



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 10th August 2023

Subject: 22/06503/FU - Development of 78 affordable apartments in an 11 storey building with associated cycle, bin and concierge space on land to the east of St Cecilia Street, Leeds.

Developer- Legal and General Affordable Homes

Electoral Wards Affected:

Little London & Woodhouse

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

POSITION STATEMENT: Members are requested to note the contents of this report on the proposal and to provide views in relation to the questions posed to aid the progression of the application.

1.0 INTRODUCTION

1.1 The application is presented to City Plans Panel under criterion (g) of the Chief Planning Officer's scheme of delegation exceptions which states "where the Chair considers that the application should be referred to the relevant Plans Panel for determination because of the significance, impact or sensitivity of the proposal."

- 1.2 This report is a Position Statement meaning that the application is not being reported for determination at this point in time. The purpose of this Position Statement is to inform Members of the proposal, to report on the progress of the application and to seek Members comments on key planning issues associated with this development.

2.0 PROPOSAL:

- 2.1 The proposal is for a single 11-storey apartment building containing 78 socially rented affordable units (affordable to households in the lowest decile of earnings). The proposed mix includes 1, 2 and 3 bed properties as set out below;

1 bedroomed apartments – 46 (59%)

2 bedroomed apartments – 28 (36%)

3 bedroomed apartments – 4 (5%)

- 2.2 The proposed ground floor includes a reception area, bike and bin store, plant rooms and three flats. The three ground floor flats would have access to a small private perimeter walkway / terrace. The remaining flats would be spread across the upper floors, which would be accessible via a central stairwell and two lifts. The main entrance to the building would be off St Cecilia Street. The proposal includes two wind baffles at the north-west corner of the building.
- 2.3 The proposed elevations of the building follow a grid form. It would be constructed of a light-coloured masonry with dark brick horizontals, and a moulding detail on the infill panels. All flats would have floor to ceiling windows.
- 2.4 The proposed development includes a new lay-by on St. Cecilia Street immediately in front of the development site, to accommodate vehicle drop off and pick up, servicing and refuse collection. As the development site is located within the City Centre, no car parking is proposed.
- 2.5 To meet its sustainability targets the scheme would connect into the District Heating Network.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site measures 0.12 hectares and is located at the eastern end of Leeds City Centre, within Quarry Hill. The site is on the eastern side of St Cecilia Street. The Northern Ballet Centre (and associated car park) is to the south, Quarry House to the east, Leeds Conservatoire to the west and apartment Block B of the SOYO development to the north (currently under construction).
- 3.2 The application site was formerly in use as a surface level public car park but is now vacant.

3.3 The area includes buildings of a similar scale and massing, but includes a mix of building heights and materials. The building heights range from 5 to 16 storeys; and materials include brick, metal cladding, stone and glass.

4.0 RELEVANT PLANNING HISTORY:

4.1 14/06534/OT: Outline application for mixed use redevelopment including A1, A3, A4 and A5 uses, offices (B1), hotel (C1), residential (C3), medical centre (D1), college (D1), student residential accommodation, multi storey car park, basement car parking, access and open space. Approved 02.11.2017

4.2 20/06989/RM: Reserved matters application for appearance, scale and landscaping for Phase 2 development of Blocks B and C for 331 build to rent units and ancillary accommodation together with Class A1 and A3 use and the provision of public realm areas with the Phase 2 area pursuant to Outline Planning Permission 14/06534/OT. Approved 06.09.2021

4.3 08/04304/LA: 6 storey dance studio, with changing rooms, meeting rooms, stores and offices, and roof plant room. Approved 15.10.2008

5.0 PUBLIC/LOCAL RESPONSE:

5.1 The application was advertised as a major development. Site notices were posted around the site on 12.10.2022 and an advert was published in the Yorkshire Evening Post on 07.10.2022. The expiry date of the publicity period was 02.11.2022.

5.2 The Council received three letters of representation. Although the provision of affordable housing in the City Centre is supported, concerns were raised around the building design and the importance of retaining access for vehicles using the Northern Ballet Centre car park.

5.3 Ward members for Little London & Woodhouse were notified by email on 10th October 2022. No comments were made.

6.0 CONSULTATION RESPONSES

6.1 Statutory

Highways: No objection subject to conditions controlling maximum footway gradient, cycle / motorcycle facilities, off-site highway works, on-street parking, provision for contractors and refuse storage.

West Yorkshire Police: No comments.

Yorkshire Water: No objection subject to conditions.

Coal Authority: No objection subject to conditions.

HSE (Fire): HSE is satisfied with the fire safety design.

6.2 Non-Statutory

Flood Risk Management: No objection subject to conditions.

Environment Studies: No objection.

Environmental Health: No objection subject to conditions requiring noise protection scheme, sound insulation and noise and dust control.

Contaminated Land: No objection subject to conditions.

Influencing Travel Behaviour: No objection subject to Travel Plan Review fee and provision of a Residential Travel Plan Fund.

Design Team: No objection

Local Plans: No objection.

Nature team: No objection subject to condition requiring bat roosting and bird nesting features.

Wind consultant: No objection.

7.0 **RELEVANT PLANNING POLICIES:**

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

For the purposes of this site the Development Plan for Leeds currently comprises the following documents:

1. Leeds Core Strategy (adopted November 2014 and as amended by the Core Strategy Selective Review 2019)
2. Saved Leeds Unitary Development Plan Policies (Reviewed 2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
4. Leeds Site Allocation Plan (2019)

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

7.2 Leeds Core Strategy

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. Relevant Core Strategy policies will include those outlined below.

Spatial Policy 1: Location of development

Spatial Policy 3: Role of Leeds City Centre

Spatial Policy 6: The 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: Provision for offices, industry and warehouse employment land and premises

Spatial Policy 11: Transport infrastructure investment priorities

Policy CC1: City Centre development

Policy CC3: Improving connectivity between the City Centre and neighbouring communities

Policy H1: Managed release of sites

Policy H3: Density of residential development

Policy H4: Housing mix

Policy H5: Affordable housing

Policy H9: Minimum space standards

Policy H10: Accessible housing standards

Policy EC2: Office development

Policy P10: Design

Policy T1: Transport Management

Policy T2: Accessibility requirements and new development

Policy G5: Open space provision in the City Centre

Policy G8: Protection of important species and habitats

Policy G9: Biodiversity improvements

Policy EN1: Climate Change – Carbon dioxide reduction

Policy EN2: Sustainable Design and Construction

Policy EN4: District Heating

Policy EN5: Managing Flood Risk

Policy ID2: Planning obligations and developer contributions

7.3 Leeds Unitary Development Plan Review Retained Policies

Policy GP5: All planning considerations

Policy BD2: Design and siting of new buildings

Policy BD4: Mechanical plant and servicing for new developments

Policy BD5: Residential amenity

7.4 The 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 site forms part

of a wider mixed-use allocation in the SAP (ref. MX2-23; Quarry Hill/York Street, Leeds) which has an indicative capacity of 600 residential units and 11,000 sqm of office floorspace.

7.5 Leeds Natural Resources and Waste DPD 2013 including revised policies Minerals 13 and 14 (Adopted September 2015).

The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like trees, 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
Water 2: Protection of Water Quality
Water 7: Surface water run-off
Land 1: Contaminated land

7.6 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) revised and adopted in July 2021 and sets out the Government's planning policies for England and how these should be applied.

Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development.

Paragraph 110 of the NPPF states that applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process

Paragraph 130 states that decisions should ensure that developments:

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.7 Supplementary Planning Documents

Tall Buildings Design Guide SPD

Transport SPD

Building for Tomorrow Today: Sustainable Design and Construction SPD

Neighbourhoods for Living SPG

Accessible Leeds SPD

City Centre Urban Design Strategy SPG

8.0 **KEY ISSUES**

8.1 Principle of the proposed use

- 8.1.1 The application site is located within the defined boundary of the City Centre. Core Strategy Policy CC1 encourages residential development, including new buildings, within the City Centre providing it does not prejudice the town centre functions of the City Centre.
- 8.1.2 The site is vacant and currently makes no contribution to the town centre functions of the City Centre, but has been identified in the Council's Site Allocations Plan (SAP) as important for bringing forward residential and office development. In this regard, the site forms part of a wider mixed-use allocation in the SAP (ref. MX2-23; Quarry Hill/York Street, Leeds) which has an indicative capacity of 600 residential units and 11,000 sqm of office floorspace.
- 8.1.3 The application site represents a small proportion of the mixed-use allocation (4.4%) with MX2-23 extending north, and westwards, to include the wider Quarry Hill site. Most of the mixed-use allocation has outline planning approval (granted in 2017 under planning ref. 14/06534/OT) for a mixed-use scheme

comprising approximately 706 residential units and 10,000 sqm of office floorspace (along with retail, hotel, medical centre and college). However, the outline consent enabled flexibility in the uses to be delivered in response to market demand and it has transpired that the wider site has delivered a predominantly residential led regeneration of the site allocation.

8.1.4 Although the wider site development and proposals on the application site will fall short of the office requirement set by the allocation, the Council's Local Plans team have advised that this site and the wider allocation is no longer needed to address the City Centre's office supply. As of 31st March 2023 the supply of offices was 1,079,755 sqm for the plan period.

8.1.5 For the reasons stated, the principle of residential development on this site is considered acceptable.

8.2 Housing Density

8.2.1 Core Strategy Policy H3 sets out density targets for residential development by area. The City Centre is expected to deliver a minimum of 65 dwellings per hectare. The proposal is for 78 units on a site measuring 0.12 hectares. The proposal therefore far exceeds the minimum density target in Policy H3.

8.3 Housing Mix and Affordable Housing

8.3.1 Core Strategy Policy H4 seeks to ensure an appropriate mix of dwelling types and sizes is provided to address needs measured over the long term, which takes account of the nature of the development and character of the location.

8.3.2 Although Core Strategy Table H4 sets a preferred target of 75% houses and 25% flats, the Core Strategy acknowledges that a scheme for 100% flats may be appropriate in a particular urban context (para. 5.2.11). As a result the housing type requirements for splits between flats and houses is not applicable to city centre sites.

8.3.3 Table H4 also sets out the preferred minimum and maximum targets for 1 bed (0-50%), 2 bed (30-80%), 3 bed (20-70%) and 4 bed+ (0-50%) units. Although Table H4 provides a useful starting point, the table is ancillary to the actual policy which simply asks for '*an appropriate mix of dwelling sizes*'. Indeed, the Core Strategy acknowledges that Policy H4 is worded to offer flexibility on account of differences in demand between areas (para. 5.2.11).

8.3.4 The application proposes the following mix;

1 bedroomed apartments – 45 (59%)
2 bedroomed apartments – 28 (36%)
3 bedroomed apartments – 4 (5%)

8.3.5 The above mix, clearly, does not comply with the preferred minimum and maximum housing mix set out in Table H4. However, providing that it can be

demonstrated that it forms an 'appropriate mix', it would still meet the test of Policy H4.

8.3.6 To determine whether the proposal represents an appropriate mix, officers have sought demand data for 3 bed affordable housing within Leeds City Centre. The 2017 Strategic Housing Market Assessment (SHMA) forms a useful starting point since it contains information on housing need and affordable housing requirements. Table 6.4 in the SHMA demonstrates that, in the City Centre, there is a need for 1 and 2 bed affordable homes but does not establish a need for 3 bed affordable homes. However, the SHMA was published in 2017 and more up-to-date data is needed to make an accurate assessment. The Council is working on preparing a new SHMA but this will not be available until later in the year.

8.3.7 In the absence of an up-to-date SHMA, data from the Annual Leeds Housing Register Report 2022-23 (LHR) has been used to inform the officer assessment. The LHR data is on a ward, rather than area basis. Whilst the application site falls entirely within Little London and Woodhouse ward, it sits close to the boundary with Burmantofts and Richmond Hill (to the north and east), and Hunslet and Riverside (to the south). Data from all three wards has been used.

8.3.8 Table 6 of the LHR shows the number of applications for affordable properties broken down by bedroom requirement. The proportion of 3 bed applications is as follows;

Burmantofts and Richmond Hill	– 213 / 1198 (17.8%)
Little London and Woodhouse	– 179 / 1101 (16.2%)
Hunslet and Riverside	– 107 / 913 (11.7%)

8.3.9 If considered in terms of proportionality the above data could be taken to argue the proposal should include a higher number of 3 beds than the proposed 5%. However, it is important to note the LHR indicates the greatest demand is for 1 and 2 bed affordable units. Out of a total of 3,212 applications for affordable housing across the three wards, 2,530 applications were for 1 and 2 bed properties. This represents 79% of all applications.

8.3.10 Moreover, the proposal is delivering significantly more affordable housing than required under policy. Core Strategy Policy H5 requires 7% affordable housing provision within the City Centre which equates to 5 units (this corresponds to 3 one bed, 2 two bed and 1 three bed based on the preferred minimum housing mix in Table H4). In contrast, this application would deliver 100% affordable housing (or 78 units) including 45 one bed, 28 two bed and 4 three bed. The proposal would also provide 100% of the most affordable type of affordable housing – social rented – which is generally affordable to households on the lowest decile of earnings. There are currently over 26,000 individuals applying for affordable housing through the Leeds Homes Register (1,230 new affordable homes are required each year) and schemes such as St Cecilia Street are critical to addressing this need. In addition, the Council's Housing

team have advised that Little London and Woodhouse ward only contains 4 three bed high rise flats. This application would double the existing supply.

Do Members consider the proposed housing mix acceptable?

8.4 Townscape considerations

- 8.4.1 Quarry Hill is located within the eastern part of the City Centre and is bounded by major roads on all sides. Since the former Quarry Hill flats were demolished in the late 1970s the area has been redeveloped for a mix of uses including residential, commercial, education and leisure. The Leeds Tall Building Design Guide considers Quarry Hill a location where tall buildings are acceptable.
- 8.4.2 Quarry Hill is anchored by Quarry House, a large office building which bookends Quarry Hill at its eastern end and dominates the local skyline. A central pedestrian avenue, running east-west, helps frame Quarry House in views from Eastgate, with high rise development to the north and south. Quarry Hill is characterised by large-scale modern buildings with heights ranging from 5 to 16 storeys. Despite a mix of architectural styles and construction materials, there is a strong sense of order and rigidity in the building form and massing.
- 8.4.3 The proposed development would be sited on the southern side of Quarry Hill, along St Cecilia Street. The building would be mostly hidden in views from Eastgate to the west, and would not disrupt key views of Quarry House.
- 8.4.4 The building would appear most prominent in oblique views along St Cecilia Street, and from the south-west along Marsh Lane / York Street when looking back towards the City Centre. From St Cecilia Street, the building will be read alongside the Northern Ballet Centre and apartment Block B of the SOYO development to form a group of buildings. The proposed development will match the form and massing of its neighbours and, at 11 storeys, will continue the run of tall buildings. From the south-west, the proposed development will again be seen in the context of other similar sized buildings, but this view will remain dominated by Quarry House.
- 8.4.5 The building is formed of an 11 storey rectangular block with flat roof. The design is restrained and takes the form of a series of grids. The grids are constructed of a light coloured masonry, with dark brick cords providing depth and contrast. The infills would feature moulded panels to break up the flatness of the façade and create interest, and large floor to ceiling windows would give the building a lightness and reduce its overall massing. The window reveals would be 215mm which Design colleagues consider satisfactory for achieving the required depth and shadow lines.
- 8.4.6 Design colleagues were keen to ensure the wind baffles appeared distinctive and achieved a level of autonomy from the main building. The wind baffles are therefore designed with circular motifs and a bronze finish to contrast with the angular form and lighter tones of the main building.

Do Members consider the proposed design of the development acceptable?

8.5 Open space

8.5.1 Core Strategy Policy G5 sets out the requirement for provision of open space within city centre developments. This policy includes a site size threshold and applies only to development on sites at least 0.5 hectares in size. At 0.12ha the application site falls below the threshold and so there is no requirement for open space provision under this policy.

8.6 Wind assessment

8.6.1 Architectural Aerodynamics were appointed to carry out an independent review of the wind assessment submitted in support of the application.

8.6.2 Architectural Aerodynamics advised that the submitted assessment represents a plausible appraisal of the wind microclimate upon the introduction of the proposed development. There are no exceedances of the safety criteria within the proposed development boundary and the immediate surroundings for any of the scenarios assessed. For the most part, the wind conditions are materially unchanged. With the introduction of the proposed development, the entrances on the development to the immediate north (SOYO apartment Block B) become unsuitable for use in the winter months. With the introduction of mitigation measures (a 2m high x 2m long porous screen and a 12m high x 1.8m long porous screen), the entrances on the development to the north become suitable for standing in the winter months and are therefore suitable for use.

8.7 Nature and Biodiversity

8.7.1 The application site is brownfield having formerly been in use as a car park. Based on photography and the submitted Preliminary Ecological Appraisal the Council's Nature team estimate the baseline Habitat Units of the site to be less than 0.1.

8.7.2 In the Local Requirements for Biodiversity and Geological Conservation (including criteria and indicative thresholds) guidance on Leeds City Council Biodiversity & Planning pages, habitat can be considered to be negligible if it has a Habitat Unit figure of less than one. In these circumstances the Council's guidance states it may not be necessary to carry out an Ecological Impact Assessment (however, when BNG becomes mandatory in November, it will be compulsory for developments to achieve a 10% BNG unless they are exempt).

8.7.3 Because there was negligible baseline habitat at the site the Nature team considered an acceptable gain for biodiversity to be the installation of integral bat roosting and bird nesting features within the building. It is recommended this is controlled through a suitably worded condition.

8.8 Residential amenity

Internal amenity space

- 8.8.1 Core Strategy Policy H9 requires all new dwellings to comply with the national internal minimum space standards. The applicant has submitted evidence which confirms that all apartments will meet internal space standards.

External amenity space

- 8.8.2 Although the development is not required to provide any open space (it falls below the 0.5 ha size threshold set out in Core Strategy policy G5) it is recognised the provision of balconies and / or a roof garden is desirable. These features have been considered through the planning process, however, the applicant insists neither is possible due to associated costs and management concerns. Furthermore, the addition of an extra storey to create a roof garden would raise the height of the building to above 30m (at present the building has an uppermost storey height of 29.7m). This is significant because the government has announced plans that all residential developments over 30m will be required to include a second staircore to improve fire safety. The applicant does not want to progress a scheme which would fall foul of this impending change and so would be required to install a second staircore. Clearly, this would require a reallocation of floor space and in turn a reduction in the number of social-rented units which, inversely, would be considered a planning loss and impact on the viability of the scheme.
- 8.8.3 Despite the lack of on-site external amenity space, residents would benefit from good access to a range of green space within the wider Quarry Hill site and beyond. The SOYO development immediately to the north, and currently under construction, is delivering 0.9ha of public realm which involves a network of interconnecting avenues and courtyards with good permeability between areas. Most of the space would remain publicly accessible 24 hours a day, however, the courtyards would be closed between the hours of 11pm and 7am to protect the privacy of occupants of the surrounding residential blocks *[NB SOYO Block A (student accommodation) is at pre-application stage and therefore no decision has been taken as to whether the amenity space will be publicly accessible]*. The open space includes a mix of hard and soft landscaping features including formal seating, tree planting, flower planting and grassed areas. Furthermore, there are public parks within a 5-minute walk of the application site to both the north and south. This includes St Mary's Park (to the north of York Road) and green space off Railway Street (to the south of the viaduct). The parks provide residents with additional green space functionality and offer a good alternative to the more formal spaces set out within Quarry Hill. The green space at Railway Street also includes an outdoor play facility.
- 8.8.4 The apartments would have generous sized floor to ceiling windows and 40 of the 78 units would benefit from Juliet balconies.

Overlooking, overshadowing and overdominance

- 8.8.5 It is acknowledged that the proposed separation distances to the neighbouring sites to the north and south has potential to impact on the privacy and outlook

of future occupiers. The distance to the approved apartment Block B of the SOYO development is 13m and the distance to the existing Northern Ballet Centre is 11m. Although the living rooms of most apartments on the north and south elevation are dual-aspect and have main windows facing east or west where there is no conflict with neighbouring buildings, the proposal includes several 1 bed flats with living room windows directly facing either SOYO apartment Block B or the Northern Ballet Centre. This includes 5 flats on the northern elevation and 3 flats on the southern elevation.

- 8.8.6 There is no policy on minimum separation distances between buildings in a city centre context. However, the expectation is that development will reflect the predominant character of an area in relation to street gaps and building heights i.e. take a contextual approach. In this respect the wider Quarry Hill developments (existing and approved) have instances of minimum gaps of 13m between residential buildings of up to 16 storeys in height. There are also other examples in the context of a dense Leeds City Centre environment where similar distances and relationships have been accepted. These include examples along Belgrave Street (11m) and at Mustard Wharf (10m). It is considered that the potential for any adverse impact is somewhat mitigated by the large windows to be provided to habitable rooms which would help to maximise daylight, the relative lower heights of the neighboring blocks and the fact that the relationship to the Northern Ballet Centre is to a non-residential use and its facing elevation includes obscure glazing which is likely to help avoid potential privacy conflicts.
- 8.8.7 The proposal includes three ground floor units with windows looking toward the access road into the Northern Ballet Centre car park, the car park itself and service road for SOYO apartment Block B. The applicant has sought to demonstrate that residents would maintain a good level of outlook by submitting section drawings. Two of the apartments would benefit from a raised platform due to site levels, but this would not be the case for the northernmost apartment. Officers are seeking Member views on the acceptability of the ground floor units in terms of outlook and residential amenity.
- 8.8.8 The applicant has submitted a Daylight and Sunlight Assessment which considers impact on neighbouring properties and the potential availability of daylight and sunlight to the proposed accommodation. This is based upon the methodologies set out in Building Research Establishment (BRE) report '*Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011)*'. The BRE guidelines are not mandatory, nor do they form planning policy, and their interpretation may be treated flexibly depending on the specifics of each site. In addition, the Local Planning Authority does not have a specific measurement, metric or planning policy concerning acceptable levels of daylight penetration for residential uses within the city centre and a planning judgement is therefore required.
- 8.8.9 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 limitations. This is because the BRE tests used

are based on a typical (two storey) suburban model of development and expectations of levels of daylight and sunlight are different in larger developments such as those in a city centre context. In city centre locations and urban areas where density levels are greater, the values as stated may not be considered appropriate. The BRE guidelines provide that “*different targets may be used based on the special requirements of the proposed development or its location*”.

- 8.8.10 Although the scheme would not be fully compliant with BRE guidelines, the report ultimately considers that in the context of a dense urban environment, the impact on daylight and sunlight amenity to neighbouring residential properties would be appropriate, and that the development would provide acceptable sunlight amenity.

Do Members consider the separation distances to the Northern Ballet Centre and SOYO Block B acceptable?

Do Members consider the proposed ground floor flats acceptable in terms of outlook and residential amenity?

Air Quality and Noise

- 8.8.11 As the proposed development is car-free, road traffic emissions associated with the operation of the development are considered to be insignificant. The air quality assessment concludes that exposure of future residents at the development site to levels of air pollution exceeding the national air quality objective levels are unlikely and given the distance of the building from major traffic sources the Council’s Environmental Studies team agree. The development would be powered by hot water from the District Heating Network and electricity from the national grid. There would be no on-site power generation involving the combustion of fossil fuels and so there will be no emissions to air.
- 8.8.12 The submitted noise assessment confirms that all existing noise sources have been adequately assessed and that internal noise criteria can be met with windows closed and an enhanced mechanical ventilation and heat recovery system in place. It is recommended a condition is attached limiting noise from plant and machinery operating from the site to no higher than the existing background noise level.

8.9 Highway considerations

- 8.9.1 The proposed development includes a new lay-by on St Cecilia Street, immediately in front of the development site. The lay-by would accommodate vehicle drop off and pick up (including for disabled residents and visitors), as well as all servicing and refuse collections. The lay-by would be subject to a Traffic Regulation Order which would ensure it is only used for shorter stay parking. An internal bin store would be located at ground floor with level access to the lay-by. The bin store would be accessed via a set of external double-

doors on the north elevation. The proposal would retain a footway with a width between 2.5m to 3m along the St Cecilia Street frontage.

- 8.9.2 The application site meets Highways accessibility standards by virtue of its City Centre location, and with Leeds City Bus Station within a five-minute walk. The lack of any car parking is therefore considered acceptable. In terms of cycle provision, the plans indicate an internal cycle store with space for up to 36 bicycles. The details of the bike rack storage system would be controlled by condition, and the system would need to adhere to the standards set out in the Transport SPD. However, the proposal indicates that at least five Sheffield stands would be provided capable of holding nine bicycles. The bike store would be accessed from the same set of external doors for accessing the bin store.
- 8.9.3 The Northern Ballet Centre submitted a representation in which they raised concerns that the proposal may impact on their ability to access their parking / servicing area. On this point, the applicant has submitted vehicle tracking drawings which demonstrate that an articulated vehicle (with a maximum legally permitted length) would still be able to enter and exit the service area. The Council's Highways team are therefore satisfied the proposal would have no impact in this regard.
- 8.9.4 The independent review of the wind study indicates that wind speeds on the highway would remain within safety limits. The wind baffles adjacent to the lay-by would remain on private land off the adopted highway.

8.10 Sustainability and Climate Change

- 8.10.1 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. Core Strategy policy EN1 requires developments of 10 dwellings or more 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.
- 8.10.2 The proposal would comply with EN1 by connecting the building to the District Heating Network (DHN). The DHN delivers low carbon heat in the form of hot water. The heat is generated by processing waste at the Council's Recycling and Energy Recovery Facility at Cross Green. The applicant has indicated that connection to the DHN will achieve the carbon reduction and low carbon energy targets set out in EN1, however, this would need to be evidenced via a pre-commencement condition.
- 8.10.3 The applicant has also indicated that the development will comply with Core Strategy policy EN2 which requires a water standard of 110 litres per person per day. Again, this would be conditioned.

8.10.4 In connecting to the DHN the proposal would comply with Core Strategy policy EN4 which seeks connections to existing district heating networks.

8.11 Representations

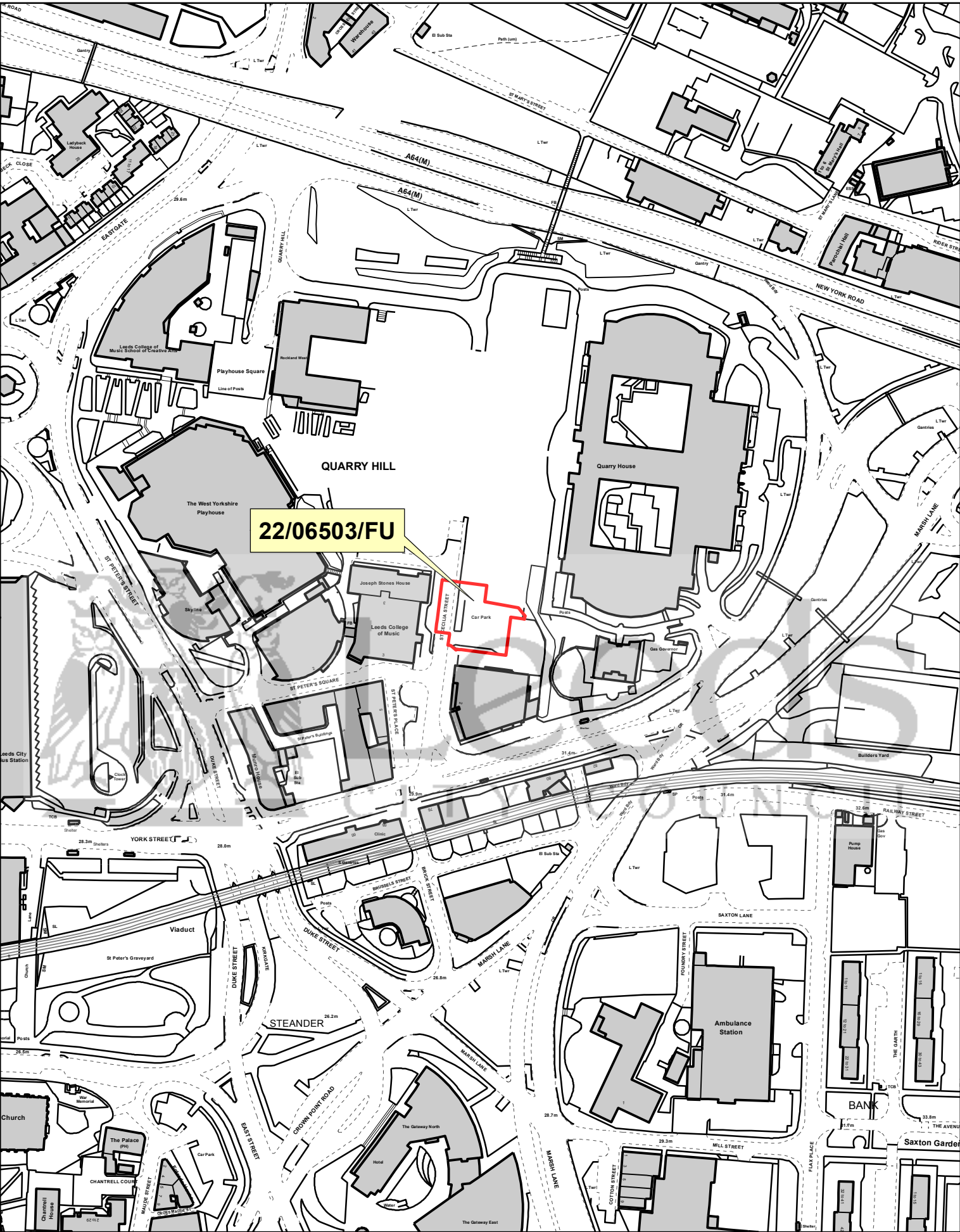
8.11.1 The Council received three letters of representation. Although the provision of affordable housing in the City Centre is supported, concerns were raised around the building design and the importance of retaining access for vehicles using the Northern Ballet Centre car park.

8.11.2 Since these representations were received the design has evolved with input from Design officers, and the applicant has submitted vehicle tracking drawings which Highways have confirmed demonstrate the proposal would not impact on the ability of vehicles to access Northern Ballet Centre.

9.0 **CONCLUDING COMMENTS**

9.1 The emerging development includes a number of positive aspects, in particular the 100% affordable housing provision and district heating connection. However, there are a few issues that Panel members are respectfully requested to provide views on at this stage, as prompted by the questions posed in the main body of this report, all of which are reproduced below for ease of reference, and to offer any additional comments that they consider appropriate regarding this development proposal:

1. **Do Members consider the proposed housing mix acceptable?**
2. **Do Members consider the proposed design of the development acceptable?**
3. **Do Members consider the separation distances to the Northern Ballet Centre (to the south) and SOYO apartment Block B (to the north) acceptable?**
4. **Do Members consider the ground floor flats acceptable in terms of outlook and residential amenity?**
5. **Do Members consider the application can be determined under delegated powers (subject to any conditions they may wish to apply)?**



CITY PLANS PANEL

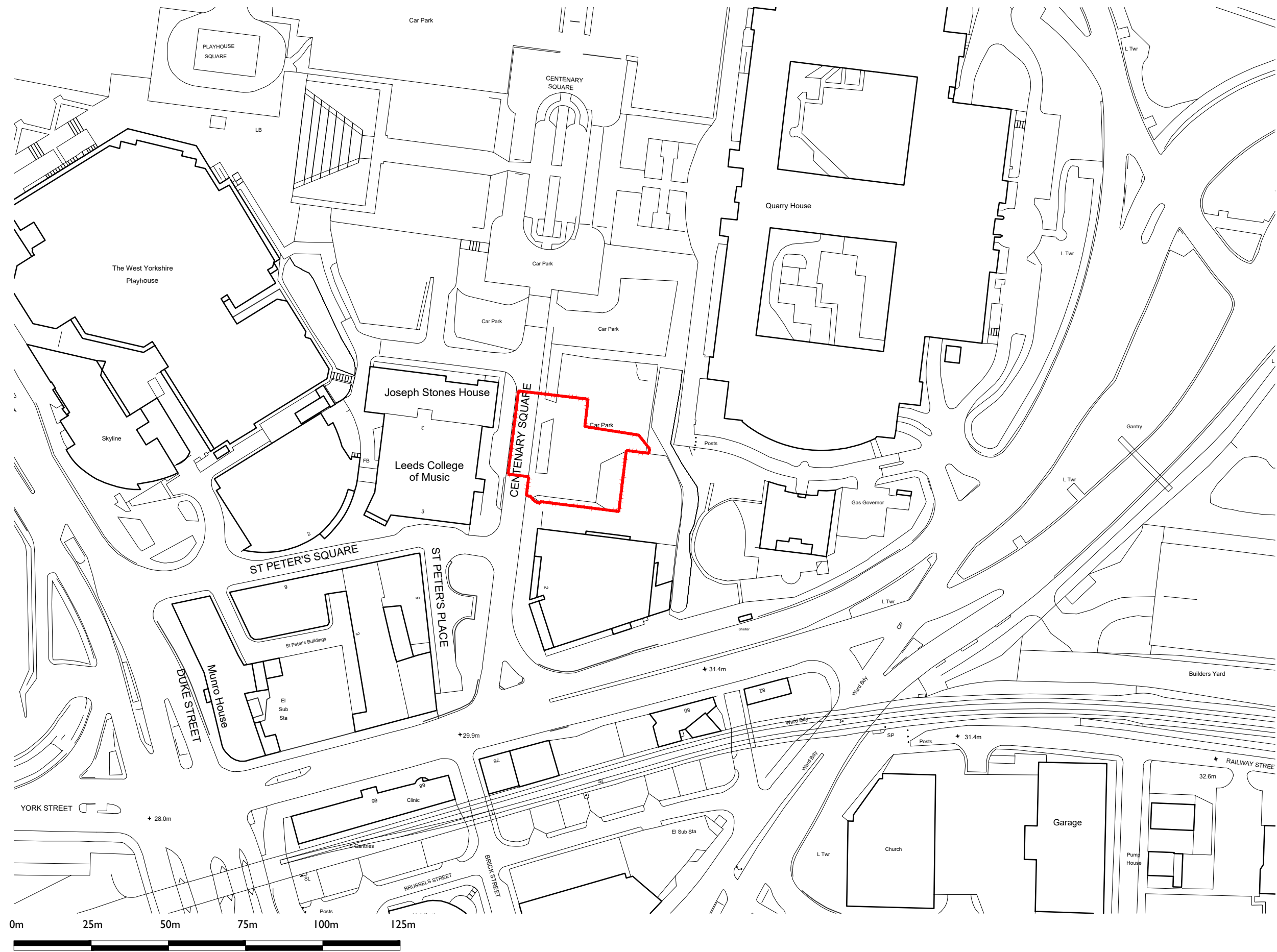
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SCALE : 1/2500



Suitability Code: **S3**
For Review & Comment



P02	RED LINE	09.09.22	HC	NW
P01	DRAWING ISSUE	12.08.22	JD	JD
REV	COMMENT	DATE	DR	CH

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CLIENT
ST CECILIA STREET
LEEDS
SITE LOCATION
PLAN

Drawn: JD	Scale: 1:1250@A3
Date: AUG 22	Checked: JD
DWG NO: 57401-BBA-01-XX-DR-A-0910	REV: P02