



## Planning Services

Leonardo Building  
2 Rossington Street  
Leeds LS2 8HD

# DELEGATION REPORT

## REPORT OF THE CHIEF PLANNING OFFICER

**WARD:** Hyde Park & Woodhouse      **Application:** 11/04449/FU  
**Address:** St Marks Residence      **Applicant:** University Of Leeds  
St Marks Street  
Woodhouse  
Leeds  
LS2 9EL

**Proposal:** Demolition of existing student accommodation and erection of student accommodation, comprising 2, 3, 4, 5, and 6 storey's, with 526 student bed spaces, warden accommodation, an energy centre and central reception building.

### RECOMMENDATION:

Approve subject to the following condition(s):-

- 1) The development hereby permitted shall be begun before the expiration of five 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) Notwithstanding the details shown on the plans hereby approved and prior to occupation, full details of the facilities for the parking of cycles for staff and students

within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking facilities thereby approved have been provided. The facilities shall thereafter be retained and maintained as such.

In order to meet the aims of the Transport Policy as incorporated in the Leeds Unitary Development Plan.

- 4) Notwithstanding the details shown on the plans hereby approved and prior to occupation, full details of the facilities for the parking of motorcycles for staff and students within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the motorcycle parking facilities thereby approved have been provided. The facilities shall thereafter be retained and maintained as such.

In order to meet the aims of the Transport Policy as incorporated in the Leeds Unitary Development Plan.

- 5) The development shall not be occupied or brought into use until that part of the site shown to be used by vehicles, on the approved plans, has been laid out, drained, surfaced and sealed, as approved, and that area shall not thereafter be used for any other purpose other than the vehicle related use approved. The reinforced grassed parking and emergency vehicle area are not required to be sealed but should be otherwise implemented as per the other parking areas.

In the interests of the free and safe use of the highway.

- 6) Notwithstanding the details on the approved plans, vehicle and pedestrian gradients across the whole site are to be no more than 1:20(5%), except the 1:12.5 vehicle access ramps shown on the approved plan, and crossfalls across the whole site must be no more than 1:40 (2.5%).

In the interests of highway safety.

- 7) Prior to first occupation of the development, off-site highway works as shown on the approved plans must be implemented.

In the interests of the safe and free flow of the highway.

- 8) The main access road must be 'In' only from St. Marks Street and 'Out' only onto Providence Terrace. The northern access onto St. Marks Street must be 'In' and 'Out' and available at all times for picking up/dropping off at intake time. Emergency vehicles are exempt from the requirements of this condition.

In the interests of highway safety.

- 9) Prior to first occupation of the site, all pedestrian/cycle accesses on the approved plan and the reopened access from St. Marks Road onto Providence Terrace must be open for residents and staff of the proposals and retained as such for the lifetime of the development.

In the interests of the safe and free flow of traffic.

- 10) Within 3 months of the date of this notice, construction and cross-section details of the reinforced grassed parking and emergency vehicle turning areas as shown on the approved plan must be submitted to and approved in writing by the Local Planning Authority. These areas must then be constructed in accordance with the approved details and retained and maintained thereafter.

In the interests of visual amenity.

- 11) Prior to first occupation of the development, full details of the exit gate from the internal access road onto Providence Terrace must be supplied and approved in writing. The gate thereby approved must be implemented prior to first occupation of the site and retained and maintained as such for the lifetime of the development.

To ensure the safe and free flow of traffic.

- 12) Prior to first occupation of the development, details of refuse collection arrangements shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented and refuse collection carried out in accordance with the approved details for the lifetime of the development.

In the interests of amenity and highway safety.

- 13) Surface water discharge from the site is not to exceed 43 l/s and there will be no piped discharge of surface water from the development until the surface water discharge scheme has been approved in writing by the Local Planning Authority.

To alleviate possible flooding.

- 14) Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3 (three) metres either side of the centre line of the sewer, which crosses the site.

In order to allow sufficient access for maintenance and repair work at all times.

- 15) Separate systems of drainage for foul and surface water shall be developed on and off site. Details of the proposed means of disposal of foul and surface water drainage,

including details of any balancing works and off-site works to be submitted and approved in writing by the Local Planning Authority.

In the interest of satisfactory and sustainable drainage

- 16) a) No retained tree/hedge/bush shall be cut down, uprooted or destroyed nor any tree be pruned, topped or lopped or suffer root severance other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved pruning, topping or lopping shall be carried out in accordance with current British Standards and any tree survey approved by the Local Planning Authority.
- b) If any retained tree/hedge/bush is removed, uprooted or destroyed or dies the Local Planning Authority shall be notified forthwith in writing. Another tree/hedge/bush of an agreed size and species shall be planted at the same place and at such time, as may be specified in writing by the Local Planning Authority.

Retained tree/hedge/bush refers to vegetation which is to be retained, as shown on the approved plans and particulars, and the condition shall have effect until the expiration of five years from the date of occupation.

To ensure the continuity of amenity afforded by existing vegetation in accordance with adopted Leeds UDP Review (2006) policies GP5, N23 and LD1.

- 17) Prior to first occupation of the development full details of both hard and soft landscape works, including an implementation programme, shall be 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) car parking layouts,
  - (d) other vehicle and pedestrian access and circulation areas,
  - (e) hard surfacing areas,
  - (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
  - (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
- Soft landscape works shall include
- (h) planting plans
  - (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
  - (j) schedules of plants noting species, planting sizes and proposed numbers/densities.

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

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds UDP Review (2006) policies GP5, N23, N25 and LD1.

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

To ensure successful aftercare of landscaping, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 19) Unless otherwise agreed in writing with the Local Planning Authority, ground floor windows should be slim top opening only with laminated glass to BS7950.

In the interests of security.

- 20) Prior to first occupation of the development a lighting scheme compliant with BS5489 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the site and shall be retained and maintained as such for the lifetime of the development.

In the interests of security.

- 21) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan and Annexe 2 of PPS23.

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

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan and Annexe 2 of PPS23.

- 23) No building works shall take place until details and samples of all external walling, roofing, door and window materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity.

- 24) Prior to first occupation of the site a scheme, to include timetabling, method of selection and implementation, for the displaying of public art on the walls fronting St Marks Road and Raglan Road shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of clarity.

- 25) No staff of the University of Leeds can park within the site unless they have permanent residence and/or are working within the site, for the lifetime of the development.

In the interests of amenity and highway safety.

- 26) Unless otherwise agreed in writing with the Local Planning Authority, the hours of demolition and construction for the development hereby approved shall be restricted to 0730hours to 1800hours Monday to Friday, 0900hours to 1300hours Saturday, with no opening on Sundays or Bank Holidays.

In the interests of the amenity of nearby residents.

- 27) Unless otherwise agreed in writing with the Local Planning Authority, the combined noise from fixed plant shall not exceed a rating level as defined by BS4142 by more than 5dB(A) below the lowest background (L90) during which the plant will operate.

In the interests of the amenity of nearby residents.

- 28) Within 3 months of the date of this decision a pre-assessment using the BREEAM assessment method showing the building will achieve a minimum of `Very Good` standard, (ii) an energy analysis showing the percentage of on-site energy that will be produced by Low and Zero Carbon (LZC) technologies and a carbon reduction target for the development and iii) confirmation of the full extent of the green roof(s) in metres squared, will be provided and approved by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme; and (a) Prior to the occupation of the development a BRE certified BREEAM final assessment and associated paper work showing the development has met as a minimum the BREEAM `Very Good` standard will be provided and approved in writing by the Local Planning Authority

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

To ensure the adoption of appropriate sustainable design principles in accordance with Policies GP11 and GP12 of the Unitary Development Plan.

- 29) 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) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, N2, N4, N12, N13, N23, N25, T2b, T2c, T5, T6, T7a, T7b, T24, H4, H9, H15, BD2, BD5, LD1

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.

#### **For information:-**

The applicant is advised that remediation of any contaminated site is required to a standard such that the site would be suitable for use pursuant to Annex 2 of PPS23. This includes the quality of imported soils and soil forming materials. The developer is responsible for ensuring that development is safe and suitable for use for the intended purpose.

All reports addressing land contamination should be compiled in accordance with best practice, taking into account Annex 2 of PPS23, and DEFRA and the Environment Agency's Contaminated Land Report No.11.

Prior to preparing any reports in compliance with conditions related to land contamination the applicant is also advised to refer to the Leeds City Council guidance leaflets in the series:- The Development of Contaminated Sites:

The Blue Leaflet (CL2) - Reports in Support of Planning Applications

The Green Leaflet (CL3) - Human Health Quantitative Risk Assessment

The Yellow Leaflet (CL4) - Residential Development on Land Affected by Contamination

These leaflets can be obtained from the council at the Leonardo Building Reception, 2 Rossington Street, Leeds, LS2 8HD or from our website [www.leeds.gov.uk/contaminatedland](http://www.leeds.gov.uk/contaminatedland).

The applicant should be aware that there is an Agreement/Obligation by way of undertaking under Section 106 of the Town and Country Planning Act 1990 affecting this site or that there is likely to be a need to enter into such Agreement/offer an Obligation to discharge the requirements of conditions above.

**This recommendation relates to the following Approved Plans**

<b>Plan Type</b>	<b>Plan Reference</b>	<b>Version</b>	<b>Received</b>
Site Location Plan/Red Line/OS Plan	1001	B	20.10.2011
Proposed floor plan(s)	2010	D	09.11.2011
Proposed floor plan(s)	2011	D	09.11.2011
Proposed floor plan(s)	2012	D	09.11.2011
Proposed floor plan(s)	2013	D	09.11.2011
Proposed floor plan(s)	2014	D	09.11.2011
Proposed floor plan(s)	2015	D	09.11.2011
Proposed floor plan(s)	2016	D	09.11.2011
Roof Plan	2017	A	09.11.2011
Proposed elevation(s)	2030	A	09.11.2011
Proposed elevation(s)	2031	A	09.11.2011
Proposed elevation(s)	2032	A	09.11.2011
Proposed elevation(s)	2033	A	09.11.2011
Proposed elevation(s)	2034	A	09.11.2011
Proposed elevation(s)	2035	A	09.11.2011
Proposed elevation(s)	2036	A	09.11.2011
Landscape Scheme	2004	F	02.12.2011



## **Introduction:**

The application is suitable for determination under delegated powers. Due to the number of amendments proposed to the previous scheme 10/00407/FU a full application has been requested, however the scale of the amendments is minor in nature and is not considered to materially alter the previously approved scheme.

## **Proposal:**

The University of Leeds is seeking consent to demolish the existing student accommodation located on the site and rebuild the site with purpose built student accommodation totalling 526 bedspaces, a warden's flat, an energy centre and central reception building. There is a net increase of 29 bedrooms from the existing situation on site.

The development is proposed in 4 main blocks, three of which would run down the site towards St Marks Church on St Marks Road, the other block frames the site and runs parallel to the North and South boundaries of St Marks Road and Crossfield Street. The blocks would be stepped in height to respond to the sites' topography.

The architectural approach is of predominantly red brick externally and dark and light grey bricks to the internal elevations. Slate coloured cladding is used both internally and externally and copper coloured cladding is added for detailing. The building design is heavily articulated in form.

Vehicular access would be through a one way system with entry into the site via St Marks Street and exiting from the site taking place from Raglan Road. The development is essentially proposed as a 'car free' scheme with 10 disabled car parking spaces being laid out on site along with cycle and motorcycle provision.

The scheme is also proposed to incorporate a number of sustainability measures including a CHP unit, solar thermal units and green roofs.

## **Site and Surroundings:**

The site is located just off the east side of Woodhouse Moor and only 100 metres to the north of the Leeds University Campus. It is 1.2 hectares and is approximately rectangular in shape. The site is close to the University campus and close to the city centre and is within the defined Area of Housing Mix.

The site is currently in use as purpose built student accommodation with 11 blocks of 3 and 4 storeys in height comprising about 497 bedspaces. The four storey blocks are located fronting St Marks Road whilst at the higher levels of the site are located the three storey

blocks. The blocks are 1960/70s and 'T' shaped in layout and are formed around car parking areas.

The site itself slopes away from the university campus down towards St Marks church which is grade II listed. To the university side of the site there are housing association properties. Opposite the site is located purpose built student accommodation of 4 storeys in height. To the rear of the site fronting St Marks Road there is a detached two storey public house with landlord accommodation at first floor level. Beyond the pub fronting Raglan Road is a 'U-shaped' almshouse development, Harrison House, which is Grade II listed. On the far side of the Raglan Road is located the Woodhouse Moor which is a large tract of public open space. On the corner of St Marks Road and St Marks Street is located a pair of semi-detached dwellings which are two storey in height.

The character of the immediate area around the site is predominantly residential in blocks of development with limited space around and with brick and slate being the main materials on display although some render is visible on the modern student accommodation. The wider area is of a mixed character with the larger scale buildings of the institutions of the University located across Woodhouse Lane and some commercial and retail units pepper potted along this main arterial route through the City.

### **Relevant Planning History:**

10/00407/FU – Demolition of existing student flats and erect replacement multi storey student accommodation comprising 526 bed spaces, warden accommodation, an energy centre and central reception building - approved

### **Statutory Consultations:**

Highways

Yorkshire Water

Drainage – no objections subject to conditions

Environment Agency – no objections subject to conditions

### **Non Statutory Consultations:**

Waste services – refuse collection arrangements are acceptable

Public Rights of Way – no comment

Transport policy – travel plan is acceptable and should be secure through S106 agreement along with monitoring fee

English Heritage – no comments

Ecology – condition recommended

Architectural liaison officer – scheme should meet 'Secured by Design' guidelines

Local Plans – greenspace contribution of £147514.63 required

Landscape – conditions recommended

Environmental Health – conditions recommended

Contaminated land – remediation statement required (this was supplied for 10/00407/FU and conditions were recommended following this submission)

Sustainable development – condition recommended

WY Metro – request for £10000 to supply real time timetable at bus stop on Woodhouse Lane  
Public Transport – no PT contribution required

### **Public/Local Response:**

A letter of support has been received from Leeds Civic Trust.

### **Planning Policies:**

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan which consists of the Regional Spatial Strategy for Yorkshire and the Humber published on 1 December 2004 and the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

### **Development Plan:**

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

GP5: seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD5 – requires new buildings to give consideration to both their amenity and that of their surroundings.

Policy N2: support given to establishment of a hierarchy of greenspaces

Policy N4: refers to provision of greenspace to ensure accessibility for residents of proposed development

N10 - development will not be permitted which adversely affects a public right of way.

N12- states that development proposals should consider and respect spaces between buildings; the best buildings of the past; good design; character and scale; encouragement of walking and cycling; adaptability for future uses; the needs of the elderly and people with disabilities and restricted mobility; visual interest; and crime prevention.

N13 - requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

N25 – Boundaries of site should be positively designed

T2 – developments need to be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

T5 - safe and secure access for pedestrians and cyclists should be provided to new development.

T6 - satisfactory access to new development for disabled people and people with mobility problems should be provided.

T7A - secure cycle parking is required in new developments, to reflect standards in UDP Appendix 9.

T7B – secure motorcycle parking is required

T24 - parking provision to reflect the guidelines set out in UDP Appendix 9.

LD1 - development proposals should protect existing vegetation, allow sufficient space around buildings to retain existing trees in healthy condition and allow new trees to grow to maturity.

H15 – Area of housing mix

### **Relevant supplementary guidance:**

Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

Neighbourhoods for Living  
Street Design Guide  
Public Transport Improvements and Developer Contributions  
Greenspace relating to new housing development  
Sustainable design and construction

### **Government Planning Policy Guidance/Statements:**

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 of relevance to the submitted proposal. This includes:-

PPS1: Delivering Sustainable Development (2005)

PPS3: Housing (2006)

PPS5: Planning for the Historic Environment (2010)

### **MAIN ISSUES**

- Principle of the development
- Design
- Impact on the character and appearance of the local area
- Highways issues
- S106 package

### **APPRAISAL**

#### Principle of the development

This development is for the replacement of an existing purpose built student halls of residence. The site is within the Area of Housing Mix, very close to the main campus and well connected to the City and major public transport routes. Given the existing land use is remaining unchanged and the numbers of students occupying the development is broadly similar the proposal is considered acceptable in principle and makes efficient use of previously developed land in accordance with PPS3.

Highways issues are considered below as are questions related to the proposal's relationship with neighbouring buildings and its response to the local character. In terms of the impact on the housing stock, the proposal provides a net gain of 29 bed spaces above the existing building and will have little impact on the variety or quantity of housing stock. It is considered that this small increase in student numbers would have little impact on neighbouring amenity whilst the redevelopment of the site would significantly improve the quality of student housing in the locality.

### Design

The design of the proposal remains substantially similar to that previously approved and, as stated above, it is the number of amendments proposed rather than the scale of the amendments which has prompted the LA to determine that a full application was required as opposed to a NMA. The amendments are not considered to materially impact on the design or quality of the finished scheme and result in a small reduction in scale of the buildings.

The amendments from 10/00407/FU are as detailed below:

1. The materials palette has been amended although the differing treatment of external and internal elevations is maintained. The set back and change in material to a slate grey cladding of the top floor is retained as is the copper coloured cladding detail and public art although the green walls have been lost as these were intended to cover the energy centre which is no longer required in this scheme. The internal elevations materials have been amended to include light and dark grey bricks instead of the reconstituted stone cladding which was previously approved. This will retain the visual interest of the elevations while assisting the development in its BREEAM rating. Window insets will be retained and louvres continue to be used in stair wells although not for bedrooms due to an amended ventilation scheme. The hand rail, which was required for safety reasons on the top of each block, has also been removed from this scheme. reduction in ceiling heights
2. Green roofs are retained on the pavilion, substation and block 4. As the energy centre is no longer required, this green roof is lost but much of the lost area is replaced by the increased green roof to the substation and block 4
3. The pavilion building is reduced in scale by removing some of the office and storage provision. The communal areas and green roof are retained. The stepped roof form is retained on the elevation facing the service road but a level roof is now shown facing the internal courtyard.
4. Blocks A – D (previously block 5) is similar in scale to the previous scheme although not dug in to the site as much as previously and so the ground floor will be more visible than previously. The floor to ceiling heights are reduced hence the building is not significantly taller than previously approved. The interest in the elevations is retained as is the stepped roof line.
5. Due to the change to a CHP system, the energy centre at the end of block 5 is no longer required. This is now an area of greenspace with the CHP system sited within the extended substation building in the northwest corner of the site. The change to a CHP system will remove the need for lorries containing bio-fuel visiting the site as well as assist in the development achieving BREEAM Excellent.
6. Blocks E and F (previously block 2) lose the basement level previously approved but retain the stepped form down the slope of the site and the interest in the elevations.

7. Blocks G and H (previously block 3 and 4) are again substantially similar to the previous approval excepting that they are now joined at the northwest corner. Previously the blocks were joined by a glazed 3 storey bridge with a walk-through at ground floor. This has been amended so that there is now accommodation in this area however some set back has been retained in the elevation to ensure interest. In other matters there is little visual change in the elevations.
8. Blocks J and K (previously block 5) is again little different to previous apart from the amended materials palette and slight change in scale due to the reduction in ceiling heights. The pedestrian entrance to the site has been amended – previously block 5 oversailed the pedestrian entrance, the block has now been cut back to increase the space between block K and A at the entrance to the site.

### Sustainability

The applicant is now seeking to achieve BREEAM Excellent for the development. Materials will be locally sourced and will include bricks made in Wakefield and timber from accredited forests. Bedrooms and living areas will be naturally ventilated with modestly sized windows and a highly insulated timber framed construction. The windows have been sized to allow maximum natural light into the rooms but also to minimise excessive solar gain and overheating. Windows will be recessed to provide architectural interest and sunshade.

Heating and hot water is to be provided by a CHP unit situated in the northwest corner of the site adjacent to the substation. Additional hot water will be provided by solar thermal preheat cylinders. Green roofs are proposed to the pavilion, substation and St Marks Road block.

To ensure the measures are achieved and compliance with the adopted SPD Sustainable design and construction a condition has been suggested committing the applicant to a minimum of BREEAM Very Good.

### Highways

The parking provision has not amended from the previous scheme and will provide only 10 disabled parking bays in addition to temporary parking areas for the beginning and end of terms. Details for the management of these areas are included within the area wide site management plan which has been updated appropriately.

Cycle provision has reduced slightly to provide an initial 60 spaces with space to provide a further 40 spaces once demand reached 80% utilisation of the initial provision. 5 motorcycle parking spaces are also to be provided.

Other details including visibility splays and boundary treatment height have been negotiated to remain as per the previous approval. Autotracking has been provided to show that the slightly amended road layout is accessible to refuse trucks.

### S106 package

As part of Central Government's move to streamlining the planning obligation process it is to introduce the Community Infrastructure Levy Regulations 2010. This came in to force on April 6<sup>th</sup> and required that all matters to be resolved by a Section 106 planning obligation will have

to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

'122(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-  
necessary to make the development acceptable in planning terms;  
directly related to the development; and  
fairly and reasonably related in scale and kind to the development

There are five matters to be considered in this way as part of this application, Public Transport Improvements and the Metro Real Time Display contribution, Travel Plan Monitoring, Off site Greenspace and the Management Plan.

Public Transport SPD and Real Time Bus Display and on site Management Plan:

Due to changes in the implementation of the Public Transport SPD a public transport contribution is no longer required. As no change of use is proposed, the calculation is based on the uplift in numbers which is so small as to be below the thresholds set by the SPD. In a change to the previous application, no public transport contribution is now required.

A sum of £10000 has been requested for a real time timetable to be installed on a bus stop on Woodhouse Lane. This is in line with the amount agreed on the previous application and will be secured via the legal agreement.

Travel Plan Monitoring:

The Travel Plan is substantially similar to that approved on 10/00407/FU and will again be attached to the S106 agreement along with the £2500 monitoring fee.

#### Off Site Greenspace

The greenspace contribution remains the same as per application 10/00407/FU however the trigger points have been amended so that 50% is payable on first occupation of the site and 50% on its first anniversary. Previously the trigger points were 50% payable on commencement of development and 50% on its first anniversary. Given the current downturn in the economy this is acceptable and the new legal agreement will reflect this change.

#### Conclusion

The proposal is considered to comply with all relevant policy. The amendments proposed from the previous approval 10/00407/FU are minor in nature and do not significantly impact on the approved scheme and therefore a recommendation for approval is made. The S106 agreement has been signed and sealed for this application on the 16<sup>th</sup> Jan 2012.