in the locality, it is considered that these impacts should be mitigated by a developer contribution towards the improvement of pedestrian cycle route improvements in the area along Merrion Street and Wade Lane to accord with CS policies P10, T2 and CC3.

7.5 Public realm

7.5.1 The development proposes changes to existing pedestrian routes around the site which are safeguarded by CS policy G6. In this case, emerging proposals suggest there would be significant improvements to the corridors. As a result, the scheme would comply with CS policy G6(ii) which states that open space and pedestrian corridors will be protected from development unless the space is replaced by an area of at least equal size, accessibility and quality in the same locality.

7.5.2 Proposals to improve the public realm around the building range from "quick-win" propositions including relocation of pedestrian crossings and rationalising street furniture to more aspirational ideas involving the reduction in the Merrion Street carriageway to a single lane and changing its character and appearance to be more pedestrian-oriented. The detail of such measures will need to be reviewed in a Transport Statement although vehicle capacity on Merrion Street should not be reduced given its strategic position in the highway network, unless the City Square

scheme alters circulatory arrangements as noted by the LCC Highways in its consultation response to the pre-application proposals.

- 7.5.3 In addition to shrubs in existing planters surrounding the building there are several trees that would need to be removed to enable the development. Several of these appear to be low quality and their removal would not be resisted. Notwithstanding, a minimum of three new trees for each one to be removed should be provided to accord with NRWLP policy Land 2. However, trees to the southwest and southeast corners appear visually important and should be retained if found to be in a good condition. Indicative proposals for the introduction of street trees along Merrion Street to the front of the building are subject to the extent of utilities and services. However, such conditions are not unusual in the city centre and the trees would offer a number of benefits including helping to strengthen green infrastructure in the area; mitigating the loss of trees around the site; moderating the scale of the proposed development, and providing wider environmental and sustainability benefits.

7.6 Sustainability and Climate Change

- 7.6.1 The CS environmental policies are designed so that new development contributes to carbon reduction targets and incorporates measures to address climate change concerns following the Council's declaration of a climate emergency in 2019. Policy EN1 is flexible, allowing developers to choose the most appropriate and cost effective carbon reduction solution for their site. Major developments also need to meet the BREEAM Excellent standard if feasible (EN2). Where technically viable, appropriate for the development, and in areas with sufficient existing or potential heat density, major developments should propose heating systems, potentially connecting to the emerging district heating network (EN4(i)). At this stage of the design process detailed information regarding sustainability measures is not available but, as the scheme progresses, will be integrated into the detailed design.

7.7 Wind

- 7.7.1 Due to the height of the building the applicant is mindful of the potential impact of the development on the local wind environment and is developing the building massing and architecture in conjunction with input from a wind consultant. Once the form of the development is fixed the wind impact will be fully tested as the next stage in the design process. The findings of the assessment will be contained within a wind impact assessment which will be submitted with the planning application. As is the usual approach on receipt of any planning application where wind concerns are raised, upon receipt of a wind study the Council will appoint their own experts to peer review the report's findings.

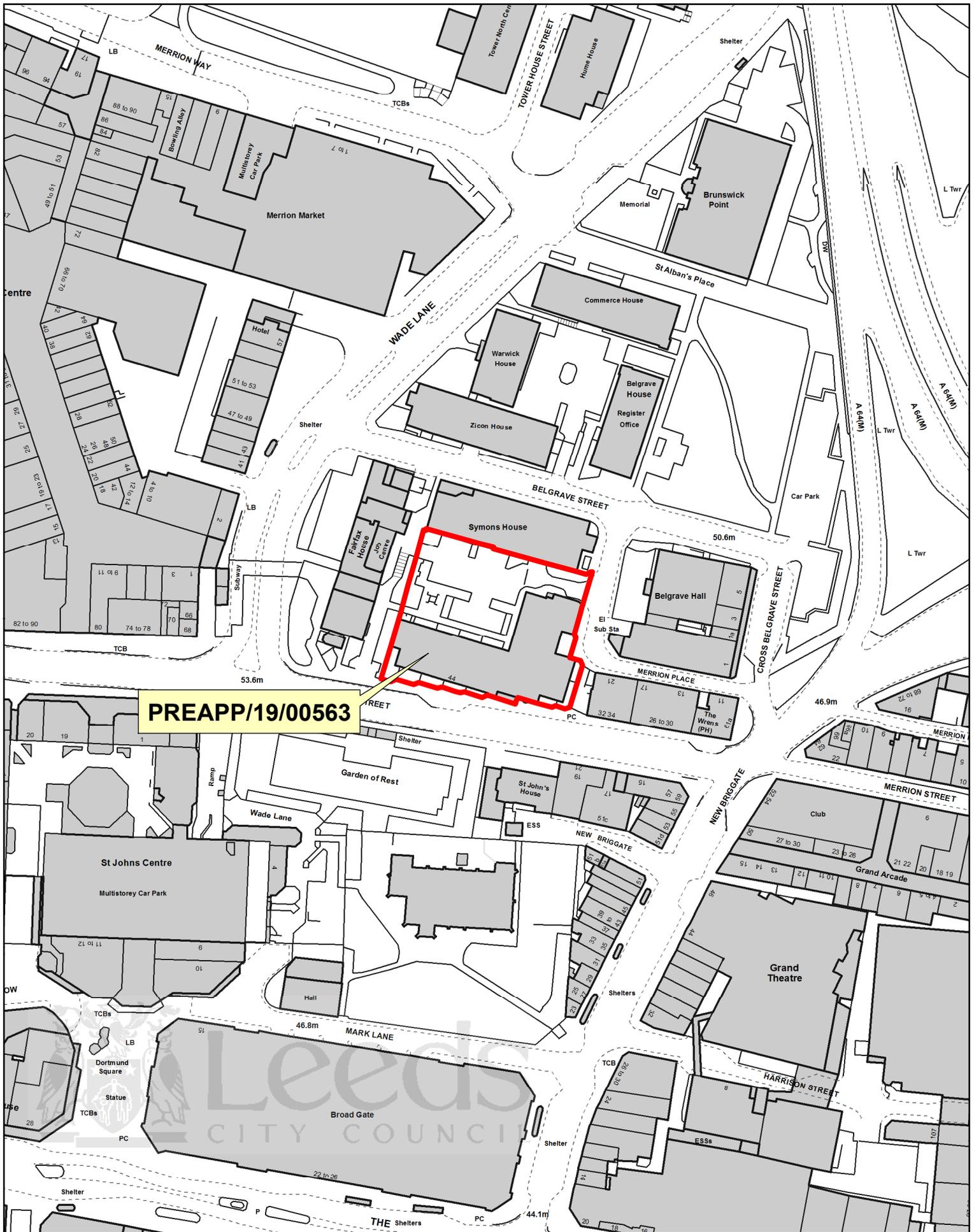
7.8 Conclusion

- 7.8.1 Members are asked to note the contents of the report and the presentation, and are invited to provide feedback, in particular, on the issues outlined below:

Do Members consider that the loss of office accommodation and proposed use of the site for student accommodation is acceptable in principle? (7.1.6)

Subject to confirmation of detailed proposals do Members support the approach towards living conditions for the student accommodation? (7.2.13)

Do Members consider that the proposed mass and form of the development and its relationship with the surrounding context is acceptable? (7.3.9)



PREAPP/19/00563

CITY PLANS PANEL



THE PROPOSALS - PLANS

TYPICAL UPPER PODIUM PLAN



- Standard Postgraduate Studio
- Premium Postgraduate Studio
- Communal Living Area
- Club Room
- Club Room Plus

