



Planning Services

Leonardo Building
2 Rossington Street
Leeds LS2 8HD

DELEGATION REPORT

REPORT OF THE CHIEF PLANNING OFFICER

WARD: City & Hunslet

Application: 14/03735/FU

Address: 46 Burley Street
Leeds
LS3 1LB

Applicant: Burley Place Limited

Proposal: Student residential accommodation building comprising 110 studio flats, including ancillary communal facilities and retail unit, associated landscaping and car parking

RECOMMENDATION:

Refuse for the following reason(s):-

- 1) The proposed development due to its design, nature and limited accommodation type would provide inadequate amenities for the future residents of the site and would fail to meet sustainable long term housing needs, contrary to Policies CC1, H4, P10, and H6B of the Leeds Core Strategy, Saved Policies GP5 and BD5 of the Leeds Unitary Development Plan Review 2006, Supplementary Planning Guidance Neighbourhoods for Living, and the National Planning Policy Framework.
- 2) The application proposal would result in an overintensive development, out of character with the urban grain of the immediate surrounding area by reason of the dominating effects of its excessive height and bulk. The application is therefore contrary to Leeds Core Strategy Policy SP1(iii) and P10, Leeds UDPR Saved Policies GP5 and BD2, and Little Woodhouse Neighbourhood Design Statement SPD, Neighbourhoods for Living SPG, and the National Planning Policy Framework.

For information:-

In coming to a decision on this application the case officer has sought to work positively with the applicant/agent in accordance with paragraph 186 and 187 of the National Planning Policy Framework but the application has been refused.

This recommendation relates to the following Refused Plans

Plan Type	Plan Reference	Version	Received
Other	3173-P(3)033	H	22.12.2014
Other	3173-P(3)034	G	17.10.2014
Other	3173-P(3)035	D	17.10.2014
Other	3173-P(3)036	D	22.12.2014
Other	3173-P(3)037	C	17.10.2014
Other	3173-P(3)038	B	17.10.2014
Other	3173-P(3)039	A	17.10.2014
Other	3173-P(3)040	B	17.10.2014
Other	3173-P(3)041	C	22.12.2014
Other	3173-P(3)042		17.10.2014
Other	3173-P(3)046		22.12.2014
Other	TRANSPORT STATEMENT ADDENDUM		17.10.2014
Site Location Plan/Red Line/OS Plan	3173-P(1)002		03.07.2014
Block Plan/Layout Plan	3173-P(1)001	K	22.12.2014
Proposed floor plan(s)	3173-P(2)020	F	22.12.2014
Proposed floor plan(s)	3173-P(2)025	E	22.12.2014
Proposed elevation(s)	3173-P(3)010	F	22.12.2014

Proposed elevation(s)	3173-P(3)011	E	22.12.2014
Sections/Cross Sections	3173-P(4)001	B	22.12.2014
Sections/Cross Sections	3173-P(4)002	A	22.12.2014
Sections/Cross Sections	3173-P(4)005		30.01.2015
Other	3173-P(5)001	E	02.02.2015
Other	3173-P(5)002	A	22.12.2014
Other	PEDESTRIAN IMPROVEMENTS PLAN		22.12.2014
Other	3173-P(3)030	G	17.10.2014
Other	3173-P(3)031	H	22.12.2014
Other	3173-P(3)032	G	17.10.2014

Update following Plans Panel

Panel discussed the matters raised in the report below and considered that the proposals also represented an over intensive development of the site which adversely affect the amenities of the area. Panel agreed for an additional reason for refusal to be added to the decision and for this matter to be delegated to the Chief Planning Officer.



Originator: C. Briggs

Tel: 0113 2224409

Subject: PLANNING APPLICATION REF. 14/03735/FU STUDENT RESIDENTIAL ACCOMMODATION BUILDING COMPRISING 110 STUDIO FLATS, INCLUDING ANCILLARY COMMUNAL FACILITIES AND RETAIL UNIT, ASSOCIATED LANDSCAPING AND CAR PARKING AT 46 BURLEY STREET, LEEDS LS3 1LB

APPLICANT

Burley Place Limited

DATE VALID

25.06.2014

TARGET DATE

19.02.2015 (extended)

Electoral Wards Affected:

**City and Hunslet
Hyde Park and Woodhouse**

 Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE planning permission for the following reason:

1. The proposed development due to its design, nature and limited accommodation type would provide inadequate amenities for the future residents of the site and would fail to meet sustainable long term housing needs, contrary to Policies CC1, H4, P10, and H6B of the Leeds Core Strategy, Saved Policies GP5 and BD5 of the Leeds Unitary Development Plan Review 2006, Supplementary Planning Guidance Neighbourhoods for Living, and the National Planning Policy Framework.

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel because it is a major application for new housing and retail use on a longstanding derelict brownfield site in the City Centre.

2.0 PROPOSAL:

2.1 The application proposal for a part 6 storey/part 9 storey (or 17.6m-25.9m high above ground level on Burley Street) red-brick building consisting of 110 student studio flats, 2 common rooms and a ground floor convenience store of 287 square metres. From Park Lane, the building would be part 4/part 7 storeys in height or 20.1m to 12m above ground level. The building would be set some 4m from the western boundary to the substation and 8m from the old sorting office to the east, 4m from the back edge of footway to Burley Street, and approximately 2m to the back edge of footway to Park Lane.

During the course of the application the scheme has been amended as follows:

Unit Size	Original	Amended
> 19.9sqm	1	0
20-	121	59

20.9sqm		
21- 22.9sqm	1	8
23- 24.9sqm	0	27
25sqm +	5	16
Total	128	110

- 2.2 There would be 3 car parking spaces and one motorcycle space accessed from Park Lane. 27 secure cycle parking spaces would be provided at ground floor. Servicing and refuse collection would take place from lay-bys off Burley Street and Park Lane. Rutland Mount would be closed to traffic, with new footway surfaces and tree planting.
- 2.3 Pedestrian access to the upper floor flats would be from Rutland Mount and Park Lane. There would be two communal lounges, one at ground floor level (Burley Street side) of 117sqm and one at second floor level (ground floor on the Park Lane side).
- 2.4 The A1 convenience retail unit at ground floor accessed from the Burley Street frontage.
- 2.5 A communal external terrace is proposed at second floor level on the south (Burley Street) side of the building. This would be approximately 10m x 6m of useable space with planters arranged around the building frontage to protect the amenities of the surrounding units.
- 2.6 A number of documents were submitted in support of the application:
- Scaled Plans
 - Design and Access Statement
 - Sustainability Statement
 - Transport Statement
 - Planning Statement
 - Retail Statement
 - Noise Impact Assessment
 - Wind study
 - Statement of Community Involvement
 - Land Contamination Reports
 - Coal Recovery Report

3.0 SITE AND SURROUNDINGS:

- 3.1 The cleared application site (0.1ha) is bounded by Burley Street, Park Lane, Rutland Mount, and a red-brick electricity substation. There was previously a red-brick two storey warehouse on the site. To the east of Rutland Mount is a distinctive red-brick

and concrete mid-20th Century former Post Office Sorting Office. To the south lies Sentinel Towers, a beige brick student housing scheme, a pedestrian route via steps to Cavendish Street, and the St. Andrews Court office park, including the Grade II listed St. Andrew House. The nearest traditional housing is at Kendal Walk (approx. 45m away) and Hanover Square, higher up the grassed valley side. Developments in the last 10 years have included student housing and café, gym and retail facilities at Opal Court 1 and 2, and Concept House on Burley Road to the north east of the application site. Prior to these developments, the area was mainly commercial and industrial in character; however recent developments have increased the mix of uses and facilities in the area. The site is unallocated within the designated City Centre under the Saved policies of the UPDR.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 20/419/05/FU Multi-level development up to 14 storeys comprising 55 cluster flats with 304 bedrooms and gymnasium – application withdrawn.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 A number of proposals for residential uses at this site have been discussed informally with officers between 2005 and 2014. Officers offered the opportunity to present the scheme to Members at pre-application stage, however this was not taken up by the applicant.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Planning application publicity consisted of:

- 6.1.1 Site Notice of Proposed Major Development posted 11.07.2014 and 31.10.2014

All objectors were reconsulted by email on the revised scheme and new site notices posted on-site following the receipt of revised plans on 17.10.2014

- 6.1.2 Press Notice of Proposed Major Development published 31.07.2014

- 6.1.3 City and Hunslet Ward Councillors and Hyde Park and Woodhouse Ward Councillors consulted by email. Councillor Christine Towler (Hyde Park and Woodhouse) objects to the scheme on the grounds that the building is too big in comparison to those surrounding it. Some of the windows have restricted outlook that would impact on the living conditions of the residents and restrict light into the apartments. Due to the layout of the building there is overlooking between rooms of the apartments. The apartments are too small to enable residents to live comfortably and at the very least the number of apartments should be reduced and the floor space increased.

- 6.2 Five objections have been received from local groups and individual residents including two residents from Kendal Walk, two residents from Hanover Square, Little Woodhouse Community Association, a resident of Headingley, and the South Headingley Community Association, noting the following concerns:

- The development is an over over-intensive use of the site by virtue of the building's height and the fact it occupies all of a very tiny site going right up to the pavement's edge.
- The development does not reflect the topography of the land i.e. the height of the building does not respect the principle of "stepping down the hill"
- Pedestrian access via Park Lane would encourage taxis to use the Park Lane entrance as a pick up point, which would disturb the residents of Kendal Rise and Kendal Walk
- Taxis picking up and dropping off at the Park Lane entrance would block Park Lane to other road users.
- Vehicular access to the building on Park Lane is immediately adjacent to the blind corner which forms the junction of Park Lane with Belle Vue Road and so would be extremely dangerous.
- Because of its height, prominence, proximity to and lack of sympathy for Belle Vue Road and the two storey terrace houses on Kendal Walk and Kendal Rise, the development would be detrimental to the visual amenity and character of the area.
- The building is out of harmony with the adjacent residential area by being taller than the terrace houses, and by having a flat roof.
- Noise from music would blare from some of these windows just as it does from the windows of the nearby Concept Place student block. This would disturb the residents of Kendal Walk and Kendal Rise.
- The building would block sunlight to the terraced houses on Kendal Walk.
- The proposed development would be too close to other tall buildings. This could create wind funneling problems
- The Draft Site Allocation states that 46 Burley Street has the capacity for 48 flats.
- The original building faced onto Park Lane, whereas the proposed building would face onto Burley Street. Whilst the entire block is utilitarian in appearance, no attempt has been made to make the Park Lane elevation a pleasing one for the residents of Kendal Walk to look out onto. Neither would the proposed building enhance Belle Vue Road.
- Belle Vue Road acquired its name from the beautiful views it provides across the Aire Valley. These important views would be blocked by the proposed development. According to Neighbourhoods for Living, important views should be preserved.
- The enlarged retail unit which forms part of the revised plans would attract vehicles which would park on Park Lane, Burley Street, Rutland Street and other nearby roads. These would create a nuisance for existing residents and road users.
- Regarding the retail unit, it is not the responsibility of Leeds City Council's planning department to take into account economic considerations when deciding planning applications. If an application fails to meet planning policy, as this once so clearly does, it should be refused.
- Demographic imbalance of students to full time residents will deter families from the area – not a balanced community
- Late night noise disruption caused by students as the desire lines between university campus, clubs, bars and shops are far reaching. They will inevitably take students through quiet residential areas, giving greater potential for noise nuisance and anti-social behaviour

- Increased litter
- No managed green space
- No trees
- The scheme would reduce natural habitat, greenery and air
- It is another grotesque slab to disfigure the neighbourhood.
- Rutland Mount is currently used as a car park as its too steep for regular traffic to drive up and down safely.
- The individual units are too small
- The proposed accommodation can be physically adapted for occupation by average sized households as stated by the developers
- Another retail unit will take away trade from that close by
- Student's needs are not less than for open market flats
- Rutland Mount would become a canyon
- The proposed development is unsuitable for the site and the local community.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

7.1.1 LCC Transport Development Services

The applicant is not proposing any student parking for the proposals – this is on-balance acceptable subject to suitable wording within a Section 106 agreement that no students may bring a car to Leeds during their tenancy. A car parking management plan should be conditioned on any permission so that student drop off/pick up is managed efficiently and safely. The undercroft parking area should be left unmarked so that it can be used for disabled parking, staff parking and student drop-off-pick-up and start/end of term time. Staff would need to come in by sustainable modes of transport during these times.

Due to the applicant not providing any student parking and relying on all student residents to use sustainable modes of travel to get to the local universities, the applicant has carried out a detailed accessibility analysis of key walking/cycles routes and crossing points to the local universities from the site to see if the routes are suitable and consider if improvements should be proposed to make walking/cycling more attractive. The proposed 21% cycle parking to students bed spaces ratio is on-balance acceptable taking into account University travel plan mode share targets by cycles. Short stay cycle spaces should be provided outside the proposed retail outlet. At least one lockable motorcycle space should be provided in the under croft parking area.

The lay-by proposed on Park Lane would also need to be managed so that large vehicles do not arrive at the same time as when student drop-off/pick up is taking place. Ideally the bins should be on the same level as Park Lane for efficiency and so bin collection does not take a significant amount of time each week.

On the Kirkstall Road Renaissance Area Planning Framework Plan 8 for Area 4 there are strong aspirations for Rutland Mount to be improved to be a 'Green Access Link' for north-south non-motorised movements. Rutland Mount is currently surfaced using stone sets, has no Traffic Regulation Order along its length so will suffer from

commuter parking problems during the week if the development was built, and is unattractive for pedestrians to use. It is therefore considered necessary, to convert Rutland Mount into a footway with full height kerbing and footway construction at the top end and pedestrian guardrail at the bottom end of Rutland Mount on Burley Street to prevent vehicle access (including tarmac resurfacing and refurbishment of the setts along its length) if the main pedestrian access for the student flats is taken from Rutland Mount. The applicant would need to obtain agreement from the neighbouring property owner in terms of right of access along Rutland Mount and suitable maintenance access to their building side as well as possible future access doors and CCTV coverage issues. In relation to roots for the trees, the applicant would need to investigate statutory undertaker information to see whether the tree positions are suitable in relation to existing stats infrastructure. For information, the applicant could either close that part of the highway for the tree planting under S247 under the Town and Country Planning Act 1990 (if stats infrastructure is not found) or they could be planted under a Licence to Cultivate. In both instances the applicant would need to maintain the trees. The tree planting would need tree root cages/protection if achievable to plant.

Park Lane: The loading lay-by should be at least 12m long excluding tapers. This will also provide additional drop-off/pick up space for start/end of term times.

Burley Street: The lay-by should be increased by approximately 3-4m to the east so there is a shared 12m length marked loading bay (without tapers) and suitable marked short stay parking bay for the retail outlet. Ideally, the front boundary wall should be removed from the scheme to open up the footway and pedestrian access to the building (bollards could be set back from the edge of the site for any security/safety issues etc.).

A motorcycle wall anchor has been proposed to allow a motorcycle to be secured.

Recommended conditions:

- Details of cycle and motorcycle parking
- All off-site highway works showing pedestrian improvements by s278 agreement
- Means of preventing mud on the highway
- Provision for contractors
- Development shall not commence until details of a staff shower/changing room/locker facilities for staff of the student residential building
- Car park and servicing management plan
- Any proposed ramps gradients across the site must be constructed in accordance with the British Design Standard (BS 8300:2001) and retained as such thereafter.

Section 106 obligations

- No car tenancy agreements

7.1.2 Coal Authority
No objection

7.2 Non-statutory:

7.2.1 LCC Environmental Protection

No objection subject to conditions regarding construction practice, construction working hours (08.00 hours on weekdays and 09.00 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays), commercial unit delivery times (8am to 18:30 hours Monday to Saturday and 9am to 13:00 hours on Sundays and Bank Holidays), details of extract ventilation

7.2.2 LCC Flood Risk Management:

No objection subject to conditions regarding surface water drainage

7.2.3 West Yorkshire Combined Authority:

Future residents would benefit if one of Metro's new 'live' bus information displays were to be erected at bus stop number 11452 at a cost of approximately £10,000 (including 10 years maintenance) to the developer. The display is connected to the West Yorkshire 'real time' system and gives accurate times of when the next bus is due, even if it is delayed. Good pedestrian access to/from the site to/from bus stops should be provided taking into consideration the needs of the elderly and mobility impaired.

7.2.5 LCC Waste Management

The bin storage arrangements are acceptable.

8.0 PLANNING POLICIES:

8.1 Development Plan

8.1.1 Leeds Core Strategy 2014

The adopted Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The Core Strategy was adopted by the Council on 12th November 2014. This now forms the development plan for Leeds together with the Natural Resources & Waste Plan and saved policies from the UDP. A number of former UDPR saved policies have been superseded by Core Strategy policies and have been deleted as a result of its adoption. Appendix 1 of the Core Strategy provides a full list of 'deleted' UDPR policies and policies that continue to be 'saved' (including most land use allocations).

Spatial Policy 1 sets out the broad spatial framework for the location and scale of development. This policy prioritises the redevelopment of previously developed land within Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods.

Spatial Policy 3 Role of Leeds City Centre seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by

- comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space,
- enhancing streets and creating a network of open and green spaces to make the City Centre more attractive

- improving connections between the City Centre and adjoining neighbourhoods
- Expanding city living with a broader housing mix

Spatial Policy 8 states that training/skills and job creation initiatives would be supported by planning agreements linked to the implementation of appropriate developments given planning permission.

Paragraph 5.1.14 City Centre strategic Themes and Character – ‘A Growing Residential Community’ of the Core Strategy states that:

‘With significant house building between 1995 and 2010 a substantial residential population exists in the City Centre. Despite the recession and pause in construction activity, city living remains extremely popular with little vacancy. Considerable land opportunities exist in the City Centre to boost the residential population further. It is important that efforts are made to make best use of this opportunity in order to make efficient use of land and provide a wide housing offer for Leeds as a whole, as delivery of housing in the City Centre is key to the overall delivery of the Core Strategy. However, with some of the first residents putting down roots and wanting to continue to live in the City Centre it is important that a wider variety of sizes and types of housing are made available than have previously been built. In line with Policy H4 Housing Mix, major housing developments across the City Centre will be expected to contribute to a wider mix of dwelling sizes. Potential for creation of family friendly environments exist on the fringes of the City Centre where densities can be lower, and more greenspace and supporting services can be delivered, including medical and education services.’

Para 5.2.20 states that: ‘significant growth in student numbers in the past has led to high concentrations of student housing in areas of Headingley, Hyde Park and Woodhouse. This generated concerns about loss of amenity to long term residents’

Para 5.2.27 states that ‘The decade 2001 – 2012 witnessed considerable development of new purpose built student accommodation particularly in and around the north west sector of the City Centre. Growth in this accommodation is to be welcomed in order to meet need and to deflect pressure away from private rented houses in areas of over-concentration. Nevertheless, care is needed to ensure that purpose built accommodation does not itself become over-concentrated and is located with good access to the universities.’

Core Strategy Policy CC1 outlines the planned growth within the City Centre for 10, 200 new dwellings. Part (b) of Policy CC1 encourages residential development, providing that it provides a reasonable level of amenity for occupiers.

Policy H2 refers to new housing development. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure and the development should accord with accessibility standards.

Policy H3 states that housing development should meet or exceed 65 dwellings per hectare in the City Centre.

Policy H4 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and character of the location.

Policy H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site. Student only housing schemes are exempt from affordable housing.

Policy H6B relates to student housing provision and is discussed in the appraisal section of this report

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.

Policy P12 states that landscapes will be conserved and enhanced.

Policies T1 and T2 identify transport management and accessibility requirements for new development.

Policies EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development. In this case, Code for Sustainable Homes Level 4 is required.

Policy ID2 Planning obligations and developer contributions

8.1.2 Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies

Relevant policies include:

GP5 all relevant planning considerations

BD2 design and siting of new buildings

BD4 all mechanical plant

BD5 Residential amenity

T7A cycle parking

T7B motorcycle parking

T24 Car parking provision

LD1 landscaping

8.1.3 Leeds Natural Resources and Waste DPD 2013

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 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. Policies regarding drainage, air quality, trees, coal recovery and land contamination are relevant to this proposal.

8.2 Relevant Supplementary Planning Guidance includes:

SPD Street Design Guide

SPD Travel Plans
SPD Building for Tomorrow Today: Sustainable Design and Construction
SPG City Centre Urban Design Strategy
SPG3 Affordable Housing
SPG6 Self-contained flats

SPG Neighbourhoods for Living

Neighbourhoods for Living provides advice and principles for good residential design across the themes of use, movement, space and form. It promotes local character, analysis of landmarks, views and focal points, and quality buildings. It provides guidance for distances to boundaries and it states that the private communal amenity provision for flats should be ¼ of total gross floor area.

Little Woodhouse Neighbourhood Design Statement 2011 (adopted SPD)

Burley Road is a major traffic route into and out of the City. Thin strips of land formerly occupied by industrial buildings are now giving way to purpose-built student housing flats. The old sorting office between Park Lane and Burley Street is identified as a local landmark. General design advice includes:

- building materials include red-brick as the basic walling material
- infill development should maintain existing building line
- views and vistas should be maintained
- new development should be of a similar size scale to its immediate neighbours
- new development should be sensitive and responsive to its context.
- Buildings in key locations – in corner positions or at the end of vistas and other key locations, buildings should be designed and detailed in a manner which reflects the importance of their location

Kirkstall Road Renaissance Area Planning Framework 2007

The Kirkstall Road Renaissance Area Planning Framework 2007 is informal supplementary planning guidance, not part of the adopted Development Plan Documents, and whilst it is a material consideration, it has little weight compared to the weight of policies in the Core Strategy

8.3 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) came into force in March 2012 and represents the government's commitment to sustainable development, through its intention to make the planning system more streamlined, localised and less restrictive. It aims to do this by reducing regulatory burdens and by placing sustainability at the heart of development process. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so.

The NPPF identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes
- Seek high quality design and a good standard of amenity for existing and future occupants.

- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

The NPPF states that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres (para 23). Housing applications should be considered in the context of the presumption in favour of sustainable development (para 49).

The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50).

Section 7 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments; and
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

8.4 Other material considerations

8.4.1 Best Council Plan

The Plan identifies 6 objectives in order to achieve the best council outcomes identified between 2014-2017. One of the three best Council outcomes (Best Council Plan 2013-17) is to "improve the quality of life for our residents", and the priority "Maximising housing growth to meet the needs of the city in line with the Core strategy" within the Best Council objective "Promoting sustainable and inclusive economic growth" which gives a strong foundation to improving the quality of housing and 'liveability' of places delivered under this ambitious programme for the city.

Also, the objective "Promoting sustainable and inclusive economic growth" is of relevance to this proposal. This would be achieved by improving the economic wellbeing of local people and businesses, meeting the skills needs of business to support growth, boosting the local economy, creating 'more jobs, better jobs' by working with employers and businesses, and continuing to secure local training and recruitment schemes.

8.4.2 Vision for Leeds 2011-2030

One of the aims is that by 2030 Leeds' economy will be more prosperous and sustainable. This includes having a skilled workforce to meet the needs of the local economy, and creating significant job opportunities. The vision also states that Leeds will be a great place to live, where local people benefit from regeneration investment,

and there is sufficient housing, including affordable housing, that meets the need of the community.

8.4.3 City Priority Plan 2011-2015

The Plan states that Leeds will be the best city to live in. The City Priority Plan includes an objective to maximise investment to increase housing choice and affordability. The sustainable growth of a prosperous Leeds' economy is also a priority. The key headline indicators relevant to this proposal would be the creation of more jobs, more skills, and the growth of the local economy, and an increase in the number of hectares of vacant brownfield land under redevelopment.

8.4.4 The Leeds Standard 2014

The Leeds Standard was adopted by the Council's Executive Board on 17 September 2014. The introduction of a Leeds Standard to ensure excellent quality in the delivery of new council homes under three themes: Design Quality, Space Standards and Energy Efficiency Standards. It sets out how the Council can use the Leeds Standard in its role as Council landlord through its delivery and procurement approaches. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council's Neighbourhoods for Living guidance. The Leeds Standard sets out the importance of excellent quality housing in supporting the economic growth ambitions of the council. The Leeds Standard sets a target of 37sqm for a self-contained studio flat.

8.4.5 Emerging Site Allocations Plan – Site Allocation Proposals (Housing & Safeguarded Land) 2015

Although at an early stage, the proposed allocations presented to Development Plans Panel 13 January 2015 provide the basis for producing a draft Site Allocations Plan, which would then be placed on deposit to enable public comment to be made. This site is identified as Housing site no. 226 as a brownfield City Centre infill site for 48 dwellings.

8.7.6 National Government Consultation on Housing Standards

In March of this year the Government announced its intention to take forward the development of a nationally described space standard which will be available to local planning authorities to use in setting their housing policies. The Government has continued to work to develop this space standard, and accompanying planning policy guidance. This included calling together an industry working group to advise on how to take this work forward. Space standards are typically required in order to provide confidence that new dwellings have a high level of functionality in undertaking day to day tasks and activities, at a given level of occupancy. The nationally described space standard deals with internal space within new dwellings and is suitable for application across all tenures. The gross internal areas recommended by the consultation study are determined by a combination of the space needed to accommodate the furniture detailed in Annex B of the document, which is derived from the Housing Quality Indicators and the London Housing Design Guide 2010

9.0 MAIN ISSUES

- 9.1 Principle of use
- 9.2 Urban design and impact on surrounding amenities
- 9.3 Amenity of future residents
- 9.4 Highways and transportation
- 9.5 Sustainability
- 9.6 Wind
- 9.7 Other matters raised by representations

10.0 APPRAISAL

10.1 Principle of use

- 10.1.1 The National Planning Policy Framework, Leeds Unitary Development Plan Review, the Leeds Core Strategy, would all support the principle of residential development with a supporting small scale town centre commercial use in this City Centre brownfield site location. With regard to the Kirkstall Road Renaissance Area Planning Framework (an informal SPG with limited weight) this advises against further residential development in the City Heights area. However, the City Heights area identified in this document is still predominantly commercial in nature. This document does not benefit from as much weight as the NPPF or the Core Strategy. The Core Strategy is more recent and was subject to more thorough public examination.
- 10.1.2 With reference to Core Strategy Policy H6: Houses in Multiple Occupation (HMOs), Student Accommodation, and Flat Conversions, Part B is relevant to this application proposal, and its criteria can be considered as follows. Part i) states that development proposals should help extend the supply of student accommodation taking pressure off the need for private housing to be used. This proposal would fulfil this objective. Part ii) states that development proposals should avoid the loss of existing housing suitable for family occupation, and this proposal would also meet this objective. Part iii) seeks to avoid excessive concentrations of student accommodation (in a single development or in combination with existing accommodation) which would undermine the balance and wellbeing of communities. Whether the concentration is excessive in the area depends on the consideration of the local context. Whilst excessive concentrations of student populations may cause harm to discrete residential areas, the combined proximity to the City Centre, local mixed land use functions and the proximity to the educational areas suggest that the proposed student accommodation, as a small percentage increase to an existing concentration, could be tolerated in this location. It is considered that there would be some difficulty in defining a wider area within which student housing proposals would not form part of a mixed community, taking into account the dominant commercial uses around the site, and the existing residential communities of Little Woodhouse. If the community is defined across a wider area that includes Little Woodhouse it is considered that the mix and type of residential accommodation is extremely varied, and therefore a balanced and mixed community is achieved. The key issues would be the location of a community boundary, identifying affected individuals/groups, what the harm was, identifying the individuals/groups causing harm, and the collection of robust, credible evidence to that effect. It is considered that this area features one of the more diverse ranges of land use in and around the edge of the City Centre.

10.1.3 Regarding the retail unit, the applicant presents within their Retail Statement that the proposal is in accordance with Policy P4 of the newly adopted Core Strategy. As the proposal is located within the City Centre the proposal must meet Policy CC1. Policy CC1 states that for convenience retailing proposals between 201 – 372 sqm a sequential test would be required if they are located within 300m of an identified centre. As the development is located over 300m away from the Prime Shopping Quarter, the Wellington Street Local Convenience Centres and the Burley Lodge Local Centre, there would be no requirement to complete a Sequential Test. Therefore the retail element of the proposal would be in accordance with the Core Strategy.

10.2 Urban design and impact on surrounding amenities

10.2.1 The taller element of the proposed building would be of a similar height to that of the former sorting office building to the east. The lower section would be comparable to the height of Sentinel Towers to the south. The form would step down to the electricity substation to the east, and this lower element would also step below the ridges of the houses on Kendal Walk. The step in roof form would also serve to aid the breaking down of height, scale and bulk in relation to adjoining buildings and in longer distance views such as from Kendal Walk. Existing views from Kendal Walk are already dominated by Sentinel Towers (built in the 1990s) and The Tannery (early 2000s) and other modern buildings including the Holiday Inn on Kirkstall Road. Therefore on balance it is considered that the scale and form of the building is acceptable in this context.

10.2.2 With regards to elevational treatment, the proposed red-brick would reflect the traditional materials in the area. The building is considered to provide a suitable appearance in its immediate context with a simple palette of materials, a clear base, middle and parapet top to its design and elevational interest provided by its window arrangements and reveal detailing.

10.2.3 Part iv) of Core Strategy Policy H6B states that proposals for student housing should avoid locations which are not easily accessible to the Universities by foot or public transport or which would generate excessive footfall through quiet residential areas which may lead to detrimental impacts on residential amenity. The site is approximately 800m from the University of Leeds, approximately 700m from the LGI and 1200m away from the main Leeds Beckett University campus. It is considered that the location of the site in relation to these educational establishments is likely to mean that most residents would travel along Park Lane and Clarendon Road and thereby avoid most established residential areas.

10.2.4 Whilst there may be some travel through existing residential areas, this is more likely to take place through the day and would be limited in number compared to the more direct routes available along Clarendon Road and Park Lane.

10.2.5 A small number of local residents in their representations on this and other proposals have expressed concern regarding general noise and disturbance as a result of students generally. However the area is characterised by a mixture of uses including

significant existing student accommodation which contribute to a busy City Centre environment and it is considered that the proposal in itself would not unduly affect this existing character.

10.2.6 With regard to the direct impact of the development on adjacent residential properties, the site would be separated by a distance of approximately 45m from the nearest traditional residential properties to the north. The site lies in a predominantly commercial area, but close to traditional neighbourhoods. The direct impact of this proposal in terms of direct loss of amenity/noise/general disturbance on the existing residents of the Kendal's and Hanover Square, is likely to be relatively small due to the physical distance and change in topography. It is considered on balance that the relatively small increase in student numbers from this application would not result in a significant adverse impact on the nearby traditional residential areas.

10.3 Amenity of future residents

10.3.1 Although the proposed building would regenerate a vacant site and has some design merits in terms of its overall form, materials and elevational treatment, it is considered that the internal design and intensity of the proposed student housing scheme fails to provide sufficient amenity for the future occupants.

10.3.2 With reference to part (v) of Policy H6 B, the proposed accommodation should provide satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.

10.3.3 Most of the studio flats are around 20 square metres with all living functions catered for within one room plus a small shower/toilet room. This is not considered to offer good living conditions for future residents. They do not have adequate size to carry out the functions of day-to-day living, and have inadequate circulation space. It is considered that the proposal would result in negative effects on the wellbeing and living conditions for future residents. Under the Government's consultation on minimum housing unit sizes, the HCA level 1 standard and the Leeds Standard guidance it is advised that studio flats should be a minimum of 37sqm. In this proposal, the studio apartments would be predominantly 20sqm. The Government's proposed Housing Standard, the HCA standard, and the Leeds Standard all use a credible evidence base, prepared using real furniture sizes and taking account of people's day-to-day living needs.

10.3.4 The typical rectangular room proposed represents a large number of the proposed flats. These indicative room layouts show very limited space for fulfilling the normal day to day functions of sleeping, washing, ablutions, cooking, sitting down to eat and socialising with family and friends in private and for general circulation within the flat. For example, the shower enclosure measures only 1.05m wide x 0.67m deep, the sink and toilet area is only 1m x 1.2m and there would be limited circulation space within the bathroom area between the toilet, shower and sink. The bed is shown to be only 1.1m wide x 2m long with a table oversailing part of that length – allowing for pillow depth and the solid partition at the end of the bed then the length for a “free” sleeping and lying down area is effectively reduced further. There is a dish drainer which extends onto the eating table, which also doubles up as space to prepare ingredients

or place pots and pans or crockery adjacent when cooking. There is also limited circulation space within the flat with only a 1.35 m wide space between the wardrobe and bathroom which also doubles up as the entrance area and the kitchen area and a further reduction in corridor width to 77cm when travelling to the sofa/seating area.

- 10.3.5 In addition to their small size, it is considered that the “L” shaped plan form for the corner flats from level 3 upwards adjacent to the roof top garden area would have poor internal daylight and outlook, given the distance to the east across the courtyard and the scale of the eastern wing of the building.
- 10.3.6 In relation to the outlook of flats along Rutland Mount, the former sorting office would only be approximately 8m from some flats. When combined with the limited size of the units, this outlook is not considered satisfactory when it is a sole outlook for an entire flat, and there may be poor levels of light to these units, especially lower down the block.
- 10.3.7 The outdoor amenity provision would be limited to the courtyard facing Burley Street. This would measure between 9 and 10m wide by between 6 and 7m deep. This would not meet the guidance in Neighbourhoods for Living which states that $\frac{1}{4}$ of the gross floor area should be provided as communal outdoor space. This development would need to provide significantly more outdoor amenity space (over ten times) than that proposed in order to meet this policy guidance. The lack of communal outdoor space provision or balconies, combined with small unit sizes, means that the amenities of the proposed flats are considered to be poor.
- 10.3.8 The proposal is mostly made up of flats which are no larger than a standard budget hotel room, which are usually approximately 20sqm, but are not intended for long term residency. The proposed flats are intended for longer term residency not a short term visit, and would be detrimental to the amenities and general wellbeing of future residents.
- 10.3.9 Core Strategy Policy H4 requires residential development to provide a mix of unit types including one, two and three-bed accommodation to meet housing needs over the long term. Whilst it is accepted that a student-only scheme may not require multiple bedroom units, the design in this case relying on solely small studio flats would make it very difficult to convert the building to other types of residential accommodation in the future. It is considered that such small units would not be sustainable in the long term, as they would not be capable of easy conversion to larger spaces for different types of residential accommodation. It is considered that they could only be easily converted to standard hotel rooms without significant works.

10.4 Highways and transportation

- 10.4.1 In principle the proposal would not give rise to local parking issues or road safety issues subject to the conditions recommended by Highways officers. They have raised no objections to the proposed low level of parking. They have also advised that subject to the provision of cycle and motorcycle parking, and demonstration of appropriate bin storage and collection, the proposal would be unlikely to result in

adverse road safety issues or adverse impact on amenities for local residents. Secure cycle storage and bin storage is identified on the plans. The Saved UDPR parking guidelines can accept minimal or no car parking where there is considered to be no adverse impact on the highway. On-street parking is controlled by a parking scheme in the local area. The site is well located in terms of access on foot or by cycle to the City Centre, the universities, the LGI, and public transport and local services are within easy walking distance. Highways officers would recommend a restriction via a Section 106 agreement that tenants who do not have an allocated space on site do not bring a car to the area.

- 10.4.2 The applicant's pedestrian study has revealed that improvements would be necessary to achieve the pattern of pedestrian movements envisaged. A plan of the junctions that are deficient in either dropped kerbs and/or tactile paving has been proposed:
- a. Park Lane/Belle Vue Road
 - b. Park Lane/Hanover Avenue
 - c. Hanover Square (West) /Hanover Avenue
 - d. Hanover Square/Dennison Road
 - e. Park Lane/Burley Street
 - f. Dennison Road/Woodhouse Square
 - g. Hanover Way/Park Lane
 - h. Woodhouse Square/Clarendon Road
 - i. Clarendon Road/Kelso Road

Works to these junctions would be required to upgrade the pedestrian environment and make the proposed development acceptable in highways and transportation terms. These works would need to be provided by an appropriate condition prior to the occupation of the development.

- 10.4.3 West Yorkshire Combined Authority has commented that future residents would benefit if one of Metro's new 'live' bus information displays were to be erected at bus stop number 11452 at a cost of approximately £10,000 (including 10 years maintenance) to the developer. However as the bus stop in question serves people travelling west-bound, away from the City Centre, there would be little reason for the proposed student population to use this bus stop, as the majority of their journeys are expected to be towards the City Centre and Universities. As such, it is considered that a bus stop improvement contribution is not fairly related to the development proposed or justifiable in planning terms in this case.

10.5 Sustainability

- 10.5.1 The scheme would achieve the standards set out in the adopted sustainable design and construction SPD Building for Tomorrow Today. The proposal would meet at least a BREEAM Excellent standard. A minimum of 10% energy generation would be developed through on site low carbon energy sources, in this case a Combined Heat and Power plant (CHP). The scheme would also deliver at least a 25% reduction in carbon emissions over building regulations standards.

10.7 Wind

10.7.1 The applicant has submitted a qualitative wind assessment in support of the proposal which states that the wind environment would be acceptable for all users in the vicinity of the building and that the building is unlikely to generate wind conditions that would cause distress to pedestrians, or result in a danger to high-sided or other road vehicles. The Local Planning Authority instructed an independent wind expert to peer review the report, and they have confirmed that the assessment is sufficiently detailed and likely to be robust in terms of the range of conditions that have been assessed.

10.8 Other matters raised by representations

10.8.1 The site lies within the designated City Centre, where under the Core Strategy housing densities are expected to be higher than 65 dwellings per hectare. On balance there may be capacity at this site for more than 48 units at this site. The site allocations is an estimate based on a formula and is not necessarily prescriptive.

11.0 CONCLUSION

11.1 The application is recommended for refusal. On balance, the proposal is considered to be an over-intensive use of the site resulting in inadequate amenity for future residents contrary to the Council's adopted policies for the reasons given in section 10.3 above.

Background Papers:

Application file 14/03735/FU