



Leeds
CITY COUNCIL

Originator:	C. Briggs
Telephone:	0113 2224409

Report of the Chief Planning Officer

City Plans Panel

Date: 22 October 2020

Subject: Planning application reference 19/02081/FU Full Planning Application for 322 Dwellings and ancillary flexible commercial space (use class A1, A2, A3, A4, B1 and D1) at land at Ellerby Road and East Street, Cross Green, Leeds.

Applicant	Date Valid	Target Date
S Harrison Developments Ltd	03.04.2019	27.11.2020

<p>Electoral Wards Affected: Burmantofts & Richmond Hill</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Ward Members consulted</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION:
DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions set out in Appendix 3 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:

- Affordable housing provision of 8 discounted rent (80%) flats on-site subject to an overage clause upon practical completion of the development
- On-site publicly accessible greenspace at the northern part of the site

- **Off-site greenspace contribution for improvements to Bow Street Recreation Ground £295,635.21**
- **Mitigation for removal of on-street car parking space £6000.**
- **Residential Travel Fund £80,580.50.**
- **Travel plan monitoring fee £4332**
- **Cooperation with local jobs and skill initiatives.**

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

Conditions

Draft Conditions for 19/02081/FU See Appendix 3

1.0 Introduction:

This report is brought to City Plans Panel because it relates to a major planning application in the City Centre that proposes a sub policy position on affordable housing due to a financial viability consideration.

2.0 Proposal

- 2.1 The application proposal is for 322 residential dwellings and 234sqm flexible commercial space (use class A1 retail, A2 financial and professional services, A3 cafe, A4 drinking establishment, B1 office and D1 non-residential institution - for example doctors' surgery or dentists). The applicant has submitted a financial viability case which is discussed below.
- 2.2 The mix of flats comprises 177 one-bedroom flats, 127 two-bedroom flats, and 18 three-bed flats.
- 2.3 The scheme comprises four blocks split across the two sites. The proposed storey heights would be as follows:
 - Block A 8 storeys
 - Block B 8 storeys
 - Block C 9 storeys
 - Block D 7 storeys
- 2.4 Block A would be located within a parcel of land bounded by East Street, Bow Lane and East King Street. It would comprise of a undercroft car park and ground floor plant space, above which there will be 7 storeys of flats located around a central core.
- 2.5 Blocks B, C and D would be located on the larger site between East Street and Ellerby Road. The blocks would vary in height but all have undercroft car parking which would extend into an internal courtyard and surface parking area. Block C would face East Street with a ground floor commercial unit, with flats at first floor level and above.

- 2.6 124 car parking spaces are proposed within the courtyard and undercroft, which would be accessed off Bow Street. This would include 11 disabled car parking spaces and 31 electric vehicle charging points. There would be 262 cycle parking spaces.
- 2.7 Approximately 735 sqm on-site amenity space would be provided as a landscaped terrace at the northern part of the site. 40 new trees are proposed across the site.
- 2.8 The application is supported by the following documents:
- Planning Statement
 - Heritage Statement
 - Archaeological Desk based report
 - Design and Access Statement
 - Architectural Plans
 - Landscape Plans
 - Biodiversity and Ecology Report
 - Aboricultural Report
 - Daylight and Sunlight assessment
 - Noise Report
 - Air Quality Report
 - Flood Risk Assessment and Drainage Strategy
 - Travel Plan
 - Transport Statement
 - Land Contamination Phase I Desk Study
 - Energy Strategy
 - Sustainability Statement
 - Housing Needs Assessment
 - Statement of Community Involvement
 - Financial Viability Assessment

3.0 Site and Surroundings

- 3.1 The proposal site lies on the eastern edge of the City Centre on East Street. The site consists of two parcels of vacant land either side of Bow Street. The smaller parcel of land is located is bounded by Bow Street, East Street and East King Street, and lies within the designated City Centre. The larger site to the east of Bow Street lies outside the designated City Centre. The total site area is 0.91 hectare. The larger site lies partially within the Eastern Riverside Conservation Area, and new development at both sites would be within the setting of the following listed buildings:
- Grade I St. Saviour's Church
 - Grade II* Mount St. Mary's Church
 - Grade II St. Saviour's Sunday School
 - Grade II Rose Wharf
 - Grade II East Street Mills

- 3.2 The larger site rises in level by approximately 12 metres between East Street and Ellerby Road. A coal seam is located in the bank towards the rear of the site which would require excavation and capping. Two existing sewers also run across the site. Following initial investigations, the applicant understands that one of the sewers is redundant. The remaining sewer would need to be diverted and the applicant is in discussions with Yorkshire Water. In terms of other ground conditions, historically the site featured terraced properties working up the bank, and the applicant anticipates that the foundations and cellars associated with these properties would be encountered during site development.
- 3.3 The north western part of the larger site is designated as greenspace, as part of the adjoining Bow Street Recreation Ground.
- 3.4 A five storey block of sixteen flats with associated car parking and landscaping, known as Publichaus, has recently been completed to the north east of this site, at the site of the former Cavalier Public House.
- 3.5 The parcel of land within the site to the north west of Bow Street lies within the City Centre boundary. The parcel of land to the south east of Bow Street lies outside the City Centre boundary.

4.0 History of Negotiations

- 4.1 In 2019 Officers had one meeting with the applicant prior to the submission of the application, as an update from the previous pre-application discussions in 2017 (see below). The application was submitted in April 2019 with a viability assessment by the applicant. This was reviewed by the District Valuation Service (DVS) on behalf of the Local Planning Authority, and subsequently revised, and discussions between the applicant, the LPA and the DVS concluded in June 2020. The findings are considered at Section 10 of this report.
- 4.2 The emerging proposals were the subject of a pre-application presentation to City Plans Panel on 12 January 2017. In response to Members comments and questions, the following issues were discussed:
 - a. Further details about car parking arrangements were required
 - b. There was a desire to see improved connectivity across East Street, consider the possibility of a crossing facility
 - c. Consideration should be given to a possible green link between the proposed landscaped terrace and the Bow Street Recreation Ground
 - d. East Street deserves higher standard of design, the scheme needs to be more imaginative
 - e. Further consideration and information on the inter-relationship between the different blocks was necessary and the relationship of the blocks to the street, with consideration to be given to a landscaped buffer to the street frontages.
 - f. Consideration should be given to widening the pavements along East Street
 - g. Consider the possible use of street trees

- h. Explore the siting of a mini supermarket on the ground floor of block C
- i. Consideration needs to be given for employment opportunities for local people
- j. There was a suggestion that more electric vehicle charging points be provided
- k. Information was required on the distribution of the different unit types through the site and how air quality and noise matters would be addressed

In conclusion Members gave the following feedback:

- l. Members were supportive of the principle of residential use, but more detail was required on the mix and quality of accommodation.
- m. Members were supportive of the proposed scale of the development, however, more information on the detailed design was required and further consideration of the inter-relationship between the different blocks was necessary, together with consideration of green buffers to the street and green links through the site.
- n. Members were supportive of the emerging amenity space, public realm and landscaping design principles.
- o. Further clarification was required in respect of parking; vehicular access and pedestrian connectivity to the city centre and over the river, consider crossing facilities on East Street to bus stops on the south side of East Street.

5.0 Relevant Planning History

- 5.1 Under planning reference 20/21/04/FU planning permission was granted for 185 flats, 300sqm offices and 255 undercroft car parking spaces. This permission was not implemented and expired in 2010.

6.0 Statutory Consultations:

6.1.1 Coal Authority

No objection.

6.1.2 Canal and Rivers Trust

No comment to make.

6.1.3 Historic England

Historic England (HE) has no objection in principle to the redevelopment of this site for residential and commercial uses. However, HE are concerned that the development as currently proposed will cause harm to the setting of the Grade I listed Church of St Saviour, and its associated Grade II listed buildings, by virtue of its bulk, form, height and massing. HE advise that the harm could be reduced by reducing the scale of development on the site, adding variety in roof-form and increasing gaps, to ensure that key views of the church are maximised and celebrated for their contribution to place making. This is in order to ensure that the

development achieves the objective for sustainable development as set out in section 8 of the NPPF which is to contribute to protecting and enhancing the historic environment. This is also to address the legal duties in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give 'special regard' to the setting of listed buildings when development within their setting is proposed. HE therefore have concerns regarding the application on heritage grounds.

6.2 Non Statutory Consultations:

6.2.1 Leeds City Council (LCC) Design & Conservation Team

The impact of the massing/scale and layout of the proposal on the setting of several listed buildings, including the Grade I listed St Saviours Church and the Central Area Eastern Riverside Conservation Area has been carefully considered. The reintroduction of built form within the church's setting which enhances views through framing will enhance and not harm the significance of the listed building. The scale, layout and detailed design of the buildings is supported.

6.2.2 LCC Transport Development Services

No objection subject to conditions.

6.2.3 LCC Flood Risk Management

No objection subject to conditions.

6.2.4 LCC Environmental Protection

No objection subject to conditions controlling details of a sound insulation scheme for the flats, noise from the proposed commercial uses, proposed mechanical plant and extraction, refuse storage and collection, construction operations and delivery hours, construction practice,

6.2.5 LCC Environmental Studies (Road Noise)

No objection subject to the implementation of the submitted noise and ventilation reports.

6.2.6 LCC Environmental Studies (Air quality)

No objection with regard to air pollution from road traffic emissions. The air quality assessment submitted indicates that air quality standards will not be exceeded either at the development site or elsewhere as a result of the development, subject to the provision of electric vehicle charging points (based on 10% provision as set out in Leeds Parking SPD, the adopted policy at the time, as the submission of the application pre-dates the adoption of CS Policy EN8). The proposals include a gas combined heat and power (CHP) and gas boiler plant, the emissions from which could impact upon air quality at existing residential properties as well as the new residential properties within the development itself. However, an air quality report has been submitted which assesses the likely impacts of nitrogen dioxide emission from the energy centre. The assessment has demonstrated that the scheme will not cause any exceedances of the air quality

objectives, nor will the scheme introduce receptors into an area where air quality standards will be exceeded. Since this consultation response, the applicant has confirmed that the development would be future proofed to connect to the District Heat Network.

6.2.7 LCC Public Rights of Way

Discussions have taken place with the developer and the Public Rights of Way section concerning a diversion order of these footpaths under the Town & Country Planning Act 1990. The developer was advised that ways through developments should run through open, landscaped areas away from roads and should complement the existing network. The proposed diversion of the footpaths follows this advice as is shown in the proposed landscape plan. Due to its more urban setting, the current and future levels of use and the steep gradient of the site, the surface specification for these footpaths should be a bound gravel surface such as KBI, Flexi-pave or similar. The Public Rights of Way Section will be responsible for the maintenance of the diverted footpaths across this site and need to ensure that they are not taking on a specification of footpath that would require regular maintenance works incurring greater costs. They would also request either surfacing works or funding for surfacing works for a short section of footpath outside of the site between Ellerby Road and the north eastern corner of the site. This is an unrecorded, but well used footpath and also provides access to a Council owned and maintained Recreation ground.

6.2.8 LCC Nature Conservation

No objection subject to conditions regarding bird nesting and bat roosting features and a method statement for the control and eradication of Japanese Knotweed.

6.2.9 LCC Access Officer

The development should comply with Core Strategy Policy H10. Parking spaces should meet the relevant standard. Amenity spaces and route to the dwellings are to meet BS8300-1:2018.

6.2.10 West Yorkshire Police

West Yorkshire Police has provided detailed advice to the applicants regarding the following measures:

- Door and window specification
- Mail delivery/post-boxes
- Access control to flats
- Secure car parking measures
- CCTV
- Lighting
- Building management
- Vehicle collision measures
- Management of public open space
- Boundary treatments

6.2.11 West Yorkshire Combined Authority (WYCA)

WYCA support the principle of the proposed development subject to the provision of a pedestrian route through the site from Ellerby Road, a new pedestrian crossing across East Street to improve accessibility to local bus stops in accordance with the site requirements in the AVLAAP, and the provision of a Residential Travel Fund for future residents to promote sustainable travel measures at the site.

7.0 Public/Local Response:

Planning Application publicity consisted of:

- 7.1.1 Leeds City Council website Public Access posted 03.04.2019
- 7.1.2 Site Notices posted 15.04.2019
- 7.1.3 Press Notice published 26.04.2019
- 7.1.4 Burmantofts and Richmond Hill Ward Councillors consulted by email 30.09.2019.

7.2 Two objections have been received from local residents at Bouverie Court and Flax Place, one comment from St Saviour's Parochial Church Council (PCC), and one comment from a resident at flats on Ellerby Road. In summary the following issues were raised:

- The whole design of the buildings are outdated, ugly and bring nothing positive to the area.
- The buildings are too high, impacting the city view and sunlight to Echo City, Bouverie Court (already impacted by the X1 Aire development) and neighboring properties like East Street Mills, Boyd Mills as well as the new development beside the St Saviours Church.
- The development would compromise the available green spaces in the area and would have a negative impact on the landscape of the area.
- Together with other proposals in the Marsh Lane area there would be an overdevelopment of flats in the area.
- Care should be taken regarding the impact of the proposal on the neighbouring residential development Publichaus (former Cavalier Pub) on Ellerby Road, in terms of amenities, daylight, sunlight, views and right to light.
- impact of the proposal on the setting of the Grade I Listed Church, that visually the Church will not be hidden due to the historic and iconic value it brings to the community of East Leeds.

7.3 Leeds Local Access Forum (LLAF) made the following comments on the proposals to divert the claimed footpaths that cross the site between Ellerby Road and East Street.

a. The LLAF supports the contouring of the proposed diversions to accommodate the steep slope of the upper eastern part of the site. This will be of significant benefit for those with prams, buggies, wheelchairs and mobility scooters, and for those pedestrians who are less mobile. However, the LLAF suggests the addition of a direct stepped route down the slope for younger and more mobile users. This would avoid desire lines developing across the soft landscaping amenity space.

b. The LLAF suggests the proposed footpath leading to Bow Street is within a landscaped corridor through the open car park area rather than running past the undercroft parking of Block B where reversing vehicles could pose a hazard to pedestrians.

c. The LLAF supports the proposals from Public Rights of Way regarding the path surface and the request for surfacing of the short section of well-used footpath outside the site linking the north-eastern corner of the site with Ellerby Road.

8.0 Planning Policies:

Statutory Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of decision making at this site, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014 as amended by the Core Strategy Selective Review 2019)
- Saved Unitary Development Plan Review Policies (Adopted 2006)
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Aire Valley Leeds Area Action Plan (AVLAAP – Adopted November 2017).

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

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that Local Planning Authorities must have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that Local Planning Authorities must pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

8.1 Development Plan

8.1.1 Leeds Core Strategy

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

SP1 Location of development

SP2 Hierarchy of centre

SP3 Role of Leeds City Centre

SP4 Regeneration priority programme areas

SP5 Aire Valley Leeds urban eco-settlement

SP6 housing requirement and allocation of housing land

SP8 Economic development
SP11 Transport infrastructure investment priorities
SP13 Strategic green infrastructure
Policy CC1 City Centre development
Policy CC3 improving connectivity between the City Centre and neighbouring communities
Policy T1 Transport Management
Policy T2 Accessibility requirements and new development
Policy P8 Retail
Policy P10 Design
Policy P11 heritage
Policy P12 Landscape
Policy G1 enhancing and extending green infrastructure
Policy G4 Greenspace provision outside the City Centre
Policy G5 open space provision in the City Centre
Policy G9 Biodiversity enhancements
Policy EN1 Climate change and CO2 reduction
Policy EN2 Sustainable design and construction
Policy EN4 District heating
Policy EN5 Managing flood risk
Policy EN8 Electric vehicle charging points
Policy H3 housing density
Policy H4 housing mix
Policy H5 affordable housing
Policy H9 space standards
Policy H10 accessible dwellings

8.1.2 Leeds Saved Unitary Development Plan

Relevant Saved Policies include:

Policy GP5 all planning considerations
Policy BD2 new buildings
Policy BD4 mechanical plant
Policy BD5 residential amenity
Policy LD1 landscaping

8.1.3 Leeds Natural Resources and Waste Local Plan

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

Relevant policies include:

Air 1 management of air quality through new development
Water 4 development in flood risk areas
Water 6 flood risk assessments
Water 7 surface water run-off
Land 1 contaminated land
Land 2 development and trees

Minerals 3 coal safeguarding

8.1.4 Aire Valley Leeds Area Action Plan (AVLAAP)

The vision for the Aire Valley Leeds plan area is to create transformational opportunities for new jobs and homes, within an attractive, safe, resilient, connected, low carbon environment, which together enhance the area's unique character and strategic location. The site falls within the East Bank, Cross Green and Richmond Hill sub-area of the plan, and the East Street Opportunity Area (Policy EB4), and the main objectives and opportunities for this area include:

- Distinctive, innovative and high quality buildings and spaces as a gateway into the City Centre.
- Active frontages to ground floors along main routes
- Delivery of a range of new homes, including affordable housing
- Improved public realm and greenspaces
- Improve pedestrian and cycle connectivity
- Conserve the setting of the area's heritage assets and the conservation area
- Explore opportunities to connect to local heat networks

The site is allocated for residential use in the AVLAAP under Policy AVL7, as sites AV28 (23 units) and AV29 (79 units). Para 3.3.9 of the AVLAAP makes clear that housing should form a significant proportion of the total development area and the capacity should therefore be treated as a minimum figure.

Under Policy AVL7 and paragraph 4.3.68 the following site requirements are specified:

- Site AV29 to contribute to improvement of the adjacent green space at Bow Street Recreation Ground to mitigate the loss of the existing Saved UDPR allocation of green space within the site.
- The development should provide a pedestrian/cycle route through the site to link Ellerby Road and Bow Street/East Street as indicatively shown on the area map.
- The sites are within/adjacent to a Conservation Area. Development should have regard to the Conservation Area Appraisal and management plan.
- Site AV29 is adjacent to the Grade I listed St Saviour's Church and other listed buildings. Any development should preserve the special architectural interest or setting of these buildings.

Policy AVL8 Improving Public Health in Aire Valley Leeds – parts 5 and 6:

5. Encouraging local people to take more physical exercise such as walking and cycling to work and for enjoyment by providing new and improved green routes linking communities and key destinations.

6. Providing high quality new areas of green space within new development and improvements to the quality and accessibility of existing green spaces.

Policy EB1 part 3 requires improvements to crossings across East Street to improve connections between the area and the City Centre, Leeds Dock and the South Bank.

8.2 Supplementary Planning Documents/Guidance

Leeds Parking SPD

Accessible Leeds SPD

Travel Plans SPD

Street Design Guide SPD

Building for Tomorrow Today: Sustainable Design and Construction SPD

Neighbourhoods for Living SPG

8.3 National Planning Policy Framework (NPPF)

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

2 Achieving sustainable development (paras 7, 8, 10, 11, 12)

4 Decision making (paras 38, 39, 40, 41, 43, 47, 48, 54, 55, 56, 57, 58)

5 Delivering a sufficient supply of homes (59, 62, 63, 64)

6 Building a strong competitive economy (80)

7 Ensuring the vitality of town centres (85, 86)

8 Promoting healthy and safe communities (91, 92, 95)

9 Promoting sustainable transport (102-11)

11 Making effective use of land (117, 118, 119, 122)

12 Achieving well designed places (124-131)

14 Meeting the challenge of climate change and flooding (148-165)

15 Conserving and enhancing the natural environment (including ground conditions para 178-179 and noise para 182)

16 Conserving and enhancing the historic environment (including paras 189-200)

MAIN ISSUES

1. Principle of use
2. Heritage including Design
3. Landscape and Greenspace
4. Residential Quality and Mix
5. Highways and Transportation
6. Accessibility
7. Climate Change and Sustainability
8. Planning Obligations and Financial Viability

APPRAISAL

10.1 Principle of use

10.1.1 The proposed housing use is acceptable in principle and accords with the site allocation in the AVLAAP Policy AVL7, as sites AV28 (23 units) and AV29 (79 units). The application proposes a commercial unit (284 sqm) for a range of flexible uses (A1, A2, A3, A4, B1 and D1 as defined by the Use Classes Order at the time the application was submitted). These defined town centre uses are covered by different Development Plan policies and should be considered on their own merits. The commercial unit is proposed in Block C which lies east of Bow Street and is therefore outside the City Centre boundary in an edge of centre location. Use Class D1 community facilities are acceptable in this accessible location on the edge of the City Centre in accordance with Core Strategy Policy P9. Small scale office development (up to 500 sqm) is not required to undertake a sequential assessment in accordance with Core Strategy policy EC2 (iv) at this location because the site lies within a Regeneration Priority Programme Area identified under Core Strategy policy SP4 and thus the B1 use proposed is acceptable in principle. However a sequential assessment would normally be required for any A1, A2, A3 and A4 uses to be located outside the City Centre in accordance with Core Strategy policy P8 (b) and (d) and the NPPF. The applicant has not submitted a sequential assessment however it is considered that taking the development as a whole sitting across the City Centre boundary on Bow Street, and the small amount of floorspace proposed, that the potential impact of the proposed class A uses on the retail vitality of local centres would be acceptable and in this particular case a sequential test is not necessary.

10.1.2 Therefore, it is considered that a residential development with small scale ground floor commercial unit would be acceptable in principle at this site, subject to the AVLAAP site requirements and detailed planning considerations set out below.

10.2 Heritage including Design

10.2.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty of Local Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. When considering any planning application that affects a Conservation Area the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area (s72 Planning (Listed Buildings and Conservation Areas) Act 1990). The following paragraphs assess the application against the relevant legislation, policy and guidance including paragraphs 189-200 of the NPPF, and Leeds Core Strategy Policies P10, P11 and P12. The heritage assets affected by this proposal are identified at section 3 of this report.

10.2.2 Historic England consider that the issues and safeguards outlined in their advice summarised at section 6.1 of this report need to be addressed in order for the

application to meet the requirements of paragraphs 127, 193, 194, 196 and 200 of the NPPF.

10.2.3 Historic England highlight that The Church of St Saviour, a Grade I listed building, the Grade II listed former Vicarage and boundary walls, and the Grade II listed former school (J Boyd and Sons Works) form a characterful group of historic structures set on a sloping site in the Central Area Eastern Riverside Conservation Area. These heritage assets share a high level of visual interest and contribute to the historical continuity in an area which has been the subject of major development twice in the last century. The mid-C19 group share some key architectural features which contribute strongly to their aesthetic value - steep roof pitches, pinnacles and tall chimneys all add variety to the roofscape of the area. They also share a common palette of stone which contrasts against the three industrial buildings related to Grade II listed Bank Mills which line the bank of the River Aire to the south. The Grade I listed Church is very prominently sited and is appreciable from a wide area, including distant views of its tower. The proposal site has a former connection to the context of the Grade I listed Church which resulted from its development for terraced housing which would have housed the community that the church served. The present open character of the site enables open views of the Church and Historic England state that this fortuitous view has the potential to be celebrated and retained as a key feature of the redeveloped site.

10.2.4 In response to Historic England's comments the site previously benefitted from a planning permission (ref. 20/21/04/FU) for a mixed use residential development which provided a view of St Saviours church from the junction of East Street and Bow Street. This scheme proposed an acceptable height and building footprint in relation to the local context and the setting of the heritage assets in the area, and the scheme was based on a thorough urban design and heritage analysis. One key view that was clearly defined as part of the 2004 consented scheme was the view of St Saviours church from the junction of East Street and Bow Street. The architect for the current proposal has repeated the analysis of key views of the scheme and St. Saviours Church. The extent of setting has been considered by case law, but essentially given the lack of definition of setting, this is a matter of judgement to be considered in the round and may include the views from the heritage asset towards the development, views from the development towards the listed building, and any other relevant view which includes both the listed building and the development.

10.2.5 The cleared open nature of the site in an otherwise built up setting is a temporary condition (albeit for a number of years in this case) and the site has been either approved or allocated for redevelopment for over 15 years. The applicants submitted Heritage Statement identifies that the development would cause a less than substantial or low level of harm to the significance of the church, when it is assessed in its current context. Officers have carefully considered the impact of the massing, scale and layout of the proposal on the setting of several listed

buildings, including the Grade I Listed St Saviours Church and the Eastern Riverside Conservation Area. There is agreement with the findings of the Heritage Statement submitted with the application on the impact of the development with the exception of the opinion that the proposed development would harm the significance of St Saviours Church. The area to the south west of St Saviours Church is fragmented and cut off from its built surroundings by the application site itself and East Street. Whilst the cleared character of the application site enables some open views of the Church, these would not have existed in its historic context when it was flanked by terraced housing. It is not considered that the temporary open brownfield surroundings contribute positively to the setting or the significance of the church within the context of the wider dense urban character. Whilst the proposal would limit views to and an appreciation of the setting of the Church from parts of East Street, it would re-introduce a residential community in a built context to that setting, which is considered to be positive. The principle identified key view from East Street looking south eastwards between Blocks A and C would focus centrally on the tower of the church. On balance it is considered that the form and layout of the proposal would preserve glimpsed views of the church, whilst enabling a sustainable redevelopment of the site, in an architectural treatment and scale appropriate to East Street. Therefore it is considered that the reintroduction of built form within the Church's setting in a manner that would offer dynamic views through framing would enhance and not harm the significance of the listed building or its setting.

10.2.6 It is considered that the height and layout of the proposal would be appropriate to the scale and form of the nearby listed former mill buildings at East Street Mills, Robert's Wharf, Boyds Mill, and Rose Wharf, in keeping with the scale of other modern City Centre residential development along this stretch of the East Street corridor, whilst preserving the setting and key views of St. Saviours church. The principal material proposed for the scheme is red brick. This would be sympathetic to the surrounding context, predominantly the red brick mills which enclose East Street to the south and west, and would contrast appropriately with the stonework of St Saviours Church and Boyds Mill. It is therefore considered that the proposed height, form and materials would enhance the character and appearance of the Eastern Riverside Conservation Area, and enhance the setting of the nearby Listed Buildings.

10.2.7 The proposed bronze window framing, bronze perforated feature panels and brick corbelling details would give variety and interest to the building elevations, which have a clear and logical hierarchy with a regular rhythm of full height vertical emphasis windows. The massing of the buildings is divided in to three parts, defining a top, middle and bottom, emphasised by bands of corbelled brickwork. The lower level of the buildings would be treated with darker red brick and the upper levels will be a lighter brick colour. Window reveals would be one brick deep and feature corbelling details. Detailed typical bays have been provided as part of this planning application. The quality of the external materials and detailing would be controlled through the provision of working drawing details and large on-site

material samples panels by condition. It is considered that the proposal would present a calm, simple and well detailed foil to the neighbouring heritage assets, and complete the reinstatement of the streetscene along this part of East Street.

10.2.8 In summary, the site is currently vacant and detracts from the setting of nearby heritage assets, which appear isolated by a large area of adjacent untreated cleared land. Therefore it is considered that the proposal including its form, scale, materials and detailed design features, would enhance the significance and setting of nearby heritage assets in accordance with paragraphs 189-200 of the NPPF, Core Strategy Policies P10 and P11, the site requirements of the AVLAAP, and in compliance of the duties of the LPA under s66 and s72 of the Listed Buildings and Conservation Areas Act 1990.

10.3 Landscape and Greenspace

10.3.1 The Council's Public Rights of Way team and the Leeds Local Access Forum have sought improvements to pedestrian connectivity including hard surfacing materials. PROW officers have advised of claimed rights of way between East Street and Ellerby Road which should be retained. In addition, the sites are identified in the Aire Valley Action Plan for housing (refs; AV28 and AV29) and there is a site requirement that any development should provide a pedestrian/cycle route through the site to link Ellerby Road and Bow Street/East Street. The diversion of the Public Right of Way would need to be addressed through separate processes as this is noted by the applicant. The applicant proposes to provide a defined route through the car park and through the landscaped bank at a gradient of 1:8 with resting places including benches. The site is steeply sloping with a level change of approximately 10m with the highest point at Ellerby Road and lowest adjacent to the A61. The footpath is currently an average gradient of 1:8. A series of footpath design options have been tested, including a 1:21 route, however this would result in a convoluted and significantly longer footpath. For these reasons, it was concluded that a gradient of no steeper than the current (existing) gradient of 1:8 would be acceptable. The proposed PROW would also be well-lit and overlooked, and connect to the path running around the Publichaus development at the north east of the site, and directly to Bow Street Recreation Ground to the east of Block B. With reference the comments by LLAFF, although the proposed footpath would be routed behind car parking bays it is considered on balance acceptable subject to appropriate demarcation given the limited number of parking spaces and likely infrequency of movement into and out of these spaces. The applicant states that removing the car parking bays would reduce the number of car parking spaces on the site and have a significant impact on the viability of the scheme. The applicant also tested whether steps could be incorporated into the slope, however this would have resulted in significant loss of soft landscaped area due the necessary provision of steps and handrails, and on balance it is considered preferable to maximise soft-planted areas within the bank. The applicant has agreed a flexi-pave or bound gravel material for the route with the PROW team, and exact details of surfacing materials would be controlled by condition. In summary it is considered that improvements to existing footpaths, new diverted

public connections through the site and the landscape proposals for the green bank at the eastern end of the site are acceptable and meet the AVLAAP site requirements.

10.3.2 At pre-application stage, Members commented that sufficient space should be provided for new street trees. The gap between the face of Block C and the road edge would be approximately 4m wide. In order to achieve a row of street trees a further 6-8m set-back would be required into the site, and this would result in a fundamental re-design of the blocks and given other constraints such as the position and width of the site access, outlook and amenity, heritage and land levels, the applicant states that this would result in an unviable development as it would lead to less flats and car parking spaces or an unsafe vehicular access. On balance, given the built up nature of East Street, where red-brick mill buildings are often at the edge of footway, the proposed arrangement is considered acceptable.

10.3.3 For the part of the site located outside the City Centre the green space provision under CS Policy G4 is calculated based on the number and size of units. The greenspace requirement for the development outside the city centre boundary is 23 sqm for each 1 bedroom unit ($121 \times 23\text{sqm} = 2,783\text{sqm}$), 33 sqm for each 2 bedroom unit ($113 \times 33 = 3729\text{sqm}$), and 44 sqm for each 3 bedroom unit ($18 \times 44\text{sqm} = 792\text{sqm}$) giving a total requirement of 7304sqm or 0.73 ha.

10.3.4 The units located in the City Centre part of the site have an open space requirement based on the standards set out in CS Policy G5 (0.41 hectares per 1,000 population). This equates to a further 0.05 hectares. The total greenspace requirement for the site is calculated to be 0.78 hectares. There is a further requirement for at least 20% on site green space provision in high density schemes over 65 dph set out in the supporting text to Core Strategy Policy G4 (para 5.5.18). The current proposals are showing only 8% of the site area as green space, totaling 735 sqm. The Council's policies require that any deficit in on-site provision is mitigated by an off-site financial contribution. Based on on-site green space provision of 735 sqm, the off-site commuted sum calculations are as follows:

CS Policy G4 requirement (0.626 ha off site)	£266,780.82
CS Policy G5 requirement (0.054 ha off site)	£28,854.39
Total	£295,635.21

It is acknowledged that the proposal delivers a less than expected greenspace provision due to the site levels, the scale of development and the provision of surface car parking. However the site is at the edge of the City Centre where the townscape character is denser and the site is adjacent to an existing large greenspace with mature trees, so benefits from a significant established landscaped setting and amenity space. It is also acknowledged that provision of balconies would have improved private external amenity space, however the

applicant states that this would exacerbate the viability problems, as would the provision of more generous public or private communal amenity space within the site at the expense of surface parking, or by repositioning buildings which might lead to amenity issues or a reduction in dwellings, which again could harm the financial viability of the scheme. On balance the approach to greenspace provision is considered acceptable and the greenspace commuted sum would be targeted towards improvements to existing greenspace at Bow Street recreation ground in accordance with the site allocation requirements which would help to mitigate the potential demands of the development on existing greenspace infrastructure.

10.3.5 The applicant has submitted an arboricultural survey. It is likely that three mature trees outside the site but close to its boundary would need protection during construction works, due to works that would alter the levels of the landscape to cut the development into the bank. A planning condition is recommended to control the implementation of appropriate protection measures.

10.3.6 40 new trees are proposed on-site around the blocks, across the car park and on the landscaped amenity space that would terrace up to the bank top. Details of tree pits, underground root cells, soil quality and soil volumes would be controlled by condition.

10.3.7 In summary, the siting of the buildings, provision of public realm, balance of hard and soft landscaping, and location of future pedestrian routes, would be appropriate to create a sense of place and ensure good pedestrian connections linking across the site from the Ellerby Road in the north east to East Street and the riverside beyond, linking to the South Bank. The proposal would provide new tree planting, and would contribute towards enhancements to the neighbouring recreation ground. It is therefore considered that the proposal would be on balance in accordance with Saved UPDR Policy LD1, Core Strategy Policies P10, P11, P12, G1 and the site requirements in the AVLAAP.

10.4 Residential Quality and Mix

10.4.1 The applicant has confirmed that the proposed dwellings would meet minimum flat sizes set out in the Nationally Described Space Standard (NDSS) under Core Strategy Policy H9.

10.4.2 Core Strategy Policy H4 on Housing Mix requires a minimum provision of 20% of flats be provided containing 3 bedrooms across the Local Authority area. The applicant's submission shows the following mix of unit sizes:

1-bed - 121 units (55%); 2 bed – 113 units (39%) and 3 bed – 18 units (6%).

All the units proposed are flats with no houses. Table 4 indicates that a maximum of 50% houses should be provided outside the city centre. Three of the block proposed, which are all flats, lie outside the city centre boundary and therefore the mix of house types does not fall within the required range. However, the applicant's Housing Needs Assessment indicates that the site has the characteristics of a city centre site and it is appropriate to consider the scheme

against the city centre mix approach which does not require a minimum proportion of houses. The Housing Needs Assessment seeks to justify the mix of unit sizes proposed as required by Policy H4. This argues that the mix is appropriate for the location and a private rented sector scheme, provides accommodation suitable for the existing city centre demographic and provides a greater mix than the current proportion of 1% of city centre units that are 3 bedrooms. Against this it should be noted that the aim of the housing mix policy is for new development to provide more opportunities for families to live in the city centre rather than mirror the existing mix. However, the scheme is providing a much greater number of dwellings (322) than is assumed in the AVLAAP (102 across the site) so the 18 three bed dwellings proposed is the equivalent of 18% of the number of units assumed for the site which is only marginally under 20% minimum target. In this respect it is accepted that the scheme will contribute appropriately towards the provision of greater choice of three bed units in the city centre. The submitted Housing Needs Assessment states that the proposal for one-bed units exceeding the 50% maximum limit is justified by the demand for smaller household units in the City Centre/edge of City Centre. However, the policy allows the nature and location of the scheme to be taken in to account when assessing housing mix. Given that this scheme offers 6% three-bed flats, and the provision of three-bed dwellings in the city centre currently stands at around 1%, this proposal would exceed the percentage of current provision in the area. On balance, it is considered that the applicants' case that the proposed mix would offer a sufficient variety in unit type for a scheme of this size in this City Centre location, is acceptable.

- 10.4.3 In amenity terms, the principle of a courtyard-style development is considered appropriate at the site west of Bow Street (Blocks B and C). It is considered that there would be satisfactory privacy relationships between buildings in terms of distances between facing habitable room windows across the scheme. Within the context of a dense edge of centre urban grain it is considered that the distances between habitable room windows are generally acceptable where they exceed around 15-20m to avoid overlooking and loss of privacy between new dwellings. It is considered that Block A, sited between Bow Street and East King Street would not result in undue loss of daylight, sunlight and privacy to dwellings at East Street Mills some 28m away, and that the proposed flats would benefit from adequate outlook and daylight. At the larger site, blocks B and D would be sited some 40m apart, and the minimum distance between Blocks B and C would be 18.5m. Block A would be some 27m away from Robert's Wharf, and Block B some 32m to Rose Wharf to the south. Block D would be some 35m from Boyds Mill, 20m from St Saviours Church, 25m from the vicarage and 38m from neighbouring flats at Publichaus on Ellerby Road. Block B would be approximately 10m from Publichaus but it would be offset from the west facing façade with Publichaus sitting higher up the hill. It is considered that given the proposed building height, orientation and positioning, that these relationships would be acceptable in terms of overshadowing and overlooking within the City

Centre built context, as these distances would be wider than most City Centre streets, and would be appropriate to the scale of the building plots as proposed.

- 10.4.4 In response to comments from nearby occupiers at Publichaus, in terms of outlook, privacy and daylight, in relation to neighbouring properties, it is considered that the offset angle, relative site levels and orientation would not result in significant overlooking or loss of privacy, loss of sunlight and daylight, visual dominance or outlook to the existing flats. Rights of Light is assessed by separate legislation and is not a material planning consideration. The rights to open views across a currently cleared urban development site is also not a material planning consideration, and the site has been identified or allocated for redevelopment for many years.
- 10.4.5 In response to comments made by a local resident, the proposed development would be located to the north-west of Bouverie Court, which is over 60 metres away at its closest distance and located to the east of the site, with St Saviours Church and land separating the car park at Bouverie Court from the proposal – and over 130m to the southern wing of Bouverie Court. It is therefore considered that given the scale of the proposal it would not have an adverse impact on daylight or sunlight, privacy or outlook at this distance.
- 10.4.6 The application is supported by noise and air quality reports to demonstrate the provision of adequate amenity for future residential occupiers. A planning condition would control the exact sound insulation scheme specification to ensure satisfactory amenity and minimise nuisance from existing road, entertainment noise and mechanical plant noise, and future proposed mechanical plant from within the proposed scheme. This will require a combination of insulation, glazing and mechanical ventilation to ensure that residents benefit from satisfactory amenity and are not adversely affected by road noise, which in the warmer months may require mechanical ventilation to achieve cooling without opening windows. This planning condition will require post-construction testing to ensure it is effective and mitigation works if it is not.
- 10.4.7 On balance, noting the regeneration benefits of the overall proposal, and in the context of the site location, it is considered that the proposed building layout generally offers satisfactory privacy relationships with nearby buildings, outlook, daylight, circulation and juxtaposition of living functions within and around the building. It is considered that the scheme would on balance meet the residential amenity, housing mix and sustainability objectives of Core Strategy Policies CC1, H4, and Saved UDPR Policies GP5 and BD5.

10.5 Highways and transportation

- 10.5.1 The site is located in a sustainable location with generally good access to facilities and public transport in the City Centre and Richmond Hill. However the Inner Ring Road A63 East Street at this point forms a barrier to pedestrian connectivity to the south west towards the waterfront and the South Bank.

- 10.5.2 In accordance with AVLAAP Policies AVL12 and EB1 (3) the proposal would fund a new pedestrian crossing on East Street to reduce severance along the car-dominated East Street and improve pedestrian safety and connectivity for an increased number of local residents that would live in this development, especially to the South Bank via the footbridges at Neptune Street or Low Fold.
- 10.5.3 The proposed level of car parking at 38% provision is similar to other edge of City Centre flatted developments and this is considered acceptable subject to the required sustainable travel improvements. The Council's parking guidelines do not set a minimum parking requirement for development in the City Centre Fringe area but requires that the development does not result in adverse highway safety or amenity issues.
- 10.5.4 Electric vehicle charging points are proposed however the applicant has only specified 31 equipped spaces, 3 spaces below Block A and 28 spaces below blocks B,C & D utilising a load management system. The applicant cites viability reasons for the underprovision in terms of overall cost of installation, and a loss of overall parking numbers if the required spacing for EVCP was taken into account. On balance, subject to the provisions described at section 10.9, this is considered acceptable.
- 10.5.5 206 secure long stay cycle parking spaces are proposed in the undercroft of the buildings, and 36 external short stay spaces (Sheffield stands) would be provided for visitors. In terms of cycle provision improvements around the site, an existing cycle route passes the site. This would be improved to a 4m width along the East Street frontage, with the exception of a 3.8m narrower section close the junction with Bow Street. The potential to move the buildings further north into the site to give a wider shared footway/cycleway would result in other constraints such as the position and width of the site access, outlook and amenity, heritage and land levels resulting in a reduced amount of development. The applicant states that this would result in an unviable development as it would lead to less flats and car parking spaces.
- 10.5.6 Vehicular access would be from Bow Street into a surface level courtyard car park, with some spaces located in undercrofts under the proposed blocks. Following concerns regarding the forward visibility of cars turning off East Street onto Bow Street and then into the site, Highways officers have advised that the proposed vehicle access to the courtyard is only acceptable if right turn movements are prevented between Bow Street and the site. An enlarged central island would be required at the junction of Bow Street and East Street to physically block right turning traffic at the site access, the detail of this would be subject to analysis and a safety audit at the application stage. Access between Bow Street and East Street would remain open for vehicles turning left in and left out.

- 10.5.7 The offsite highways works are to be delivered by s278 under the Highways Act or similar agreement and are subject to a planning condition to include
- a. Controlled toucan crossing on East Street.
 - b. Revised layout plan incorporating widened footways on East Street/Bow Street
 - c. maintaining a cycle route providing a shared use footway to the frontage of the site and improving footpath links.
 - d. Change of status to shared use for existing footways on East Street.
 - e. Car Club bay with associated Traffic Regulation Order.
 - f. Detailed changes to junction / vehicular access/ site access arrangements
- 10.5.8 The implementation of the travel plan and monitoring fee would be controlled through the Section 106 agreement. This would also include a Residential Travel Fund of £80,580.50. The Residential Travel Fund is a site specific contribution per dwelling towards a residential travel plan fund for the provision of Travel Plan measures for the dwellings on the development and/or other sustainable travel measures to encourage the use of sustainable travel modes by the residents of the dwellings, as set out in the agreed travel plan.
- 10.5.9 In summary, it is considered that subject to the recommended planning conditions the application proposal would not lead to highways safety or amenity problems, in accordance with Leeds Core Strategy Policy T2.

10.6 Accessibility

- 10.6.1 The applicant proposes a policy compliant number of accessible dwellings for M4(2) accessible and adaptable dwellings (30% or 97 units) and M4(3) wheelchair user dwellings (2% or 6 units) spread across the scheme. The applicant has confirmed that disabled car parking spaces, external routes and amenity spaces would meet BS8300 and the Accessible Leeds SPD. It is therefore considered that the proposal would meet Core Strategy Policies P10 and H10 and the Accessible Leeds SPD.

10.7 Climate Change and Sustainability

- 10.7.1 Leeds City Council declared a Climate Change Emergency in 2019. Existing Development Plan policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact on non-renewable resources and carbon dioxide emissions. This development would provide 322 new City Centre dwellings, making better use of a sustainably-located vacant brownfield site. The key measures incorporated into this proposal are summarised below.
- 10.7.2 Core Strategy EN1 requires all developments of 1000sqm or more to reduce the total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate and provide a minimum of 10% of the predicted energy needs of the development from low carbon energy. In this case the applicant has confirmed that the proposed development would achieve the policy

requirements, including the energy requirements, which would be met by on-site Combined Heat and Power (CHP).

10.7.3 Core Strategy Policy EN4 District Heating identifies the potential for district heat networks to serve major developments such as this one. The AVLAAP states at section 4.3.68 that the site is located within Phase 1 of the indicative heat network shown on Map 6 (AVLAAP Section 3.7 and Policy AVL17 (Heat Networks in Aire Valley Leeds)). The applicant has confirmed that the development would be future-proofed to be converted to utilise the District Heat Network, subject to agreement between the PRS operator and the DHN provider. This is included in a recommended planning condition.

10.7.4 Policy EN2 states that residential developments should meet the Building Regulations Low Water Usage Target. The applicant has confirmed that this would be met and this would be controlled by planning condition.

10.7.5 Core Strategy Policy EN8 requires major housing development to meet a minimum standard of 1 electric vehicle charging point (EVCP) per dedicated parking space. In this case the applicant has stated that only 31 EVCP would be provided due to viability reasons. More area would be required to accommodate the necessary electric charging infrastructure for each parking space which would result in the number of parking spaces that can be provided on site and a reduction in the value of the development. On balance, given the overall benefits of the proposal, this is considered acceptable in this particular case.

10.7.6 Other sustainable travel measures including secure long and short stay cycle parking, and a Travel plan with a residential travel fund for future residents, all help to reduce car journeys and promote sustainable travel behaviour, which in turn would reduce pollution and congestion and the causes of climate change, as well as improving air quality, and promoting healthier lifestyles and wellbeing. The proposal would also provide a new pedestrian link through the site to Ellerby Road and deliver a new toucan crossing on East Street, which would promote better walking and cycling links in this area.

10.7.7 The provision of the landscaped courtyard in the centre of the site, including the provision of 40 new trees on-site, would assist in absorbing carbon dioxide, promote biodiversity, and help reduce the effects of climate change and reduce the urban heat island effect. The development would also contribute a commuted sum for greenspace improvements to the neighbouring Bow Street Recreation Ground in accordance with the AVLAAP site requirements and Core Strategy Policy G4.

10.8 Planning obligations and financial viability

10.8.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning

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

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

10.8.2 Adopted policies and discussions on the financial viability of the proposals has resulted in agreement of the following Section 106 matters:

- Affordable housing provision of 8 discounted rent flats (to be rented at a price that is equivalent to 80% of the market rent) subject to an overage clause upon practical completion of the development
- On-site publicly accessible greenspace at the northern part of the site
- Off-site greenspace contribution for improvements to Bow Street Recreation Ground £295,635.21
- Mitigation for removal of on-street car parking space £6000.
- Residential Travel Fund for residents at the site £80,580.50.
- Travel plan monitoring fee £4332
- Cooperation with local jobs and skill initiatives

10.8.3 The proposal would be subject to the Community Infrastructure Levy (CIL) and the initial sum calculated is £149,429.30. This is for information only and is not a material planning consideration.

10.8.4 The applicant has submitted a viability assessment, which has been independently reviewed by the District Valuer (DVS). The report of the DVS is attached at Appendix 2 of this report.

10.8.5 The assumptions used by the DVS are summarised below and are based on a Build to Rent (BTR) housing delivery model. His report concludes that the development can provide 8 affordable units (2.48%) with rent capped at 80% of market rent:

Assumption	Amount
Gross Development Value	£56,428,002
Benchmark Land Value	£900,000
Other Acquisition & Planning Costs	£212,525
Construction Costs & Professional Fees	£46,131,801
CIL, S278 and S106	£877,947
Marketing and Letting	£15,000
Disposal Fees	£1,544,610
Finance & Fund Monitoring Costs	£2,602,510
Development Return (8%)	£4,143,609

The above inputs include the provision of 8 affordable units (2.48%) with rent capped at 80% of market rent as follows:

Unit type	Number
1 bedroom apartment – Affordable – 80% of market rent	4
2 bedroom apartment – Affordable – 80% of market rent	3
3 bedroom apartment – Affordable – 80% of market rent	1

10.8.6 The applicant had argued that the development could not deliver affordable housing on the site at the 8% level of return advised by the DVS findings but have nevertheless accepted the DVS final appraisal.

10.8.7 Construction cost estimates have been agreed by the DVS based on empirical evidence and a detailed site-specific report prepared on behalf of the applicant by Rex Procter and Partners. Professional fees have been individually itemised and accepted by the DVS as reasonable estimates of such fees. Disposal costs include purchasers' costs based on a single disposal to an investor purchaser. Funding costs exclude any costs prior to the date of the DVS report. CIL, S278 and other planning obligation costs are at policy level and the applicant would provide a new pedestrian crossing across the dual carriageway on East Street. In summary, the development return has been advised by the DVS as the minimum return required to allow the developer to progress the development of the site.

10.8.8 In addition to the provision of 8 discounted market rent units the applicant has agreed to enter into an agreement with Leeds City Council to assess actual profitability on an open book basis on completion of the development if the current application is granted without amendment. If the final profit on the development based on a BTR disposal exceeds 8% of GDV then any excess of that figure would be paid to Leeds City Council by way of commuted sum within an agreed timescale. The proposed mechanism would be specified in the Section 106 Agreement and the process verified by the DVS at each stage.

11.0 Conclusion

11.1 This application proposal is a significant regeneration opportunity that would contribute to the continuing enhancement of the East Street area, which would bring with it a number of new residential dwellings. Although the proposal does not provide a policy compliant number of on-site affordable dwellings, electric vehicle charging points and does not offer significant external private or public amenity space on-site, the scheme would contribute to the enhancement of the adjacent greenspace, provide a range of house types and sizes including some affordable and accessible dwellings, enhancements to pedestrian connectivity, and provide jobs during construction. The proposed redevelopment would also enhance the character of the surrounding area, by regenerating a prominently-located unsightly and under-utilised brownfield site that has detracted from a principal route into the City Centre for many years and currently does not make the best use of urban land. The proposal is on balance in accordance with the Development Plan, the duties of the Local Planning Authority under s66 and s72 Listed Buildings and Conservation Areas Act 1990, and national planning policy

as described above, and it is recommended that planning permission is granted subject to the conditions and planning obligations set out.

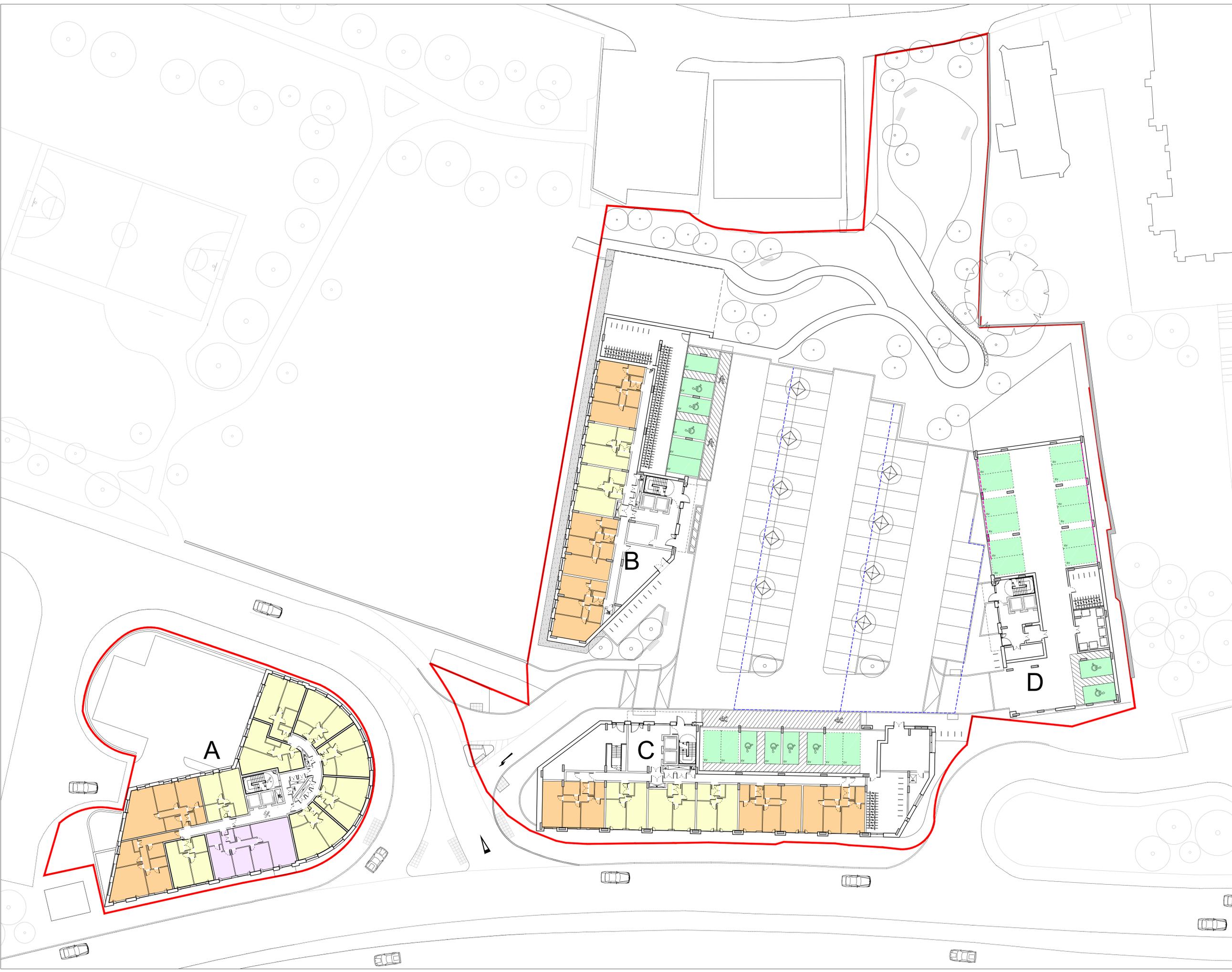
Background Papers:

Application file 19/02081/FU

Appendix 1 Proposed Site Layout

Appendix 2 District Valuation Service (DVS) Viability Report

Appendix 3 Draft Conditions for 19/02081/FU



Notes
 Contractor must verify all dimensions on site before commencing any work or shop drawings.
 If this drawing exceeds the quantities taken in any way the Architects are to be informed before the work is initiated.
 Only figured dimensions to be taken from this drawing.
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Revisions

Rev.	Des.	By	Date	Ch.
P1	Preliminary	PAG	09.03.17	AAH
P2	For Planning	PAG	03.04.17	AAH
P3	For Comment	TXE	13.11.18	PAG
P4	For Comment	TXE	29.11.18	PAN
P5	Issued to M+E for Input	TXE	11.12.18	PAN
P6	PLANNING ISSUE	TXE	04.01.19	PAN
P7	UPDATE TO PLANNING ISSUE	TXE	01.03.19	PAN
P8	Cycle Stands Updated	CJB	07.03.19	PAN
P9	Planning Issue	CJB	12.03.19	PAN
P10	Updated Landscaping Plan	TXE	15.03.19	PAN
P11	Planning Issue	CJB	18.03.19	PAN
P12	Parking layout amended	PAN	20.03.19	TXE
P13	Block B Setting Out Updated	TXE	12.07.19	PAN
P14	Incorporated updates to footpath widths and road layouts. Courtyard landscape amended to align with highways and other general improvements to site layout.	TXE	31.07.19	PAN
P15	UPDATED CYCLE ALLOCATION	TXE	06.08.19	PAN
P16	UPDATED BLOCK D CYCLES	TXE	07.08.19	PAN
P17	LANDSCAPE UPDATED	PAN	08.08.19	TXE
P18	LANDSCAPE UPDATED	TXE	29.10.19	AAH
P19	CAR PARK LANDSCAPING UPDATES AND EV PROVISION ILLUSTRATED	TXE	30.10.19	AAH
P20	EV CABLE DUCTING UPDATED, EV CHARGING POINTS SHOWN, FUTURE EV POWER SUPPLY ROUTES SHOWN	TXE	19.11.19	AAH
P21	PLANNING ISSUE	TXE	19.11.19	AAH
P22	UPDATES TO PARKING LAYOUT	TXE	30.03.20	AAH

Key

- 1 Bed Apartment
- 2 Bed Apartment
- 3 Bed Apartment
- EV Parking Spaces
- Ducting Provision for Future EV points
- Future wall / soffit mounted power supply route for EV bays

0 2 4 6 8 10m
 Scale 1:200

cjct
 careyones
 chapmantolcher

Victoria House, Southampton Row
 Bloomsbury, London WC1B 4EA
 Tel: +44 (0)20 7269 9400
 Fax: +44 (0)20 7269 9401
 www.cjctstudios.com

Rose Wharf, East Street
 Leeds LS9 8EE
 Tel: +44 (0)113 224 5000
 Fax: +44 (0)113 224 5001
 info@cjctstudios.com

Project: **Ellerby road Leeds** Job No: **14012**

Title: **UPPER GROUND FLOOR COMBINED SITE PLAN**

Scale: **1:250 @ A1 1:500 @A3** Drawn by: **TXE**

Date: **March 2017** Checked by: **PAG**

Drawing No: **(20)1000** Revision No: **P22**

PLANNING

Principal Surveyor
DVS -Sector Leader (North)

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1.0 Executive Summary

1.1 Instructions

Further to your original instructions dated 7 May 2019 and the DVS terms of engagement of the same date, it is understood that the Leeds City Council Planning Department require an updated review of the viability information provided by the applicant, 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 is a final report.

As you are aware DVS and I have considered a number of viability appraisals submitted by the Applicant in the past. These include the following;

- Viability Assessment Report November 2016 prepared by Harrison Developments.
- Viability Assessment Report April 2019 Ellerby Road/ East Street Development, Leeds by Harrison Developments.

My conclusions following submissions of the earlier viability appraisals were that the scheme was, in the main, viable.

However, the applicant has submitted a new viability appraisal prepared by Aspinall Verdi dated 19 February 2020 which you have asked me to review and comment on.

Planning Practice Guidance and the RICS Professional Statement promotes increased transparency and accountability, and for the publication of viability reports and review reports. It has, however been agreed that your authority, the applicant and their advisors will neither publish nor reproduce the whole or any part of this report, nor make reference to it, in any way in any publication. It is intended that a final report will later be prepared, which will redact certain personal and confidential data and that document will be available for public consumption.

1.2 DVS Viability Conclusion

This report explains that it is the independent conclusion of the DVS viability assessor that a scheme fully compliant with planning policy is unviable.

The DVS viability assessor concludes the scheme is able to support planning policy to the amount of £518,548 and 2.48% (8 Units) on site affordable housing.

1.3 Non-Technical Summary of Main Viability Assessment Inputs

Inputs	For Applicant (Assuming no Affordable Housing)	DVS Viability Review	Agreed	
Assessment Date	19 February 2020	19 February 2020	Agreed	
Scheme, Gross Internal Area, Site Area	322 Apartment, 247,914ft ² ; 2.4 acres	322 Apartment, 247,914ft ² ; 2.4 acres	Agreed	
Development Period	22.5 months	22.5 months	Agreed	
Gross Development Value	£50,070,225	£55,427,002	Not Agreed	
Market Housing blended Rent/ sq.ft/ p.a	£17.05	£17.75	Not Agreed	
Affordable Housing	Nil	8 Units (2.48%)	Not Agreed	
Planning Policy CIL / S.106 Total /Sect 278	£620,141	£638,548	Not Agreed	
Construction Cost inc. External Works Total and £/sq. ft.	£42,752,445 / £172.50ft ²	£42,752,445 / £172.50ft ²	Agreed	
Abnormal Cost	Included in the figure above, allowance for breaking out obstructions within the ground £80,000	Included in the figure above, allowance for breaking out obstructions within the ground £80,000	Agreed	
Contingency	3%	3%	Agreed	
Professional Fees	6.4%	6.4%	Agreed	
Finance Interest & sum	£2,300,678	£2,563,798	Not Agreed	
Other fees	Marketing	Nil	Agreed	
	Sales/Agency	1% for £186,683	0.75% £407,660	Not Agreed
	Legals	£243,341	0.25% £135,887	Not Agreed
	Land Acq Costs	£14,180	£14,180	Agreed
Profit % GDV	Profit as a percentage of cost -6.48%	Profit as a percentage of cost 8.08%	Not Agreed	
Benchmark Land Value	£900,000	£900,000	Agreed	
Viability Conclusion Planning Compliant Scheme	Profit as a percentage of cost -10.01%	Profit as a percentage of cost 5.145%	Not Agreed	
Deliverable Scheme	Nil Affordable Housing £620,141 Planning Policy CIL / S.106 Total /Sect 278	2.48% (8 Units) Affordable Housing £518,548 Planning Policy CIL / S.106 and £120,000 Sect 278	Not Agreed	

A site specific viability assessment review has been undertaken, the inputs adopted herein are unique to this site and scheme and may not be applicable to other viability assessments undertaken or reviewed by DVS.

2.0 Assumptions and Limitations

2.1 Covid-19 Pandemic

The assessment date for this scheme is before the outbreak of the Novel Coronavirus (COVID-19), declared by the World Health Organisation as a “Global Pandemic” on 11 March 2020, has impacted global financial markets. Travel restrictions have been implemented by many countries.

Market activity is being impacted in many sectors. If the assessment date were assumed to be the date of this report, we consider that we can attach less weight to previous market evidence for comparison purposes, to inform opinions of value. Indeed, the current response to COVID-19 means that we are faced with an unprecedented set of circumstances on which to base a judgement.

Our valuations are therefore reported on the basis of no ‘material valuation uncertainty’ as per VPS 3 and VPGA 10 of the RICS Red Book Global as the assessment date precedes the Covid Pandemic.

2.2 Date of Viability Review

The viability review has been assessed at 19th February 2020 and adopts values and build costs at that time.

2.3 RICS Requirements

In accordance with the requirements of RICS Professional standards, DVS as part of the VOA has checked that no conflict of interest arises before accepting this instruction. It is confirmed that DVS are unaware of any previous conflicting material involvement and is satisfied that no conflict of interest exists. It is confirmed that the valuer appointed has no personal conflict undertaking this instruction.

It is confirmed that all other valuers involved in the production of this report have also declared they have no personal conflict assisting with this instruction. Should any conflict or 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 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 area wide viability assessments in connection with the formulation of future policy.
- The appointed valuer, [REDACTED] MRICS 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, nor DVS advised this local planning authority in connection with the area wide viability assessments which supports the existing planning policy.

DVS are employed to independently review the applicant's financial viability assessment, and can provide assurance that the review has been carried out with due diligence and in accordance with section 4 of the professional standard. It is also confirmed that all other contributors to this report, as referred to herein, have complied with the above RICS requirements.

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 advisors listed above, as named third parties.

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.

Planning Practice Guidance promotes increased transparency and accountability, and for the publication of viability reports. However, it has been agreed that your authority, the applicant and their advisors will neither publish nor reproduce the whole or any part of the report, nor make reference to it, in any way in any publication. It is intended that a final report will later be prepared, detailing the agreed viability position or alternatively where the report is accepted a redacted version will be produced, void of personal and confidential data, and that this approved document will be available for public consumption.

None of the VOA employees individually has a contract with you or owes you a duty of care or personal responsibility. It is agreed 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 [REDACTED] MRICS, Registered Valuer, acting in the capacity of an external valuer, who has the appropriate knowledge, skills and understanding necessary to undertake the viability assessment competently and is in a position to provide an objective and unbiased review.

[REDACTED] is referred hereafter and in redacted correspondence as 'the DVS Valuer,' 'valuer,' 'reviewer' or 'assessor.'

As part of the DVS Quality Control procedure, this report and the appraisal has been reviewed [REDACTED] (Hons) MRICS, Registered Valuer who has the appropriate knowledge, skills and understanding necessary to complete this task.

2.6 Confirmation of Standards to be Applied

The viability assessment review has been prepared in accordance with paragraph 57 of the National Planning Policy Framework, which states that all viability assessments should reflect the recommended approach in the National Planning Practice Guidance on Viability, (July 2018, updated May 2019, September 2019).

The viability assessment review report has been prepared in accordance with the Professional Statement Financial Viability in Planning: Conduct and Reporting (effective from 1st September 2019). Regard has been made to the RICS Guidance Note "Financial viability in planning" 1st Edition (GN 94/2012), where applicable.

Valuation advice (where applicable) has been prepared in accordance with the professional standards of the Royal Institution of Chartered Surveyors: RICS Valuation – Global Standards and RICS UK National Supplement, commonly known together as the Red Book. Compliance with the RICS professional standards and valuation practice statements gives assurance also of compliance with the International Valuations Standards (IVS).

Whilst professional opinions may be expressed in relation to the appraisal inputs adopted, this consultancy advice is to assist you with your internal decision making and for planning purposes, and is not formal valuation advice for acquisition or disposal purposes. It is, however, understood that our assessment and conclusion may be used by you as part of a negotiation, therefore RICS Red Book professional standards PS1 and PS2 are applicable to our undertaking of your case instruction, compliance with the technical and performance standards at VPS1 to VPS 5 is not mandatory (PS 1 para 5.4) and they will only be applied to the extent not precluded by your specific requirement.

Where relevant measurements stated will in accordance with the RICS Professional Statement 'RICS Property Measurement' (2nd Edition) and, the RICS Code of Measuring Practice (6th Edition).

2.7 Agreed Departures from the RICS Professional Standards

It is agreed by you, that the report contains an agreed departure from 'RICS Property Measurement (2nd Edition)'. Specifically any office or residential property present or proposed will be reported upon using a measurement standard other than IPMS. Specifically the measurement standards of Net Internal Area, Gross Internal Area, Net Sales Area may be referred to / or will adopted as per the preceding measurement standard, the RICS Code of Measuring Practice (6th Edition).

DVS understand that you agree to this departure because adopting these widely recognised measurement standards is established practice in the construction/ residential industry. It is considered expedient to use the same measurement basis as the applicant, and, necessary to analyse the comparable data on a like with like basis. Using the same measurement basis will also aid transparency when comparing conclusions.

It is an agreed departure from the RICS Professional Statement Financial Viability in Planning: Conduct and Reporting not to include the DVS terms of engagement within this report.

2.8 Viability Methodology

The review of the applicant's viability assessment has been prepared in accordance with the recommended practice set out in the National Planning Policy Framework; the NPPG on Viability (July 2018, updated May 2019, September 2019)) and the Royal Institution of Chartered Surveyors (RICS) Financial Viability in Planning Guidance Note (1st Edition).

DVS have used the residual appraisal methodology, as is established practice for viability assessments. In simple terms the residual appraisal formula is:

Gross Development Value less Total Development Cost (inclusive of S106 obligations, abnormal development costs and finance) less Profit, equals the Residual Land Value.

The Residual Land Value is then compared to the Benchmark Land Value as defined in the Planning Policy Guidance on Viability. Where the Residual Land Value produced from an appraisal of a policy compliant scheme is in excess of the Benchmark Land Value the scheme is financially viable, and vice versa:

Residual Land Value > Benchmark Land Value = Viable

Residual Land Value < Benchmark Land Value = Not Viable

The appraisal can be rearranged to judge the viability of a scheme in terms of the residual profit, which is compared to the target profit:

Residual Profit > Target Profit = Viable

Residual Profit < Target Profit = Not Viable

2.9 Definitions of Bases of Value

Benchmark Land Value is defined at Paragraph 014 of the NPPG.

Existing Use Value is defined at Paragraph 015 of the NPPG.

Market Value is defined at VPS 4 of: RICS Valuation – Global Standards 2017 and RICS UK National Supplement.

2.10 Assumptions including Special Assumptions

The following assumptions and special assumptions have been agreed with the Council and applied:

- That your council's planning policy, or emerging policy, including for affordable housing is up to date.
- There are no abnormal development costs in addition to those which the applicant has identified, and (where an independent costs review has not been undertaken) the applicant's abnormal costs, where supported and considered reasonable by the valuer, can to be relied upon to determine the viability of the scheme, unless otherwise stated in the relevant section of this report.
- The site area and schedule of accommodation within the applicant's viability assessment can be relied upon to determine the viability of the development.

2.11 Validity

This report remains valid for 6 months from the date of this report unless market circumstances change or better information comes to light, which would cause the DVS Valuer to revise their opinion.

2.12 Inspection

██████████ inspected the site on 8 May 2019 and has carried out a number of other drive-by inspections during the course of acting on behalf of Leeds City Council. He is familiar with the area and property values in the locality. A partial, external inspection was undertaken. Parts of the site were not walked nor observed. The DVS valuer is reliant on the developer's surveyors information in this regard

2.13 Background Information Planning Status

As explained above I have provided previous viability advice in respect of this site, firstly my colleague prepared a viability report on behalf of the Council dated November 2016 for a scheme comprising 340 apartments. I was later instructed to carry out a viability report which was submitted in draft dated 3 July 2019. I then subsequently submitted a draft independent review of a development viability appraisal dated 13 November 2019 for a scheme of 322 PRS units.

The applicant has subsequently submitted an additional appraisal for 322 units including appraisals for a market value owner/occupied scheme and a PRS scheme.

In accordance with your instructions I have carried out a full review and re-visited all of the inputs adopted by the applicant. Where appropriate I have made changes to my review and alternative appraisal in light of recent agreements with other PRS developers which has formed a body of evidence for assessing PRS viability in Leeds.

3.0 The Proposed Development

3.1 The Site

The application site subject to the viability review is Land at Ellerby Road / East Street, Leeds.

Description

The site is divided into two plots and is currently undeveloped and self-seeded but was formerly identified as development site and sold by Leeds City Council to a developer in 2005. The developer subsequently became insolvent and Harrison Developments Ltd purchased the site from the administrator. The site is allocated within the Development Plan for residential use.



Source: Indicative CGI of Proposed Scheme, Harrison Website

3.2 Scheme

It is understood that the proposed development totals 322 x dwellings, of varying sizes. Total floor area for the scheme is 247,825ft² on a site of approximately 2.4 acres.

Please note and outline scheme may differ to the end development, thus the high level view of the overall viability may not accurately reflect the viability of the eventual scheme as developed.

3.3 Summary of Applicant's Viability Assessment

DVS refer to the applicant's Financial Viability assessment of 19 February 2020 and the appraisals therein.

The DVS valuer has not conducted any negotiations with the applicant or any of their other advisors.

With your consent, the DVS reviewer has contacted the surveyor at Aspinall Verdi to discuss the scheme and their approach to some appraisal inputs. The DVS reviewer has also obtained an electronic copy of the appraisal.

All correspondence has related to the provision of information, and not negotiation.

The Financial Viability Appraisal within the document appraises a scheme of 322 residential units with parking and a commercial unit.

The applicant has undertaken the following viability scenarios:

- 1) Market Sales for owner occupation with 7% affordable which concludes the scheme is unviable
- 2) PRS Scheme with 20% affordable housing assuming a 20% reduction in market rents which concludes the scheme is unviable
- 3) Market Sales for owner occupation with no affordable which concludes the scheme is unviable
- 4) PRS Scheme with no affordable housing which concludes the scheme is unviable

I agree with the applicants general conclusions for scenarios 1 and 3, however, I do not consider the conclusions within scenario 2 and 4 are reasonable. For the purposes of this report I have considered scenarios 2 and 4 and present alternative conclusions.

The applicant's viability appraisal for scenario 4 a PRS scheme with 20% affordable at 80% of rent is as follows:

- A Gross Development Value of £50,070,225.
- Development Costs total £52,040,733 including, construction costs, external costs, site specific abnormal costs, professional fees, marketing, sales agency and legal fees, finance.
- Developer Profit -6.48% of Gross Development Value.

To review the reasonableness of scenario 4 the applicant's appraisal inputs are considered in the following sections.

4.0 Development Period

4.1 Applicant's Development Period

The applicant's surveyor has adopted a 35 month development period, comprising a 12 month pre construction phase followed by 22.5 month construction and 1 months sales commencing after completion of the entire scheme.

4.2 Applicant's Distribution Curves

The applicants have adopted an s-curve distribution for site specific abnormal and construction costs, this is an industry norm and is agreed. The scheme has a 12 month pre-construction phase and a 21 month construction phase.

Regarding the sales distribution the entire property is sold upon practical completion.

4.3 DVS Development Period and Distribution Curve

DVS valuer is in agreement the entire property is sold upon practical completion. The development period adopted by is not considered reasonable as it was undertaken prior to the Covid 19 pandemic.

The DVS valuer has assumed the following: development period , comprising a 24 month pre construction phase (to reflect additional time to forward sell the scheme to an investor) followed by 23 months construction and 1 month sale period for the entire development to sell to an investor

The longer development period adopted by DVS is of detriment to the overall viability, due to the associated increasing finance costs. This could be examined by way of a sensitivity test in conjunction with other inputs which reflect risk.

5.0 Gross Development Value (GDV)

5.1 Applicant's GDV

The DVS valuer has considered the applicant's Gross Development Value of £50,070,225.

Comprising:

Market housing	£48,897,000
Affordable housing	Nil
Car parking	£743,500
Commercial Unit	£430,725

The valuer has considered the reasonableness of each component part.

5.2 Market Housing Revenue

The reasonableness of the Market Housing has been considered.

PRS Rental Revenue

The applicant has adopted the following market rental values for PRS apartments:

Type	Total Gross Rent Per Month	Total Gross Rent Per Annum	Units
1 Bed Flat	£700	£8,400	147
2 Bed Flat	£925	£11,100	92
3 Bed Flat	£1,050	£12,600	18
1 Bed Flat - AH	£560	£6,720	30
2 Bed Flat - AH	£740	£8,880	35
3 Bed Flat - AH	N/A	N/A	
Total			322

(Source: Aspinall Verdi January 2020)

5.2.1 Applicant's Evidence & Opinion of Value

The applicants advisor has presented asking rents for comparable private rental apartments in the surrounding area. The evidence does not represent transacted/agreed rents. In addition, the evidence relates to “buy to let” apartments where lettings take place between mainly private landlords with no services associated with PRS schemes. For instance, a PRS scheme offers a premium service with 24 hour on-site concierge and building management services which attract premium rents, in excess as more conventional “buy to let” evidence.

5.2.2 DVS Evidence

The VOA holds details of all sales of residential properties in the region including referencing information such as accommodation, floor areas etc. The valuer has analysed lettings of dwellings built since 2016 in the surrounding post code areas.

DVS also holds evidence of numerous schemes either under construction or in planning where viability appraisals have been submitted creating a body of evidence for PRS accommodation which the market place states will be let at a premium to conventional “by-to-let” properties. I summarise below the most recent nearby settlement in respect of rents for a similar scheme in a similar geographical area.

Redacted Table

I can provide further detailed evidence upon request subject to the Commissioners of Revenues Act restrictions.

5.2.3 DVS Reasoning and Conclusion

Further to their investigations and experience as a RICS Registered Valuer, it is the valuer's opinion that the applicant's conclusions regarding values for the PRS apartments are on the low side of the evidence. I have had particular regard to agreed rents at site B above which is in a similar location to Ellerby Road/ East Street.

In addition to the rental apartments the scheme includes commercial space which, based on the planning application, could be Use Class A1, A2, A3, A4, B1 and D1.

In my valuation of the commercial space I have taken account of rental evidence for a variety of uses including retail and bars. The evidence summarised below sets out a range of lettings in a number of settings. The rent paid in respect of Belle Vue Road and Clarence Dock are in my opinion the most informative. After applying valuer judgement I have adopted a rental value off £12 per sq ft. However, to reflect market uncertainty and the schemes location I have applied a rental void and tenants incentive allowance of 36 months.

Address	Date	Tenant	Rent per annum	Size (sq ft)	Headline rent per sq ft	Comments
3 Wellington Place	March 18	Café Nero	£35,351	3,391	£10.42	10 year term, 12 months rent-free
Unit 1, Briggs House, Belle Vue Road	Sept 17	Papa John's	£14,000	1,008	£13.88	15-year term
Stanley House, Clarence Dock	April 17	Yoga Hero	£16,000	1,600	£10.00	3 year term with 6-months rent-free
10 Wellington Place	Jan 18	Sociable Folk	£24,500	1,270	£19.29	5-year term with 4-months rent-free

As a consequence, the value of the commercial element, after applying a capitalisation yield of 7% the accommodation is worth in the region of £431,000.

5.3 Car Parking Revenue

In addition to the PRS units and commercial space within the scheme there are 124 parking spaces which have been valued by the applicants agent at £1,500 per space per annum which I agree with as fair and reasonable. I do not agree with the capitalisation yield and I have applied a yield of 4.65% based on agreements with other PRS developers/operators in Leeds City Centre.

5.3.1 Applicant's Opinion of Value and Evidence

No evidence has been supplied in support of car parking & retail values.

5.3.2 DVS Evidence and Opinion of Value

It is a fair reflection of the market that most apartments in central Leeds do not include parking as standard and spaces are separately purchased or rented.

Many of the comparable schemes in this area, however include residents parking in the consideration (designated and communal).

Further to the valuer's investigations it is the valuer's opinion that the applicant's conclusions regarding values for the car parking, are reasonable, the car-parking rents are agreed

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 24% which is based on agreements with other developers in Leeds where PRS viability appraisals have been submitted for multiple buildings within a scheme.

Operation Voids	2.5%
Bad Debt	0.5%
Council Tax Voids	1%
Void Utilities	1.5%
Management Fees	9% inclusive of VAT
Operational Expenditure	9.50%
Total	24%

Further evidence can be provided in due course on a confidential basis subject to the Commissioners of Revenues Act restrictions.

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 applicants has adopted an initial yield of 5% 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 4.65% which reflects the schemes location relative to the central business district and local amenities.

I can provide further detailed evidence upon request subject to the Commissioners of Revenues Act restrictions.

5.4 Affordable Housing Requirement

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 Zone 4 as 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.

Within their viability conclusion the applicant's surveyor has concluded the scheme cannot support any affordable housing. Within their modelling they have applied a discounted market rental approach to the provision of affordable housing whereby the market rents are discounted by 20%.

5.5 Affordable Housing Revenue

LCC's adopted Policy stipulates a requirement for 7% affordable housing. Based on the proposed residential development of 322 no. units, adopted policy requires that 23 no. units should be of affordable tenure.

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

The applicant has presented a viability appraisal assuming 7% of the scheme as affordable which is not viable based on the transfer rates below:

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

In accordance with national planning policy guidance, alternative approaches to affordable housing provision for the BTR sector are considered appropriate. The applicant has also presented a scenario where 20% of the scheme (65 units) are affordable and the rents are discounted by 20% from Market Rental Values. A policy compliant scheme on this basis is unviable.

5.6 Ground Rent Review

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.

5.7 Tax Reliefs

There is no allowance for tax reliefs in the applicant's assessment. There are significant costs within the development towards the decontamination and remediation of this site. DVS note that there are tax breaks such as Contaminated Land Tax Relief available to the effect that for every £1 spent in this way the developer could potentially reclaim around 24 pence (150% x 0.16). This would usually be recovered/offset in the same year tax year that it is spent.

If tax reliefs are applicable this will improve the viability of the scheme. The relief may not be applicable on this site, however, this is an area where the Council may wish to receive clarity and reassurance ahead of the final report. The DVS report and viability conclusion takes no account of any tax relief.

5.8 Grant Funding and other Revenue

There is no allowance for grants in the assessment. It is considered unlikely that grants are applicable here, however this is an area where it is recommended the Council receive clarity and reassurance ahead of the final report.

Other revenue may relate to income from existing buildings retained telecommunication masts or advertising rights (if part of the development)

The DVS report and viability conclusion takes no account of grant or other revenue. Again the Council may wish to receive clarity and reassurance ahead of the final report.

5.9 DVS Conclusion Gross Development Value (GDV)

For the purpose of the report the DVS valuer's opinion of Gross Development Value of £56,428,000. This comprises:

Market housing	£51,572,038
Affordable housing	£1,105,237
Commercial Space	£ 430,725
Parking Spaces	£ 3,320,000

The applicant's surveyor's GDV is £50,070,225 million. This is not like with like as it reflects a no affordable homes.

As part of any future negotiation or appeal process, and in the event further or better sales evidence, or new information including in relation to tax relief, additional income or a change in the scheme or a change in the assessment date the DVS valuer reserves the right revisit this provisional opinion of GDV.

6.0 **Gross Development Costs**

6.1 Total Construction Cost

Para 12 of the NPPG explains that the assessment of costs should be based on evidence which is reflective of local market conditions. The RICS viability guidance indicates that site specific costs should be used to assess viability of a scheme where available.

A site specific cost plan detailing the anticipated development costs for the outline scheme, has been prepared by Rex Proctor and Partners (RPP), and is included as an appendix to the applicant's viability report. Further to this the applicant's estimated Total Construction, inclusive of externals and abnormal costs is £42,752,445

The applicant has relied on BCIS & tendered costs of £172.50 per sq ft. The DVS valuer has checked and can confirm the rate is correct. Having regard to other build cost information the DVS valuer can confirm that this rate remains current for PRS schemes based on benchmarking with other city centre schemes, and can be accepted as reasonable to determine the viability of this site.

6.2 Contingency

The applicants advisors have also allowed a 3% contingency, applied to both base and external construction costs.

This is considered to be an acceptable allowance.

6.3 Professional Fees

The applicant has used 6.4% for professional fees, applied to build cost and externals.

On the evidence available 6.4% is regarded to be within normal parameters for volume house builders and can be accepted. The DVS valuer has adopted the same.

6.4 Planning Policy Financial Contributions

There are the following CIL, Section 106 and S278 planning policy contributions included in the applicant's viability assessment. Your council have provided the following figures for the scheme:

Pedestrian Crossing	120,000
Travel plan fund fee	80,581
CIL - indexed to 2019	132,000
Open space contrib est	295,635
Loss of Parking Space	6,000
Travel plan monitoring fee	4,332

Thus the total for Planning Policy contributions in the DVS appraisal is £518,548 with an addition S278 for off-site highways works of £120,000.

6.4.1 Section 106 Hierarchy and Timing

Regarding the timing of these contributions, the valuer has sought guidance from your Authority and consequently they agree with Aspinall Verdi's cash-flow assumption for the Section 106 costs.

6.5 Finance

The applicant's debit rate of 5% is considered and has been accepted.

6.6 Remaining Cost Inputs

The remaining development cost inputs have largely been carried forward into the DVS review assessment, unless otherwise stated. These include:

- Sales legal fees 0.5% of all revenue is not reasonable. DVS has adopted 0.25% for the sale of the completed scheme.
- Sales agent fees of 1% of all revenue is not reasonable. DVS has adopted 0.75% for the sale of the completed scheme.
- Land acquisition and legal fees totalling £ £14,180 is accepted.
- Stamp Duty Land Tax at the prevailing (commercial) rate is also included.

7.0 Benchmark Land Value

7.1 Applicant's Benchmark Land Value

The applicant's surveyor has adopted a Benchmark Land Value of £900,000 this has been based on the purchase price.

This equates to approximately £375,000 per gross acre.

This methodology is not accepted as reasonable but the adopted benchmark land value is similar to my conclusion based on an alternative use basis.

7.2 Purchase Price

The PPG and the RICS encourage the reporting of the purchase price to improve transparency and accountability.

RICS FVIP 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 NPPG on viability very much dissuades the use of a purchase price as a barrier to viability this is reinforced at several places in the PPG: DVS refer to paragraph 2: and paragraphs 6,11,14,18:

The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan. And;

Under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan.

The PPG does not invalidate the use and application of a purchase price, or a price secured under agreement, where the price enables the development to meet the policies in the plan.

Whilst the manner in which land is generally purchased for build to rent schemes is not always compatible with assumptions for traditional viability assessments, DVS would welcome confirmation of the purchase price and payment schedule ahead of the final report.

As the planning application is being considered under this framework, it is the valuer's view this takes precedent over the RICS FVIP note.

7.3 Alternative Use Value (AUV)

An Alternative Use Value approach is applicable in this case. The site has an historic planning consent for Multi-Level Development of Mixed Use Comprising 185 Flats 3000sqm of Commercial and 255 Car Parking spaces (20/21/04/FU).

The DVS reviewer recognises that residential redevelopment of the site is encouraged under the Development Plan. As a consequence an Alternative Use Value approach may be applicable in this case.

The DVS valuer has considered approaching the AUV land value by carrying out a residual valuation of the previously consented scheme and reflected upon whether the residual sum represents a fair return to the land owner. I summarise below the previously consented scheme which has lapsed.

Previously Consented Scheme Summary

REVENUE		
Sales Valuation	Units	ft²
1 Bed	40	18,400
2 Bed	52	35,516
92 Car Parking Space @ £20,000	1	1
1 Bed	40	18,400
2 Bed	53	36,199
37 Car Parking Spaces @ £20,000 ea	1	1
Totals	187	108,517
Rental Area Summary	Units	ft²
Office Block	1	32,292
Ground Rent Freeholds	92	92
Ground Rent Freehold	93	93
Totals	186	32,477

The outcome of my residual appraisal of the previous consent supports a benchmark land value of £900,000.

I have therefore accepted the benchmark land value proposed by the applicant at £900,000, however, I do not agree with the manner at which they have arrived at the land value.

7.4 DVS Benchmark Land Value

The applicant's reliance on Purchase price is not accepted in principal. However the figure adopted by the applicant is similar to my approach adopting the Alternative Use Value.

The DVS valuer's opinion of BLV is £900,000 and this has been used as a threshold for judging viability.

8.0 Profit

8.1 Applicant's Profit Position

The applicant states a target profit at 10% of GDV.

8.2 Professional Guidance on Dual Rate

It is considered the standard industry practice is to apply a lower profit levels to the affordable housing than the market housing. This 'dual rate' approach to profit has been recommended by the Homes and Communities Agency (now Homes England) since the 2009 Good Practice Note; Investment and Planning Obligations.

For traditional affordable housing (socially rented and shared ownership where the affordable housing body is responsible for the onward sales) the Registered Providers are often involved at planning stage, securing the purchase price and (sometimes) providing up front capital; thus, there is little risk to the developer and, it is commonly accepted practice that the profit should reflect this. A dual rate is frequently adopted in local plan viability studies.

This continues to be recognised by the recent viability PPG, (DVS emphasis) that *... 15-20% of gross development value (GDV) may be considered a suitable return to developers in order to establish the viability and ...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.*

8.3 DVS Position on Profit

10% of GDV is not accepted as a suitable profit for this scheme

For my review I have adopted a target profit at 8% of gross development costs for the entire scheme. I consider profit margins at this level is well supported by other similar PRS developments DVS have appraised and reviewed in Leeds and that 8% profit is acceptable for determining the viability of the scheme.

Further evidence can be provided in due course on a confidential basis to support 8% profit on cost subject to the Commissioners of Revenues Act restrictions.

9.0 DVS Viability Conclusion

9.1 Viability Methodology

The DVS development appraisals fix both the benchmark land value and the developer's profit. The residual output represents either the surplus available or the development deficit.

9.2 Viability Appraisal of Policy Compliant Scheme

Appraisal 1 - reflects a planning compliant scheme including 20% on site affordable housing (assuming a 20% reduction in market rents) and £132,000 CIL ,S106 £518,548 and S278 contributions of £120,000.

As detailed above the DVS valuer has a difference of opinion over a number of inputs to the appraisal and the cumulative effect of these changes is that the viability appraisal identifies generates a positive profit level in of 5.14% of GDC.

It is DVS valuer's independent conclusion a fully planning compliant scheme is not viable.

9.3 Maximum Policy Viable Scheme

As the scheme cannot meet full policy requirements the valuer has considered the maximum contributions that the scheme could viably provide.

Your Council have now confirmed the hierarchy of obligations, as follows:

- 1) Community Infrastructure Levy
- 2) Section 278
- 3) Section 106
- 4) Affordable Housing

The valuer has gradually reduced the policy in line with the stated hierarchy until the residual profit is in excess of the profit target.

Through a series of iterations to the appraisal the DVS valuer has established that the maximum on site affordable provision is 8 Units (2.48%).

A copy of this appraisal is included as Appendix 2.

It is DVS valuer's independent conclusion this scheme can viably provide *the whole of the required CIL and Section 106 contributions and 2.48% on site affordable housing.*

9.4 Sensitivity Tests

Further to the requirements of the RICS professional standard sensitivity tests are included to illustrate the robustness of the conclusions detailed above.

It is widely recognised that small alterations to appraisal inputs can lead to different results, the following sensitivity tests have been undertaken:

9.4.1 Sensitivity Test - Impact of a Change in Market Conditions

The DVS valuer has chosen to vary the two most sensitive appraisal inputs of capitalisation yield and build costs, adjusting these in upward and downward steps of 0.25% and looking at the consequential impact on the base conclusion which is shown in bold at the centre of the results table below.

This test has been applied the deliverable scheme (8 Units) to illustrate the robustness of the conclusion.

Viable Scheme: Table of Profit Amount and Profit on GDC% following adjustments to the capitalisation yield

The profit target is 8.078% of GDC.

Table of Profit on Cost% and Gross Development Value

Rent: Yield				
-0.5000%	-0.2500%	0.0000%	+0.2500%	+0.5000%
4.1500%	4.4000%	4.6500%	4.9000%	5.1500%
20.918%	14.138%	8.078%	2.628%	-2.298%
£63,214,358	£59,628,763	£56,428,002	£53,553,244	£50,957,074

The table shows that an improvement in the capitalisation yield from 4.65% to 4.4% results in an improvement in profits from 8.078% to 14.138%.

9.5 Further Sensitivity Tests

Further sensitivity tests can be carried out at the council's request.

9.7 DVS Viability Conclusion

Having regard to the hierarchy specified, it is the considered conclusion of the DVS valuer that this scheme can viably support the all of the CIL, S106, S278 costs and the provision of 8 affordable units.

You have also requested that I provide a conclusion that summarises the total amount of section 106 monies are available and a commuted sum in lieu of on-site affordable housing is summarised below.

Summary of Section 106 and Commuted Sums

Contribution	Amount
Community Infrastructure Levy	£132,000
Open Space Contribution	£295,635
Loss of Parking Space	£6,000
Travel Plan Monitoring Fee	£4,332
Commutated Sum in lieu of affordable housing	£288,000
Total	£725,967

10.0 Recommendations

10.1 In the Event of Incorrect Assumptions

If any of the assumptions stated herein this report and in the attached appraisals are incorrect the matter should be referred back to DVS as a re-appraisal may be necessary.

This is an outline scheme, therefore only a high level review can be undertaken, the parties are aware that if the final scheme alters in particular in terms of density or building efficiency, the conclusions herein may not be valid. Further to this and the advice that your Council's full planning policy requirements will not be met, a review clause might be appropriate as a condition of the permission.

10.2 Additional Information

Please note the conclusion makes no adjustment for any tax reliefs or grant funding that the developer may secure, you may wish to seek assurances from the developer that they will not benefit from these, or any other incentives, through developing this site.

10.3 Viability Review

Given that, based on this advice, your Council's full planning policy requirements will not be met, a review clause might be appropriate as a condition of the permission.

The appraisal embraces the costs and revenues appropriate to the valuation date and is therefore valid only if the building construction work commences within the next 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 a re-appraisal may be required.

The DVS Valuer would be pleased to discuss any of the foregoing with yourself or members of planning team if you require. The instruction does not currently extend to negotiations with the applicant / applicant's surveyor, however, if your authority think that this would be of benefit this can be facilitated through a separate instruction.

Should the applicant disagree with the conclusions of our assessment, we would recommend that they provide further information to justify their position. Upon receipt of further information and with your further instruction, we would be happy to review the new information and reassess the schemes viability.

If the applicant does not wish to contest the report, a redacted version of this report can be issued at your request. If the DVS valuer does not hear back from you within six weeks they will close the case.

The DVS valuer assume that all parties will restrict the report's circulation as appropriate.

[Redacted]

[Redacted]

APPRAISAL SUMMARY**LICENSED COPY**

Ellerby Road/East Street, Leeds
20% Affordable at 80% of Market Rents

Summary Appraisal for Merged Phases 1 & 2

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
Resi - 1 bed	150	89,000	18.75	8,625	983,250	1,293,750	983,250
Resi - 2 bed	103	70,349	16.30	11,133	871,483	1,146,689	871,483
Resi - 3 bed	14	12,810	18.18	16,635	176,993	232,886	176,993
car parking	1	1	188,000.00	188,000	154,380	188,000	154,380
Commercial Space	1	3,078	12.00	36,936	36,936	36,936	36,936
Construction Cost	1	278,250		0	0		
AFF 80% MR - 1 bed	27	12,420	15.00	6,900	141,588	188,300	141,588
AFF 80% MR - 2 bed	24	16,392	13.04	8,908	162,451	213,752	162,451
AFF 80% MR - 3 bed	4	3,660	14.54	13,304	40,444	53,216	40,444
Totals	325	465,960			2,567,526	3,349,529	2,567,526

Investment Valuation

Resi - 1 bed							
Current Rent	983,250	YP @	4.6500%	21.5054	21,145,161		
Resi - 2 bed							
Current Rent	871,483	YP @	4.6500%	21.5054	18,741,579		
Resi - 3 bed							
Current Rent	176,993	YP @	4.6500%	21.5054	3,806,306		
car parking							
Current Rent	154,380	YP @	4.6500%	21.5054	3,320,000		
Commercial Space							
Market Rent	36,936	YP @	7.0000%	14.2857			
(3yrs Rent Free)		PV 3yrs @	7.0000%	0.8163	430,725		
AFF 80% MR - 1 bed							
Current Rent	141,588	YP @	4.6500%	21.5054	3,044,903		
AFF 80% MR - 2 bed							
Current Rent	162,451	YP @	4.6500%	21.5054	3,493,576		
AFF 80% MR - 3 bed							
Current Rent	40,444	YP @	4.6500%	21.5054	869,773		
							54,852,023

GROSS DEVELOPMENT VALUE 54,852,023

Purchaser's Costs (959,910)
Effective Purchaser's Costs Rate 1.75% (959,910)

NET DEVELOPMENT VALUE 53,892,113

NET REALISATION 53,892,113

OUTLAY**ACQUISITION COSTS**

Fixed Price (2.40 Acres 375,000.00 pAcre)	900,000		900,000
Land registry	580		
Legal Fee	10,800		
Legal Fee - disbursements	3,000		
Legal Fee - contingency	3,000		
Fee to LDC for covenant release	10,000		
Planning fee	62,283		
Pre-planning fee	5,600		
Planning consultant	11,750		
District Valuer fees	6,750		
Utility survey	4,000		
Survey	2,535		
Ecologist	2,830		
Surveys	31,627		
Condition survey	3,790		
			158,325

Other Acquisition

Site signage		5,500	
Rights of light		3,000	
Tree and shrub clearance		11,000	
Condition survey		200	
			19,700

CONSTRUCTION COSTS

Construction	ft ² Build	Rate ft ²	Cost	
Construction Cost	247,825	172.50	42,749,813	42,749,813
Developers Contingency		0.56%	239,399	
Pedestrian Crossing			120,000	
Travel plan fund fee			80,581	
CIL - indexed to 2019			132,000	
Open space contrib est			295,635	
Loss of Parking Space			6,000	
Travel plan monitoring fee			4,332	
				877,947
Other Construction				
Building control			1	
Furniture	268 un	2,000.00 /un	538,000	
Furniture	55 un	2,000.00 /un	110,000	
				648,001

PROFESSIONAL FEES

Professional Fees		6.40%	2,735,988	2,735,988
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MARKETING & LETTING

PR / SCI			5,000	
CGIs			10,000	
				15,000

DISPOSAL FEES

Sales Agent Fee		0.75%	404,191	
Sales Legal Fee		0.25%	118,534	
Sales Legal Fee		0.50%	38,393	
				557,118

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Additional Costs

Funder's monitoring fees			38,000	38,000
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FINANCE

Debit Rate 5.000%, Credit Rate 0.000% (Nominal)				
Land			198,702	
Construction			2,358,567	
Total Finance Cost				2,557,269

TOTAL COSTS

51,255,160

PROFIT

2,636,953

Performance Measures

Profit on Cost%	5.14%
Profit on GDV%	4.81%
Profit on NDV%	4.89%
Development Yield% (on Rent)	5.01%
Equivalent Yield% (Nominal)	4.87%
Equivalent Yield% (True)	4.81%
IRR	9.47%
Rent Cover	1 yr
Profit Erosion (finance rate 5.000)	1 yr

APPENDIX 2: Argus Appraisal DVS Viability Conclusion (8 Units 2.48%)

APPRAISAL SUMMARY

LICENSED COPY

Ellerby Road/East Street, Leeds
2.48% Affordable (8 units) at 80% of Market Rents

Summary Appraisal for Merged Phases 1 2

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
Resi - 1 bed	173	79,580	18.75	8,625	1,134,015	1,492,125	1,134,015
Resi - 2 bed	124	84,892	16.30	11,133	1,049,164	1,380,480	1,049,164
Resi - 3 bed	17	15,555	18.18	16,635	214,920	282,790	214,920
car parking	1	1	188,000.00	188,000	154,380	188,000	154,380
Commercial Space	1	3,078	12.00	36,936	36,936	36,936	36,936
Construction Cost	1	278,250		0	0		
AFF 80% MR - 1 bed	4	1,840	15.00	6,900	20,976	27,600	20,976
AFF 80% MR - 2 bed	3	2,049	13.04	8,906	20,306	26,719	20,306
AFF 80% MR - 3 bed	1	915	14.54	13,304	10,111	13,304	10,111
Totals	325	465,960			2,640,809	3,445,954	2,640,809

Investment Valuation

Resi - 1 bed							
Current Rent	1,134,015	YP @	4.6500%	21.5054	24,387,419		
Resi - 2 bed							
Current Rent	1,049,164	YP @	4.6500%	21.5054	22,562,677		
Resi - 3 bed							
Current Rent	214,920	YP @	4.6500%	21.5054	4,621,942		
car parking							
Current Rent	154,380	YP @	4.6500%	21.5054	3,320,000		
Commercial Space							
Market Rent	36,936	YP @	7.0000%	14.2857			
(3yrs Rent Free)		PV 3yrs @	7.0000%	0.8163	430,725		
AFF 80% MR - 1 bed							
Current Rent	20,976	YP @	4.6500%	21.5054	451,097		
AFF 80% MR - 2 bed							
Current Rent	20,306	YP @	4.6500%	21.5054	436,697		
AFF 80% MR - 3 bed							
Current Rent	10,111	YP @	4.6500%	21.5054	217,443		
					56,428,002		

GROSS DEVELOPMENT VALUE 56,428,002

Other Acquisition

Site signage	5,500
Rights of light	3,000
Tree and shrub clearance	11,000
Condition survey	200
	19,700

CONSTRUCTION COSTS

Construction	ft ² Build	Rate ft ²	Cost
Construction Cost	247,825	172.50	42,749,813
Developers Contingency		0.56%	239,399
Pedestrian Crossing			120,000
Travel plan fund fee			80,581
CIL - indexed to 2019			132,000
Open space contrib est			295,635
Loss of Parking Space			6,000
Travel plan monitoring fee			4,332
			877,947

Other Construction

Building control			1
Furniture	315 un	2,000.00 /un	630,000
Furniture	8 un	2,000.00 /un	16,000
			646,001

PROFESSIONAL FEES

Professional Fees	6.40%	2,735,988
		2,735,988

MARKETING & LETTING

PR / SCI	5,000
CGIs	10,000
	15,000

DISPOSAL FEES

Sales Agent Fee	0.75%	415,804
Sales Legal Fee	0.25%	135,887
Sales Legal Fee	0.50%	5,429
		557,120

Additional Costs

Funder's monitoring fees	38,000
	38,000

FINANCE		
Debit Rate 5.000%, Credit Rate 0.000% (Nominal)		
Land	205,942	
Construction	2,358,567	
Total Finance Cost		2,564,509

TOTAL COSTS 51,296,902

PROFIT 4,143,609

Performance Measures

Profit on Cost%	8.08%
Profit on GDV%	7.34%
Profit on NDV%	7.47%
Development Yield% (on Rent)	5.15%
Equivalent Yield% (Nominal)	4.67%
Equivalent Yield% (True)	4.81%

IRR 12.12%

Rent Cover 1 yr 7 mths
 Profit Erosion (finance rate 5.000) 1 yr 7 mths

DRAFT

Applicant S Harrison Developments Ltd

Application Number: 19/02081/FU

Agent: ID Planning
Mr Jon Dunbavin
9 York Place
Leeds
LS1 2DS

Proposed Development At: Land At Ellerby Road, Cross Green, Leeds,

Proposal: Full Planning Application for 322 Dwellings and ancillary flexible commercial space (use class A1, A2, A3, A4, B1 and D1)

- 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 works or development shall commence until a written arboricultural method statement for a tree care plan during construction in accordance with British Standard S5837 (2012) Trees in relation to design, demolition and construction has been submitted to and approved in writing by the Local Planning Authority. This should include details of access, scaffolding, storage, contractors parking, service runs and changes in levels. Works or development shall then be carried out in accordance with the approved method statement.

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

- 4) No works to or removal of hedgerows, trees or shrubs, or built structures with bird-nesting potential shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation or built structures for active birds nests immediately before (within 24 hours) the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority within 3 days of such works commencing.

To protect nesting birds in vegetation.

- 5) Prior to the commencement of development a Method Statement for the control and eradication of Japanese Knotweed (hereafter referred to as the Target Species) shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement will include post-treatment monitoring of the site to ensure a continuous 12-month period of time occurs where none of the Target Species is identified growing on the whole site, if any Target Species is identified as growing on-site during the 12-month monitoring period then treatment shall resume and continue until a continuous 12-month period with no Target Species occurs. The agreed Method Statement shall thereafter be implemented in full.

To control the spread of non-native invasive plant species

- 6) The development shall not commence until a condition survey of Bow Street and East Street (Within Site Extents), has been submitted to and approved in writing by the Local Planning Authority. Any highway damage to the surface course, sub bases, kerbs and/or drainage systems on Bow Street and East Street (Within Site Extents) identified as a result of construction traffic for the development must be remedied by the Applicant to the satisfaction of the Local Planning Authority prior to first occupation of the development.

In the interests of highways safety.

- 7) No development shall take place until a plan showing sight lines of 2.4m x 27m to the right side of the vehicular access onto Bow Street and to East Street to the left shown on the approved plan has been submitted to and approved in writing by the Local Planning Authority. These sight lines shall be retained clear of all obstructions to visibility greater than 1.05m in height above the adjacent carriageway for the lifetime of the development.

In the interests of highways safety.

- 8) Prior to commencement of development a Statement of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:
- a. the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
 - b. measures to control the emissions of dust and dirt during construction;
 - c. location of site compound and plant equipment/storage;
 - d. construction traffic management plan
 - e. location of contractor and sub-contractor parking
 - f.. how this Statement of Construction Practice will be made publicly available by the developer;
 - g. measures to control surface water runoff from site during the construction period;
 - h. Construction activities shall be restricted to 08.00 to 18.00 hours Monday to Friday and 09.00 to 13.00 hours on Saturdays with no works on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.
- The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of highways safety, flood prevention and residential amenity.

- 9) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence until a Phase II Site

Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

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

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

- 10) 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.

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

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

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

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

- 13) Development shall not commence until a feasibility study into the use of infiltration drainage methods has been submitted to, and approved by the council. The study shall contain the results of soakaway tests -carried out in accordance with BRE Digest 365 and an appraisal of various infiltration systems that could reasonably be employed on the site.

To ensure sustainable drainage and flood prevention.

- 14) No development shall be brought into use/occupied until a SuDS management and maintenance plan for the lifetime of the development, including arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme, has been submitted to and approved in writing by the Local Planning Authority.

To ensure the continued operation and maintenance of drainage features serving the site and reduce the risk of flooding

- 15) Development shall not commence until a drainage scheme (i.e. drainage drawings, summary calculations and investigations) detailing the surface water drainage works as well as arrangements for its future maintenance (e.g. adoption by the Water Company) have been submitted to and approved in writing by the Local Planning Authority. The maximum rate of discharge, off-site, shall not exceed 5l/s, unless otherwise agreed with the Local Planning Authority. The drainage scheme shall be in accordance with the details set out in the Flood Risk Assessment and Drainage Strategy provided by Curtins, Ref: 037885-FRA-SB REV 2 dated 19 March 2019. The works shall be implemented in accordance with the approved scheme before the development is brought into use.

To ensure sustainable drainage and flood prevention.

- 16) Prior to the commencement of above ground building works, a sound insulation scheme designed to protect the future occupants of the proposed dwellings from noise emitted by nearby sources shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed prior to first occupation of the development and shall thereafter be retained. The scheme shall also include a ventilation strategy, which provides for the adequate control of room comfort, where windows will need to remain closed to meet the internal noise level targets. Prior to occupation, a post completion sound test to demonstrate compliance with agreed criterion shall be submitted for approval. In the event that sound levels exceed the specified limits, the applicant shall undertake corrective action and re-test. Once compliance can be demonstrated the results shall be re-submitted for approval.

In the interests of residential amenity.

- 17) No above ground building works shall take place until details for the provision of off-site highways works shown on the submitted plan reference 16109/GA/01 REV I including a signalised toucan crossing on East Street along with the Bow Street/East Street Junction improvements, site access arrangement footway/cycling works, Car Club Bay, and any associated traffic regulation orders have been submitted to and approved in writing by the Local Planning Authority for inclusion in the section 278 Highways Agreement or to be secured by such other procedure as may be agreed between the applicants and the Local Planning Authority. Works shall be completed prior to the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of pedestrian and vehicular safety.

- 18) Prior to the commencement of above ground building works an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority for that phase, which shall include a detailed scheme comprising:
- a recycled material content plan
 - a Site Waste Management Plan (SWMP),
 - an energy plan and details of systems showing the amount of on-site energy produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand,

- d. details that demonstrate a minimum of 20% carbon dioxide emissions reduction against Part L of the 2013 Building Regulations
- e. details that demonstrate how the Low Water Usage Target has been met,
- f. a proposal to make the development future proof in terms of pipe runs from the plant room(s) to the curtilage of the block to enable connection to the local district heat network. The development shall be carried out in accordance with the details as approved above;
- g. Within 6 months of the occupation of the development a post- construction review statement including formal accreditation shall be submitted by the applicant and approved in writing by the Local Planning Authority.

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

In the interests of sustainable development.

- 19) Prior to the commencement of building works, full details of all external walling and glazing materials, and a sample panel of all external walling materials, roofing and glazing types to be used shall be constructed on-site and approved in writing by the Local Planning Authority. The external cladding and glazing materials shall be constructed in strict accordance with the sample panel(s).

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

- 20) No building works shall be commenced until full 1 to 20 scale working drawing details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - a. soffit, roof line and eaves treatments
 - b. junctions between materials
 - c. each type of window bay proposed
 - d. ground floor frontages

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

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

- 21) No surfacing works shall take place 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 and completed prior to the occupation of the building.

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

- 22) Prior to the commencement of above ground building works, a Plan shall be submitted to and approved in writing by the Local Planning Authority for integral bat roosting and bird nesting features (for species such as House Sparrow and Swift) within buildings. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a timetable for implementation and commitment to being installed under the instruction of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained thereafter.

To maintain and enhance biodiversity.

- 23) The development hereby permitted shall not be occupied until full details of both hard and soft landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include
- (a) proposed finished levels and/or contours,
 - (b) boundary details, means of enclosure and retaining structures,
 - (c) car parking layouts,
 - (d) other vehicle and pedestrian access and circulation areas,
 - (e) hard surfacing areas,
 - (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
- Soft landscape works shall include
- (h) planting plans
 - (i) written specifications (including tree pits, root cells, soil depths, cultivation and other operations associated with plant and grass establishment) and
 - j) schedules of plants noting species, planting sizes and proposed numbers/densities.

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

To ensure the provision and establishment of acceptable landscaping.

- 24) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping.

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

To ensure maintenance of a healthy landscape scheme.

- 26) Prior to the commencement of above ground building works, full details of electric vehicle charging points in the car park shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided in accordance with the approved details prior to first use of the car park, and retained as such thereafter.

In the interests of encouraging more sustainable forms of travel and to reduce the impact of development on air quality.

- 27) Notwithstanding the details shown on the plans hereby approved and prior to the commencement of above ground building works, full details of the facilities for the parking of cycles for residents shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking facilities thereby approved have been provided. The facilities shall thereafter be retained and maintained as such.

In in the interest of promoting sustainable travel.

- 28) Prior to the commencement of above ground building works, details for the separate provision of waste and recycling bin stores for commercial and residential uses (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use commences and shall be retained thereafter for the lifetime of the development.

In the interests of highways safety and residential amenity.

- 29) Details of any external extract ventilation system for commercial food premises shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and the system shall be installed and maintained in accordance with the approved details and retained for the lifetime of the development. Hot food uses will often require an extract ventilation system to deal with odour and fumes. Guidance on suitable design is provided in DEFRA guidance at: <http://www.defra.gov.uk/publications/files/pb10527-kitchen->

In the interests of residential amenity.

- 30) The operating hours of ground floor commercial unit shall be restricted to 08.00 to 23.00 hours Monday to Saturday and 10.00 to 22.00 hours on Sundays and Bank Holidays.

In the interests of residential amenity.

- 31) Deliveries to and from the ground floor commercial unit, including loading and unloading and refuse collection, shall be restricted to 08.00 to 20.00 hours Monday to Saturday and 09.00 to 18.00 hours on Sundays and Bank Holidays.

In the interests of residential amenity.

- 32) Prior to the first occupation of the ground floor commercial unit, details of a servicing, deliveries and refuse strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall operate in accordance with the approved strategy thereafter.

In the interests of residential amenity and pedestrian and vehicular safety.

- 33) Plant and machinery operated from the site 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 BS4142:2014 (or any subsequent amendment).

In the interests of residential amenity.

- 34) Surface water from areas used by vehicles shall be passed through an oil and petrol interceptor of adequate capacity prior to discharge to the public sewer. Roof water shall not be passed through the traditional stage or full retention type of separator. The interceptor shall be retained and maintained thereafter.

To ensure pollution prevention.

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

To ensure the free and safe use of the highway.

- 36) Prior to the commencement of above ground building works, full details for the provision of a diverted Public Right of Way through the site in accordance with approved plan ref. shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter. The public footpath shall be accessible for use from first occupation for the lifetime of the development.

In the interests of pedestrian connectivity.

- 37) No development shall commence until full details (set out in Accessible Housing Plan and an Accessible Housing Mix Check Table) of the following matters have been submitted to and approved in writing by the Local Planning Authority:

- Which and how many dwellings within the development are required to satisfy M4(2)* accessible and adaptable dwellings standards;
- Which and how many dwellings within the development are required to satisfy M4(3)* wheelchair adaptable dwellings standards;
- Which and how many dwellings within the development are required to satisfy M4(3)* wheelchair accessible dwellings standard.

*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 Housing Plan and Accessible Housing Mix Check Table shall be implemented and the accessible dwellings 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.

- 38) Following completion of at least 50% of the dwellings within the development as a whole 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;
- Which and how many dwellings within the development have satisfied M4 (3)* wheelchair adaptable dwellings standards;
- Which and how many dwellings within the development have satisfied M4 (3)* wheelchair accessible dwellings standard.

*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.

Plans Schedule :-

Plan Type	Plan Reference	Received
Site Location Plan/Red Line/OS Plan	(10)_1000 P01	03.04.2019
Proposed elevation(s)	(10)D_202 P6	03.04.2019
Proposed floor plan(s)	(20)1001 P9	03.04.2019
Proposed floor plan(s)	(20)1002 P7	03.04.2019
Proposed floor plan(s)	(20)1003 P7	03.04.2019
Proposed floor plan(s)	(20)1004 P7	03.04.2019
Proposed floor plan(s)	(20)1005 P7	03.04.2019
Proposed floor plan(s)	(20)1006 P7	03.04.2019
Roof Plan	(20)1008 P5	03.04.2019
Sections/Cross Sections	(20)300 P5	03.04.2019
Sections/Cross Sections	(20)301 P6	03.04.2019
Sections/Cross Sections	(20)302 P4	03.04.2019
Sections/Cross Sections	(20)303 P5	03.04.2019
Proposed floor plan(s)	(20)A_100 P6	03.04.2019
Proposed floor plan(s)	(20)A_101 P5	03.04.2019
Proposed floor plan(s)	(20)A_102 P5	03.04.2019
Proposed floor plan(s)	(20)A_103 P5	03.04.2019
Proposed floor plan(s)	(20)A_104 P5	03.04.2019
Proposed floor plan(s)	(20)A_105 P5	03.04.2019
Proposed floor plan(s)	(20)A_106 P5	03.04.2019
Proposed elevation(s)	(20)A_200 P7	03.04.2019
Proposed elevation(s)	(20)A_201 P7	03.04.2019
Proposed elevation(s)	(20)A_202 P7	03.04.2019
Proposed elevation(s)	(20)A_203 P5	03.04.2019
Proposed floor plan(s)	(20)B_101 P5	03.04.2019
Proposed floor plan(s)	(20)A_102 P5	03.04.2019
Proposed floor plan(s)	(20)A_103 P5	03.04.2019
Proposed floor plan(s)	(20)A_104 P5	03.04.2019
Proposed floor plan(s)	(20)A_105 P5	03.04.2019
Proposed floor plan(s)	(20)A_106 P5	03.04.2019
Proposed elevation(s)	(20)A_200 P7	03.04.2019
Proposed elevation(s)	(20)A_201 P7	03.04.2019
Proposed elevation(s)	(20)A_202 P7	03.04.2019
Proposed elevation(s)	(20)A_203 P5	03.04.2019
Proposed floor plan(s)	(20)B_101 P5	03.04.2019
Proposed floor plan(s)	(20)B_102 P5	03.04.2019

Proposed floor plan(s)	(20)B_103 P5	03.04.2019
Proposed floor plan(s)	(20)B_104 P5	03.04.2019
Proposed floor plan(s)	(20)B_105 P5	03.04.2019
Proposed floor plan(s)	(20)B_106 P5	03.04.2019
Proposed floor plan(s)	(20)B_107 P5	03.04.2019
Roof Plan	(20)B_108 P5	03.04.2019
Proposed elevation(s)	(20)B_200 P6	03.04.2019
Proposed elevation(s)	(20)B_201 P6	03.04.2019
Proposed elevation(s)	(20)B_202 P6	03.04.2019
Proposed elevation(s)	(20)A_203 P5	03.04.2019
Proposed floor plan(s)	(20)B_101 P5	03.04.2019
Proposed floor plan(s)	(20)B_102 P5	03.04.2019
Proposed floor plan(s)	(20)B_103 P5	03.04.2019
Proposed floor plan(s)	(20)B_104 P5	03.04.2019
Proposed floor plan(s)	(20)B_105 P5	03.04.2019
Proposed floor plan(s)	(20)B_106 P5	03.04.2019
Proposed floor plan(s)	(20)B_107 P5	03.04.2019
Roof Plan	(20)B_108 P5	03.04.2019
Proposed elevation(s)	(20)B_200 P6	03.04.2019
Proposed elevation(s)	(20)B_201 P6	03.04.2019
Proposed elevation(s)	(20)B_202 P6	03.04.2019
Proposed elevation(s)	(20)C_099 P5	03.04.2019
Proposed floor plan(s)	(20)C_101 P5	03.04.2019
Proposed floor plan(s)	(20)C_102 P5	03.04.2019
Proposed floor plan(s)	(20)C_103 P5	03.04.2019
Proposed floor plan(s)	(20)C_104 P5	03.04.2019
Proposed floor plan(s)	(20)C_105 P5	03.04.2019
Proposed floor plan(s)	(20)C_106 P5	03.04.2019
Proposed floor plan(s)	(20)C_107 P5	03.04.2019
Roof Plan	(20)C_108 P5	03.04.2019
Proposed elevation(s)	(20)C_200 P6	03.04.2019
Proposed elevation(s)	(20)C_201 P6	03.04.2019
Proposed elevation(s)	(20)C_202 P6	03.04.2019
Proposed floor plan(s)	(20)D_101 P5	03.04.2019
Proposed floor plan(s)	(20)D_102 P5	03.04.2019
Proposed floor plan(s)	(20)D_103 P5	03.04.2019
Proposed floor plan(s)	(20)D_104 P5	03.04.2019
Proposed floor plan(s)	(20)D_105 P5	03.04.2019
Proposed floor plan(s)	(20)D_106 P5	03.04.2019
Roof Plan	(20)D_107 P5	03.04.2019
Proposed elevation(s)	(20)D_200 P6	03.04.2019
Proposed elevation(s)	(20)D_201 P6	03.04.2019
Proposed floor plan(s)	(20)0999 P13	27.11.2019
Proposed floor plan(s)	20)1000 P21	27.11.2019
Sections/Cross Sections	(20)304 P02	27.11.2019
Proposed floor plan(s)	(20)A_0999 P11	27.11.2019
Proposed floor plan(s)	(20)B_100 P9	27.11.2019
Proposed floor plan(s)	(20)C_100 P9	27.11.2019

Proposed floor plan(s)	(20)D_100 P9	27.11.2019
Block Plan/Layout Plan	16109/GA/01 REV I	27.11.2019
Landscape Scheme	RF17-393-L04 REV I	27.11.2019
Travel Plan	V4	11.12.2019
Proposed floor plan(s)	(25)005H10	22.10.2019
Proposed floor plan(s)	(25)006H10	22.10.2019
Proposed floor plan(s)	(25)007H10	22.10.2019
Proposed floor plan(s)	(25)008H10	22.10.2019
Proposed floor plan(s)	(20)1000 P17H10	22.10.2019
Tree Survey	472	13.08.2019
Tree Survey	19126R00	13.08.2019
Other	SUSTAINABILITY ENERGY STRATEGY REV D	03.04.2019
Block Plan/Layout Plan	(20)1000_P22	02.04.2020

Reason(s) for granting consent:-

For information:-

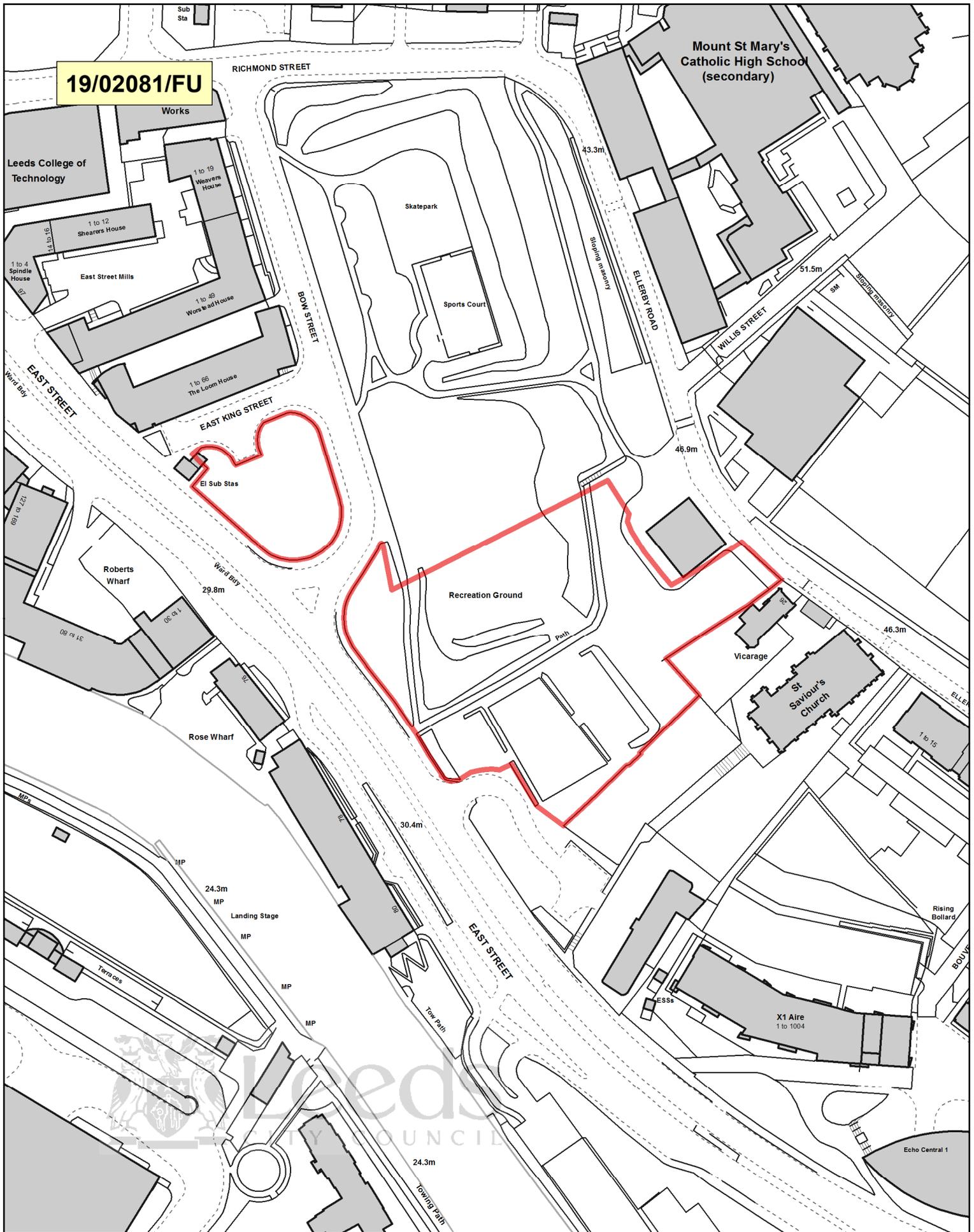
- 1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website and further discussion where appropriate to produce an acceptable development. For this particular application, positive discussions took place which resulted in further information being submitted to allow the application to be approved.
- 2) The applicant should be aware that there is an Agreement/Obligation by way of undertaking under Section 106 of the Town and Country Planning Act 1990 affecting this sit
- 3) The contractor must ensure compliance with current legislation on noise and dust control including the Environmental Protection Act 1990 and the Control of Act 1974. Relevant Codes of Practice set out procedures for dealing with the control of noise on construction and demolition sites are contained in BS5228: 2009 Noise and Vibration Control on Construction and Open Sites.
- 4) The applicant is requested to consider participating in the Considerate Constructor's Scheme, details of which can be found here:
<http://www.ccscheme.org.uk/>
- 5) All reports addressing land contamination should be compiled in accordance with best practice and policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

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

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

- 6) The applicant is advised that remediation of any contaminated site is required to a standard such that the site would be suitable for use policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006. This includes the quality of imported soils and soil forming materials. The developer is responsible for ensuring that development is safe and suitable for use for the intended purpose.
- 7) Food businesses must be registered with the Local Authority. Please contact Leeds City Council Health and Environmental Action Service, Food and Health Services, Millshaw Park Way, Churwell, Leeds, LS11 0LS. Telephone: 0113 2477789 or email env.health@leeds.gov.uk for details.
- 8) The development should not be brought into use until a grease trap has been provided on the drainage outlet(s) from the food preparation areas. The grease trap should be retained at all times thereafter.
- 9) This approval should not be construed to imply that a licence under the provisions of the Licensing Act 2003 will be granted. For further information the applicant should contact Leeds City Council, Entertainment Licensing Section, Telephone 0113 378 5029 email: entertainment.licensing@leeds.gov.uk/licensing).

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



CITY PLANS PANEL

