



**Draft Report of the Chief Planning Officer**

***PLANS PANEL WEST***

**Date: 20<sup>th</sup> May 2010**

**Subject: APPLICATION NUMBER 10/00407/FU - Full planning application for demolition of existing student flats and erect replacement multi storey student accommodation, comprising 2, 3, 4, 5, and 6 storeys, with 526 student bed spaces, warden accommodation, an energy centre and central reception building with landscaping, amenity spaces and car parking areas at St Marks Residence, St Marks Street, Woodhouse.**

**APPLICANT**  
University of Leeds

**DATE VALID**  
3<sup>rd</sup> February 2010

**TARGET DATE**  
5<sup>th</sup> May 2010

**Electoral Wards Affected:**

**HYDE PARK AND WOODHOUSE**

Y

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**To defer and delegate approval to the Chief Planning Officer subject to the conditions specified (and any others which he might consider appropriate and the completion of a legal agreement within 3 months from the date of the resolution, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:**

- 1. Travel plan**
- 2. Travel plan monitoring fee - £2500**
- 3. Public Transport Contribution - £32589**
- 4. Tenancy agreement to ensure a car free scheme**
- 5. Car park management plan for Providence Terrace**
- 6. Real time displays - £10000**
- 7. Green space - £147,514.63 with up to 50% being available for enhancement on Woodhouse Moor (subject to ward member and community consultation);**

**Or, if agreement cannot be reached on the S106 matters, defer and delegate refusal.**

**Suggested Conditions:**

1. Development to commence within 3 years.
2. Details of cycle and motorcycle storage spaces for staff and students.
3. Boundary treatment fronting the adopted highway to be no more than 1.0m in height. Details of fencing and/ or walling to be submitted and approved.
4. Areas to be used by vehicles to be hard-surfaced and drained.
5. Gradients across the site to be no more than 1:20 (5%), except the 1:12.5 vehicle access ramps on the approved plan, and crossfalls across the whole site must be no more than 1:40 (2.5%).
6. Off-site highway works on the approved plan must be implemented before first occupation of the proposals.
7. 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 time for picking up/dropping off.
8. 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 for the lifetime of the development.
9. Construction and cross-section details of the grass parking areas on the approved plan must be submitted and approved. The grass re-enforced vehicle parking area on the approved plan must be available for students and their associates for all in-take weekends for the lifetime of the development.
10. The exit gate on the internal access road must be out-swinging in the direction of Providence Terrace for the lifetime of the development.
11. Details of refuse collection arrangements to be submitted.
12. Surface water discharge from the site not to exceed 43 l/s. No piped discharge of surface water from the development until the surface water discharge scheme has been approved.
13. 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.
14. Separate systems of drainage for foul and surface water 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.
15. Safeguarding of existing trees, shrubs, hedges and other natural features and retention of existing trees or other vegetation in accordance with approved details
16. Hard and soft landscaping scheme including details of planting pits and irrigation of green walls and roofs.
17. Hard and soft landscaping implementation

18. Ground floor windows should be slim top opening only with laminated glass to BS7950
19. Lighting scheme to be submitted and approved.
20. Scheme for refuse collection to be submitted and approved.
21. Need for amended remediation statement if unexpected contamination is encountered.
22. Remediation works carried out in accordance with the approved Remediation Statement.
23. Walling and roofing materials to be approved.
24. A scheme, including timetable and implementation for the use of the walls fronting St Marks Road and Raglan Road for the displaying of public art shall be submitted and approved in writing before first occupation.
25. Prior to first occupation the developer shall submit in writing details of the number and location of television screens that shall be installed in communal areas within the development to provide continuous 24hours bus and public transport information from the Metro website. The televisions shall be installed and displayed prior to first occupation and be retained for the lifetime of the development.

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.

## **1.0 INTRODUCTION:**

- 1.1 Members will recall that the developers presented a pre-application scheme before the Plans Panel on the 6<sup>th</sup> August and October 29<sup>th</sup> 2009 and, at the 17th December 2009 Panel, Officers presented a report indicating how the applicant had responded to the comments made by Members and Officers.

## **2.0 PROPOSAL:**

- 2.1 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.

- 2.2 The development is proposed in 5 main blocks, three of which would run down the site towards St Marks Church on St Marks Road, the other 2 blocks framing the site and running 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.
- 2.3 The architectural approach is of predominantly brick externally and lighter stone effect cladding to the internal elevations. Slate coloured cladding is used both internally and externally and copper cladding is added for detailing. The building design is heavily articulated in form.
- 2.4 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.
- 2.5 The scheme is also proposed to incorporate a bio-mass boiler and green roofs a number of buildings including the single storey building within the courtyard and the bio mass boiler on the corner of Raglan Road over looking Woodhouse Moor.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 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.

## **4 RELEVANT PLANNING HISTORY:**

4.1 None relevant

## **5 HISTORY OF NEGOTIATIONS:**

5.1 Following the developer's pre-application presentation on 6<sup>th</sup> August 2009 concern was raised over:

- Height, scale and massing of street frontages
- Quality of design – response to site levels and local character
- Implementation of car free scheme and drop-off/ pick-up parking management

5.2 At the presentation on 29<sup>th</sup> October 2009, these points were addressed via:

- Built form is stepped and articulated to break up massing and scale
- The highest elements are within the centre of the site
- Blocks re-orientated to emphasise collegiate form
- Work to improve design quality and add articulation to elevations

5.3 The following comments were made on the revised scheme:

- Continued concern over design quality, detailing and use of materials
- Usability of the areas of outside amenity space
- Increased use of sustainable design features would be welcomed

5.4 Officers presented the scheme to panel on 17<sup>th</sup> December 2009 for a final pre-application discussion. Following previous comments, amendments were made, including:

- Use of copper coloured cladding for architectural interest
- Potential for public art in high profile
- Improvements to design of main entrance
- Further green roofs added and green walls
- Daylight/ shadow studies provided
- Members will recall their broad support for the changes to the design and the use of high quality materials and green walls and roofs and public art display areas to give the development a sense of place and quality.

## **6 PUBLIC/LOCAL RESPONSE:**

6.1 This application was advertised via site notices and also with an advert in the Press. 3 letters of representation have been received, of these all are letters of objection.

6.2 The grounds for objection are:

- Noise and disturbance from students
- Parking problems on St Marks Street and St Marks Road
- Blocking of light to neighbouring properties
- Increased traffic and safety issues
- Insufficient capacity on public transport locally
- Impact on residential character of area

## **7 CONSULTATIONS RESPONSES:**

## Statutory Consultees

- 7.1 **Highways** – Concern was raised in relation to gradients across the site, lack of pedestrian access on to Providence Terrace, reduction in drop off lay-bys, needs for a car parking management plan for drop-off/ pick-up, lack of access to northern buildings for drop-off/ pick-up.  
Resolution – Following meetings and discussion, the issues with gradients have been resolved; conditions requested to deal with other matters; and a car parking management plan and tenancy agreements to ensure a car free scheme to be included in the S106 agreement.
- 7.2 **Yorkshire Water** – conditions recommended in relation to drainage and easement around on-site sewer
- 7.3 **Drainage** – developer initially indicated surface water discharge to remain at current levels, drainage engineers require a reduction in surface water discharge from the site below the existing situation  
Resolution – Amended Flood Risk Assessment and Drainage Statement with additional calculations to show actual discharge will be in line with LCC requirements.
- 7.4 **Environment Agency** – conditions requested in relation to surface water drainage to prevent flooding and informative re. use of SUDS

## Non- Statutory Consultees

- 7.5 **Contaminated land** – Initial site investigation recommended remediation within the landscaped areas. Following submission of a remediation statement, conditions have been recommended to ensure work is stopped and amended remediation statement is submitted if unexpected contamination is found.
- 7.6 **West Yorkshire Metro** - £10,000 should be secured through S106 to provide real time timetables at a bus stop local to the site. TROs should be implemented to ensure on-street parking is controlled and does not impact on access for bus services.
- 7.7 **Public Rights of Way** – no known PROW affected.
- 7.8 **Streetscene Services** – no details of refuse collection arrangements have been provided but can be secured by condition
- 7.9 **Access** – Concerns regarding the use of shared surfaces for cars and pedestrians and incorrectly demarcated disabled parking bays.  
Resolution – Scheme is predominantly car-free with access for only disabled parking and at drop-off/ pick-up.
- 7.10 **Travelwise** – Travel plan is acceptable, needs to be secured via S106 agreement with £2500 implementation fee.
- 7.11 **NGT/ Public transport** – A contribution of £32,589 is sought under the terms of the 'Public Transport Improvements and Developer Contributions' SPD.
- 7.12 **West Yorkshire Police** – Robust but aesthetically acceptable boundary treatment is essential; secure windows to BS 7950 important particularly at ground floor; lighting scheme should be submitted; and details of access control and mail delivery.

## 8 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.

## **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)

## **9 MAIN ISSUES:**

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

## **10 APPRAISAL:**

### **Principle of the development**

- 10.1 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.
- 10.2 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 and impact on Character**

- 10.3 Members will recall that this application was the subject of three pre-application presentations. Members saw and commented on the design, siting, scale and massing of the proposed blocks and the developers and Officers worked to respond to the comments made at pre-application stage. It is considered that the pre-application process undertaken with the Panel led to a design that was broadly accepted by Members and was one that should deliver a high quality scheme.
- 10.4 In addition the scheme was reviewed internally by Officers in the Design Review Panel which involved, Planners, the City Architect and Urban Design Officers during

the pre-application process to ensure that a high quality development was delivered. The external appearance, layout of the blocks and detailing shown at the December 2009 Plans Panel West meeting has not been altered given the general confidence of the Members to the overall appearance of this scheme.

- 10.5 The following paragraphs provide a summary of each of the blocks and how the scheme will be laid out and appearance across the site:

#### *Crossfield*

- 10.6 The Crossfield block was redesigned so that it is 4 and 5 storeys (previously it was 5 and 6 storeys). The four storey elements are located in the centre of the block and the form of the building is stepped horizontally and articulated vertically to break up the massing and scale. The insertion of a high quality copper effect material was welcomed by the Panel in the December presentation as this helped to further articulate and break up this continuous block. In addition the chimney sited on the end of the Block facing out over Woodhouse Moor is considered a positive addition that was suggested by Members through the pre-application process. The Chimney services the bio mass boiler and is a working feature that demonstrates the schemes commitment to delivering a high quality sustainable development.

#### *St Marks Road*

- 10.7 The St Marks Road block is part three and part four storeys. The three storey element is located adjacent to the pair of semi detached dwellings. The four storey element steps up as it moves down St Marks Road towards the Public House. The insertion of a Greenwall on the Gable elevation facing the gable of the semi's was a positive design addition that not only helps to break up and soften the development but adds another layout interest to the design of the scheme and provides the street scene with an usual feature.

- 10.8 The St Marks Street block remained unchanged and is part 5 part 4 and part 3 storeys in height. The storey heights across the site respond to the variations in levels. The three storey element is located at the lower end of St Marks Street facing the rear elevations of the semi-detached dwellings on the corner of St Marks Road and Street. Members will recall that some additional detailing and views were supplied of the entrance into the site. The use of the Copper material again adds variety and demonstrates quality. The stainless steel letter signage gives the development a name and the size of the letter signage relates well to the scale of the block whilst being a feature that contributes to local character.

#### *Internal Block*

- 10.9 The central internal block is part 6, part 5 and part 4 storeys in height. The six storey element is located within the centre of the site and faces the internal elevation of the Crossfield block. This block then steps down the site towards St Marks Road and adjoins the St Marks Road block via an elevated three storey glazed section. This block and the St Marks Road block form an 'L' shape to frame the main internal courtyard that creates the collegiate effect. The use of light panels with a contrast of some brick and some grey cladding helps promote the idea of an inside and an outside architectural language but one that isn't separate.

#### *Providence Road/Almshouses*

- 10.10 The block located behind the Almshouses was re-orientated at the upper part of the site. This block also creates an 'L' shape. This block would be part five and part four storeys in height. The five storey element is located within the central part of the site and faces the internal elevation of the Crossfield block. The four storey element is

located at the lower end of the site, responding to the change in levels and also the need to be respectful to the silhouette of the Almshouses roofscape and also ensuring that the separation distance between habitable rooms is maintained to protect privacy and prevent over looking. The design detailing of the hanging Greenwall on the Junction of Raglan Road and Providence Terrace again provides design interest and adds to the street scene. It is also something that pedestrians will see when entering or existing the development. This element of the proposal maintains about 21 metres separation distances from the proposed elevation to the boundary wall of the courtyard of the Almshouses with Providence Terrace. However, at its nearest point the separation distance between the rear boundary wall of the courtyard of the Almshouses to the proposal would be 18 metres (it should be noted that this relationship is to a 3 storey section of the proposed development) The proposal is considered to be sited at a distance far enough to preserve privacy, protect the occupiers of the Almshouses from being over looked and also ensuring the development does not result in an over bearing or dominant relationship to the Almshouses. This element of the proposal is considered to preserve the setting of the listed Almshouses and not to harm the living conditions of the residents.

#### *Courtyards*

- 10.11 The layout between the Almshouse Block and the central internal block have been designed to create a second courtyard providing outdoor amenity space for the students and also to continue with the collegiate design ethos. The siting of the re-constituted block has been considered so as to avoid over looking and to avoid creating an over dominant effect upon the pub building. In addition the siting of the re-orientated element of this block would enable future redevelopment to take place should the pub ever come forward for redevelopment. Furthermore the position of the this courtyard should improve the living conditions of the residents of the Almshouses as the outdoor amenity space for the students will now be shielded form the Alms houses by one of the blocks thus hopefully reducing noise and disturbance issues that may previously have arisen from the current accommodation on site.
- 10.12 The central courtyard amenity area located behind the St Marks Road and St Marks Street blocks remains unchanged in layout or appearance. The only difference from the scheme shown at pre-application stage is that the lower amenity area facing the back of St Marks Road will be laid out using a synthetic grass membrane that can enable cars to be driven into the site and facilitate the drop off and picking up periods of the term time. Highways officers and landscape officers support the use of this membrane which for the majority of the year will not be visible due the grass growing through. As such the dual aspect nature of the lower part of the central courtyard area is considered an innovative and efficient use of space that will help prevent on street parking in the locality at pick up and drop off times whilst still providing a large and pleasant green space on site for students to enjoy.
- 10.13 Following the October Panel two further green roofs were added to the development in line with Members and officers comments. This comprises of two large roof areas (one on the block facing St Marks Road opposite the church and one on the central block running down towards the public house). The developers are still proposing to use the other roofs to capture rain water for recycling purposes. These sustainability enhancements and objectives are particularly welcome. Members commented in December 2009 that the additional Green Roofs were positive but also recognised the need to harvest rain water and the incompatibility between the two.

## 10.14 **Sustainability**

- 10.15 The development will have both mechanical and natural ventilation. A roof mounted air handling unit on each block will provide year round back ground ventilation with opening windows with trickle vents and opening louvers to boost the availability of fresh air to assist with cooling during the summer period. Mechanical extract will also be provided to the kitchens and toilets.
- 10.16 Heating will be provided by a boiler installation located within the Energy Centre. The boiler installation will consist of both a lead biomass boiler, sized to cover the base load, with a back-up gas fired boiler of the same capacity. Biomass fuel storage will also be within the Energy Centre and there is adequate provision for delivery.
- 10.17 Hot water will be primarily derived from the biomass boiler in the central Energy Centre via a local hydraulic interface unit serving each cluster (typically 5/6 bedrooms, pantry / living space and corridor).
- 10.18 Metering, both mechanical and electrical, will be over and above that required by the current building regulations.
- 10.19 Green roofs will be incorporated on a number of buildings to enhance the sustainability of the development. They will serve several purposes for the buildings, including the reduction of surface water run off, enhancing the insulation properties of the roofs, creating a habitat for wildlife and thus enhancing the ecology of the site, and helping to lower urban air temperatures and combat the heat island effect.
- 10.20 A rainwater harvesting system will be installed in compliance with the requirements of BS8515:2009 and to generally meet the requirements of BREEAM credit Wat 1 – Water Consumption.
- 10.21 The proposed rainwater harvesting system will collect surface water from the main highlevel roof areas of the accommodation blocks. The harvested water will be stored in underground storage tanks, from where harvested water shall be pumped to a central storage, filtration, treatment and booster pump facility located in the Energy Centre. It is the intention to supply 100% of the harvested water to the bedrooms' en-suite WC's flushing demand, with any shortfall being made up from mains water top-up
- 10.22 Officers consider the above sustainable development measures are particularly welcome and have through the pre-application design process been a central part of the design concept for this scheme. The pre-application presentation to Members have enabled the developer to demonstrate their continuing commitment to delivering a high quality sustainable and energy efficient development for this site. Members will recall they expressed their commitment for this approach. It is envisaged that this development could deliver on a BREEAM 'Excellent' rating if all measures proposed are successfully employed. As a minimum a rating of 'Very Good' is anticipated.

## **Highways**

- 10.23 Significant discussions have taken place surrounding the access, parking and student drop-off/pick-up management scheme and Highways officers have now resolved all areas of concern.

- 10.24 The scheme is car-free and therefore pedestrian friendly with a reduction of 39 parking spaces from the existing use. This, will be secured via the tenancy agreement as has been achieved at other sites within the city (eg the student development at Shay Street).
- 10.25 As a result of the car-free nature of the site, little parking is provided on site. 10 disabled parking bays will be provided along the main access road between St Marks Street and Providence Terrace. A number of informal parking bays to be utilised at the beginning and end of term have also been identified across the site. In addition to those on the main access road other informal temporary parking will be provided on the access road parallel to St Marks Road. This parking will be on the north side of the main grassed courtyard on a strip of re-enforced grass. It will be accessed via the gate to the northern end of St Marks Street which will be opened only for intake days. A car parking statement for the busy intake periods has been submitted detailing the ticket system which will be in operation and additional parking areas within the University campus for traffic awaiting their allocated time slot to access the site.
- 10.26 Cycle parking provision is high with over 150 secure cycle parking spaces being provided.
- 10.27 The site is in a highly sustainable location with buses passing regularly along Headingley Lane and bus stops being situated between 100m and 200m from the centre of the site. At peak times bus services pass these stops at the rate of approximately 40 per hour.
- 10.28 Pedestrian links are also good with a range of services within 800m of the site. Main pedestrian access to the site is via the entrance on St Marks Street which it is considered most residents will use, giving access to the university and city centre. Secured pedestrian and cycle access has also been given at the exit point of the main drive on to Providence Terrace thereby allowing pedestrian access to Woodhouse Moor to Hyde Park and Headingley and at the north-eastern corner at the junction of St Marks Street and St Marks Road.
- 10.29 There is no access (excepting vehicular access on intake days) along the northern perimeter of the site to maintain security. This is not considered problematic as main pedestrian desire lines are likely to be towards Headingley or the university/city centre and these are already adequately served by the access points detailed above.
- 10.30 The site layout is permeable for pedestrians with level access being provided throughout. Details of tactile paving for the visibly impaired along access roads can be secured by condition whilst level entry will be provided in to buildings.

### **S106 package**

- 10.31 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-

(a) necessary to make the development acceptable in planning terms;

- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

10.32 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:**

10.33 This matter is considered in Planning Policy Guidance 13 (PPG13): Transport (published on 20 April 2001), 'The Yorkshire and Humber Plan Regional Spatial Strategy to 2026 (RSS) (published May 2008) Policy T1 and the Supplementary Planning Document 'Public Transport Improvements and Developer Contributions' (adopted August 2008)

Test (a) Need

The provision of a financial contribution towards Public Transport Infrastructure and the provision of a Real Time Information Display on an existing bus stop is considered to fulfil the following needs:

- Ensures compliance with the objectives of PPG 13 to promote more sustainable travel choices, to promote accessibility by public transport and to reduce the need to travel, especially by car.
- Ensure compliance with RSS objectives to give priority to improvements to public transport
- Reflects the fact that the provision of public transport, from which the developer will gain a service, is outside the scope and control of the individual developer.
- Assists the Authority to finance and provide for the cumulative impact of individual new developments and therefore the contribution assists in addressing the individual travel impact of the development.

This is in compliance with UDPR Policies T2(ii), T2D and GP5

Test (b) Directly Related

The contributions will be spent on the provision of a public transport service from which the development will benefit directly. The site is close to the city centre and lies close to a considerable number of bus services at Woodhouse Lane . This makes the site more accessible to its users and therefore funding the improvement to the public transport system will make the site more attractive and therefore more likely to be successful. The on site management plan will cover the day to day running of this development as a 'car free' scheme with restrictions on students bring cars to work and on the management arrangements for the drop off and pick up times at the start and end of term.

Test (c) Fairly related in scale and kind.

In terms of scale, Leeds City Council has an adopted mechanism for calculating such contributions which is derived from that set out in the Practice Guidance on Planning Obligations (DCLG 2006). This accounts for the size, scale and impact of the development and allows the amount of contribution to be varied to be proportionate to this. With respect to kind, the simplest and easiest method of contributing to public transport infrastructure is by making a financial payment to the appropriate authority and the adopted mechanism outlined above produces a financial figure which is then used as the basis for the eventual contribution. The delivery of a real time information display contribution for Metro to install at a local bus stop also should benefit this development and given there at over 500 students living at this site with on cars then the contributions to promote public transport options are well related in scale and kind.

10.34 The Public Transport Enhancement Contribution has been calculated at £32,589.

**Travel Plan Monitoring:**

10.35 This matter is directly considered in 'Planning Policy Guidance 13 (PPG13): Transport (published on 20 April 2001), 'The Yorkshire and Humber Plan Regional Spatial Strategy to 2026 (RSS) (published May 2008) Policy T1 and the Draft Supplementary Planning Document 'Travel Plans' (May 2007)

Test (a) Need

The provision of a Travel Plan monitoring fee is considered to fulfil the following needs:

- Ensures compliance with the objectives of PPG13 to promote more sustainable travel choices, to promote accessibility by public transport and to reduce the need to travel, especially by car.
- Ensure compliance with the RSS objectives for the use by employers of Travel Plans, which include modal share targets and encourage more flexible
- working and school hours
- Assists in ensuring that the objectives of the travel plan are adhered to by the developer

This is in compliance with UDPR Policies T1(i), T2C

Test (b) Directly Related

The contribution will be used to ensure that the objectives of the Travel Plan which has been formulated for this specific site use and the method by which the plan seeks to ensure it's objectives in respect of the likely travel modes of its staff and students, are actually achieved.

Test (c) Fairly related in scale and kind

In terms of scale, the level of contribution has been determined on the basis of the costs of administering this process against the number of staff and students and scale of the use proposed. With respect to kind, due to the requirement to fund staff to monitor this process the contribution can only realistically be a financial one and therefore an agreed sum is considered to be the most appropriate method.

10.36 The Travel Plan Evaluation Fee is £2500. The developer has accepted this sum and it will be secured via the S106 agreement.

10.37 Metro have requested a sum of £10,000 to install a real timetable to one of the bus stops in the locality of the site to be secured via S106 agreement. The developer has stated that they are not in agreement with this sum given their acceptance of the PT Enhancement Contribution and the frequent public transport services in the locality. They consider that the sustainability of the location and existing provision of bus services on Woodhouse Lane do not justify the additional expense. The developer has stated that they would in lieu of this contribution they would agree to install a monitor within the student pavillion that would link to the metro website providing up to date detail on bus travel. This would allow students to check on site prior to leaving for their bus journey rather than having to actually walk to the bus stops on Woodhouse lane to find out the latest information. In addition the university provides students information on bus services within their information pack upon the commencement of their tenancy and as such students could check prior to actually leaving their rooms . In this context the developer does not considered that the metro request for a financial contribution is appropriate or reasonable Officer however, consider that this contribution is appropriate for this 'car free' development to promote sustainable non car based travel options.

### **Off Site Greenspace**

- 10.38 This matter is directly considered in 'Planning Policy Guidance 17 (PPG17): Planning for Open Space, Sport and Recreation' (published 24 July 2002) and the Leeds Unitary Development Review 2006 Policies N1, N2 and N4.

#### Test (a) Need

The provision of a contribution to the laying out of public open space or the enhancement of existing public open space within a defined publicly accessible area is considered to fulfil the following needs:

- Ensure compliance with the objectives of the UDPR to promote the enhancement of existing public spaces, pedestrian corridors and upgrade the street scene generally. This would result in the creation of new, safe, high quality, attractive and generally accessible public spaces and routes.

This is in compliance with UDPR Policies N2, N4 and LD1.

#### Test (b) Directly Related

The works to take place will include provision of enhanced public open space in the neighbourhood of Hyde Park and Woodhouse Ward. The possibility of spending all or part of the contribution on Woodhouse Moor and around the Cinder Moor. The involvement of Ward Members and community groups in this process is also a central part of the justification.

#### Test (c) Fairly related in scale and kind

In terms of scale, the level of off-site works is directly related to the site due to no onsite greenspace being provided within the scheme. With respect to kind, as stated the works must complement that which exists in the locality in order that a coordinated enhancement of greenspace provision in the locality is delivered. Woodhouse Moor is very close to the application site and could benefit from enhancement, though the involvement of the community will assist in the kind of enhancement that would be most beneficial to the development.

- 10.39 The greenspace contribution has been calculated at £147,514.63. This includes only N2.1 (local amenity space) contributions with no contribution for N2.2 (local recreational areas) and N2.3 (neighbourhood/district parks) given the site's proximity to Woodhouse Moor and other areas of existing greenspace within the locality. The developer has agreed payment of this sum providing it is directed towards the enhancement of Monument Moor and Cinder Moor to the north of Headingley Lane. Officers do not believe that the sum can be so allocated as it is not known when suitable enhancement schemes will come forward. The money will be used within the ward, subject to ward councillor and public consultation, and would still therefore be in the locality of the site and of benefit to residents. Officers are recommending that if agreement cannot be made on this issue within 3 months of this panel meeting, the application should be refused under delegated powers.

### **CONCLUSION:**

- 10.40 In conclusion officers are recommending approval of this scheme. Members will recall the pre-application process and presentation undertaken and will hopefully recognise the positive affect that had upon this development in particular dealing with the design, layout, appearance and scale and massing which were particularly challenging given the size of the replacement buildings. Though a large and prominent development officers and Members both considered the pre-application process had resulted in a development that gave confidence to the Panel that it would be deliver the quality that the City is looking to achieve from all its developments and in particular those with such a prominent outlook as this site. The

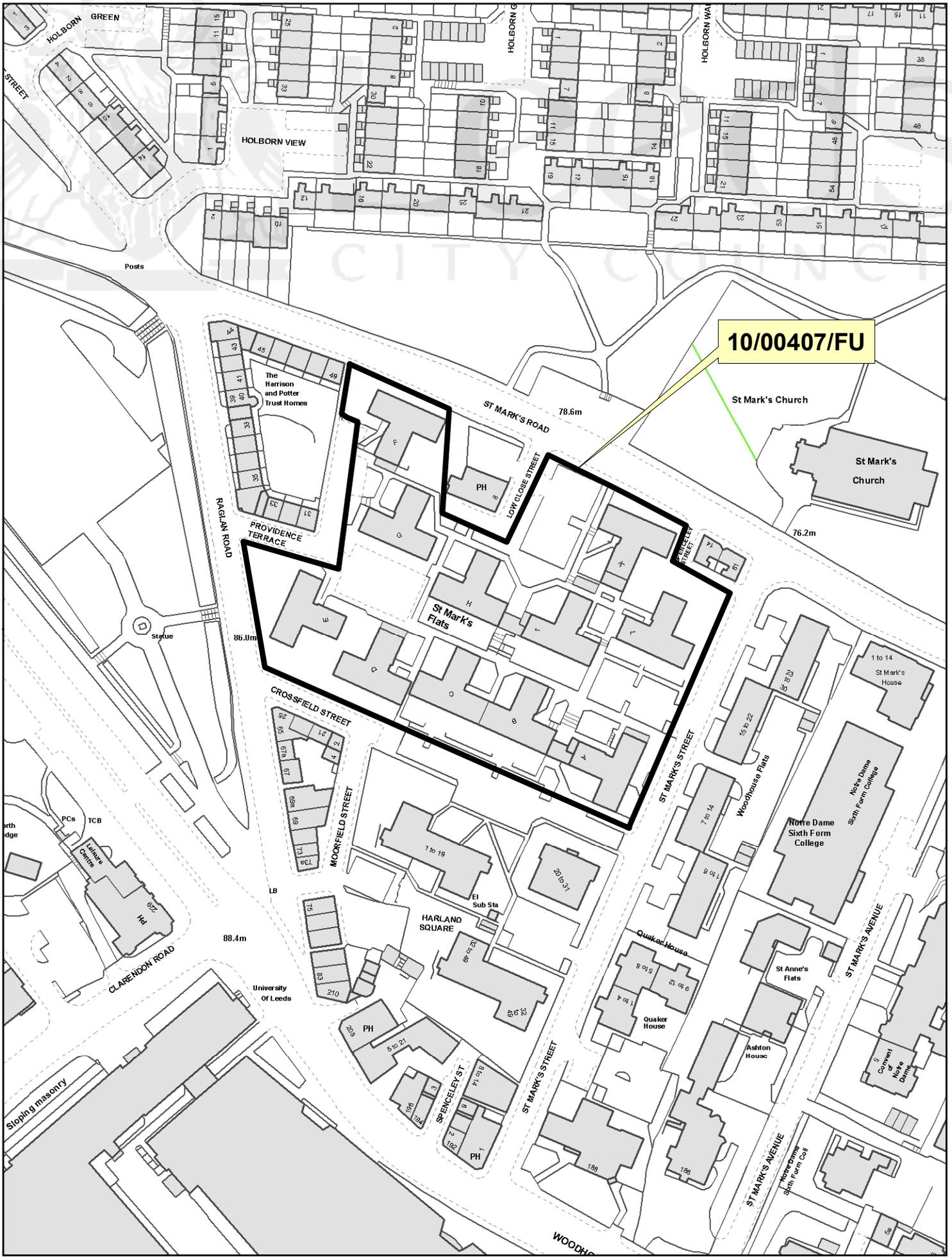
scheme includes two areas for the display of sculptural wall mounted (potentially metal work) public display artwork. The university is keen that this work could be designs commissioned by students through internal competition or it might be the work of local artists again selected through competition. At the universities discretion the pieces of art could be on temporary display possibly being renewed again by competition after a period of a few years (timing to be agreed). A condition has been attached to ensure this is delivered.

- 10.41 This report has outlined the various factors that have led to the recommendation to defer and delegate approval subject to the completion of the Section 106 Agreement. Officers have provided Members with clarity on the objectives of the S106 package and whilst there is some disagreement over the precise use of the funds identified as being required from this development the majority of the contributions are agreed. If the Panel wish to support the applicants in the position regarding the use of up to 50% of the Greenspace money for Woodhouse Moor only then this would not be without merit, clearly the Moor could do with enhanced provision and there is no suggestion the money would not be spent here. However, the use of contributions from developments must go through an appropriate process and the Ward Members may have competing areas to the Moor which could also benefit from these funds. As such Officers, on balance consider that to allocate the money explicitly for one location would prejudice wider interest and would be at odds with the Council's consistent approach of how it allocates money and how money is then spent which requires input from local Ward Councillors and the wider community.

### **Background Papers:**

Application file

Pre-application discussions



**10/00407/FU**

# WEST PLANS PANEL

Scale 1/1500

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