

**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

**Date: 23<sup>rd</sup> February 2023**

**Subject: 22/04895/FU - Construction of new buildings for residential (C3), purpose-built student accommodation (Sui Generis) and commercial uses (Class E), landscaping, servicing, internal access road, car parking, modifications to highways access, site clearance and associated works - Former Yorkshire Post Site Wellington Street, Leeds, LS1 1RF**

**Developer: Urbanite (Leeds) Ltd c/o QUOD Capitol, Bond Court, Leeds LS1 5SP**

**Electoral Wards Affected:**

Little London and Riverside

☐ Yes

Ward Members Consulted

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

**RECOMMENDATION:**

**DEFER and DELEGATE to the Chief Planning Officer for approval subject to the resolution of highways matters concerning vehicle tracking, the specified conditions set out in Appendix 2 (and any amendment to these and addition of others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:-**

**Leeds City Council Travel Plan Review fee of £16,957**

**Provision of Leeds City Council Car Club provider parking spaces x 2**

**Provision of a Residential Travel Plan Fund of £89,001**

**Offsite affordable housing commuted sum of £3,193,985. (This sum will be subject to independent valuer verification)**

**Offsite Greenspace contribution commuted sum (£184,934.73)**

**Contribution towards West Street highway Improvement Scheme (£262,721)**

**Wayfinding Contribution (£12,000)**

**Provision for TRO amendments**

**Maintenance of the internal road**

**Control of student occupancy and retention of public accessibility through the site**  
**Section 106 management fee**

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

**1.0 INTRODUCTION:**

- 1.1 Members will be aware of several major development proposals located towards the western end of Wellington Street (collectively termed the “West End”) that will involve substantial investment and deliver significant improvements to townscape, public realm and connectivity in the area and, wider economic benefits including meaningful employment and housing opportunities. Some of those schemes, such as land at the former International Pool site at Lisbon Street (planning ref 21/05142/FU), have already commenced whilst others such as the 31 storey residential development at the extreme north-western corner of the West End (Ridgeback Group, planning ref 22/02970/FU) has been found acceptable by City Plans Panel and is delegated to officers to grant consent pending the completion of a legal agreement.
- 1.2 The scheme brought forward for determination today is the latest in this ‘string’ of high density, residential led developments bordering the Inner Ring Road at the western end of Wellington Street and applies to the long (predominantly) vacant former Yorkshire Post site. The site is in a stage of only partial redevelopment following erection of the first phase of a former outline planning permission (The Headline Building).
- 1.3 Members will recall the presentation of the pre-application proposals for this site to City Plans Panel on 24th March 2022. Members comments included:
- Members welcomed the use of art structures celebrating the previous industries which had occupied this site, and how they would be used to mitigate wind flow through the development.
  - This was a good application which would enhance this area.
  - A thoughtful presentation which had provided a lot of answers. Particularly liked the use of trees as wind baffles.
  - Like the openable windows as it was recognised in 10 years the noise and pollution levels would be different.

A copy of the minutes of that meeting are appended to this report as Appendix A.

The application has been brought to City Plans Panel for determination under the terms of the officer/member delegation agreement due to the scale and significance of the proposals.

**2.0 SITE AND SURROUNDINGS:**

- 2.1 The subject site of this application is the remainder of the former Yorkshire Post Site, excluding that part which has recently been redeveloped for a major Build to Rent (BtR) scheme (16/07088/RM). The site comprises the remaining, undeveloped parts of the former Yorkshire Post site, which has been vacant since 2013. It has recently been used for the construction compound for the recently constructed, completed and

now occupied residential building known as 'The Headline'. The site (in its entirety as a compound of land) extends to c. 1.9ha, occupying a key gateway location.

- 2.2 Following the demolition of the former Yorkshire Post building in 2014 the Site has been cleared for redevelopment (the only remaining structure on the site is the clock tower of the Yorkshire Post building which was retained and reclad and now accommodates a digital advertising screen). The site falls within the western part of Leeds City Centre and is within the designated City Centre Boundary. The site is located within the Little London and Woodhouse Ward. It is bound to the north by Wellington Street, and to the east by Wellington Bridge Street. Its southern boundary is consistent with the River Aire, and the western boundary with the recently constructed 'The Headline' building.
- 2.3 A range of works to serve the entire former Yorkshire Post site, including the Site have been undertaken as part of the first phase of the original outline consent. This includes temporary flood risk alleviation and drainage works, including underground water storage tank, the removal of contaminated materials; breaking up and grubbing of former slabs and foundations across the whole site; importing site materials and raising site levels generally; ducting for incoming services. Separate to these current application proposals, the applicant is proposing the delivery of some of the flood alleviation works in the Site's river frontage which form a part of the Flood Alleviation Scheme (No 2) by Leeds City Council along the River Aire, to the west (and east) of the site.
- 2.4 The first reserved matters for the previous outline consent were approved for Plot D (application reference 16/07088/RM, City Plans Panel 02.02.2017) and has now been constructed for 'The Headline' building, public realm and access to the site, as well as the highway works to serve the redevelopment of the entire site. No other phases of the original outline scheme have come forward as part of the original outline consent masterplan.
- 2.5 Within the Site Allocation Plan, the site is identified as a Mixed-Use site, ref. MX1-24. In view of the previous consent, recognising the Site as being capable of delivering up to 37,000 sqm of office floorspace and 204 dwellings; it is however not specifically allocated for this specific quantum of development, nor these specific uses only.
- 2.6 Potentially affected heritage assets within visual range of the application site are set out at 9.4.12 of this report.

### **3.0 PROPOSAL:**

- 3.1 The application proposes the formation of three buildings, on a generally east/west axis, new public realm and a revised site access point from Wellington Bridge Street. In summary, full planning permission is sought for:
- Building A: 42 storeys and providing 1,131 student bedspaces (1,022 cluster bed spaces and 109 studios)
  - Building B: 32 storeys and providing 651 student bedspaces.(474 cluster bed spaces and 177 studios)
  - Building C: 25 storeys and providing 348 Build to Rent apartments.
  - Supporting commercial uses – a flexible space within the ground floor of Building C (411.5sqm) and a standalone kiosk within the public realm (52.5sqm).
  - Associated public realm, equating to 62% of the Site area, alongside cycle and pedestrian facilities. The landscaping proposes significant new tree planting including a "micro-forest" in the south-west corner.

- Modified site access from the western boundary with Wellington Bridge Street.
- A predominantly car free development save for car club and disabled spaces

### 3.2 Building A

This building would be closest to Wellington Street, and step via two 'shoulders' from 13 storeys to a maximum height of 42 storeys. This building is proposed for Purpose Built Student Accommodation (PBSA) and would provide 1,131 student units (120 Studios (11%) incl 22.no accessible studios and 1,011 Cluster Beds (89%) incl 39.no acc. beds). The ground, mezzanine and first floor levels of the building would contain 1517m<sup>2</sup> student ancillary spaces to service the future residential community on the site as well as plant rooms, study spaces, laundry, reception, refuse and cycle storage facilities.

### 3.3 Building B

This building is to the south of Building A and runs largely parallel with it and set back 13 m from it at its closest point. The proposed height is 32 storeys and again is intended to host student accommodation in the form of 651 student bed spaces (177 Studios (27%) including 30.no acc. Studios and 474 Cluster Beds (73%)).

Building B is proposed to feature a basement level swimming pool and associated leisure facilities for residents, with ground, mezzanine floors hosting a reception/management area, student lounge, plant and refuse, a resident gym at the mezzanine level, with student residential accommodation proposed at first floor and above.

### 3.4 Building C

This building would sit at the southern part of the site, adjacent to the River Aire and steps via two 'shoulders' from 12 and 14 storeys to a 25 storey height. It would provide 348 apartments, including a roof top external amenity space. A flexible commercial ground floor unit of 411.5 sqm (Class E) at Building C is also proposed.

### 3.5 Public Realm and routes

The buildings are proposed to be set in a landscaped public realm, which extends to approximately 62% of the site's area (excluding the road which is approximately 5% of the site area), providing:

- Connections to the external public highway, including two-way access (in/out) of the Wellington Street (as provided for 'The Headline' building), one-way entry (in only) from Wellington Bridge Street.
- Delivering the consented access route through the site.
- Focusing the ground level of the development around a major public square and creating new connections into and through the site.
- Creation of a riverside amenity space (see relevant planning history), which will connect the site in an east/west direction with other development taking place, including Wellington Place.
- The creation of substantial public realm, with approximately 62% of the site put over to public open space, which will link into and complement the public open space that has been developed as part of the 'Headline' scheme, to create a significant public square.

- Standalone flexible commercial kiosk of 52.5 sqm (Class E) within the public realm area.

#### Landscaping and planting

- 3.6 70 new street trees are proposed for the site. Street trees will be specified as extra heavy standards, with min. 2m clear stems.

These trees are in addition to a proposed micro-forest, which has a density of approx. 3 trees per sqm and an area of approx 220 sqm. This means that the Microforest can provide approximately 660 trees.

#### Site Access and Parking

- 3.7 A predominantly car free development is proposed, save for car club and three disabled spaces at surface level. A modified vehicular access into the site would be delivered from the west via Wellington Bridge Street on a one-way basis, with this to be secured via S278 Agreement under the Highways Act. The existing access junction to the north-east via Wellington Street will be retained, with a road link provided through the centre of the Site that connects these two points of access. Loading bays are included along this road to allow for servicing, deliveries and taxis.

#### Wind Mitigation Structures / Columns

- 3.8 2.no towers will be recreated fronting onto Wellington Bridge Street. The towers will have two solid sides and two perforated facades for the first 20m in height reaching approximately 30 metres in total height. The applicant has committed to rehosting the former site's clock / temperature gauge and this is likely to be on the tower closest to the Wellington Street junction.

#### Projected programme of delivery

3.9

Determination of planning application	February 2023
S106 executed	March 2023
Submission and approval of pre-commencement conditions	April 2023 – June 2023
Enabling works to commence	June 2023
Full building works to commence	October 2023
Build durations	Building A – 4 years, Building B - 4 years, Building C and Riverside Walkway– 3 years

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

- 4.1 Outline consent (LPA Ref: 14/07956/OT) was approved in 2015 for a Mixed-Use development of residential/hotel, office and ancillary commercial use, controlled via a series of 'parameter plans' over four plots. The application description was as follows:

"a mixed use scheme comprising office (B1), residential and/or hotel (C3/C1) and a flexible range of supporting uses at ground floor (A1-A5, D1 and D2) with basement car parking; public open space and modifications to the site access junctions".

The application proposed four principal blocks (Buildings A-D), alongside two smaller commercial units. Outline permission was granted, with all matters reserved other than access, with the details of new site junctions into the site approved at outline stage. The outline permission was subject to several non-material amendments since, including adjustments to the approved access arrangements (ref. 19/9/00198/MOD).

The parameter plans established the layout for that scheme. The plans also set building heights as well as parameters for public open spaces, active frontages and connectivity through the site. The outline consent was subject to a s106 Agreement (the Legal Agreement) with legal obligations relating to financial contributions to public transport improvements and off-site highways works, travel planning for the development and submission of details for public access areas for each phase.

Condition 3 of the Outline Permission required the submission of all reserved matters applications for the remaining phases of development to be made by 27 October 2019 at the latest. No applications have subsequently been made, and the time period for submitting further reserved matters applications under this Outline Consent has now expired.

- 4.2 Reserved Matters application for appearance, layout, landscaping and scale for Phase 1 ('The Headline' building) were considered and approved under application 16/07088/RM having been considered by City Plans Panel on 2<sup>nd</sup> February 2017.
- 4.3 Pre-application discussions (PREAPP/18/00636) in relation to redevelopment of the site in 2019 from 2 no BtR buildings (419 units) of 17 and 23 storeys and a hotel of up to 19 storeys took place in 2018/2019. The scheme attracted the Council's support (the City Plans Panel and Officers), for a scheme of significant scale on the majority of the site, but ultimately did not come forward as a consequence of wind and microclimate conditions that could not be addressed through that scheme's design.
- 4.4 The application brought forward for determination relates to the proposals presented to Members on 24<sup>th</sup> March 2022 (PREAPP/22/00145)

Members comments included:

- Members welcomed the use of art structures celebrating the previous industries which had occupied this site, and how they would be used to mitigate wind flow through the development.
- This was a good application which would enhance this area.
- A thoughtful presentation which had provided a lot of answers. Particularly liked the use of biophilic trees as wind baffles.
- Like the openable windows as recognised in 10 years the noise and pollution levels would be different.

- 4.5 22/06166/FU - Creation of riverside walk and associated landscaping works, Former Yorkshire Post Site, Wellington Street, Leeds

This application has been submitted in parallel to the application under consideration and relates to the provision of a new route leading from the western edge of the application site southward parallel to the river edge and linking up to both the existing section of Riverside Walk installed on completion of 'The Headline' building and that programmed for installation to Wellington Place's later phases. The proposals are

subject to further consultation with the Environment Agency and are yet to be determined.

- 4.6 22/02970/FU - Construction of 31 storey building providing 399 dwellings (Use Class C3) incorporating ancillary amenity space, landscaping and other associated works (pending determination) - Land Between Westgate And Cropper Gate Leeds, LS1 4PL

The application relates to a vacant cleared site on the opposite side of Wellington Street from the Former Yorkshire Post site and was considered at City Plans Panel on 3<sup>rd</sup> November 2022 and deferred and delegated to the Chief Planning Officer for approval subject to resolution of matters identified by the Health and Safety Executive (HSE); to the specified conditions (and any amendment to these and addition of others which he might consider appropriate), and the completion of a Section 106 agreement. It is yet to be determined.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The scheme principles and scope of the application were agreed with Council officers during pre-application discussions and the emerging proposals were presented to City Plans Panel in March 2022 . An Environmental Impact Assessment (EIA) Screening Opinion was issued to the applicant on 24 May 2022 concluding that significant wide ranging environmental effects are not expected to arise from the proposed development, either individually or cumulatively with other developments, and therefore an EIA was not required.

## **6.0 RELEVANT PLANNING POLICIES:**

### **6.1 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 and as amended by the Core Strategy Selective Review 2019)
- Saved Leeds Unitary Development Plan Policies (UDPR 2006)
- The Natural Resources & Waste Local Plan (NRWLP 2013) including revised policies Minerals 13 and 14 (2015).
- Leeds Site Allocations Plan (SAP 2019)

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

### **6.2 Development Plan**

#### **6.3 Leeds Core Strategy (CS)**

Leeds 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 site is located within the City Centre boundary. The most relevant policies are set out below:

- Spatial Policy 1 Location and scale of development.

- Spatial Policy 2 hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture
- Spatial Policy 3 City Centre Development
- Spatial Policy 6 Housing requirement and allocation of housing land
- Spatial policy 7 distribution of housing land and allocations
- Spatial Policy 8 Economic development priorities
- Spatial Policy 9 Employment
- Spatial Policy 11 Transport infrastructure investment priorities such as pedestrian improvements
- Policy CC1 City Centre Development
- Policy CC3 Improving connectivity between the City Centre and Neighbouring Communities.
- Policy H3 Housing Density
- Policy H4 Housing Mix
- Policy H5 Affordable Housing
- Policy H6 purpose-built student housing
- Policy EC3 Employment use land
- Policy P10 Design
- Policy P11 Heritage
- Policy P12 Landscape
- Policy T1 Transport management
- Policy T2 Accessibility requirements and new development
- Policy H9 Space Standards
- Policy H10 Accessible Dwellings
- Policy EN1 Carbon dioxide reduction
- Policy EN2 Sustainable design and construction
- Policy EN4 District heating
- Policy EN5 Managing flood risk
- Policy EN8 Electrical Vehicle Charging
- Policy G5 Open space provision
- Policy G8 Protection of important species and habitats
- Policy G9 Biodiversity Improvements

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

Relevant Saved Policies include:

- Policy GP5 all planning considerations
- Policy BD2 / BD5 design and siting of new buildings
- Policy LD1 landscaping

#### **6.5 Leeds Natural Resources and Waste DPD**

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 1 water efficiency including sustainable drainage
- Water 7 surface water run-off
- Water 2 protection of water quality



- Water 4 development in flood risk areas
- Water 6 flood risk assessments
- Land 1 contaminated land
- Land 2 development and trees
- Minerals 3 coal safeguarding

## **6.6 Relevant Supplementary Planning Documents/Guidance (SPD/SPG):**

- SPD Tall Buildings Design Guide
- SPD Building for Tomorrow Today: Sustainable Design and Construction
- Transport SPD
- SPD Accessible Leeds
- SPG City Centre Urban Design Strategy
- HMO, Purpose-Built Student accommodation and Co-Living Amenity Standards SPD (Draft)

## **6.7 Site Allocations Plan**

The Site Allocations Plan was adopted in July 2019. Following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the green belt, has been remitted to the Secretary of State and is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight.

The SAP identifies the Former Yorkshire Post site as a mixed use allocation (ref. MX1-24) for c. 204 residential units and 37,000 sqm of office floorspace.

## **6.8 National Planning Policy Framework 2021 (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 7-14)
- 4 Decision making (paras 38 - 58)
- 5. delivering a sufficient supply of homes (60-80)
- 6 Building a strong competitive economy (81-83)
- 7 Ensuring the vitality of town centres (86-91)
- 8 Promoting healthy and safe communities (92-97)
- 9 Promoting sustainable transport (104-113)
- 11 Making effective use of land (119-125)
- 12 Achieving well designed places (126-135)
- 14 Meeting the challenge of climate change and flooding (152-169)
- 15 Conserving and enhancing the natural environment (174-188)
- 16 Conserving and enhancing the historic environment (including paras 189-208)

## **6.8 Other Legislation**

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 (the “Listed Building Act 1990”) reads:

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

## **6.9 Consultations Undertaken**

### **STATUTORY**

#### **6.9.1 Environment Agency**

The Environment Agency have advised no objections to the proposed development subject to a condition controlling the development to be in accordance with the submitted Flood Risk Assessment, controls requiring ‘less vulnerable uses’ at ground floor level and controls on finish floor level heights.

The Environment Agency have also commented on the scope of the submitted Biodiversity Net Gain (BNG) calculation submitted and advised this should be commented upon by the Nature Conservation Officer as the metric calculations did not take into account a series of trees formerly located at the north western edge of the application site.

The Nature Officer has advised that works that led to the removal of the vegetation referred to in the EA’s Informative comments (which were not the basis of an objection) were not linked to this current application (they were implemented as part of a separate consent for works relating to the provision of the adjacent Cycle superhighway route and therefore should not be considered as deliberate removal of vegetation to reduce the biodiversity value of the site prior to submitting the current planning application.

The Nature Team is satisfied deliberate “pre-planning-related” destruction of vegetation has not taken place, and therefore the BNG Metric calculations do not need to be recalculated.

#### **6.9.2 Health and safety Executive (HSE) (Fire Safety – Planning Gateway One)**

HSE issued a substantive response (significant concern) dated 02/09/2022, under the reference pgo-1701, in relation to a consultation received on 02/08/2022. HSE then issued a substantive response (some concern) dated 02/12/2022, in relation to a consultation and revised information received on 10/11/2022.

The applicant and officers then held two meetings with HSE to discuss the outstanding fire safety concerns relating to the single direction means of escape within building A and B, (specifically on the 2nd to 12th floors within building A and the 3rd to 10th floors in building B). This has implications for means of escape and firefighter access travel distance. The meetings took place on 20/12/2022 and 10/01/2023.

The applicant then provided HSE with a response to outstanding concerns discussed at those meetings. Following a review of the information provided in the applicant's response, HSE have advised they are satisfied with the fire safety design of this planning application. HSE have acknowledged that the proposed design modifications (involving the relocation of stair cores within buildings A and B), appear to have addressed HSE's concerns relating to the length of the single direction (western) corridors of the 2nd to 12th floors within building A and the 3rd to 10th floors within block B. The relocation of both stair cores appears to have reduced the length of the corridors making these more acceptable for both means of escape and firefighter access.

6.9.3 Civil Aviation Authority

No comments received

6.9.4 Coal Authority

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

6.9.5 Canal and Rivers Trust

Canal and Rivers Trust wrote to the Local Planning Authority on 4<sup>th</sup> August 2022 to advise they have no comment to make on the application.

6.9.6 Yorkshire Water

Yorkshire Water have advised no objections to the proposals, subject to conditions related to development being undertaken in accordance with the submitted / proposed drainage strategy for the site.

**NON-STATUTORY**

6.9.7 Sustainability - Design Team

The proposals have been assessed by the design team alongside the conservation and planning teams as part of a series of pre application meetings since June 2021. The proposals presented to members represent the latest and most settled design solution for the site and correspond to the advice provided by the design officer at various stages of both the pre application and formal application processes with regard to architectural treatments, massing and scale and materiality.

6.9.8 Influencing Travel Behaviour (ITB)

The Travel Plan has been assessed against the adopted Travel Plan SPD and the emerging policy Transport SPD. ITB advise that the Travel Plan is considered acceptable and should be included within the Section 106 agreement with respect to a review fee of £16.957, provision of Car Club Spaces and provision of a Residential Travel Plan fund.

#### 6.9.10 Flood Risk Management

The Flood Risk Management Team have advised that the development can be made acceptable in flood risk terms though the use of conditions controlling development in accordance with the submitted drainage assessment, controls on temporary drainage measures during the construction phases and the provision of a flood evacuation plan

#### 6.9.11 Highways

The proposals will require a s278 agreement under the Highways Act to be agreed concerning the new site access to Wellington Bridge Street. Highways also acknowledge the acceptability of a predominantly car free development in this sustainable location. A contribution towards a programmed cycle improvement scheme at West Street should be provided. Maintenance of the internal road must be secured through the section 106 agreement alongside conditions concerning a highways condition survey, construction management, provision of cycle and motorcycle parking, provision of wayfinding contribution (s106), provision of electrical vehicle charging points, disabled parking

#### 6.9.12 Contaminated Land

The Contaminated Land Team advise no objection to the proposals which have been supported by a Preliminary Land Quality Risk Assessment, Ground Investigation Interpretative Report and Remediation and Verification Strategy. Conditions are recommended with regard to the submission and approval of verification reports.

#### 6.9.13 Conservation Team

The Conservation Team have advised that the proposals would introduce no level of harm to the significance of nearby Listed Buildings and only low levels of harm to the significance of St Paul's House and the Leeds City Centre Conservation Area. The Conservation Officer further advises that there are no designated or non-designated heritage assets within the site, but the wall along the eastern boundary of Wellington Way immediately adjacent to the site should be considered to be a non-designated heritage asset as the only above ground remnant of Bean Ings Mill. The proposed development is not considered to be harmful to the setting of the wall.

#### 6.9.14 Landscape Team

The Landscape Team advise no objection subject to the following matters being controlled through conditions:

- Pre-commencement Tree Protection
- Full and finalised hard and soft Landscape details
- Landscape management plan (for lifetime of the development as per LCC guidance)
- Preservation / replacement of trees for 5 years

#### 6.9.15 Environmental Health Services (Pollution Control)

Environmental Health have advised no objections subject to conditions controlling the following matters:

- Controls on access times and the playing of music to terrace areas and management plan to control occupancy levels to external terraces
- Submission of a scheme to combat overheating
- Provision of full details of a sound insulation scheme
- Controls on maximum plant noise outputs

#### 6.9.16 Environmental Studies (Transport Strategy)

No objections subject to controls by condition on dust and particulate management. Environmental Studies have advised that the air quality assessment submitted demonstrates that air quality standards will not be exceeded either at the application site or elsewhere as a result of the development.

Environmental Studies further advise the proposal is classified as a major development for the purposes of the West Yorkshire Air Quality and Emissions Technical Planning Guidance (part of the West Yorkshire Low Emission Strategy). Accordingly, a cost damage calculation has been provided to establish the appropriate level of mitigation required for the increase in vehicle emissions resulting from the scheme. The overall damage cost was determined as £23,428 for all three buildings comprising the development. Providing that the total value of mitigation measures equals or exceeds the overall damage cost and are appropriate in terms of emissions reduction there are no objections to this approach: (note the proposed travel plan measures equate to £89,001 and relate to car Club membership as part of a predominantly car free development and are therefore in exceedance of the cost damage calculation).

#### 6.9.17 Sustainable Development Unit (Climate Change)

No objections subject to conditions concerning the following matters

- Provision of Building Regulations UK Part L reports for completed development
- Provision of Standard Assessment Procedure (SAP) sheets for building C post construction
- Provision of contract specifications for solar PV and Air Source Heat Pumps prior to commencement
- Details of specifications of water fixtures to be provided
- Full details of future proofed connection to district heat network.

#### 6.9.18 West Yorkshire Archives

No comments received

#### 6.9.19 West Yorkshire Police

The building and site layout has been designed to create a building which is a safe, and secure environment for residents, visitors and passers-by. It seeks to make a beneficial contribution to the prevention and fear of crime and promote enhanced security within and around the building through a range of measures. It is further recommended that access is controlled by phone QR codes; CCTV should cover all entrance and exit points and glazed areas are protected from vehicle strike. West Yorkshire Police agree with officer recommendations to closely assess the specifics

on locations for lighting, CCTV and other safety provisions as part of the assessment of landscaping proposals at condition discharge stage.

6.9.20 Employment and Skills

No comments received

6.9.21 Access Officer

The Access Officer has been closely involved with the design evolution of the scheme and advises the scheme meets the policy requirements for accessible dwellings and the scheme's accessibility strategy is acceptable. Further advice has been provided with regard to measures for seating within the public realm, to be controlled through conditions.

6.9.22 Ramblers Association

No comments received

6.9.23 Health Partnership

No comments received

6.9.24 Public Health

No comments received

6.9.25 Children's Services

Children's services estimate the proposed development apartments would yield approximately 7 primary school pupils. Current school place projections indicate that there will be sufficient capacity in nearby local schools to meet the small, estimated pupil yield from this development.

6.9.26 Leeds and Bradford Airport

No comments received

6.9.27 Local Plans

The site is part of an identified mixed-use site in the Site Allocation Plan (MX1-24) and is therefore considered appropriate for residential purposes. The site allocation contains no specific site requirements. There is an adequate supply of office space available to meet the Core Strategy requirements for new office floorspace in the district and in the City Centre during the plan period. The density of the site accords with requirements of CS Policy H3. Given the allocation of the site is for a high-density development and the desire to have a more family focused City Centre housing, a balanced judgement will be required on the proposed Housing Mix. The development should meet the requirements of CS policy H5 with regard to affordable housing.

6.9.28 Local Plans Flooding

A flood risk sequential test was carried out for residential use of this site on the original application in 2015. The site was in flood zone 3a at the time. Although there have been some significant flooding events since 2015, the site is still in flood zone 3a

therefore there has not been a change to the flood zone, but this site will benefit from the Flood Alleviation Scheme (FAS 2 Step 1) and therefore the location should be considered to have some sequential preference compared to flood zone 3a sites that do not have the benefit of a FAS. The original flood risk sequential test concluded that there were no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development proposed. The site passed another flood risk sequential test carried out by the Council in support of the Site Allocation Plan 2019 as MX1-24 and student housing has the same vulnerability as other types of residential development, i.e. more vulnerable, therefore the applicant is not required to re-undertake the flood risk sequential test.

#### 6.9.29 District Heating

The District Heating Team advise that a connection proposal has been put to the applicant. The site will require a further network extension to reach, but it is intended that this work will be undertaken in the 2023/24 financial year. It is likely dependent on external funding; however the District Heating Team are confident in securing this and being able to reach the site. So assuming the extension to the network goes ahead, a connection may become viable and will form a major part of the extension strategy.

#### 6.9.30 Tobermory Consultants (Wind and Microclimate Peer Review)

Tobermory Consultants reviewed the wind study on behalf of Leeds City Council. A combined wind tunnel and Computational Fluid Dynamics (CFD) wind study has been conducted for this Development and the findings of the assessment and review are summarised at section 9.12 of this report.

### 7.0 **Public Response**

7.1 Site notices were erected on 04.08.2022 and the application was publicised in the Yorkshire Evening Post on 05.08.2022. 10 letters of representation have been received from the general public of which 9 letters of objection have been received and 1 letter of support recorded. The issues raised in the objections are summarised as follows:

- Buildings are excessively tall / large
- Loss of privacy to existing residential buildings at City Island
- Overshadowing of existing residential buildings at City Island
- Building work will be disruptive / impact from noise / dust
- Road infrastructure unfit for the amount of new homes
- Loss of view
- Loss of property value
- No need for additional student accommodation

The received letter of support advises support on the basis of design and the proposed art deco style of the buildings which mitigate for 'cheaper' designed buildings which have been erected in the city.

7.2 In addition to the above, a letter of objection has been received from Leeds Civic Trust (LCT) as follows:

*'The Leeds Civic Trust had raised doubts about a number of issues when the proposal was presented to them, and the full application confirms these concerns. The Leeds Civic Trust therefore objects to what is proposed, for the following reasons:*

*1) Wind Mitigation The site is known for its propensity to high winds carried by the river Aire to the South and exacerbated by the flyover to the West. Our concern is that the proposal as it stands, in seeking to minimize the impact of high winds, compromises the amenity of the residents, most obviously due to the lack of balconies proposed. We were informed that the orientation of the blocks has been designed to minimise wind channeling but this results in the majority of the flats having only a single aspect north light or being subject to shade by other buildings in their southerly aspect. Previous approvals on site have displayed a north/south axis which allows more light into the scheme. For this reason, any strategy that could potentially exacerbate this condition can only be regarded as very poor, especially when the disproportionately tall towers proposed have no inherent wind breaking features on their facades such as balconies.*

*2) Public Space The wind strategy understandably addresses how the towers should withstand the wind loads. However, the impact of this approach is that any public realm created will be impacted on by these considerations: - the proposed micro-forest is laudable but will the trees thrive in an area which will be subject to considerable winds - the public spaces (and in particular the public square area) will often be in shade as a result of the configuration of the buildings. We also note that this particular location suffers from noise pollution (from the flyover) and air pollution (from heavily trafficked roads). We could not see any specific measures proposed to combat this. We welcome the proposed pedestrian and cycle routes along the River Aire and suggest that they are provided at an early stage in the development*

*3) Environmental Sustainability Recent studies show that taller buildings have a disproportionately higher embodied carbon emissions than other buildings. The proposed buildings on this site are of considerable height. Whilst the proposed heat pumps and solar panels will make a small difference, this is outweighed by other negative impacts that are inherent in the layout proposed (including lack of sunlight). Although not strictly a planning issue, Leeds City Council has zero-carbon ambitions within its policies so every effort should be made to reduce the impact of new development.*

*4) Flexibility We are concerned about the current drive to develop student accommodation in the city centre and the flexibility that such accommodation affords for other users should the student market decline. In this instance, the developer refers to "co-living" in the same breath as "student development", suggesting that these are interchangeable. This implies that the accommodation could be suitable for both student and non-student uses. We would suggest that if the developer wishes to have the option of co-living, the internal designs should be built to suit this in the first instance. We are concerned about the extent to which the logistical challenges inherent in a scheme of this height and density have been properly addressed. In particular the following issues need consideration: - corridor layouts and natural light - lift journeys (particularly at peak times) - drop-off space at ground level (eg when take away food or other deliveries are being delivered at mealtimes). More generally, we are concerned about the proposed layouts of the flats. Deep layouts mean little natural light at apartment entrances, particularly for those that are north facing, and lack of personal outdoor space (due to anticipated wind impacts). Balconies can be provided at high level as can be seen in tall buildings in London (eg 54 storey Icon Tower at One West Point at Park Royal).*



*5) Building Design Notwithstanding our concerns with the layout of the development, its scale and plan form of the blocks, we feel that the detailed external design of the buildings themselves has been well considered. They just need to be lower and better orientated in order to create a community which could thrive on this site'*

The response to received letters of representation is set out at section 10 of this report.

## **8.0 KEY ISSUES**

- Principle of development
- Housing Mix and Density
- Affordable Housing
- Design and Heritage considerations
- Residential Amenity (occupiers)
- Residential Amenity (surroundings)
- Accessibility and Inclusivity
- Landscaping and Public Realm proposals / Greenspace
- Transportation Considerations
- Sustainability and Climate Change
- Wind and Microclimate Considerations
- Safety and Security
- Planning Obligations and CIL
- Representations
- Planning Balance and Conclusions

## **9.0 APPRAISAL**

### **9.1 Principle of development**

#### Site Allocation and Loss of Office Space

- 9.1.1 The site is allocated for mixed use in the SAP (MX1-24) and the proposal for the site is for a mixture of BtR and Student Residential accommodation, without an office/employment component in line with the extant allocation. The allocation contains no specific site requirements.
- 9.1.2 The SAP allocation does not include a prerequisite requiring that both residential and office uses must come forward. Furthermore, the suggested development parameters within the allocation are a representation of the previous (now expired) planning permission for the site and, therefore, the capacity and uses indicated by SAP Allocation MX1-24 are indicative and not intended to be a cap, nor a restriction on the type and quantum of uses that could come forward. However, where sites are allocated for employment use, CS Policy EC3 must be satisfied to permit alternative uses. Policy EC3 is satisfied on the following basis.
- The site is not necessary to meet the employment needs during the plan period, as there is an existing oversupply of office space proposed within the City Centre.
  - Allocated and committed sites provide an oversupply of office space. As of September 2022, there is a total of office supply of 1,090,000sqm in the district compared to the allocation target of 1,000,00sqm for the plan period 2012-28. Accounting for the loss of the assumed office floorspace proposed in MX1-24 (37,000 sqm), an oversupply of 53,000 sqm would remain if the site is developed for non-employment use.

- There is, therefore, a sufficient range of alternative sites to meet the city's office employment needs during, and beyond, the plan period (particularly in the City Centre).

### C3 Residential Use

- 9.1.3 Residential development in the City Centre is encouraged by both CS policy CC1b and national policy. CS Policy H2 is supportive of residential development which is accessible to the necessary amenities and facilities to support housing which would be the case here. Therefore, this site is considered to be an appropriate location for residential development, being sustainably situated with excellent transport links to all the requisite amenities and facilities to support new residents. Paragraph 122 of the NPPF makes it clear that alternative uses of sites are supported where they meet unmet development need. These proposals would clearly go some way to meet Leeds' housing demand without compromising the development need for employment land as set out above.

### Student Residential Use

- 9.1.4 Core Strategy Policy H6B relates specifically to the provision of student housing and is therefore relevant to this proposal. The proposals for Purpose Built Student Accommodation are therefore assessed as follows against the criteria within Policy H6B (represented in italics below):

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

*This proposal would assist this objective by providing 1614 purpose-built student bedspaces which would help to take pressure off the need to use private housing for student accommodation.*

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

*This proposal would also meet this objective, because it does not propose the loss of any family housing.*

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

*It is recognised that there is a concentration of student housing to the west of the Inner Ring Road in Little Woodhouse and along Burley Street. However this site is separated from these areas by the Inner Ring Road. The immediate surrounding land uses around the site are mixed use, predominantly offices, with no traditional housing, albeit there is high rise residential use at The Headline to the east of the site and at Gotts Island on the opposite side of the River Aire and there are planning proposals on nearby sites such as Lisbon Street for both student accommodation and BtR residential accommodation. It is considered that most pedestrian movements from the proposal site would generally be through a mixed use/predominantly commercial part of the City Centre towards the Universities, and therefore the impact on established residential communities and the character of the immediate area is likely to be acceptable.*

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

*The site is located close to the universities, within easy walking and cycling distance. The fourth test would be satisfied as the development is approximately a 0.5-1 mile walk to the Universities area through the City Centre via Westgate, The Headrow and Calverley Street.*

- 9.1.5 Criteria (v) of policy H6B relating to proposals for purpose-built student housing requires that the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms. Core Strategy Policies CC1(b) and P10, and Saved UDPR Policies BD5 and GP5 also provide more general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. The assessment of amenity is also a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space. Whilst the Council's emerging policy for student housing space requirement is draft only at the time of writing, paragraph 5.2.46 of the supporting text to Core Strategy Policy H9 states that "provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis". A general assessment of the residential amenity of occupiers within the scheme is outlined at section 9.5 of this report and the proposals are considered to meet criteria (V) of the policy based upon that assessment.

#### Retail uses

- 9.1.6 A Ground floor commercial use (Class E) would be included within the BtR residential Building (411.5 sqm GEA) and a 52.5 Sqm Kiosk within the Public Realm. The exact nature of these retail uses is to be determined, by what is viable within this part of the City Centre at the time of the completion of the buildings. However, it is considered the Class E uses would activate the ground floor frontage, generate footfall, provide vibrancy to the development and serve the residents and users of the scheme as well as other business users and residents in this part of the City. Any retail space would be limited in floorspace and range of goods (i.e. small scale convenience retail only where within Class E of the general Permitted Development Order) and on this basis is not considered to undermine the vitality of the prime shopping area within the city centre; providing a direct and targeted element of convenience retail / food eatery types uses to support the other proposed uses in the scheme and vicinity of it. Control of this matter will be addressed by conditions which will also serve to prevent the future introduction of uses which could be detrimental to the amenities of the site without further consideration within Class E and may (as a result of the nature of such uses) promote a deadened frontage to the public spaces and/or may have different servicing needs which require further consideration.
- 9.1.7 On this basis, in land use terms officers consider the principle of development is acceptable, subject to detailed amenity and development control considerations as follows.

## **9.2 Housing Mix and Density**

- 9.2.1 The density of the Site (282dpa for the BtR) exceeds the minimum 65 dwellings per hectare threshold set out in Core Strategy Policy H3 and is therefore considered acceptable in this regard.
- 9.2.2 With reference to the proposed BtR residential component, the site is located within the City Centre, and within an area designated for significant regeneration and a focus

for new housing. In general, the demographic need of City Centre locations has been, and would continue to be, the focus for younger professionals, where 1- and 2-bedroom homes are more appropriate for this demographic. Residents living in rented accommodation are typically younger households, due to the flexibility of renting and to save to purchase a property. The planning application is supported by a Housing Needs Assessment (HNA) in order to address Core Strategy Policy H4.

Policy H4:

*‘Developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and character of the location’*

- 9.2.3 The supporting text to Table H4 sets out the preferred housing mix which reflects the SHMA (2011). The baseline housing mix proposed by the application is compared below against Table H4:

Type	Max %		Min %	Target %	Proposed Scheme
Houses	90		50	75	0
Flats	50		10	25	348 (100%)
Size	Max %		Min %	Target %	Scheme
1 bed /st	50		0	10	282 (81%)
2 bed	80		30	50	42 (12%)
3 bed	70		20	30	24 (7%)
4 bed	50		0	10	0

The supporting text to this policy in Paragraph 5.2.11 states:

*‘The form of development and character of area should be taken into account too. For example, a scheme of 100% flats may be appropriate in a particular urban context’*

- 9.2.4 With this in mind officers consider the provision of 100% flats within Building C is deemed acceptable in principle due to the City Centre location, size of the site, density requirements and making best use of land to provide supporting infrastructure and public realm.
- 9.2.5 Whilst table H4 in the Core Strategy is only a preferred housing mix, the onus is with the applicant to demonstrate (with evidence of housing need) why the preferred housing mix cannot be met in the event of an application, which the applicant has provided. Members are advised this scheme overprovides on one bed units and underprovides on two and three bed units; therefore justification for this approach is required and has been provided as follows through the submitted housing needs assessment:
- ONS data shows that over 93% of residents in Leeds City Centre are aged 18-39 of which 64% are aged 20-30. Only 2.25% of residents are 55+ and just 1.5% are aged 16 and under. The data provided demonstrates Leeds City Centre caters for a specific demographic when compared against Leeds as a whole.
  - The number of people living alone in the UK has increased by 8.3% over the last 10 years, while in Yorkshire and Humber the proportion of one-person and two-person

households currently comprises over 66% of all households. However, in Leeds City Centre, the proportion is far greater.

- The current housing stock in the City Centre area is dominated by private rented accommodation and apartments. Recent planning activity in the City Centre has been dominated by BtR developments, of which 1-bedroom and 2-bedroom properties are the foremost dwelling size.
- The 2011 SHMA (Strategic Housing Market Assessment) demonstrated a projected demand throughout Leeds for smaller properties, based on a projected increase in small households compared to larger 'family' households. It states that by 2026, the number of single person households will increase by 45,800 and 'couple' households by only 19,500. The increase in family households was projected to grow at a significantly lower rate than for one and two person households over this period by just 4,500.
- As with the 2011 SHMA, the 2017 SHMA demonstrated a projected demand throughout Leeds for smaller properties, based on a projected increase in small households compared to larger 'family' households. This included an increase in future market demand for 1 and 2 bed homes (5.2% increase) and for apartments in general (3% increase).
- Future market dwelling requirements are anticipated to be highest for 3 bed houses (rather than apartments), with one and two beds making up 21.6% of demand and flats and apartments making up 19% of demand (up from 16% current stock profile). This, however, reflects a Leeds-wide analysis and does not reflect the specific dynamics of individual Housing Market Character Areas such as the City Centre.
- Build to Rent Developments offer a unique approach to housing involving the provision of communal spaces and a managed environment more tailored to a relatively narrow demographic of potential residents. BtR occupiers are overwhelmingly younger cohabiting couples and single people, who are attracted by the communal lifestyle and less likely to require more private space in which to raise children.
- This Housing Needs Assessment (HNA) has demonstrated that the demographic need of the City Centre has been, and will continue to be, the focus for younger professionals, where 1 and 2 bedroom homes are more appropriate for this demographic. This is evidenced by the high proportion of people aged 20-30 who currently live in the City Centre (c. 64%), rising to 93% for the 18-39 age profile.

This suggests that the SHMA illustrates limited demand for additional 3 bedroom properties and a greater need for smaller units. The HNA also highlights that until recently the majority of residential planning permissions granted in the City Centre provided between 3-8% 3 bedroom apartments. It is further suggested that the demand for Build to Rent products is from single person households, couples or sharer households.

#### Adaptable Units

- 9.2.6 However, notwithstanding the above, In recognition of the desire of members to achieve higher numbers of family sized / sharable dwellings within the city centre, the applicant has presented a 'demand led' strategy which would see the BtR building capable of

adaptation to cater for market demand and would increase the number of 3 bed family sized units to a maximum of 66 from the baseline submission amount of 24 as shown in the table above. 42 of the proposed 2 bedrooled units in the building are proposed to be designed as 'oversized' against the policy requirements of Core Strategy Policy H9 to allow ready conversion to 3 Bed units in future should demand prevail, whilst still meeting the space and amenity requirements of Policy H9 (conversion from 2B4P layout at 74sqm to 3B4P layout at 74sqm).

- 9.2.7 If all of these identified units were converted to three bed units, this would substantially increase the quantum of family or 'sharable' scaled units to 66 (19%) - which whilst slightly under the 20% target outlined in the policy is far in excess of the static ratio's found and accepted in other similar schemes in the city led by their respective HNA's and cannot so easily adapt to market demand or changes in trend.
- 9.2.8 Whilst the submitted HNA suggests that market demand is not currently present to include a higher proportion 3 bedrooled component in the scheme, this approach demonstrates an understanding that market conditions are fluid and, acknowledges the wishes of members to increase family suitable housing stock in the locality - to attract a more diverse residential demographic and create more diverse neighbourhoods. This approach could also see a group of students (not exclusively) within the PBSA scheme being able to relocate in proximity to their current residence after completion of study to a familiar and sharable living environment without substantial upheaval and, take advantage of the BtR component of the scheme as a stepping stone into professional life/living and on to the housing ladder or their own longer term rental arrangements in the city.
- 9.2.9 The practical approach to delivery is set out as follows:
- Apartments will be marketed at defined rates for each unit size (i.e. different market facing rates for 2 bed & 3 bed units).
  - If market interest dictates that there is demand for a 3 bed, then this will be converted to this format within a week of a tenant signing a contract and exchanging on a lease.
  - Regarding incentive to an operator, rent for a 3 bed will be higher than a 2 bed and so there is a financial incentive to do so. Furthermore, the developer/operator will wish to rent out all apartments asap and maintain a full occupancy to ensure returns on their investment, so it would not be in their interest to delay occupation of a convertible apartment if there is market interest in the 3 bed format.
  - The design of a convertible apartment deliberately facilitates this conversion with ease, including lighting and heating layouts which are designed for either format.
  - The conversion itself is straightforward with limited intervention. All convertible units will have a stud partition wall installed with dry lining for appropriate acoustic insulation. This partition wall would include a "knock out panel" to allow an easy installation/removal, so the only fitout works required would be the dividing wall and door. This is a quick feature to install and/or remove (c. 2-3 days maximum).
- 9.2.10 It is recognised that Policy H4 allows for flexibility where justified by evidence of housing need. Given the nature of the development as Build to Rent, the character of the location adjacent to large scale highway infrastructure and the significant planning benefits in all other respects, and; recognising that the most recent residential planning applications for BtR in the City Centre have proposed a maximum of 10% 3 bed accommodation - It is considered the proposal to provide 7% of apartments as 3 bedroom properties from first day build (with flexibility based on demand to increase this ratio up to 19%) and a

proportion of 1 and 2 bedroom units that do not meet the preferred mix threshold in policy H4 can be supported in this instance.

### **9.3 Affordable Housing**

- 9.3.1 For BtR residential development, Core Strategy Policy H5 allows for flexibility in meeting the Council's affordable housing requirements either on-site through provision of discounted/reduced rent levels or as a financial contribution towards affordable housing provision off site. In this case the developer proposes to make an off-site commuted sum which is in line with arm (iii) of policy H5.
- 9.3.2 The applicant has offered to provide the full policy compliant commuted sum indicated at a value of £3,193,985. This sum will be subject to independent valuer verification and its delivery will be controlled through the S106. The development would therefore accord with CS policy H5 subject to being controlled through the associated Section 106.

### **9.4 Design and Heritage considerations**

#### Amendments to the proposed building heights since pre application

- 9.4.1 Since the pre-application discussions, Building A has been marginally increased in height with the roof level being increased by approx. 1.3m. With this change, each floor has been marginally reduced in height in order to accommodate 2no. additional floors of accommodation. Building B has followed block A in its approach to floor heights. The overall height has increased approximately 1.5m with 1 storeys added. With respect to Building C, a commercial unit has been included at ground level. The inclusion of this commercial unit allows for a greater extent of active frontage towards the existing Headline Building and along the Riverside Walk. This change has meant that the roof level has needed to increase by approximately 1.7m overall to also accommodate the additional associated M&E plant. The total number of apartments has risen from the 322 proposed as part of the earlier enquiry to 348. In townscape terms, given the minor nature of height change, officers consider the change does not alter the fundamental outcomes of the previously undertaken townscape assessment which is expanded upon below.

#### Site Assembly

- 9.4.2 The site is currently a predominantly open cleared area of land and is anomalous when considering the tight pattern of streets within the conservation area to the north east and the relationship between more modern commercial buildings in the vicinity, particularly MEPC Wellington Place with which this site will form an important link.
- 9.4.3 The site is also an important gateway point into the city from the west and save for the existing (cladded) clock tower which remains from the site's former use provides a weak ending to Wellington Street and does not complete the vista of what is essentially a visual entry point into the City Centre Core. In townscape terms, in consideration of nearby consented schemes such as Lisbon Street and Bridge House, this site represents the last of a string of larger scale environments that will go on to very much define the built edge adjacent to the inner ring road and help mitigate for the expansive area lost to highway and supporting highway infrastructure between the City Centre proper and the environment around Kirkstall Road.

- 9.4.4 The tallest elements of the proposals are proposed to be located at the north of the Site, creating a reference / gateway marker in the urban context at the end of Wellington Street and adjacent to the A58, before stepping down in height towards the riverside. This cascade arrangement of the buildings, each with varying heights and material tones, along with the architectural detailing such as adding texture and relief at the lower levels are considered to break up the scale and mass of the elevations, providing a more human scale building and providing visual interest from within the public realm.
- 9.4.5 In terms of the prevailing urban grain, creation of new routes and contextual analysis of the proposals, the proposal compares favorably to the character of the streetscapes of the immediate locality. The site is proposed to be assembled such that to the north of the site, Building A would reside close to the northern site boundary (reflective of buildings both existing and consented to the northern and southern edges of Wellington Street where buildings provide a regular and strong edge). The site would then open out into a large area of public realm where to the East - Wellington Place, the South - The Headline and to the West – Building B provide a sense of enclosure to the public realm; in a not too dissimilar fashion to the high quality public realm composition at MEPC Wellington Place (and the enclosure of buildings around it's distinctive Grade II Listed Lifting Tower).
- 9.4.6 Capillary pedestrian routes would lead down from the centre of the site towards the riverside environment where an important west-east linkage towards Whitehall Road would be formed. The site is to be assembled to create an important green edge to the highway environment of Wellington Bridge Street and the use of buildings on an east to west axis follows the approach established at Lisbon Street which in it's undeveloped state shares many characteristics with the application site and in it's consented arrangement follows the pattern and grid like arrangement of the conservation area beyond. By following a similar orientation of buildings to the Lisbon Street Development, the site composition will create an important corner/focal point to announce entry to Wellington Street without producing a fortress-like boundary to the Inner Ring Road and allowing filtered views through towards the city from the west.
- 9.4.7 Gaps between modern buildings of a similar nature within the locality are generally limited, ranging from approximately 10 metres between Central Square and its surrounding peers and between 15 - 20 metres between buildings at MEPC Wellington Place. Notwithstanding, the buildings proposed here are in some instances much taller than those identified in the surrounding vicinity and therefore, the separation between buildings is a key consideration in terms of the experience of the pedestrian at the human scale moving through the site.
- 9.4.8 Buildings B and C are separated by approximately 19 metres and whilst parallel are not directly opposite one another for their full extent and, at the point where the buildings are in tandem, Building C adopts a splay to taper massing away from building B, giving a sense of relief between the buildings and a reduction in the impression of enclosure within the public realm.
- 9.4.9 At the tightest point, the gap between buildings A and B is approximately 12-13 metres. However, this 'pinch point' area extends for a limited elevation length of around 10 metres and relates to the lower 'wing' of Building A, before the walls of the wing in-effect 'splay away' from building B creating an increased amount of separation. Again, the site layout has regard to not placing the taller point elements of the proposed buildings in direct opposition to one another which is positive,



provides the buildings satisfactory space to breath and avoids a tunneling effect within the public realm.

#### Principle of Tall Buildings

- 9.4.10 In terms of the proposed building height and massing, the site falls in an area identified in the Council's adopted Tall Buildings Strategy SPD as being suitable for tall buildings, and where subject to design, heritage and other development management considerations tall buildings could be supported.
- 9.4.11 The proposal would undoubtedly be visible in longer views around the City, and the applicant has prepared a townscape visual impact assessment to demonstrate key views in long, medium and near distance views from identified locations. Therefore, subject to layout considerations relating to outlook, privacy, daylight and sunlight, wind, skyline composition and heritage impacts, in principle the proposed range of building heights of 25-42 storeys are considered by officers to be acceptable in this location which is an emerging environment for tall buildings.

#### Heritage Considerations

- 9.4.12 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings. The proposals as presented have been the subject of a number of detailed design meetings including input from the Conservation Team and a series of meetings and assessments around the impact of the proposed developments have taken place as part of both the earlier pre application enquiry and formal application processes to establish what visual impacts and potential harm to the setting of heritage assets could occur as a result of the proposed development.
- 9.4.13 The analysis has established the proposed development would not be visible from key views from Millennium Square, St Paul's Street, Park Place and York Place within the Conservation Area. 22 further views have been analysed, taking into account any visual impacts in both the existing scenario and scenario where consented development could manifest. Of the views assessed the key areas of potential impact are as follows:
- 9.4.14 Park Square - Building A would be visible from the eastern edge of Park Square, however the building would be set back a substantial distance from the roofline of the square in views westward and would have a kinetic relationship to the listed buildings in the square and would not dominate in terms of height. The proposed materiality and tone of Building A would tie in with the brick/terracotta vernacular of the group heritage asset of the square and its buildings and the relationship to Park Square is considered acceptable in this regard.
- 9.4.15 View from Cookridge Street - This view takes in the presence of building A beyond buildings along the southern edge of Westgate. Again, it is considered that as a result of the application site's generous distance from Westgate the tower would be seen as a building in the backdrop rather than a prominent building that dominates the lower scale environment of Westgate and around the Town Hall.

9.4.16 View from City Square towards West Street / Wellington Street - Building A would be visible in long views from City Square. As part of the design evolution of the scheme, the taller element of Building A has been set back into the site to reduce massing levels close to the pedestrian environment to a more human scale and avoid over domination of the public environment. As a result of this design change, the taller 40 storey element of building A sits comfortably alongside surrounding buildings on Wellington Street and provides only a limited additional massing above the height of surrounding buildings when viewed from City Square in the setting of the Grade II listed Majestic building. From Wellington Street Building B becomes visible from the area approximately outside Central Square on Wellington Street, however again this building would be of limited height above the surrounding buildings and would not dominate. Building A becomes more visually prominent however it provides a neat end stop to the vista along Wellington Street and a point of height, slender in form rather than slab like and over dominant.

9.4.17 Hanover Square - The location of Building A in reference to the roofline of buildings around the southern edge of Hanover Square results in the building appearing over the top of more modern buildings such as Park Lane College and Marlborough Towers as opposed to clearly breaking the roofline of residential scale buildings around the southern edge of the square. In the event that surrounding consented development comes forward, the form of Building A would be read as part of a conglomerate of taller buildings. In this regard and in both scenarios, officers are satisfied that the proposals would not adversely impact the setting of the square as an important group heritage asset.

Woodhouse Square - From within woodhouse Square, the key view analysis has demonstrated that towers A and B would be emergent in the south western corner of the square but would read as buildings in the backdrop alongside Marlborough Towers which, by way of perspective would appear to be of a similar height to the new buildings. In this regard, the two visible towers are not considered to adversely break the roofline of buildings around the southern periphery of the square and the impact is considered acceptable.

9.4.18 Notwithstanding the above detailed analysis it is acknowledged that due to the visibility of the development there will be a limited and low level of harm to the setting of St.Pauls House and the Leeds City Centre Conservation Area. It is considered to be less than substantial under the terms of the NPPF and Paragraph 202 of the NPPF is therefore engaged. Paragraph 202 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. This matter is addressed at section 11 of this report.

#### Detailed building designs / façade treatments

9.4.19 In architectural terms, the three buildings would use a combination of verticality, unifying language and elements of depth and texture to create forms which although tall appear ordered with proportionate quantities of solid and void, regularity and consistency of vertical and horizontal proportions. The materials palette and use of profiled toned panels as secondary and tertiary elements would not compete with the primary visual strength of the vertical piers providing that colour and tone are given due consideration in the final design and carefully controlled through conditions at a formal application stage.

- 9.4.20 The starting point for the choice of materials has been a contextual analysis of both Leeds' historic core and the emerging modern and post-modern buildings in the city. The tonality of red brick and terracotta for Buildings A and C is intended to hark back to Leeds's industrial past whilst the tone and grid arrangement of Building B is anchored in both the city's examples of brutalism and the now established vernacular of the Phase 1 area of MEPC Wellington Place due south of the site. The façade panels of each building take inspiration from the intricate and three dimensional fenestration arrangements in buildings such as St Paul's House and the Victoria Quarter whilst shadow fall and depth would be achieved through the complex composition of each façade panel which are designed to feature an initial setback from each block's primary grid arrangement and then feature further undulations, recesses and setbacks within each bay (rather than the more commonly seen single-rebate between building face and window edge). This arrangement would (over the extent of each building façade) create many moments of visual interest whilst maintaining a rhythm of regular patterning, which is essential for buildings of the scale proposed. Whilst a generally common approach is proposed so that the three buildings are understood as a family, the change in tone between buildings A and B and then differences in the bay components between buildings B&C will ensure the buildings do not present as homogenous.
- 9.4.21 The tonality of the three buildings was a matter of discussion at the pre application presentation to members in March 2022 and material samples were provided for members consideration. It remains the case that the middle of the three buildings (Building B) should act as a clear visual mediator between buildings A and C to give all three buildings clear definition from one another, whilst maintaining the use of a tonal palette that pays homage to the tonality of buildings in the city centre and most notably the Conservation Area.
- 9.4.22 The finalised proposals follow the approach considered by members previously and, full details will be controlled by planning condition to ensure the tone and shade of materials be of high quality, with construction standard drawings and sample panels to be provided at condition discharge stage to ensure the finalised buildings remain honest compared to their representation on plan and to ensure that the façade panels truly provide the important sense of three dimensionality essential for buildings of the scale proposed.

#### Clock Tower

- 9.4.23 As with the former consent at the Former Yorkshire Post site, the proposals require the removal of the existing Yorkshire Post Clock Tower to facilitate the proposed landscaping, layout and wind mitigation strategy. However, the clock tower will be relocated and reimaged within the proposed public realm as a new public art feature.
- 9.4.24 Various designs are currently being explored with the detail to be subject of a planning condition, allowing officers and members (if so minded) the chance to review and agree the design approach of this feature. The applicant has advised that on completion of the planning process, the existing clock tower head will be removed and stored / refurbished. It is likely that the clock tower will be introduced to the top of one of the semi-porous landscaping screens/towers which are to be installed in specific locations for wind mitigation purposes, providing a reference (albeit in a differing location to the current tower) to the former clock tower within the site and in a more prominent location, or elsewhere within the site as desired by officers / members, and adding further design interest as a piece of new public art. It is proposed that a methodology and approach for the relocation be controlled by condition.

## **9.5 Residential Amenity (occupiers)**

### Outlook

- 9.5.1 All three proposed buildings would afford suitable outlook from habitable room windows with apertures of suitable height and width to attain a good field of view. By virtue of the positioning of each building in a stepped arrangement from west to east, use of lower scale wings and splays to each building will afford outlooks of sky from each elevation of all three buildings and would maintain reasonable opportunities to observe elements of sky from the western elevation of the existing 'Headline' building such that the residential amenity of occupiers would be adequately protected.

### Privacy

- 9.5.2 Window to window distances within the proposed layout (including the relationship of buildings to the existing 'headline' building) range from 18-26 metres approximately, which would provide adequate levels of distance such that a reasonable level of privacy is maintained. The closest precise point between buildings A and B is shown as approximately 11 metres, however this direct distance measurement would be from communal space within building A onto a stairwell / lift enclosure within Building B and would not therefore produce a harmful impact in terms of overlooking of resident dwelling spaces. In all other respects it is considered that as part of a tight grain high density residential setting the separation distance between the three buildings is consistent with what would be expected in such a setting and it is considered would not lead to undue impacts in terms of privacy for the occupier.

### Daylight and sunlight

- 9.5.3 In order to support the application, a daylight and sunlight report has been provided by the applicant and is based upon the methodologies set out in the Building Research Establishment (BRE) report 'Site layout planning for daylight' and which are guidelines only for assessing a property's sunlight/daylight conditions. Consistent with other similar assessments received by officers as part of the determination process of planning applications in the City Centre, it is recognised that in assessing dense urban schemes, including tall buildings, the use of the BRE metric has a number of shortcomings. This is because the BRE tests used are based on a typical (two storey) suburban model of development and expectations of levels of daylight/sunlight are different in larger developments such as this in a city centre area.
- 9.5.4 The Planning Practice Guidance (PPG) – Making Efficient Use of Land, published on 22 July 2019, paragraph 007 reference ID: 66-007-20190722 states: "All developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example, in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings."
- 9.5.5 In the case of all three proposed buildings, it is noted that all three individual buildings exceed the guidelines of the BRE criteria, which is positive. However, the Local Planning Authority does not have its own specific measurement concerning

acceptable levels of daylight penetration for residential uses and an additional qualitative planning judgement is therefore required.

#### Building A

- 9.5.6 Building A features northern, eastern and western elevations which although not in sun path (by dint of orientation) would be predominantly unimpeded by buildings or structures. It is considered that receipt of natural light looking, north, east and west would be of a very high standard. The southern elevation (although in sunpath) Would be affected by the tight grain and proximity of both the 'Headline' Building and Wellington Place Multi Storey Car Park which whilst not effecting the upper portion of the building for the vast majority of the day would introduce shadowing into the public realm at the south of Building A for a significant portion of the day.
- 9.5.7 Notwithstanding, the clear breaks and separation between both Building A, the Headline building and between the Headline building and Building B/C would ensure that there were periods around the middle of the day where sun light was channeled into the space to the southern edge of Building A.
- 9.5.8 Also as a PBSA, building A will contain a number of alternative areas for study and recreational purposes outside of the bedroom units and for cluster rooms there would also be a directly proximate area for such purpose. So, in the case of rooms with lesser natural light levels to the lower southern edge of Building A, it is considered that sufficient alternative provisions will be available so that residents are not entirely reliant on the bedroom space for 100% of their daily functions. It is considered this will help to mitigate for this area of the building receiving lower natural light levels than is the case with the northern, eastern and upper floor areas of the southern elevations of the building.

#### Building B

- 9.5.9 The lower eastern portion of Building B's northern elevation will receive lower levels of natural light by virtue of its parallel placement to the western wing of Building B during the middle of the day. Again, as with Building A, the units occupying this area of the building are clusters. Furthermore, the building's position on an east-west axis would allow for light to channel across the northern elevation at the start and end of the day, with the 'middle' section of the northern elevation where light receipt would be at it's lowest occupied by a stair-core and lift enclosure rather than habitable spaces. As in the case of the southern edge of Building A, light would be channeled between building C and The Headline Building during the middle of the day to allow for daylight to reach the southern elevation for intervals during the middle portion of the day in addition to that received at the start and end of the daytime period.

#### Building C

- 9.5.10 A 21 metre separation distance between Buildings B and C would allow for the receipt of natural light to Building C's northern elevation to be mostly uninterrupted (with shadow cast from Building B falling in the opposite direction) and in terms of sun path, the remaining elevations would have uninterrupted sunlight for the vast majority of the day.
- 9.5.11 As can be seen in the table below, the separation distance between the buildings within the scheme compare favourably and are consistent with the established and emerging city context.

<b>Building 1</b>	<b>Building 2</b>	<b>Separation Distance</b>
MEPC Wellington Place	MEPC Wellington Place	13-20m
Crozier House (Leeds Dock)	McClure House (Leeds Dock)	17m
Merrion Way Podium	Merrion Way Podium	17m
Central Square	West Point	18m
Brewery Wharf	Brewery Wharf	18m
<b>Yorkshire Post</b>	<b>Yorkshire Post</b>	<b>19-21</b>
Riverside West Apartments	Whitehall Waterfront	22m
Lisbon Street former International Pool	Castle House	22m
X1 Points Cross	X1 Points Cross	26m

- 9.5.12 The relationship of tall buildings with separation distances of approximately 19-21 metres between residential spaces where parallel is considered to be an appropriate and consistent level of separation comparable to other city centre residential schemes. On this basis the relationships between the three buildings, would allow for similar levels of light receipt to other consented schemes and are considered appropriate in the high-density urban context.

#### Noise

- 9.5.13 The applicant has provided a noise impact assessment including noise modelling which demonstrates that transportation noise from the surrounding highway dominated environment can be successfully mitigated. With regard to more general noise levels conditions are recommended with regard to the provision of details of a sound insulation scheme and full building ventilation package for each of the buildings as well as controls on the hours of operation of roof terraces, the playing of external music, controls on plant noise and a scheme provide adequate mitigation for any areas of the three buildings found to be subject to solar gain.
- 9.5.14 Members will recall from the pre-application presentation that openable windows will be provided to the three buildings but ventilation and control of temperature will not be predicated on their use, rather they will be provided as an option for residents to provide a choice of mechanical or fresh air ventilation. This approach also has regard to future noise levels being potentially much lower than the current environment as a result of society's progression towards the use of quieter electric vehicles. Given that the openable windows are presented as an option rather than a necessity, this approach is supported.

#### Space Standards

##### Student Residential

- 9.5.15 As noted above, criteria (v) of policy H6B relating to proposals for purpose-built student housing requires that the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms. Core Strategy Policies CC1(b) and P10 and Saved UDPR Policies BD5 and GP5 also provide more general requirements that development

should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. The following space standards are proposed:

	Proposed (sqm)	SPD (sqm)	Compliant?
Studios	20-23	20-28	Y
Accessible Studios	22-28	22-30	Y

Cluster room sizes	12.6-15	11.5-14	Y
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Cluster	Kitchen / shared space size (sqm)	SPD (sqm)	Compliant?
5 bed	30-35	30	Y
6 bed	32-34	32	Y
8 bed	40	36	Y

- 9.5.16 The assessment of amenity is also a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space. Whilst the Council's emerging policy for student housing space requirement is draft only at the time of writing, paragraph 5.2.46 of the supporting text to Core Strategy Policy H9 states that provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis.
- 9.5.17 As noted in the tables at 9.5.15, the student accommodation meets LCC's draft Planning Guidance on the size and amenity standards for student schemes. It should be noted that the proposals breach the draft SPD's recommended 10 metre maximum travel distance between the furthest bedroom and communal space within clusters between 3<sup>rd</sup> and 10<sup>th</sup> Floor in Building B (16 metres). Within the lower section of Building A, a breach of the same recommended travel distance within clusters would also occur (by 3 metres). This lack of compliance relates to a relatively low number of units in the overall scheme with the vast majority achieving the target within the draft SPD. All cluster and studio units meet the space standards set out in the draft SPD and are demonstrated as being capable of hosting all functions of student living such as cooking facilities (studios) provision of a desk / study areas, bed and storage.
- 9.5.18 Work undertaken on the proposed designs and layouts of the two student buildings alongside consultation with the HsE on fire safety has resulted in the introduction of an increased number of lifts than originally proposed, which reduces the travel distance within corridors for residents and this assists in reducing overall walking distances for residents within the buildings. Furthermore, A total of 3,990sqm of student amenity space is provided in buildings A and B, equating to 2.26sqm per student. As well as general study and breakout spaces, this includes the amenity spa and a student gym accessible to residents within both buildings. The SPD recommends 1sqm be provided per student. On balance and in the round, considering all of these factors the two student residential buildings are considered to provide a high-quality living environment for residents.

## BtR

- 9.5.19 All BtR units are proposed to be in compliance with NDSS / Core Strategy Policy H9 standards.

Type	Floor area	H9 standard	Policy Compliant
1b1p	42.3-50.5	37	Y
1b2p	50.5	50	Y
2b3p	61.2-70	61	Y
2b4p	74.2	70	Y
3b4p	74.1-82.4	74	Y
3b5p	86.1	90	Y

- 9.5.20 In spatial terms and subject to the criteria set out above it is considered the proposals will provide for acceptable levels of internal space and a good standard of residential amenity. To control and finalise compliance with all aspects of the policy, a planning condition is proposed which requires details to be submitted demonstrating full compliance with policy H9 in terms of the location of storage within room layouts and other criteria within the policy.
- 9.5.21 BtR developments also include for additional facilities and amenities to improve the standard and experience of occupiers and encourage interaction between residents. In the case of Building 3, 780 sqm of internal amenity space is to be provided at the ground floor and mezzanine levels (which equates 2.2 sqm of space per dwelling).
- 9.5.22 Officers consider the three buildings would deliver a high standard of residential amenity for all residents and are acceptable in this regard.

## 9.6 Residential Amenity (surroundings)

### Privacy / Daylight and sunlight

- 9.6.1 By virtue of its position due north of City Island, the development would not introduce any additional shadow-cast to this residential site or it's surrounding environment south of the watercourse. At it's closest point, the southern elevation of Building C would be 33 metres in separation from the northern edge of the nearest City Island Block and this is considered to be an entirely reasonable level of separation between the residential windows of each building within a city centre context.
- 9.6.2 The proposed residential site at Bridge House is located approximately 34 metres from the northern façade of Building A and would incur shadowing to it's southern and south western faces between lunchtime and approximately 5pm. Bridge House would be relatively unaffected during the morning and evening hours (in summer) and on balance given the city centre context this relationship is considered acceptable both with regard to shadow fall and window to window distances and privacy.
- 9.6.3 The environment to the west of the site is predominantly highway dominated or populated by commercial premises. There are considered to be no significant impacts through shadowing or loss of privacy in this regard. To the east of the site is the office led environment of Wellington Place and again, impacts from shadowing later in the day would be of limited duration and to commercial rather than residential spaces.
- 9.6.4 On this basis and having regard to the developing urban character of the site, its surroundings, consistencies with the developing city centre and the flexible suburban



basis of the BRE technical guidance, the development's effects on neighbouring properties are considered acceptable.

- 9.6.5 Construction noise and the hours of operation of building processes will be controlled by conditions to ensure the building process occurs at reasonable and suitable hours and that an appropriate strategy is put into place to notify affected residents of any extraordinary noise generating processes (such as piling) and ensure these are properly mitigated for.

## **9.7 Accessibility and Inclusivity**

- 9.7.1 Policy H10 requires that 30% of residential dwellings within Building C meet M4(2) standards and 2% of dwellings meet the higher M4(3) 'wheelchair' user standard of part M of the Building Regulations. The proposals meet these criteria (31.61% and 2% respectively) and therefore the proposals meet the policy requirement.
- 9.7.2 With regard to the PBSA element of the scheme, Building Regulations requires 5% of rooms to have the potential to be occupied by people with accessible needs, which can vary greatly between individuals. The proposals precisely meet the requirement in this regard.
- 9.7.3 The two blocks are proposed to include an accessible cluster bedroom per floor within Building A with an associated adjustable height worktop within the cluster kitchen and 2 no. accessible studios with an associated adjustable height worktop. Accessible Studio's will be delivered with either a part M vol.2 standard accessible shower unit or be capable of being fitted with a vol.2 shower room if demand requires. Upper floors within Building A are to feature an 'Ambulant' standard room per floor. Building B is proposed to feature a total of 20 accessible studios.
- 9.7.4 Level access to all buildings and suitable door opening widths are proposed. Conditions will be employed to ensure at least 50% of all external seating within the public realm meets the full accessibility requirements set out in the British Standard (BS8300) and that surfacing materials within the public realm do not cause issues of glare or visual complexity for the partially sighted.
- 9.7.5 In consultation with the access officer, it is considered the scheme is (in both quantity, distribution and accessible room type) acceptable and will provide a range of room types for people with specific accessibility and inclusivity needs and be served by an accessible area of public realm.

## **9.8 Landscaping and Public Realm proposals / Green space**

- 9.8.1 Policy G5 of the Core Strategy (as amended) states that within the City Centre, open space provision will be sought for sites over 0.5 hectares as follows:
- i. Commercial developments to provide a minimum of 20% of the total site area,
  - ii. Residential development to provide a minimum of 0.41 hectares of open space per 1,000 population.
  - iii. Mixed use development to provide the greater area of either 20% of the total site area, or a minimum of 0.41 hectares per 1,000 population of open space.
- 9.8.2 Supporting paragraph 5.5.18 of Policy G5 states that "*As the green space requirement is expressed as an amount of green space per dwelling, high density developments (65 dwellings per hectare (dph (net)) usually found in or on the edge of town centres may generate requirements for green space that cannot be delivered on-site. For such*

*schemes an expected level of 20% of green space should be provided on-site with the residual being provided off-site or in the form of a commuted sum. However, it is accepted that there may be particular site circumstances to justify a higher or lower quantity than 20% on-site.”* In this case, 62% of the site area is given over as functioning publicly available open space, which is positive and an area not consistently achievable within high density, brownfield city centre sites.

- 9.8.3 In accordance with Policy G5, based on a site area of 1.06 hectares and the proposal of 348 residential units and 1882 student bedspaces, this would result in a requirement of almost 1.1 hectares (10960 sqm) of green space to be delivered as part of this development (where 6572sqm is being directly provided). The shortfall against the policy (4388 sqm) has been translated into a commuted sum using the standard policy-based formula which equates to £184,934.73 and will be secured through the legal agreement.
- 9.8.4 The application is supported by a landscape masterplan which seek to provide a high-quality area of public realm. Major landscaping is proposed on the western boundary of the site, where the site adjoins Wellington Bridge Street, and this will include a range of wind mitigation measures, some of which are proposed to form part of the public arts strategy on the site. It is proposed that the existing clock tower on the site, which is a legacy of the former Yorkshire Post use of the site, will be demolished and “reinvented” as a major piece of public art which will also act as wind mitigation. The applicant has committed to safely storing, refurbishing and reusing the existing clock / temperature gauge as part of the finalised scheme given its iconic status in the city.
- 9.8.5 The landscaping proposals involve a layout which is intended to serve a number of functions including informal play, functional lawn spaces and raingardens. The introduction of biophilic (wind mitigation) structures and sculptures and a Micro Forest at the site’s northern edge adjacent to the riverside are with the intention of promoting biodiversity, insect and animal species, promote carbon sequestering and reduce noise and pollutants from the adjacent highway. The scheme involves the retention of a mature area of trees and planting at the western corner of the site abutting the high edge of the riverside. Conditions are recommended to ensure this area of planting is safely maintained during the build process.
- 9.8.6 The hard and soft landscape arrangements are subdivided into 4 ‘character areas’ comprising the introduction of a ‘Micro Urban Forest’ leading onto a riverside walkway area (area 2) intended to link up to the public realm adjacent to the riverside aspect of ‘The Headline’ and allow for onward connections into the adjacent MEPC Wellington Place Phase 2 site. The third area (The Thread and River Park) would link Wellington Bridge Street to the centre of the site and provides an east-west axis route from buildings A and B to the riverside walkway. The final of the four areas is ‘The Square’ and is essentially a public square arrangement to the west of building A providing an area of communal outdoor space for residents and spill out space for pop up events. Conditions are proposed to control full details and samples of all components of the hard and soft landscaping arrangement both with regard to ensuring appropriate species are utilised, but also for reasons of inclusivity and maximizing biodiversity benefits.
- 9.8.7 The two key ‘open’ spaces within the layout are considered to be generously proportioned, with the area on the Riverside extending to circa 120 m in length x 12 m at its widest (and 10 m at its narrowest) with the public realm within the heart of the site extending to approximately 44 m x 65 m. Conditions would control the finalised planting scheme to adhere to the masterplan proposed for approval here. There

remain some points officers continue to work to resolve which are considered suitable to be addressed through the proposed conditions:

- The finalised layout and type of play equipment
- Finalised proposals on planting species to maximise pollutant reduction along the western boundary
- Provision of suitable sub ground provision for roots in order to maximise carbon capture benefits from the use of larger canopy species of trees
- Maximising the height of planting along the northern boundary (tree planting is constrained here due to the proximity of under pavement services - however it is considered important to provide as tall as species of planting to the building's northern side given the scale and height of Building A - work continues to find a solution in this area of the site which achieves this aim
- Management and maintenance of the Microforest both with regard to ensuring this area matures and achieves longevity but also in the interests of public safety.

9.8.8 The Riverside Walkway layout applied for in parallel (planning application reference 22/06166/FU) with this application would provide new pedestrian routes and accessible spaces and complete a safe pedestrian route starting at Whitehall Road via the MEPC site up to Wellington Bridge Street/Wellington Street which is considered positive in terms of the wider placemaking objectives in this part of the city centre. The walkway is applied for under a separate application to allow for the rapid discharge of it's associated conditions by separate cover of the main site. It is programmed to become an active route alongside the completion of Building C in order that surfacing works are timed to coincide with those around the final surface treatments in the public realm around Building C to avoid damage to the route surface during the building works for the BtR building.

9.8.9 Subject to conditions, officers consider the scheme would deliver an expansive and high quality area of accessible public realm for the city and residents, would substantially improve connectivity in the locality and provide a key component and jigsaw piece in improving east-west pedestrian and cycle transit in this area of the city centre.

## **9.9 Transportation Considerations**

9.9.1 The Site is situated in a highly sustainable location and easily meets the accessibility criteria set out in Appendix 3 of the Core Strategy. Leeds Rail Station is only 10 minutes' walk, and the heart of the City Centre is similarly within easy walking distance. Wellington Street and Wellington Bridge Street are main arterial routes into the City Centre and benefit from excellent public transport links. The nearest bus stops are located approximately 160m east along Wellington Street and at the Wellington Bridge Street site frontage. There is also easy walking access to leisure and retail services and widespread on street parking controls which mitigate against adverse impacts on the highway from displaced parking. Save for disabled and car club parking, the proposed development is car free, reflective of the highly sustainable location of the site in terms of local amenities and existing public transport infrastructure. The strategic aim of the site masterplan is to improve the public realm linking A65 Kirkstall Road to the riverside and beyond to sites due south of the application site to enhance the wider connectivity. The development proposals (and those of the parallel application to provide a Riverside Walkway) provide pedestrian routes through the new site arrangement to allow access from public transport routes to the River Aire and Wellington Place to the south east, which is considered positive.

- 9.9.2 A contribution is required towards the Council's proposed improvements to the cycle route along the Wellington Bridge Street linking into the section that has been delivered at the site frontage. In addition, an extension of the cycle route across the new/relocated access into the site at Wellington Bridge Street and up to the edge of the bridge adjacent to Gotts Road is required, to be delivered through the s278 highway agreement to ensure appropriate cycle connectivity from the site onto the network is attained. During pre-app discussions, developers confirmed that maintenance of the internal roads, including footpaths, cycle tracks and parking spaces would be through a management company and this remains the case. The associated S106 agreement will be employed to ensure this, and any maintenance liability falls to the developer and site successors/owners in perpetuity.
- 9.9.3 The proposals include a layby to accommodate two car club vehicles and three disabled car parking bays which highways officers advise is acceptable. An EVCP for the bays will be provided and controlled by condition. Future residents will be offered a free trial of the car club via travel planning measures - which will be secured through the S106 agreement. Two laybys are proposed for taxi pick up and drop off – each 18 metres in length in order to provide space for this purpose and online deliveries.
- 9.9.4 Although no parking is proposed for the student accommodation, move in and move out periods will certainly generate more traffic than on a normal day, with students potentially being dropped off and picked up with their belongings. The development proposals include the provision of a pick-up and drop-off point to facilitate student movements at the start and end of term and a management plan has been provided which will be reinforced by condition. The following measures are included; noting that The PBSA element of the scheme will be fully furnished, and as such residents will be able to move in and out without the requirement to move a significant amount of bulky goods:
- A check-in system will be operated, which will require residents to book a time slot in which to move in and out in advance. The process will be staggered over a number of weeks to minimise peaks in demand.
  - Information will be provided to prospective residents at the time of signing leases, so that those interested in living at the site are fully aware of the process at the outset.
  - On the basis that the moving in /out is staggered across a period of 3 weeks (21 days), 1/3 of residents will be escorted by car when moving in or out, and that 30 mins allowed for each time slot in which to load / unload
- 9.9.5 As part of the development's associated Travel Planning regime to be controlled through the section 106 agreement, the following measures have been included:
- Travel information provided to prospective and new residents.
  - Provision of legible walking and cycle routes within the site and details and links onto
  - local walking and cycling routes provided to residents
  - Provision of long-stay and short-stay cycle parking
  - Provision of e-bike charging points within long-stay cycle parking areas
  - Provision cycle maintenance/repair facilities
  - Promotion of Enterprise CarClub
  - Provision of parking spaces for car club provider
  - Provision of personalised journey plans
  - Incentives, prizes or gifts to reward residents for walking/cycling more

- Provision of free/subsidised walking and cycle gear/cycles
- Provision of free public transport tickets

9.9.6 A legible Leeds wayfinding scheme will be delivered between Kirkstall Road, the site, Wellington Street and Wellington Place. This is to support pedestrians walking through the site to get to/from key destinations, such as the train station and the riverside. Provision for this contribution is to be made within the section 106 agreement.

Cycle parking is proposed as follows:

- Buildings A and B – PBSA = 172 spaces including 62 Sheffield stands, 72 two tier racks, 8 individual cycle lockers and shared Brompton bike lockers.
- Building C – BtR = 212 spaces, comprising 86 Sheffield stands, 18 accessible Sheffield stands and 108 two-tier racks.
- Short-stay (visitor) = 44 Sheffield stands.

9.9.7 It is acknowledged that the ‘day one’ provision is lower than set out within the Transport SPD. However, the intention is to provide a mix of storage for shared/hire bikes (including Brompton bikes), as well as privately owned cycles. Space has been identified for future expansion should this be required. The future expansion area is sufficient to accommodate parking for 95 additional cycles across a similar mix of types of cycle. The Travel Plan regime will be employed to monitor the need for any further expansion of provision. Full and finalised details of storage and security provision for cycles will be controlled by condition. It should be further noted that level access will be provided into both cycle stores and with regard to Building A, an internal lift will be provided given the store is to be shared over two storeys.

9.9.8 In consultation with West Yorkshire Police it is considered that there is a potential requirement to install traffic calming measures and rise and fall barriers within the site. Further discussion is required on this matter and it is considered that this matter can be dealt with through the hard-landscaping details condition which will also be utilised to control the appearance, location and legible vistas of lighting and CCTV provision.

9.9.9 Each of the three buildings feature ground level bin storage and it is considered appropriate to control the provision of a servicing management plan to ensure reasonable travel distances are not breached and to coordinate the use of laybys for refuse vehicles. Some further work on precise swept paths is also required however it is considered the issue is suitable to be finalised and addressed by condition.

## **9.10 Sustainability and Climate Change**

9.10.1 Members will be aware that the Council has declared a Climate Emergency. Existing planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact of non-renewable resources.

9.10.2 The proposals are stated to meet the requirements of planning policies EN1 and EN2 to reduce 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).

EN1

9.10.3 In line with the Leeds Core Strategy Policy EN1 the student accommodation blocks, Buildings A & B, will incorporate the following zero or low carbon energy sources:

- Solar photovoltaics to the roof of the new buildings.
- VRF air source heat pumps to communal facilities spaces to provide a low carbon source of heating and cooling.

9.10.4 Heating and hot water generation represents in excess of 75% of the predicted energy consumption for Buildings A&B and 87.8% of the predicted energy consumption for the build to rent residential Building C. Therefore, efficient methods for the generation of heating and hot water have been targeted since these will be the most beneficial method for reducing carbon dioxide emissions in line with Policy EN1.

9.10.5 In accordance with the comments of the Climate Change Officer, verification reporting will be required post construction to ensure these measures are correctly delivered.

## EN2

9.10.6 The applicant has advised that a maximum water standard of 110 litres per person per day will be achieved. Calculations have been undertaken to demonstrate this utilising the SAP Water Efficiency Calculator for New Dwellings tool. Each building will be fitted with an incoming water meter which will enable the water consumption to be monitored. In accordance with the comments of the Climate Change Officer, full details of fixtures will be controlled by condition.

## EN4

9.10.7 In line with Leeds Core Strategy EN4 the viability of a connection to the Leeds PIPES district heating network has been explored. A connection is not yet available and therefore a centralised communal air source heat pump arrangement is proposed to provide a low carbon source for part of the heating demand and 100% of the hot water demand.

9.10.8 The development site is within reach of the Leeds PIPES network and would provide a strategic anchor point for a future phase of expansion. The network is due to be extended to Little Queen St in early 2023 (this is already underway) and so the former Yorkshire Post site is within easy reach of a further potential future extension.

9.10.11 Notwithstanding this, policy EN4 is a hierarchical policy and arm (iv) of the policy requires that where District Heating is currently not viable, but there is potential for future District Heating networks, all development proposals will need to demonstrate how sites have been designed to allow for connection to a future District Heating network. The applicant has agreed details of space and blanked off pipe connections will be provided within each building to allow for future connection to the Leeds Pipes district heating network should the network become available adjacent to the site (details have been provided in advance of a determination to address this). The provision of this information meets the policy requirement and has the potential to provide between 50%-56% improvements over part L compared to the 20-31% improvement of an air source heat pump based system, which is recognised by the developer team.

## **9.11 Biodiversity**

- 9.11.1 Policy designations within (and close to the site) include Leeds Habitat Network, Green Space, Strategic Green Infrastructure and sites of ecological/geological importance. In this location, there is a need to achieve a Biodiversity Net Gain (BNG). In consultation with the nature officer and following assessment of Biodiversity Metric Calculations, it is noted that more than 10% Habitat BNG will be achieved and controls by condition on the submission and agreement of a construction/environmental management plan, Biodiversity and enhancement management plan, details of monitoring programme and reporting and full details of bat and bird roosting will be provided to secure the biodiversity improvements.

## **9.12 Wind and Microclimate Considerations**

- 9.12.1 Due to the scale of the proposed buildings and their largely exposed location there is a significant potential for the generation of strong winds around the development. The applicant engaged wind consultants at the commencement of the design process to provide advice regarding the safety and comfort of the wind environment resulting from the development. A wind tunnel assessment alongside four separate CFD assessments were made as part of the process (in line with the requirements of the Draft Wind and Microclimate Toolkit) and the findings were peer reviewed on behalf of Leeds City Council by Tobomory Consultants. The findings from the testing are as follows:

- There are significant wind safety and comfort issues in the current site, around the recently constructed YP Phase I building, 'The Headline'. Large areas to the NW and SW of the building, in the public realm, are subject to severe winds, for up to 13.4 hrs/yr (not allowing for the temporary mitigation structures associated with the phase 1 building) These safety exceedances become much less severe once the new Skinner Street (Bridge House) development is built out, and disappear once the YP Phase II Development is built out, with its associated mitigation measures.
- Construction of the Yorkshire Post development would have a major impact on the winds across the site and in the surrounding area, and it was found that mitigation measures were necessary to provide safe and comfortable conditions. These measures would also ensure safe conditions around 'The Headline' building, removing the existing aforementioned safety exceedances save for two minor exceedances south of the Bridge House site to the north of Wellington Street. Winds are predicted to exceed 15m/s for 2.0 and 3.3 hours per year in that location, against a target threshold of 1.9, and so these exceedances are very marginal and do not take into account the mitigation measures that would be provided by the Bridge House proposals which have been shown to address the safety exceedances when Bridge House is built.
- Wind comfort conditions on pedestrian thoroughfares, at the bus stops, building entrances and pedestrian crossings all remain suitable.
- A number of further, minor local landscaping measures are required to address minor comfort issues in the ground level amenity space and the western elevated terrace area of Building A.

- 9.12.2 The proposed landscape scheme would feature the following wind mitigation measures which were considered in the overall testing process. The full details of these measures will be controlled by conditions:

- 6 x 50% porous 'Biophillic structures' to the northern site entrance

- Sculpture – 5m wide, 5m deep, 8m tall to the south western corner of Building B
- 50% porous pergola, 3 metres in height to the north east of Building C within the landscaped area
- 12 x 50% porous screens within public realm ranging from 3-7 metres in height.

9.12.3 Following detailed peer review, it is considered acceptable public safety and comfort levels can be achieved subject to finalised details on appearance, location and testing of these measures and those to be applied to the building terraces, to be controlled through conditions.

## **9.13 Safety and Security**

9.13.1 CS policy P10(v) identifies that developments should create safe and secure environments that reduce the opportunities for crime and the NPPF states that developments should be safe and accessible so that crime and disorder, and the fear of crime, do not undermine quality of life.

9.13.2 The proposals identify a predominantly car-free development that would result in a significant number of people walking and cycling to the site. Off-site public realm works to improve the pedestrian and cycling corridor north-west of the development will bring additional movement and activity. These improvements will link with similar proposals on neighbouring sites which will result in a significantly improved environment and which should reduce the fear of crime as noted by West Yorkshire Police, whilst encouraging use by pedestrians and cyclists, creating a hospitable environment and promote natural surveillance.

9.13.3 CCTV surveillance would be provided around and within the site. This matter will be controlled by condition to allow for further direct consultation with West Yorkshire Police - to ensure optimum locations for lighting and CCTV are employed and to ensure CCTV equipment provides suitable legibility and recording of images for reporting purposes.

9.13.4 Lighting will be designed to ensure appropriate levels of lighting of areas such as the route between the two elements of Building A, provide directed lighting into the public realm, entrances and routes and all entry and exit points within the application site.

9.13.5 Access Control measures for residents will also be a consideration of a future condition discharge process and the development will be expected to meet the highest current technological standards and methods for building entry and access to the cycle storage provisions / residents amenity areas.

9.13.6 Subject to detailed design to be secured by a security strategy condition and details of all built measures in the public realm being addressed in tandem with the finalised landscaping scheme (to maximise opportunities to design such features into the public realm and minimise their visual impacts) the development would accord with CS policy P10.

## **9.14 Planning Obligations and CIL**

9.14.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 (as amended in 2019). These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:



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

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

- Leeds City Council Travel Plan Review fee of £16,957
- Provision of Leeds City Council Car Club provider parking spaces x 2
- Provision of a Residential Travel Plan Fund of £89,001
- Offsite affordable housing commuted sum of £3,193,985. (This sum will be subject to independent valuer verification)
- Offsite Greenspace contribution commuted sum (£184,934.73)
- Contribution towards West Street highway Improvement Scheme (£262,721)
- Wayfinding Contribution (£12,000)
- Provision for TRO amendments
- Maintenance of the internal road
- Control of student occupancy
- Retention of public accessibility through the site
- Section 106 management fee

9.14.2 This development is liable to the Community Infrastructure Levy (CIL) and is likely to generate a CIL charge of £569863.90. This figure is presented for information only and should not influence consideration of the application. The infrastructure requirements for this development are likely to relate to public transport and public space provision. Consideration of where any Strategic Fund CIL money is spent rests with the Council's Executive Board and will be decided with reference to the Regulation 123 List (or Infrastructure Funding Statement as the case may be) at the time that decision is made.

## **10.0 REPRESENTATIONS**

10.1 As noted at paragraph 7.1 - 9 letters of objection and one letter of support have been received from the general public. The comments are summarised below.

- a) Buildings are excessively tall / large
- b) Loss of privacy to existing residential buildings
- c) Overshadowing of existing residential buildings
- d) Building work will be disruptive / impact from noise / dust
- e) Road infrastructure unfit for the amount of new homes
- f) Loss of view
- g) Loss of property value
- h) No need for additional student accommodation

The received letter of support advises support on the basis of design and the proposed art deco style of the buildings which mitigate for 'cheaper' designed buildings which have been erected in the city.

10.2 Response:

- a) the matter of the acceptability of tall buildings in planning policy terms is set out in the appraisal above
- b) the matter of Loss of privacy to existing residential buildings is set out in the residential amenity section of the appraisal above

- c) Overshadowing is addressed in the residential amenity section of the appraisal above
- d) This matter has been addressed through the proposed use of conditions
- e) This matter is addressed in the highways and transportation section of the appraisal above.
- f) the loss of a view is not a material planning consideration
- g) Loss of property value is not a material planning consideration
- h) Student housing need is not a policy matter for assessment in the adopted development plan and cannot be considered
- i) This matter is duly noted and reflected in the recommendation

10.3 In addition to the received comments from the general public, Leeds Civic Trust have objected to the development on the following basis, summarised and addressed as follows:

- a) lack of balconies proposed due to wind impacts
- b) flats only have single aspects due to site constraints
- c) Public spaces will be windy and in shade
- d) measures not proposed to combat noise and air pollution
- e) site and building orientation undo the benefits of sustainability policy requirements
- f) references and interchangeability between co-living and student accommodation in supporting literature
- g) Buildings should be of a lower height
- h) lack of natural light to corridors
- i) Need to provide drop off space at ground level
- j) Intensive use of lifts at peak times

10.4 Response:

Matters (a), (b) & (h) are duly noted however there are no specific planning policy requirements in relation to these detailed design matters and the context of high rise development in the city centre is that many flats due to site constraints and other planning factors may not have balconies, are only single aspect and may not have natural light to corridors. It is considered that in this context the concerns raised are not considered to outweigh the overall regeneration and planning benefits of the scheme as presented.

Matter (c) concerning wind and microclimate is addressed within the appraisal above. The development is considered to produce an acceptable level of comfort within the public realm through the proposed mitigation measures associated with the development.

Matter (d) is noted however preliminary noise and ventilation assessments have taken place and the finalised details will be secured by condition based on the initial assessments to the satisfaction of Environmental Health.

Matter (e) is noted however building orientation is in part of a corollary of making the site safe in wind safety terms and finding a balance between creating a safe environment and redevelopment of a key brownfield site.

Matter (f) is noted, however the development is confirmed as being for purpose-built student accommodation (not co-living) and occupancy will be controlled through the section 106 in this regard.

Matter (i) is addressed in the appraisal above.

Matter (j) is noted however this comment is considered subjective. In public safety terms the matter has been assessed in consultation with the Health and Safety executive and will be required to accord with the next gateway stage of assessment and Building Regulations.

## **11.0 PLANNING BALANCE AND CONCLUSION**

11.1 Paragraph 202 of the NPPF is engaged. Paragraph 202 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The public benefits of the scheme are considered to be as follows:

- The proposals would regenerate a prominently located brownfield City Centre site which has detracted from this gateway location for many years. In doing so it would deliver a significant number of new homes and meet policy requirements for affordable housing. Whilst not meeting the preferences detailed in the development plan's housing mix policy, the mix proposed is based on evidence of demand and need and includes flexibility to provide an increased number of homes suitable for families and sharing groups should future demand require it.
- The proposed development would provide high quality, landmark buildings which would animate and improve the appearance of the local townscape and alongside recent permissions and redevelopments would finalise and reinforce a belt of high density developments around the western periphery of the city centre - close to what is currently an area of visually over-dominant highway network.
- The development of this sustainably located site would have an acceptable impact upon highway and pedestrian safety and provide and encourage sustainable transport choices. Impacts upon the capacity of local cycle infrastructure can be made acceptable through contributions towards improvements which will have benefits beyond the operation of the site itself. The public realm and pedestrian connections around the site would be significantly enhanced and connectivity through the city centre improved.
- The development would be safe in terms of wind and microclimate considerations through the employment of suitable on-site mitigation which is an issue which has been difficult to resolve through previous iterations of proposed development at the site.
- The proposed development would provide a raft of measures to ensure compliance with relevant local and national sustainability policy and, in so doing, would positively respond to the Climate Change Emergency and would allow future connection to a potentially widened District Heating Network in future years.

11.2 As a result, on balance it is considered the development accords with the Development Plan as a whole and consequently outweighs the less than significant harm to heritage assets identified. Accordingly, it is recommended that the scheme should be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in Appendix 2 (including any amendment to the same or

addition of further conditions as the Chief Planning Officer deems appropriate) and the completion of a Section 106 agreement.

**Background Papers:** 9 public letters of objection, 1 public letter of support, 1 letter of objection from Leeds Civic Trust, Application file 22/04895/FU

**CITY PLANS PANEL**

**THURSDAY, 24TH MARCH, 2022**

**PRESENT:** Councillor J McKenna in the Chair

Councillors K Brooks, P Carlill, D Cohen,  
A Garthwaite, C Gruen, G Latty, E Nash,  
P Wadsworth and N Walshaw

**133 PREAPP/21/00250 - Pre-Application for Purpose built student accommodation and residential development at the former Yorkshire Post site, Wellington Street, Leeds**

The Chief Planning Officer submitted a report to City Plans Panel to inform Members at an early stage of the emerging proposals for two purpose-built student residential blocks, a new build to rent residential block and associated public realm on the remainder of the former Yorkshire Post site.

Present at the meeting were:

- Tim Waring
- Sue Sparling
- Terry Shaw

Earlier in the day the Members had visited the site. Slides, photographs and CGI's were shown throughout the presentation.

Draft minutes to be approved at the meeting  
to be held on Thursday, 21st April, 2022

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Members were provided with the following information:

- This is to be a key gateway site at the west part of the city. The developer hopes to start in 2023
- Building A would be the closest to Wellington Street, and step via two 'shoulders' from 13 storeys to a maximum height of 40 storeys. The building is proposed for purpose-built student accommodation and would provide 1,065 units with a mix of cluster apartments and studio apartments.
- Building B is proposed to be 30 storeys high set back 13m from the closest point to Building A. This is also proposed as purpose-built student accommodation and would provide 550 units.
- Building C is proposed as being at the southern part of the site adjacent to the River Aire and steps via two 'shoulders' from 12 storeys and 14 storeys to a maximum of 25 storeys in height. It is proposed that it will provide approximately 320 apartments, including roof top external amenity space.
- It is proposed that the buildings will be set in landscaped public realm which will cover two thirds of the site. This is to include:
  - Connections to the external public highway, with two-way access to Wellington Street and one way access from Wellington Bridge Street
  - A public square with art structures which will show the history of the site from a woollen mill and the printing of the Yorkshire Evening Post. The developer proposes to incorporate the iconic clock tower within the scheme.
  - Public realm includes a riverside walk, play area, links to the Headline building and a micro forest area which will take a period of 20 years to establish but will improve oxygen levels and acoustics
  - The play area will include active play and a time trial for adults.
- The material for the buildings is proposed as terracotta bricks which link to the history of the city. The design will incorporate a fold and weave on the façade, the design will address acoustic and air quality. Windows will be able to be opened.

In response to questions from Members the Panel were provided with the following information:

- The micro forest would be planted with up to 20 species of different trees known to be able to survive in the locality. The benefits that the micro forest would add were of air quality and links to the riverside walk. The micro forest would be made up of shrubs, sub tree layer, tree layer and canopy layer, a specific growing medium would be imported onto the site. The developer will work with a consultant to ensure that species of trees chosen will thrive in this locality. The micro forest would be maintained as appropriate through a legal obligation. This area would provide habitat for insects and wildlife. It was noted that the choice of species proposed should be shared with Cllr Nash.

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- Members were advised that most of the units in Building B (student accommodation) were cluster flats with some studio apartments (the report was incorrect in this respect).
  - With regards to the build to rent building C, it was noted that this part of the development would be managed the same as the adjacent Headline building. All apartments would be in line with the Leeds space standards. The developers could look at more family sized units, however, the 2 bed 4 person units were 74 square metres and the 3 bed 4 person units were also 74 square metres. There was therefore an option for the 2 bed 4 person units to be adapted into 3 bed units if required by the occupiers.
  - There would be parking spaces for disabled residents and visitors.
  - 35 wind studies had taken place to ensure safety and comfort for pedestrians through the site with faceted towers, public art structures of differing heights and trees to allow wind to flow through the development.
  - Residents would have the choice of either opening windows or the use of mechanical air flow. All windows would have a grill for safety. This was part of the future proofing of the development. It was noted that as more vehicles become electric the noise and pollution from the busy roads would decrease. Noise and air quality surveys had been undertaken.
  - The developers all live in Leeds and realise that the clock tower is an iconic part of Leeds and used as a well-known landmark. It is the intention to replace and maintain this feature as part of the development.
  - The developers were confident that the students and non-student residents could live side by side sharing the public amenity space.
  - There were concerns in relation to parking as it had been noted by the Members on their visit, there were unauthorised cars parked at the rear of the Headline building which would need to be addressed.
  - It was the view that building B had a less attractive frontage, and that it could be better. However, it was recognised that this area would have fewer pedestrians passing by and the lower level would form part of the cycle and bin storage
  - It was noted that some of the trees on the riverside had suffered from storm damage and would be looked at as part of this scheme.

Members comments included:

- Members welcomed the use of art structures celebrating the previous industries which had occupied this site, and how they would be used to mitigate wind flow through the development.
- This was a good application which would enhance this area.
- A thoughtful presentation which had provided a lot of answers. Particularly liked the use of trees as wind baffles.
- Like the openable windows as recognised in 10 years the noise and pollution levels would be different.

Draft minutes to be approved at the meeting  
to be held on Thursday, 21st April, 2022

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The Chair thanked the applicants for the presentation and the detailed model which had been available for Members to view.

Members were invited to offer comments on officer questions in the report.

**1. Do Members support the emerging proposals in respect of the principle of student /residential development?**

Members agreed with the emerging proposals.

**2. Do members support the proposed emerging approach to landscaping and pedestrian connectivity?**

Members were supportive of the emerging approach to landscaping and pedestrian connectivity.

**3. Do members support the emerging approach to car parking provision?**

Members supported this approach to car parking provision.



## APPENDIX B – Draft Conditions

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

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

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

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

3. The development is a Phased Planning Permission for CIL purposes. CIL Phase 1 will be a non-chargeable CIL Phase comprising site wide preparation works (including removal of existing/historic foundations, raising of site levels, laying of a piling mat and the construction of new piling, remediation, and construction of revised site access and access roads within the site). Prior to commencement of any further works, a Phasing Plan of the remaining phases of development shall be submitted to and approved in writing by the Local Planning Authority.

To assist with the identification of each chargeable development phase and the calculation of the amount of CIL payable in accordance with the Community Infrastructure Levy Regulations 2010 (as amended), and to ensure that the scheme is delivered in a co-ordinated way.

4. The total Class E floorspace within residential Block C shall be limited to a maximum of 412 square metres (GEA) of floorspace.

In the interests of maintaining the retail vitality of the city centre and prime shopping quarter.

5. a) No works shall commence on any relevant phase (including any demolition, site clearance, groundworks or drainage) until all existing trees, hedges and vegetation shown to be retained in that phase are fully safeguarded by protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. Only the BS5837 default barrier with the scaffold framework shall be employed. Such measures shall be retained for the full duration of any demolition and/or approved works.

b) No works or development shall commence on any relevant phase until a written Arboricultural Method Statement AMS in accordance with BS5837 for a tree care plan has been submitted to and approved in writing by the local planning authority. Works shall then be carried out in accordance with the approved method statement.

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

To ensure the protection and preservation of trees and vegetation during construction works, in accordance with LCC policies.

6. 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 the provision of amenity afforded by appropriate landscape design.

7. Prior to the commencement of development on any relevant phase a Construction Environmental Management Plan (CEMP:Biodiversity) for that phase shall be submitted to and approved in writing by the LPA. The CEMP (Biodiversity) shall put in place measures to retain and protect the 0.06 Habitat Biodiversity Units across the entirety of the development site, as per the Biodiversity Net Gain Assessment report by RDF Ecology dated November 2022 for the relevant phase, and include the following:
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Measures to avoid or reduce impacts during construction.
  - d) Location and timings of sensitive works to avoid harm to biodiversity features, including nesting birds.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) The role of a responsible person (Ecological Clerk of Works) and lines of communication.
  - g) Use of protective fences, exclusion barriers and warning signs.

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

REASON: to ensure the protection of existing biodiversity features in accordance with Core Strategy Policy G8, the NPPF, and BS 42020:2013.

8. Prior to the commencement of development on any relevant phase a Biodiversity Enhancement & Management Plan (BEMP) for that phase shall be submitted to and approved in writing by the LPA. The Plan shall demonstrate that the site as a whole can deliver a minimum of 0.61 on land identified in the Biodiversity Net Gain Assessment report by RDF Ecology dated November and include details of the following:
- a) Description and evaluation of features to be managed and enhanced.
  - b) Extent and location/area of proposed habitats and Biodiversity Units on scaled maps and plans.
  - c) Ecological trends and constraints on site that might influence management.
  - d) Aims and Objectives of management to include Target Biodiversity Units and Condition Criteria.
  - e) Appropriate management Actions for achieving Aims and Objectives.
  - f) An annual work programme (to cover an initial 5 year period).
  - g) Details of the specialist ecological management body or organisation responsible for implementation of the Plan.
  - h) How the Plan is to be funded.

- i) For each of the first 5 years of the Plan, a progress report sent to the LPA reporting on progress of the annual work programme and confirmation of required Actions for the next 12 month period.
- j) The Plan will be reviewed and updated every 5 years and implemented for a 30 year period.

The Plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented when necessary. The approved Plan will be implemented in accordance with the approved details.

To ensure the long-term protection and enhancement of biodiversity in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013.

9. Prior to occupation of the first residential/student dwelling a Biodiversity Monitoring Programme & Monitoring Report carried out by an appropriately qualified ecological consultant shall be submitted to and agreed by the LPA. It shall include the first Monitoring Report and specify the frequency and timing of subsequent Monitoring Reports to cover a minimum 30 year period to be submitted to the LPA. The Monitoring Report will include the following:
- a) Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to the 0.61 identified for Retention and Creation in the Biodiversity Net Gain Assessment report by RDF Ecology dated November 2022.
  - b) Where the Target Condition is not yet met provide an assessment of time to Target Condition for each habitat and any changes to management that are required.
  - c) How the monitoring is funded and the specialist ecological body responsible.
  - d) Confirmation by photographs that all integral bird nesting and bat roosting features are in place as approved.

Subsequent Monitoring Reports will be submitted to the LPA at time-scales stated in the Monitoring Programme and where remedial measures or changes in management are required these will be addressed in the subsequent Biodiversity Enhancement & Management Plan (BEMP) annual work programmes.

To ensure Biodiversity Units are delivered as agreed in the approved BEMP for perpetuity.

10. Prior to the first occupation on any relevant phase, a Plan shall be submitted to and approved in writing by the LPA of: integral bat roosting and bird nesting features (for species such as House Sparrow and Swift) within the building(s) in that phase. 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 in accordance with Core Strategy Policy G9, NPPF, and BS 42020:2013.

11. Prior to first occupation on any relevant phase a Lighting Design Strategy For Bats for that phase shall be produced by an appropriately qualified ecological consultant and submitted to and approved in writing by the LPA. The Strategy shall:
- a) Identify those areas/features on site that are “particularly sensitive for commuting and foraging bats” - using an appropriately scaled map to show where these areas are.
  - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb commuting and foraging bats.

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

To safeguard a protected species (bats) in accordance with protection and enhancement of biodiversity in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013

12. The below hard and soft landscaping works shall not commence for any relevant phase of the development until full details of both hard and soft landscape works for that phase, including an implementation programme for that phase and the temporary treatment of any future phases, have been submitted to and approved in writing by the Local Planning Authority.

Hard landscape works shall include:

- a. proposed finished levels and/or contours.
- b. boundary details and means of enclosure.
- c. other vehicle and pedestrian access and circulation areas.
- d. hard surfacing areas.
- e. Lighting.
- f. CCTV and access control.
- g. proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
- h. access control and site security measures.
- i. seating (whereby 50% of all new seating must meet the full accessibility standard set out in British Standard BS8300, and no seating is to include gaps between arm and back rests).

Soft landscape works shall include.

- j. planting plans.
- k. written specifications (including soil depths and quality to BS 3882:2015, cultivation and other operations associated with plant establishment).
- l. schedules of plants noting species, planting sizes and proposed numbers/densities.
- m. details of tree pits and root cells.
- n. details of green roof.
- o. A scheme for management and maintenance of the publicly accessible areas.
- p. long term landscape management plan.
- q. Location of external cycle parking.

r. Temporary landscaping treatment on land within the site, but outside the relevant phase, where that is not proposed for construction within 18 months of practical completion of the relevant phase.

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 of amenity afforded by appropriate landscape design and in the interests of public safety.

13. Prior to the installation of any external facing material to the proposed buildings, full details including a sample panel of the relevant external facing materials, roofing and full details of glazing types for that building to be used shall be constructed on-site and approved in writing by the Local Planning Authority. The external materials, roofing and glazing materials shall be constructed in strict accordance with the sample panel(s). The sample panel(s) shall not be demolished prior to the completion of the development, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

14. Prior to the construction of the following elements of the proposed buildings, full 1 to 20 scale working drawing details of the following for that phase shall be submitted to and approved in writing by the Local Planning Authority:
- a. soffit, roof line, eaves and any external plant area treatments.
  - b. junctions between materials.
  - c. each type of window bay proposed.
  - d. ground floor frontages.

Development shall then be undertaken in accordance with the approved details.

In the interests of visual amenity.

15. Prior to first occupation of the dwellings within Block C, 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 at the time of commencing works onsite for that phase, 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.

16. The development shall not be occupied until the wind mitigation measures identified in the Wind Engineering CFD Assessment (Buro Happold, 8 July 2022) have been implemented. The measures shall thereafter be retained and maintained.

In the interests of pedestrian and highways safety.

17. Prior to first occupation of any part of the development, the off-site highway works as shown on plan T713/0100 (or as subsequently updated in agreement with the local planning authority) shall be fully delivered.
  1. Removal of the existing left-in / left-out arrangement, with the kerb to be reinstated to full-height footway.
  2. Construction of a new one-way access, including associated works, signage and road markings.
  3. Dropped kerb pedestrian crossings with tactile paving at the new access.

To ensure the free and safe use of the highway.

18. The vehicular access gradient shall not exceed 1 in 40 (2.5%) for the first 15m and 1 in 20 (5%) thereafter, unless otherwise agreed in writing by the Local Planning Authority. The gradient of the pedestrian access shall not exceed 1 in 20 (5%).

To ensure the free and safe use of the highway, and in the interests of disabled access.

19. Block C (residential) shall not be occupied until Electric Vehicle Charging Points have been provided in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be retained for the lifetime of the development.

In the interest of promoting low carbon transport.

20. Notwithstanding the approved details, no building shall be occupied until full details of cycle/motorcycle parking and facilities for that building have been submitted to and approved in writing by the Local Planning Authority. The approved cycle/motorcycle parking and facilities shall be provided prior to first occupation of that building and retained thereafter for the lifetime of the development.

In the interests of highway safety and promoting sustainable travel opportunities.

21. Development of the building superstructures or revised access to Wellington Bridge Street shall not commence until a survey of the condition of Wellington Bridge Street along the site frontage has been submitted to and approved in writing by the Local Planning Authority. Upon practical completion of the final approved building on the site a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented within 3 months of the remedial works being agreed with the Local Planning Authority. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local Planning Authority.

In the interest of highway safety and to ensure the free and safe use of the highway.

22. No part of the development shall be occupied until a Car Park and Servicing Management Plan (including timescales) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following information:
1. Measures to manage students moving in and moving out, including slots / a booking system.
  2. Incentives to help students during move in/out times, such as moving kits.
  3. Management of food/parcel deliveries, including taxi drop-off / pick-up; and
  4. Measures to enforce the parking restrictions / signage within the site.

The development shall be operated in accordance with the approved details.

To ensure the free and safe use of the highway.

23. No part of the development hereby permitted shall be occupied until details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection within that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use of that phase commences and shall be retained thereafter for the lifetime of the development.

To ensure adequate measures for the storage and collection of wastes are put in place. In the absence of appropriate measures residential amenity could be adversely affected.

24. The disabled parking shown on the approved plans shall be laid out prior to first occupation of Block C and retained for the life of the development.

In accordance with the adopted Core Strategy and parking policies.

25. Remediation works for each relevant phase of the development shall be carried out in accordance with the approved Remediation Strategy (Ref. CGN/04840, Rev 2). On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority for each phase in accordance with the approved programme. No phase of the development shall be brought into use until such time as all verification information relevant to that phase has been approved in writing by the Local Planning Authority. All reports are prepared and approved by a suitably qualified and competent person.

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

26. If remediation is unable to proceed in accordance with the approved Remediation Strategy, or where significant unexpected contamination is encountered, or where soil or soil forming material is being imported to site, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing. An amended or new Remediation Strategy and/or Soil Importation Strategy 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 Strategy.

To ensure that any necessary remediation works are identified to make the site 'suitable for use' with respect to land contamination.

27. Development (excluding Demolition) of above ground structures shall not commence until a Gas Verification Plan has been submitted to, and approved in writing by, the Local Planning Authority. It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

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' with respect to land contamination.

28. The development shall be undertaken in accordance with the Roscoe Drainage Assessment (DA) ref 1058-ROS-00-00-RE-D-09001. Rev 7 dated November 2022 unless otherwise submitted and approved in writing with the Local Planning Authority. The works shall be fully implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

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

29. The temporary drainage measures to be implemented during the demolition and construction phases shall be as set out within the Roscoe Management Schedule for Surface Water Drainage During Demolition, Enabling Works and the Construction Stage ref 1058-ROS-00-00-RE-D-09003 Revision 2 dated December 2022 unless otherwise submitted and approved in writing with the Local Planning Authority. The temporary drainage measures shall be fully implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To prevent flooding and pollution offsite in accordance with the NPPF.

30. No phase of the development shall be brought into use until a suitable Flood Evacuation Plan (FEP) has been submitted and approved by the Local Planning Authority for that phase. The Flood Evacuation Plan shall be based on the latest Environment Agency guidance and the ADEPT/EA document titled Flood Risk Emergency Plans for New Development dated Sept 2019 downloadable <https://www.adeptnet.org.uk/system/files/documents/ADEPT%20%26%20EA%20Flood%20risk%20emergency%20plans%20for%20new%20development%20September%202019....pdf> from here and include the following:
- a) Details of advanced flood warning measures;
  - b) Advanced site preparation measures to be undertaken in the event of a flood warning
  - c) Site evacuation measures;
  - d) Details of how the FEP will be monitored during all operational hours of the development, the responsibility for flood safety measures in accordance with emergency flood management plan.
  - e) Confirmation that details of the FEP will be relayed to all site users and shall be implemented for the life of the development and to any future owners.

To ensure a safe building environment for the lifetime of the development.



31. No Class E(b) (sale of food and drink) use serving hot food shall 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.

To protect against pollution and clogging of the sewerage system.

32. No phase of the development shall be occupied until all areas shown on the approved plans to be used by vehicles, including roads, footpaths, cycletracks, loading and servicing areas and vehicle parking space within that phase have been fully laid out, surfaced and drained such that loose materials and 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.

33. No phase of the development shall be 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 relevant to that phase.

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

34. Prior to the commencement of above ground works to any building in a relevant phase, full details of a sound insulation scheme designed to protect the amenity of future occupants of that phase of the development from noise emitted from nearby or proposed noise sources shall be submitted to and approved in writing by the local planning authority. The insulation scheme shall aim to achieve the criteria set out in Leeds City Council Planning Consultation Guidance 'Noise and Vibration' dated December 2019. The use hereby approved shall not commence until the works have been completed, and any such noise insulation as may be approved shall be retained thereafter. (This should be based on the recommended noise mitigation contained within the approved MZA Noise Impact Assessment).

In the interests of residential amenity.

35. Commercial deliveries to and from the premises (all uses) 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 amenity.

36. Prior to the installation of any extract ventilation system or externally mounted mechanical plant, details of such systems, including where relevant details of odour and smoke filtration for hot food uses, shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall aim to achieve the criteria set out in Leeds City Council Planning Consultation Guidance 'Noise and Vibration' dated December 2019. Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The rating level of noise from any externally mounted plant or equipment is to be no higher than the existing representative background noise level (LA90) when measured at noise sensitive premises, with the measurements and assessment of calculation made in accordance with BS4142:2014.

In the interests of amenity.

37. A minimum sound insulation performance of DnTw + Ctr 50dB shall be provided between any commercial units and any adjoining habitable areas. Maximum operating noise limits from commercial units shall not exceed NR20 in student or residential bedrooms and NR25 in other habitable rooms. Should any commercial tenant wish to exceed these maximum operating noise limits, further acoustic mitigation would be required to ensure the same criteria can be achieved.

In the interests of amenity.

38. Prior to occupation of the Blocks A or B (student accommodation) a Management Plan, Departure Management Plan and Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

In the interest of amenity and highway safety.

39. Prior to first occupation of any residential or student accommodation in a relevant phase, a Management Plan relating to the capacity of the rooftop terraces for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall detail maximum capacity figures for the use of the rooftop terraces and how capacity will be managed.

To prevent noise nuisance arising from use of the rooftop terraces.

40. Access to the communal roof terraces is to be restricted between the hours of 11pm and 8am (except for maintenance and emergency access).

In the interests of amenity.

41. No speakers for the playing of amplified music or sound shall be installed on the roof terraces.

In the interests of amenity.

42. Prior to the commencement of the above ground works to a building in a relevant phase, a TM59 Study to consider overheating to any building within that phase shall be submitted to and approved in writing by the Local Planning Authority. This study shall comply with the requirements of the 2017 CIBSE Guide ISBN 9781912034185 and Part O of the Building Regulations. This study shall identify the location and quantity of any units where open windows are proposed to mitigate against overheating, including the number of days that this would be applicable and implemented as such. Where open windows are proposed the resultant internal noise levels may not exceed the levels stated in Leeds City Council Planning Consultation Guidance 'Noise and Vibration' dated December 2019 by more than 10dBA. The Study shall also outline measures to prevent overheating without impacting on existing noise mitigation measures, where this can be achieved. The results of the Study should be constructed / implemented prior to first occupation.

REASON: in the interests of amenity and to ensure an acceptable internal living environment.

43. Prior to first occupation of any residential or student accommodation in a relevant phase, a sound insulation scheme related to any amenity space within that phase to be used as a gym or spa shall be submitted to and approved in writing by the Local

Planning Authority. The scheme shall achieve internal residential noise levels of no higher than noise rating NR20 in bedrooms between 23.00 and 07.00, and NR25 in all habitable rooms between 07.00 and 23.00. Associated plant noise from the amenity spaces shall achieve a BS4142:2014 rating level of no higher than the background at the nearest noise sensitive receptors, including the character corrections for tonality, impulsivity and intermittency as appropriate.

In the interest of amenity.

44. The development shall be constructed in accordance with the submitted Energy & Sustainability Statement (Doc ref: 19122-MMEP Energy & Sustainability Statement Rev P5) to achieve the following:
- To incorporate Low and Zero Carbon (LZC) technologies to produce a minimum of 10% of the total energy demand.
  - To achieve at least a 20% reduction in total predicted carbon dioxide emissions in the Building Regulations Target Emission Rate Part L 2013.
  - To achieve a low water usage target of 110 litres per person per day.
  - To enable future connection to the local district heat network.

Within 6 months of final occupation a post-construction review statement shall be submitted to the Local Planning Authority demonstrating that the buildings have achieved the relevant standards. The development and buildings comprised therein shall be maintained thereafter and any repairs shall be carried out in accordance with the approved detailed scheme and post-completion review statement.

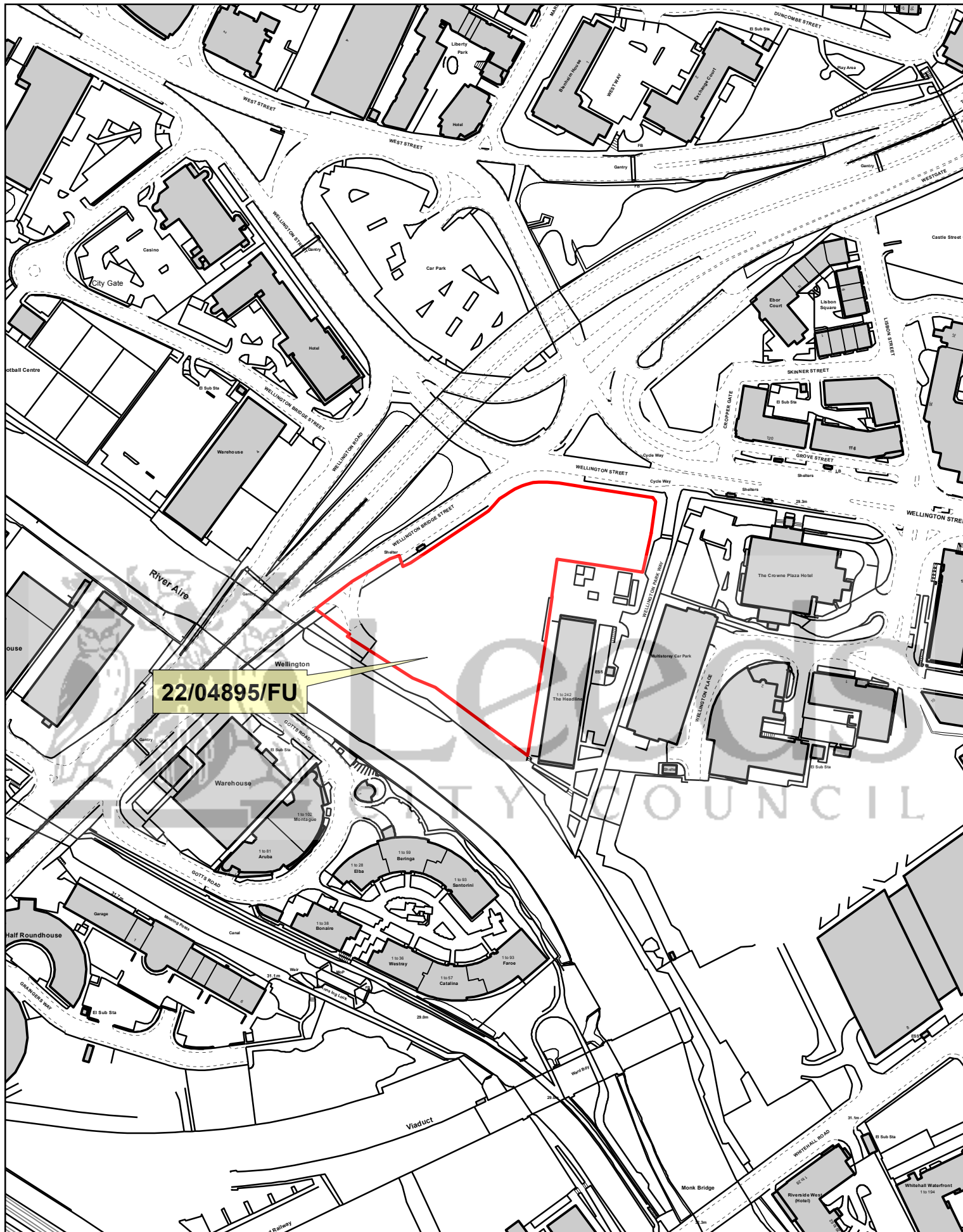
In the interests of ensuring the development meets the requirements of the adopted energy policies within the Core Strategy

45. Prior to the commencement of above ground works in a relevant phase the following shall be submitted to and approved in writing by the Local Planning Authority pursuant to that phase:
- a. a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit).
  - b. a Site Waste Management Plan (SWMP).

In the interests of ensuring the development meets the requirements of the adopted energy policies within the Core Strategy.

46. Prior to first occupation of any of the buildings hereby approved and prior to its relocation, a full methodology and strategy for the re-use of the Yorkshire Post Clock and Temperature Gauge shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be undertaken in accordance with the approved details

In the interests of visual amenity, wind and microclimate safety and with regard to the heritage of the site and the city of Leeds.



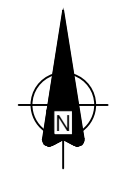
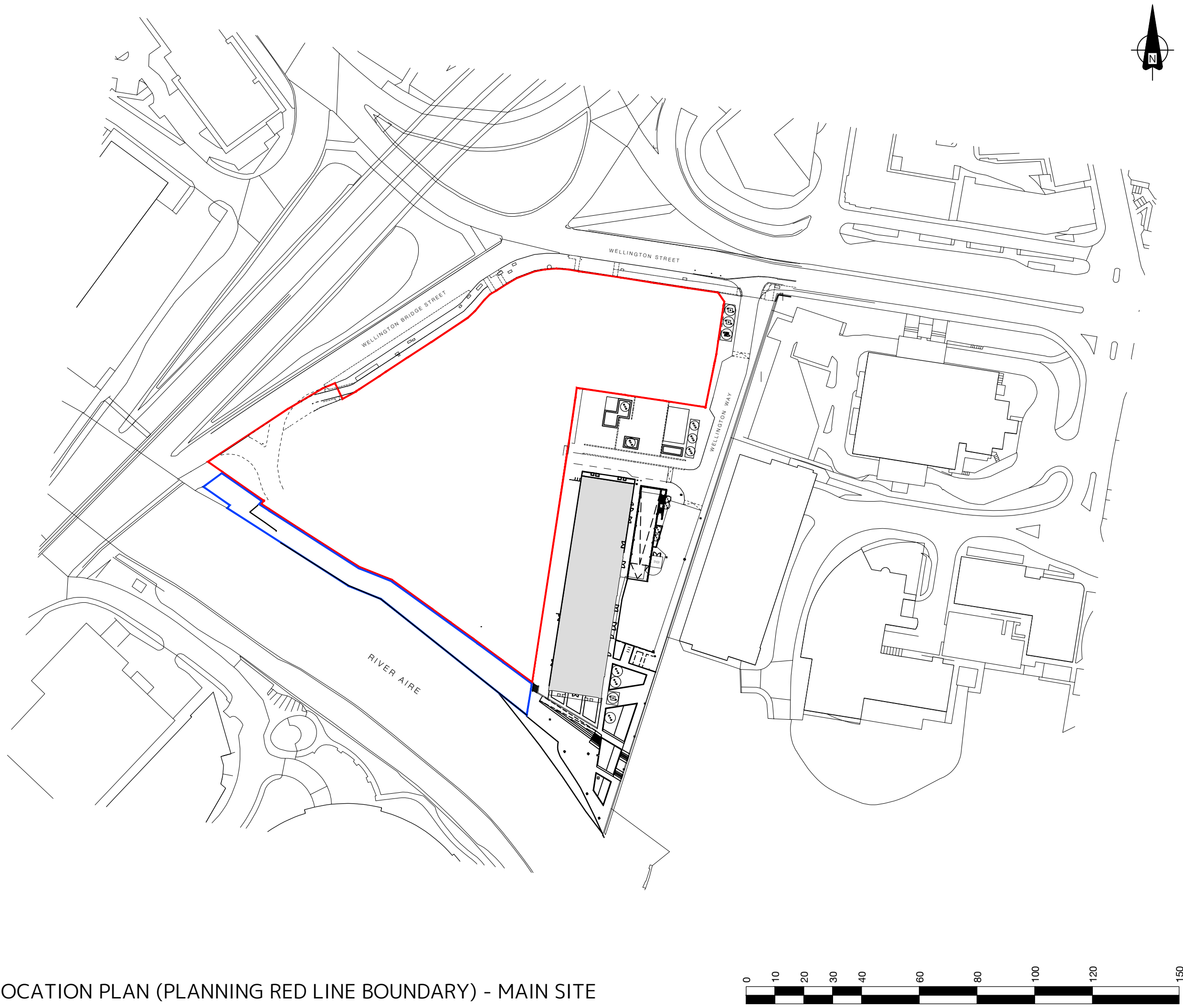
# CITY PLANS PANEL

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

SCALE : 1/2500





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REVISIONS

A	09/02/22	HS	LB
LAYOUT REVISED FOLLOWING DESIGN UPDATES			
B	01/04/22	LB	SS
DRAWING UPDATED TO REFLECT CHANGES TO BUILDING MODELS			
C	05/04/22	LB	SS
APPLICATION BOUNDARY UPDATED TO INCLUDE S278 WORKS			
D	22/06/22	SS	SS
UPDATED TO REFLECT LATEST SCHEME. DRAWING RETITLED TO STATE 'MAIN SITE' DRAWING SIZE AMENDED TO A1 @ 1:1000			
E	24/06/22	SS	SS
UPDATED PLANNING BOUNDARY. EXTG ACCESS ROAD SHOWN.			



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PROJECT

**FORMER YORKSHIRE POST SITE  
WELLINGTON STREET, LEEDS**

TITLE

**LOCATION PLAN (MAIN SITE)  
PLANNING REDLINE BOUNDARY**

SCALE	DATE
<b>1:1250      @A3</b>	<b>01/06/21</b>

DRAWN	REVIEWED
<b>LB</b>	<b>SS</b>

DLA REF	NUMBER	REVISION
<b>2020-073</b>	<b>0102</b>	<b>E</b>

STATUS

**PLANNING**

T:\2020\2020-073\CAD\05-AUTOCAD\DWGS\0102

LOCATION PLAN (PLANNING RED LINE BOUNDARY) - MAIN SITE