



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 01 March 2012

Subject: 11/05195/FU: Erection of two part 6 storey and part 7 storey blocks of 72 student cluster flats (300 bedrooms) with landscaping and car parking

Address: Servia Road, LS7 1NJ

APPLICANT

Niche Homes Ltd

DATE VALID

19.12.2011

TARGET DATE

19.03.2012

Electoral Wards Affected:

Hyde Park & Woodhouse

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Defer and delegate approval to the Chief Planning Officer subject to the conditions specified and the completion of a Section 106 Agreement within 3 months of the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations

- **Public Transport Infrastructure Contributions £48,134**
- **Travel Plan Monitoring fee £2500**
- **On street parking restrictions £20,000 (if not required this to be spent on cycleway improvements between the site and Woodhouse Lane)**
- **Upgrading/repair of the existing steps up Servia Hill £?**
- **Off site greenspace contribution £136,975.78,**
- **Bus stop upgrade for Real Time Display £10,000.00**

All contributions to be index linked.

1. Standard 3 year time limit.
2. Details of approved plans
3. Samples of materials, walls, roof, windows, doors and surfacing
4. Car parking spaces to be laid out prior to first use

5. Details of bin, cycle and motorcycle storage to be approved prior to first occupation
6. 1:20 drawing detailing of windows
7. Tree protection measures including no change in ground levels in root protection area
8. Existing and proposed levels including cross sections in relation to regarded landscaping area
9. Landscape scheme and implementation
10. Replacement tree provision
11. Sustainability Statement to be provided prior to construction starting on site following the guidelines of the SPD '*Building for Tomorrow Today*' including BREEAM pre-assessment to achieve minimum 'Very Good', waste management strategy and assessment of what low and zero carbon technologies and carbon reduction targets will be achieved.
12. Construction and demolition and delivery hours restricted to 0730 to 1830 Monday to Friday and 0800 to 1330 hours on Saturdays only
13. Noise survey prior to commencement to protect future residents from noise emitted from traffic. The report should take into account the World Health Organisation Guidelines on Community Noise where the level in living rooms should not exceed 35dB(A) and the level for bedrooms should not exceed 30dB(A) between 23.00hrs and 07.00hrs.
14. Development shall not commence until a scheme detailing surface water drainage works has been submitted to and approved in writing by the Local Planning Authority.
15. Off site highway works to be completed prior to first occupation
16. Site investigation works to be undertaken to confirm coal mining conditions prior to commencement of development and to provide recommendation for remedial works if required.
17. Land contamination conditions

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

UDPR Policies E7;H4;H15a;BD5;N2;N12;N13;GP5;T2;T7a;T24

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1. INTRODUCTION:

- 1.1. This application is presented to the Plans Panel due to the size and scale of the development.

2. PROPOSAL:

- 2.1. The proposal involves the demolition of the existing commercial buildings on site and the erection of two part 6 and part 7 storey blocks comprising a total of 72 cluster flats, providing 300 bedrooms and laying out of landscaping and 37 car parking space.
- 2.2. The two blocks would be very similar in design and appearance. The blocks would be of a modern design with curved ends and articulated front elevations. The blocks

would have modern flat roof design. The blocks comprise 3 sections linked together but varying in height, rising towards the central block to create a 'stepped' effect.

2.3. External materials are red brick, white render and grey cladding. The windows are proposed to be timber framed. The windows would be 'punched holes' into the elevation. The windows are slim-line to provide vertical emphasis to the building.

3. SITE AND SURROUNDINGS:

3.1. The site is currently occupied by a vacant part 2 part 3 storey commercial building last used as an office. The site has an existing vehicular access which connects to Servia Road. To the rear of the site are located the existing Leodis student residences which are 7 storey high buildings. This development would form the fourth and final phase of the Leodis project. On the opposite side of the Servia Road to the development is located a terraced row of post war two storey housing. Either side of this terrace row is located an area of public open space. There is about an 8 metre level change across the site with the land levels rising steeply from the Cambridge Road end of the site up to Servia Hill. Along Servia Hill is a row of 2-3 storey commercial properties. There is also a group of mature trees located at the top of the site around the junction of Servia Road and Servia Hill.

4. RELEVANT PLANNING HISTORY:

4.1. The following planning history on the site is considered relevant:-

- **26/467/01FU** Change of use of works to 14 cluster flats and erection of 41 cluster flats in three 6 storey blocks. Approved 2002
- **26/308/02/FU** 7 storey block of 27 cluster flats. Approved 2002
- **26/70/04/FU** 2 seven storey blocks comprising 42 cluster flats with 244 bed spaces. Approved 2004.

5. HISTORY OF NEGOTIATIONS:

5.1. There have been extensive pre-application discussions prior to this application being submitted. The design, size and height of the proposal has been reduced significantly from the original conception. The applicant also conducted a pre-application community consultation exhibition. This was publicised by a fairly extensive mail-shot to local households but the exhibition did not attract any visitors other than Ward Councillor Penny Ewans.

6. PUBLIC/LOCAL RESPONSE:

6.1. This application was advertised by Site Notice. There have been no representations received to the publicity of this application.

7. CONSULTATION RESPONSES:

7.1. Highways: No objection to the revised layout and support the S106 package.

- 7.2. Neighbourhoods and Housing: No objection subject to conditions to control construction and demolition.
- 7.3. Coal Authority: No objection subject to further site investigation conditions.
- 7.4. Metro: Request contribution towards upgrading of a local bus stop to provide Real Time Display.
- 7.5. NGT Co-ordinator: Requests a contribution towards the SPD Public Transport and Developer Contributions.

8. PLANNING POLICIES:

- 8.1. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

Development Plan:

- 8.2. The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

- Policy E7: refers to the need for developers to assess the loss of the employment use of the site against the remaining provision in the locality of employment land to ensure that adequate provision of employment land is retained across in the locality.
- Policy H4: refers to windfall housing development on unallocated sites.
- Policy H15a encourages cooperation between the Council and developers to provide purpose built housing outside of the Area of Housing Mix.
- Policy BD5 refers to new building design considerations
- Policy N2 relates to the need for major residential development to provide public open space either on site or off site via a planning contribution
- Policy N12 relates to design principles
- Policy N13 refers to urban design considerations
- Policy GP5 refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.
- Policy T2 seeks to avoid any harm or detriment to all users of the highway.
- Policy T7a states that all development must provide adequate and secure means of cycle storage.
- Policy T24 sets out specific criteria for parking provision.

Supplementary Planning Guidance

SPG4: Greenspace and residential developments

Neighbourhoods for Living SPG

Travel Plan SPD (draft)

Street Design Guide SPD

Public Transport Infrastructure and Developer Contributions SPD

Building Tomorrow Today SPD

National Guidance/Statements:

- 8.3. In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be relevant, including;

- PPS-1 – Delivering Sustainable Development This PPG sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
- PPS3 – Housing. This PPS sets out the governments approach for delivering housing developments.
- PPS-4 Planning for Sustainable Economic Growth. This sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas.

9. MAIN ISSUES:

9.1. It is considered that the main issues in this case are:

- Principle of the development and loss of the existing employment use of the land
- Design and appearance, siting, scale and massing of the two blocks
- Impact on amenity of future occupiers and existing neighbours
- Highway safety, car parking and travel plan considerations
- Landscaping and tree retention
- Sustainability
- Section 106 package

10. APPRAISAL:

Principle of the development

10.1 Unitary Development Plan Policy Review policy E7 requires that the loss of employment land must be considered where other forms of development such as this are proposed on existing land in employment use. A supporting report includes an assessment of the supply and demand of sites across the district together with some data analysis to determine the 'years of supply' position in. Additionally, the report provides details of the 2008 marketing campaign for the site to be re-used for employment purposes and the lack of demand this suggested.

10.3 The most recent employment land assessment for this locality was undertaken in March 2010 for a site at Hill Top Works, just 430m to the east of Servia Road. This suggested that there would be sufficient employment land for 21 to 40 or 87 years with the inclusion of windfall sites. In short, the analysis suggests that there is an adequate supply of employment land and that refusal of this proposal could not be justified on the basis of the loss of the application site to employment usage.

10.5 The site is previously developed land and is located within the Main Urban Area in a sustainable location close to good public transport services and a range of amenities. Accordingly the site is considered suitable for redevelopment for residential accommodation and accords with the aims of policy H4 of the adopted UDP and PPS3 Housing. The creation of purpose built student accommodation outside of the Area of Housing Mix in locations that are close to the City Centre and the Universities is also in accordance with the aims of UDP policy H15a.

Design, appearance, scale and massing

10.6 The character of the area is defined as predominantly residential with some commercial premises. There is generally either low rise two storey post war housing

or high rise student residences in the locality. The application proposals would seek to add an additional 2 part 6 and part 7 storey blocks into the locality. The blocks would form part of the existing Leodis residence. It is not considered that these blocks would be out of scale or context given the existing built form of the area.

- 10.7 The proposed design and appearance of the blocks is considered acceptable. The design has responded to local context and character. The blocks will relate well to the existing Leodis residence in scale but the design and materials of the current scheme are considered superior. Materials are white render contrasting with red brick which gives a modern look whilst relating back to more traditional Leeds buildings. In addition these buildings are considered to respond well to the change in ground levels with the 'stepped' form of the blocks responding to the rising topography. In addition the use of curves on the end of the blocks also responds to this topography and helps to soften the building's edges.
- 10.8 The use of flat roofs for the blocks with a shadow line used to define the roof area from the main front elevation of the blocks is considered a positive design addition and an improvement over the earlier phases of Leodis.
- 10.9 The use of brick and render on different section of the building combined with the articulation of the elevations and the stepped form of the blocks combined with the clear roof form helps break up the scale and massing of the building and helps to make these buildings sit comfortably within the landscape. The area of open space in front and to the side of the application site is also important as these open spaces allow these tall buildings to sit well in this setting and it is envisaged they will not look out place or over dominate the area.

Impact on amenity of future occupiers and existing neighbours

- 10.10 The design, height and siting of these two blocks have been the result of extensive consideration and design workshops. From the earliest stage of discussion the relationship between the existing post war terrace row opposite the site on Servia Drive and the proposed blocks was a central to the acceptability of this scheme. The outcome of the workshops and negotiations was that the blocks were reduced in height and the separation distance from the blocks to the rear of the properties on Servia Drive was increased. At its closest point there is 26 metres separation distance between the rear of 2 Servia Drive and the curved corner of the lower block closest to Cambridge Road. In addition this at an oblique angle and as such it is not envisaged this relationship will result in any significant overlooking or serious loss of privacy. There is over 45 metres separation distance between the proposed block located on higher ground level closest to Servia Hill and the terrace row on Servia Drive. This distance is considered sufficient to ensure that no serious over looking or loss of privacy will occur as a result of this block being built.
- 10.11 The proposal is considered to afford the future occupiers of the blocks with a good level of amenity in terms of light, outlook and accessibility to public transport services and amenities.

Highway safety, car parking and travel plan considerations

- 10.12 The proposal is considered acceptable in relation to the on site car parking provision. The use of the existing access road is acceptable. The width of the access road is to be narrowed; as this is highway a S278 Agreement will be necessary. A small parcel of land will need to be closed as highway. The developers will maintain the strip of landscaping between the fence line and the back edge of

the new footway alignment. There are no highway objections to proposal subject to the conditions above and S106 obligations which have been agreed being delivered.

- 10.13 The submitted travel plan has been agreed with the Council's travel plan co-ordinator. The Travel Plan aims to reduce the potential of students needing to have a private car at the development by offering alternative travel options. As part of this travel plan it is agreed that if overspill car parking on surrounding streets is occurring as a result of this development then the developer will provide £20,000 towards the creation of Traffic Regulation Orders (TROs) in the locality to limit on-street car parking. Highway officers consider this contribution adequate to make the TROs should they be needed. If however the TROs are not needed or if there is money left after 2 years from first occupation then this contribution or the remaining balance can be spent by the Council on improving or creating cycle links from the development to the City Centre or Universities.
- 10.14 The approved Travel Plan will create a Travel Plan Co-ordinator who will be given a budget of £1000 per year to be spent on promoting sustainable travel options for the students. This could include providing free bus travel tickets or providing marketing material to educate students of public transport options in the locality.

Landscaping and retention of existing trees

- 10.15 The existing trees located on the site boundary surround Servia Hill and Servia Road are to be retained as part of this development. Tree protection conditions have been attached to ensure that any regarding of the slope within the site to accommodate the building does not result in the loss of these trees. The trees make a positive contribution to the street scene and the character of the local area. Additional tree planting is also proposed and conditioned. Overall the landscaping consideration of this application is acceptable.

Sustainability

- 10.16 This development will deliver on the aspiration of the adopted SPD Building Tomorrow Today by both delivering buildings that are both energy efficient and buildings which generate 10% of their energy needs on site from low carbon technologies. These buildings will achieve as a minimum BREEAM 'Very Good' rating and will through the use of Air Source Heat Pumps supplemented by Solar Panels for heating water pipes generate on site energy.

Section 106 Package

- 10.17 This development has complied with the requested policy contributions required from this development. The package is shown below. In addition to the required contributions the developer has committed to upgrading the existing pedestrian steps located on Servia Hill. This enhancement will improve connectivity to the City and will benefit future students and existing residents alike. The S106 contributions will be indexed linked. The contributions have been considered against Regulation 122 of the Community Infrastructure Levy (CIL) Regulations and are considered to meet with the three tests therein.
- S106 - Contribution (up to **£20,000.00**) toward TROs within 800m of the site should the need to implement TROs become apparent following occupation. Contribution to be used for installation of a cycle path if unspent following a period of 2 years after occupation, details of cycle path to be agreed with the LPA

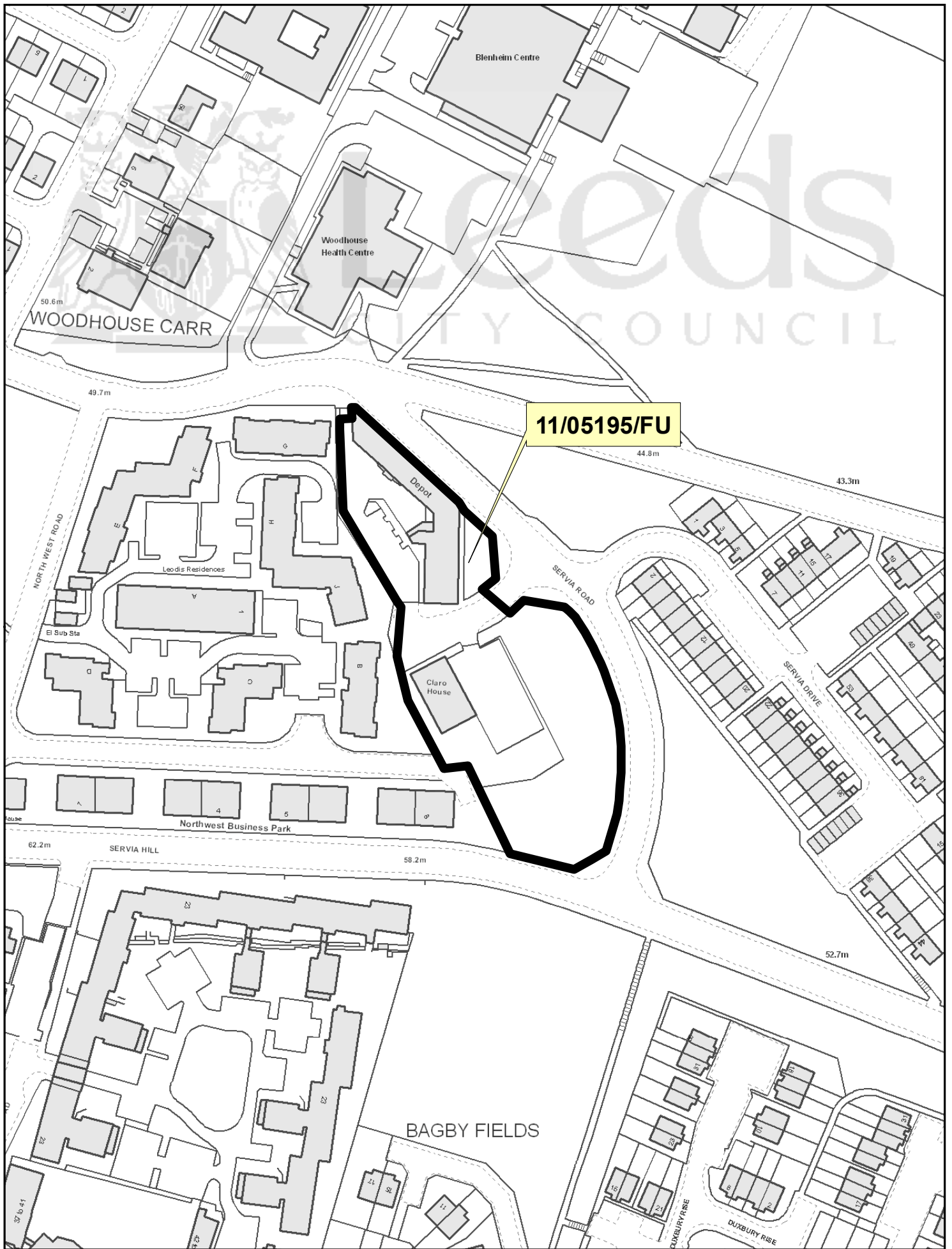
- S106 - Travel Plan monitoring fee **£2500.00**
- S106 - Public Transport Contribution **£48,134.00**
- S106 - Contribution **£10,000.00** to Metro 'live' bus information display at bus stop number 10454
- S106 - Improvements to steps (no costs available but works to be completed at developer expense)
- S106- Off site greenspace contribution **£136,975.78**

11. CONCLUSION:

11.1. Officers consider that the proposed development is in accordance with the aims and objectives of the Development Plan and complies with the relevant planning policies. The proposal is considered to be well designed and related to its neighbours. The proposed buildings will afford future student occupiers with a good level of amenity and excellent location near to the Universities. The Section 106 package will bring benefits to the locality. There are no other material planning considerations that outweigh this finding.

Background Papers:

Application and history files.



WEST PLANS PANEL

