



Report of the Chief Planning Officer

PLANS PANEL CENTRAL

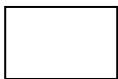
Date: 26th March 2009

Subject: APPLICATION 07/04522/FU – MULTI-LEVEL HOTEL DEVELOPMENT UP TO 13 STOREYS, WITH CASINO, BARS/RESTAURANTS AND BASEMENT CAR PARKING AT QUARRY HILL, EASTGATE, LS9 8AW

APPLICANT	DATE VALID	TARGET DATE
LEEDS PROPERTIES LTD	26/7/07	25/10/07

Electoral Wards Affected:

City & Hunslet



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE approval to the Chief Planning officer subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations;

- Public transport contribution of £125,000.
- Travel Plan with monitoring fee of £9,615.
- Commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service during and post construction regarding employment at the site and use local contractors, sub-contractors and material suppliers.
- £600 monitoring fee for each clause that requires admin/management/monitoring.

1. Time limit.
2. Notification of date of commencement.
3. Requirement not to occupy either of the hotel development or MSCP until both developments are complete.
4. Samples of surfacing materials to be submitted.

5. Sample panel of all external materials to be approved.
6. Prevention of mud/grit/dust nuisance during construction works.
7. Full details of hard/soft landscaping to be submitted (including details and implementation of access road, roundabout and Playhouse Square).
8. Implementation of landscaping.
9. Full Details of car park layout including disabled parking, cycle and motor cycle parking facilities and access to them to be provided.
10. Provision of no less than 5 disabled parking spaces designated to the WYPH, the exact location of the spaces to be agreed.
11. Full details of car park and management strategy.
12. Full details of servicing strategy.
13. Details of contaminated land site investigation work and full remedial measures.
14. Details of external vents, flue pipes, wind turbine, communications mast etc.
15. Details of lighting.
16. Confirmation of site levels and building heights.
17. Noise attenuation measures for future occupiers to be agreed.
18. Details of construction management measures including contractors' cabins and parking, location of site hoardings to protect passing pedestrians, contractors' vehicle routes to and from the site, location of construction access and provision of pedestrian access during construction.
19. Details of drainage works including sustainable drainage techniques to be provided.
20. No change of use from A3 and A4 uses to A1 by permitted development.
21. Provision of a grease trap.
22. Details of safety and security measures for the site including the basement car park and access to buildings to 'Secured by Design' standards.
23. Provision of typical 1:20 detailed elevations for material joints, windows, entrances, eaves, reveals and soffits.
24. Requirement for a design stage BREEAM pre-assessment and post construction BRE certification to be agreed.
25. Details of storage and disposal of litter.
26. Full details of the design and operation of the cleaning cradles.
27. Delivery hours to be agreed.
28. Details of the design of the site hoardings (to include WYPH adverts) to be agreed.
29. Requirement for CCTV and possible link up to LCC system.
30. The serviced apartments will remain ancillary to the hotel use.
31. Full details of the pedestrian links between the MSCP and hotel/Playhouse Square during the construction and upon completion to be agreed.

The following are non standard conditions, a further explanatory note regarding these conditions can be found in the Appendix – 3, 7, 10, 20, 22, 24, 26, 28, 29, 30, 31.

Reasons for approval: The application is considered to comply with policies GP5, GP11, GP12, BD2, BD4, BD5, T2, T5, T6, T24, A4, SA9, SP8, CC4, CC27, CC31, S1, LD1, N12, and N13 of the UDP Review, as well as guidance contained within the City Centre Urban Design Strategy, PPS1, 'General Policies and Guidance' and PPG13 'Transport' and, having regard to all other material considerations.

1.0 INTRODUCTION:

Members may recall this proposal last being presented to them as a position statement in January 2009. The proposals had previously been subject to pre-application presentations in April and June of 2007 and October 2008. Following further negotiations with the applicant and other interested parties, the application is now presented to Members for determination.

This application is presented at the same time as planning application 08/06093/FU that relates to the adjacent site at the northern edge of Quarry Hill and proposes an office and multi-storey car park (MSCP) development. The car parking providing within the MSCP will include some of the provision required by the hotel application.

This site previously benefited from a permission for a similar leisure development; this permission expired in April 2008.

2.0 PROPOSAL:

This application is a full application for a building up to a maximum height of 13 storeys that comprises of two hotels, 67 serviced apartments, a casino, bars, restaurants and 147 basement car parking spaces inclusive of 15 disabled spaces. The exact height of the proposal (AOD) is required to be agreed by condition.

There is both a high quality (4*) and a budget hotel (2*); there are 203 rooms to the high quality hotel and 125 rooms to the budget version. The 4* hotel will also include a restaurant, lobby bar, coffee shop, ballroom for 500 persons, health spa and a selection of meeting rooms. The 67 serviced apartments (15 one bed, 51 two bed and 1 three bed) will be owned and maintained by one of the hotels and therefore be ancillary to this main use.

The casino measures 3,760sq m and there is 2,773sq m of bars and restaurants.

Vehicular access to the service area and car parking is accessed from the north-east part of the site via a new roundabout within Quarry Hill. 75 parking spaces are allocated to the casino, 67 to the serviced apartments with 5 disabled spaces allocated to the Playhouse. The 5 spaces designated to the Playhouse will be provided as free disabled parking. A service area is located within the building adjacent to the vehicular access with additional service access from the Eastgate frontage using the existing lay-by (this additional area will be restricted to night time servicing). The car park also includes parking for motorcycles and bicycles.

The parking for the hotel and the 339 public parking spaces required to mitigate for the loss of surface car parking across Quarry Hill are provided in a separate multi-storey car park on the northern edge of Quarry Hill. The application relating to this car park is also presented elsewhere in this agenda and a condition will prevent occupation of the hotel development prior to the car park becoming operational, and similarly the car park becoming operational when the hotel opens.

The building has a curved form following the Eastgate frontage and rises up the hill to the east through a series of steps. The building sits on an almost continuous plinth which helps to cope with the levels changes across the site. The elevational treatment of the podium uses a random horizontally striated pattern of solid to void with greater transparency included on the prominent corner to the Eastgate roundabout. At night the horizontal slots will be illuminated. An outdoor terrace is also located along this frontage that serves the casino.

The curved element contains the casino and service areas at its lower levels and 4* hotel to the upper levels. The stepped element in the east provides bar and restaurant accommodation with serviced apartments above whilst the linking element accommodates the 2* hotel.

The plinth finishes at level 5 where a landscape terrace is accommodated between the curved 4* hotel, stepped element and linking 2* hotel that continue upward. This terrace will be visible from along Eastgate and from within Quarry Hill.

The building is to be constructed of high quality materials with the use of a ceramic granite cladding system and glass with some copper and other metal cladding providing a contrast.

There is a roof top spike on top of the stepped element that incorporates a communications mast and wind turbine.

The application is supported by the following documents:

- Design and Access Statement.
- Planning Statement.
- Travel Plans for the casino, hotels and bars/restaurants.
- Waste Management Strategy.
- Landscape Report
- Noise assessment.
- Land Contamination Report.
- Transport Assessment.
- Parking and Service Management Strategy.

The planning obligations included within the Section 106 agreement are as follows.

- Public transport contribution of £125,000.
- Travel Plan with monitoring fee of £9,615.
- Commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service during and post construction regarding employment at the site and use local contractors, sub-contractors and material suppliers.
- £600 monitoring fee for each clause that requires admin/management/monitoring.

3.0 SITE AND SURROUNDINGS:

This application relates to the grassed area at the western end of the Quarry Hill site and immediately to the north of the West Yorkshire Playhouse (WYPH) appearing prominent from Eastgate and the Grade II listed roundabout.

The site is bounded by Eastgate, the access road within Quarry Hill serving Playhouse Square and Centenary Steps.

The site contains a steep grassed bank plus a number of trees; at present the site is enclosed by hoardings that relate to the enabling works application 07/04137/FU (see 'relevant planning history' section below).

The site is within the Prestige Development Area as allocated within the UDP Review where innovative building design and high quality materials are expected. Hotels and leisure uses are acceptable within the PDA.

Quarry Hill presently contains a mix of building types and uses and benefited from a masterplan outlining its redevelopment since 1990.

4.0 RELEVANT PLANNING HISTORY:

Applications 20/311/01/OT (approved 6/12/01) and 20/19/04/RM (approved 11/6/04) were granted outline and reserved matters approval for a multi-level hotel, casino, bars and restaurants with multi level basement car parking including public short-stay facility. These approvals expired in April 2008.

The scheme comprised:

- a 3 storey glazed element on the prominent corner facing the Eastgate roundabout.
- a large curving elevation on to Eastgate with a mono-pitched roof above creating a dramatic feature.
- a stepped profile up the hill to the east fronting a new set of public steps to the Quarry Hill site.
- a set back to address the Playhouse Square corner and a glazed entrance atrium with highest part of the building at 12 storeys.
- the basement car park access point on the eastern elevation.

The scheme contained a 168 bedroom hotel, 103 apart-hotel units, a casino, 2 no. bar restaurant units. The basement car park provided 142 parking spaces for the development and 339 spaces public parking spaces, of which, 20 would have been disabled spaces. A S106 agreement controlled the tariffs for the public car parking, a contribution to Supertram for the hotel element and an undertaking to maintain the new steps and keep these open for public use.

Application 07/04137/FU received permission on 25/9/07 for the excavation works associated with the proposed hotel development. This application was submitted separately to the hotel application in order to allow the preliminary excavation works to take place along the Eastgate frontage prior to the introduction of the 2007 Christmas lights and the possible diverting of the Ladybeck culvert (as part of the 'Eastgate and Harewood Quarter' development). These works began but have since ceased as a gas main was found across part of the site.

On the remainder of the Quarry Hill site are a series of vacant and cleared sites which have been considered by Members and a resolution to approve has been given for a mixed use scheme for offices residential and leisure uses. At the time of considering this scheme Members expressed concern over the level of car parking which would be present on Quarry Hill for use by the WYPH and as a result a multi storey car park next to Quarry House was included within the scheme. This car park is to make a minimum of 350 spaces available after 1800hrs for general public use which would include use by patrons of the WYPH.

The Northern Ballet Theatre recently received approval for a new building at the southern entrance to Quarry Hill. This was a 6 storey building of contemporary design primarily clad in dark zinc.

Quarry Hill benefited from a master planning exercise that culminated in the production of the Farrell masterplan in 1990. This masterplan promoted a hotel and recreation building on this site.

5.0 HISTORY OF NEGOTIATIONS:

As outlined above the whole of Quarry Hill has benefited from a masterplan since 1990 and there have been outline and reserved matters approvals for a similar development to have expired in April 2008.

In April and June of 2007 Members received pre-application presentation regarding the scheme presented today. Members commented on a number of matters, these are provided below with a response for each in italics.

- The colonnaded overhang and how this would be handled to ensure there was sufficient depth and light.

The colonnade is now shown in a detailed section drawing has a height of almost 4m, depth of 2.5m with a 4m glazed canopy beyond extending over playhouse steps. Behind the colonnade is full height glazing to the bars and restaurants. The limited depth on the colonnade and lighting from the bars/restaurants and steps are considered to provide sufficient light to this area that will only really serve as an additional area of interest to the building that visitors will pass through on entering or leaving the facilities.

- The overall height of the building, which was stated as being within the previously approved levels, but with slightly lower floor to ceiling heights on each floor.

In parts the building is higher than the previous approval but this is considered acceptable and a full analysis is contained within the appraisal section.

Drawings show the change in height between the previous approval and that proposed.

- Concerns that the development would be over dominant, particularly in relation to the WYPH.

As stated above, the building is of a scale that corresponds with the previous permission. There is a substantial space between the WYPH and proposed building created by the playhouse steps, this space helps facilitate the change in scale of the WYPH and proposed building and therefore avoid any overdominance. Further plans show how the scale of the building steps and slopes down from the higher levels across Quarry Hill and from the prominent Quarry House at the highest level.

- The need to retain sufficient car parking provision to accommodate the uses and to ensure a level of parking for use by patrons of the WYPH.

The car park relocated into the adjacent office development will accommodate the 339 public parking spaces provided by the previous scheme.

- The highway implications of the proposed servicing strategy. It is requested that detailed servicing arrangements be conditioned.

The majority of servicing will take place in the large service area adjacent to the vehicular access; some night time servicing will be permitted from the Eastgate lay-by. Servicing details will be subject to a condition.

- Possible highway signing issues and whether the junction could accommodate the vehicle movements from the site.

The roundabout adjacent to the access to the car park/service area was required by the previous permission and will be implemented by the developer. Computer tracking of large vehicles has been provided that show the roundabout can be successfully navigated. Officers within various departments of the Council have discussed the highways implications during the construction process of all developments at Quarry Hill to ensure the impact on the surrounding highway network is minimised

- The pedestrian route along the Eastgate frontage and how this could be enhanced from the blank wall shown on the images.

The activity of the Eastgate elevation is discussed in detail within the appraisal section and it is considered that there have been significant improvements to this elevation from the approved scheme and that presented at pre-application stage. The activity of the ground floor to Eastgate has been maximised through glazing to the casino, the introduction of an outdoor terrace to the casino, illuminated projecting stone strips and the projecting glazing to the upper levels of the plinth. The curved nature of this elevation will also add to its interest.

Following these pre-application presentations further improvements were made to the Eastgate elevation with an increase in the extent of glazing and changes to the

size and shape of the ceramic granite panels to provide further interest. The public parking was also relocated to the adjacent site. The proposal was then presented to Members in October 2008 at the same time as the office/MSCP proposal.

In October 2008 Members primarily commented on the office/MSCP proposal but comments that also relate to the hotel are highlighted below with a response provided in italics.

- The land has been left undeveloped and untidy for a long time therefore the principle of development was supported.
- The developments must assist in linking Quarry Hill to the nearby communities.

The general development of Quarry Hill and the facilities this will provide will provide an interesting destination and point of connection to and from the surrounding communities as opposed to the current uninviting situation. In particular the enhancement of the landscaping around the footbridge will make this area more appealing whilst the activity in the area will make it appear safer. Further comment on this issue is provided in the appraisal section.

The following comments were made following the presentation of the position statement.

- Members commented on the disabled parking provision including the number and location of spaces which would be provided; the relocation of the current disabled parking provision within Playhouse Square during the construction of the hotel and the possible detrimental impact this could have for people with disabilities being able to attend the theatre.
Full details of the disabled parking provision is contained within the appraisal section below.
- Would it be possible for a double-decker bus to turn around in Playhouse Square?
Yes, the tracking diagrams show how a vehicle even larger than a double-decker bus can turn around during all stages of construction. There are no overhangs to the building that would restrict the height of vehicles that can enter Playhouse Square.
- The outer and inner elements of the building were not harmonious; that the curved outer element was welcomed but that the inner element resembled a cruise ship which was incongruous to Leeds.
The form of the building has been presented to Members on three previous occasions where such concerns were not raised. As such it is felt that a whole scale redesign could not be imposed on the applicant at this stage. However, some changes have been made and the scheme is considered to meet with the long standing design aspirations for this part of the city and accord with some of the comments made by Members. A full appraisal is contained in the appraisal.
- The proposals did not promote activity and create a welcoming environment along Eastgate, as previously requested by Members.
Further improvements have been made to the Eastgate frontage, full details are contained within the appraisal section.
- There should be a splay to match the WYPH.
As detailed above, a full scale re-design is not considered appropriate at this stage. Full details are contained within the appraisal section below.
- The masterplan was now out of date and should be revisited.

Whereas the principles of the masterplan have been maintained, the scheme has developed over the years including since the previous approval to ensure an appropriate layout and contemporary design that accords with the PDA designation and other major schemes in the area. See the appraisal section for a detailed comment.

- Are the existing highway access points adequate to accommodate the amount of taxis, coaches etc which would be dropping off at the hotel and there were concerns at the possible conflict between traffic going to the hotel and to the WYPH.

Drawings show the layout of Playhouse Square during the various stages on construction to ensure appropriate turning. Tracking diagrams have been fully examined and can accommodate coaches. A turning area for Playhouse coaches will be provided elsewhere at Quarry Hill at a future date.

- What is the reason for the removal of the much larger undercroft parking in the hotel compared to the previous scheme.

To provide the 339 public spaces plus other parking required a deep basement that had significant construction costs (approximately £30,000 for each of the 479 parking spaces proposed at that time). The applicant could not accommodate these costs therefore agreement was reached that saw the public parking relocated.

- The response to City Centre Management's comments regarding the possible oversupply of hotel accommodation is not adequate.

The competition between hotel operators is not a planning matter. There are no specific UDP policy that refer to hotel developments. The scheme accords with UDP and national policy that promote hotels within city centres and PDAs and the use has been previously accepted at this site.

- Will the S106 Agreement include within the standard training initiatives a requirement for a level of apprenticeships to be provided.

Yes, the S106 includes the standard training initiatives that require the developer to cooperate with LCC Jobs and Skills Service during and post construction regarding employment at the site and use local contractors, sub-contractors and material suppliers.

- The development does not provide the required level of public open space. £586,000 received as part of the land sale is held on deposit by the Council and is allocated to the refurbishment of Centenary Steps.

Whereas this provision does not directly contribute to a 20% public open space provision as required by UDP policy, they provide the necessary open space improvements required to ensure an attractive experience when entering Quarry Hill. The open space requirements of Quarry Hill were comprehensively considered during the production of the masterplan.

- The tightness of Centenary steps could be problematic and a site visit could be beneficial.

A site visit will take place prior to the Panel meeting. The scheme respects a plan drawn by the Civic Architect that shows the area required for the steps.

- Members queried whether having engaged in pre-application discussions on the scheme it could be deemed that Members had pre-determined the application.

At a recent Joint Plans Panel meeting a protocol was agreed for pre-application presentations that stated the aim was to provide feedback and guidance to developers but that this did not result in pre-determination of applications. However, throughout the course of negotiations it is felt that

Members had not raised objection to the basic form of the building and therefore it is not appropriate to re-visit this at this stage.

6.0 PUBLIC/LOCAL RESPONSE:

Site notices were posted 1/8/07 and an advert placed in the Leeds Weekly News on 16/8/07. Letters have been received from the West Yorkshire Playhouse, Leeds Civic Trust, Quarry Hill Liaison Group and Caddick Developments Ltd.

West Yorkshire Playhouse: Concern is raised regarding the apparent reduction in the size of Playhouse Square. The WYPH requires Playhouse Square to provide appropriate turning and some parking for schools buses, coaches, and cars including disabled users. The square itself is currently set away from the WYPH therefore allowing an area adjacent to the Playhouse to be used as a spill out area from the Playhouse, the positioning of advertising boards and as an area where visitors congregate.

The Playhouse also request assurances that the changing access routes during construction will not have a detrimental effect on the attendances of the Playhouse.

The WYPH also believes the relocation of the disabled parking spaces into the separate MSCP will disadvantage disabled visitors.

The Playhouse request full consultation regarding the proposed coach turning area between the Playhouse and music college.

Response

A full detailed response to the concerns raised by the Playhouse is addressed within the appraisal section below.

Leeds Civic Trust: In three letters from the Civic Trust dated 13/8/07, 9/10/07 and more recently, 6/3/09, objections and concerns are raised regarding the following points:

- There is an inadequacy of the public realm and the development uses all of the site for the building and does not provide the required 20% public open space (regardless of any S106 contributions). The building footprint should be reduced to accommodate open spaces. There is no public greenery of any substance.
- Playhouse Square appears as a tight, shadowy and uninviting space of insufficient size. It is not clear what is highway and what is footway. The square does not appear large enough to cope with the numbers that will use this area (in a similar way to the existing Hilton hotel at Neville Street).
- The design is considered to have 'no excitement' and be in harsh materials, the Eastgate elevation is not attractive to pedestrians and will create a noisy canyon filled with traffic once John Lewis is constructed.
- Despite the reduction in scale of the building around the Playhouse (since the position statement in January 2009) it is still too large and creates tall narrow entrances to Quarry Hill.
- Concerned that the landscaped courtyard could be removed post-decision.
- Access to the public car park could be difficult with large numbers of people emerging from the WYPH at the end of a show.
- This access also appears to be used for the serviced apartments therefore potential for further conflict.
- The car park appears to feature a number of dead ends.

- How is the servicing on Eastgate operated?
- No development should be permitted until a masterplan for Quarry Hill has been produced.
- Plans should show the amended Eastgate roundabout.
- Queues often form when large numbers of vehicles are seeking to exit Quarry Hill, this will become more problematic with the increase in the number of visitors to Quarry Hill.

Response

The site is subject to an previous (now expired) permission and the developer has already contributed £586,000 toward the refurbishment of Centenary Steps. In addition the development will allow for the retention of (an improved) Playhouse Square and introduces a landscaped roof that will be available for visitors to the hotel but also visible from Eastgate and across Quarry Hill. The public open space for Quarry Hill was considered as a whole when preparing a masterplan for the area with open space provided elsewhere at Quarry Hill. For the reasons outlined above it is considered that sufficient landscaping and contribution to public open space has been made. Conditions will require the detail, and future maintenance, of the proposed landscaped areas. In addition, the same developer will introduce landscaping around the A64 footbridge as part of the linked application for a MSCP.

Much of the existing Playhouse Square is outside the control of the developer as this forms part of the Caddick site. However, as part of the overall redevelopment of Quarry Hill the area allocated to the vehicular traffic in Playhouse Square is reduced but provides an appropriate area to suit the operations of both the hotel and WYPH (in addition to the proposed coach turnaround designated to the Playhouse elsewhere at Quarry Hill). There will be a consistent design approach (and surfacing etc) to Centenary Steps, Playhouse Square and the pedestrian area in front of the Playhouse to ensure delivery of a high quality area. A full explanation of the space within Playhouse Square can be found in the appraisal section below.

The application has been subject to detailed design discussions between officers and at Panel following the previous approval. It is considered that the scheme before Members provides an attractive building worthy of its setting within this Prestige Development Area. Detailed comment on the design is contained within the appraisal section below.

The concern regarding conflict at the access points and dead ends within the car park are no longer relevant as the scheme has changed and no longer provides public car parking.

Standard conditions will be added that ensure the detail of the landscaped courtyard are submitted for approval with the agreed details implemented and retained.

The detail of the servicing management is contained within the submitted reports and will be subject to a condition on any permission; this will restrict the servicing from the Eastgate lay-by to night time only.

A masterplan was produced for Quarry Hill many years ago but was only partially implemented. The principles from this masterplan have assisted in the detailed planning of the separate developments across Quarry Hill, some of which have extant permissions and/or a resolution to grant permission.

The detailed plans show the existing Eastgate layout as this is the position on the ground as we see it today. A further plan also shows how the scheme fits within the amended layout for the Eastgate roundabout as approved under the Eastgate scheme. The proposed hotel development compliments both the existing layout and the changes proposed via the Eastgate scheme.

Highway capacity has been tested and can accommodate the increased traffic in the area when both Quarry Hill and Eastgate are developed, even at peak periods. It is accepted that some queuing may occur when significant numbers of people are seeking to exit Quarry Hill at the end of a performance. However, it is also hoped that some visitors will stay at Quarry Hill to use the leisure facilities proposed under this application and therefore spread the flow of traffic. In addition the coach turn around will take some traffic away from the northern access point at Quarry Hill as coaches will use the southern access.

Quarry Hill Liaison Group: The scheme is overpowering, does not reflect the connectivity outlined in the Farrell master plan, has no real design quality. There is insufficient servicing available for this many uses and will result in large wheelie bins being left in public areas. The access to the WYPH will be undermined and the square must be protected. The use will clash with the cultural activities of Quarry Hill and must be reviewed with full recognition of the adjoining developments.

Response

The design issues raised are covered in more detail below, essentially the scheme has been subject to significant discussion resulting in improvement from the previous approval, will be constructed in attractive materials and, where possible and necessary, provide attractive street frontages.

The service yard adjacent to the vehicular entrance provides a large area suitable for substantial vehicles and offers an area for the storage of bins. This area (subject to detailed agreement) will provide the necessary servicing during the day whilst the lay-by along Eastgate will assist evening servicing (the hours will be restricted by condition). Further details of the servicing facility and management will be required by condition to ensure such operations do not spill onto public areas.

As highlighted elsewhere, the impact on Playhouse Square has been amended and plans show appropriate provision for visitors to the WYPH and other pedestrians.

It is considered that the hotels and other leisure facilities will compliment the existing cultural facilities at the site. This development has developed with full consideration of its impact on proposed adjacent uses and the development of Quarry Hill as a whole.

Caddick Developments Ltd: Objections have been raised regarding both hotel and office/MSCP proposal. A summary of those objections relating to the hotel development raised in a number of letters are as follows.

The MSCP was originally required to be located under the hotel and its relocation is objected to. The Caddick development was required to provide a MSCP to address the wider Quarry Hill requirements. The location of the Leeds Properties car park is adjacent to the Caddick MSCP and therefore will highlight highway implications. The hotel parking should be located under the hotel and not in another location. Information should be provided that states why the car park under the hotel was economically unviable.

The proposal is higher than the previous approval, does not respect its form and contains different uses. It is higher than the adjacent Caddick buildings, does not include public open space and uses poor materials.

This application should be determined with the office application as they are inextricably linked.

Members need to be fully aware of the proposals for the adjacent Caddick site.

The proposal does not provide the required public open space provision. The Caddick site should not be required to provide all the public open space at Quarry Hill. The £586,000 held by the Council should not be inferred to be a contribution via a planning obligation, this was provided via the land sale.

Further assessment should take place regarding Yorkshire Forward's concern regarding the introduction of a casino.

The sustainability assessment is still to be agreed.

Full details of Playhouse Square have not been presented to other Quarry Hill stakeholders.

Response

Many of the comments raised are addressed in detail in the appraisal section. However, further comments are also provided below.

Whereas it was originally intended to provide the public car parking in the hotel basement the principle of relocating public car park on the adjacent site has been accepted by officers and presented to Members in October 2008 and January 2009. This approach maintains the required level of public car parking at Quarry Hill and with the pedestrian routes shown on plans maintains good connectivity across Quarry Hill.

The proposal is similar to the height and form of the previously approved scheme at this site and it was always intended that the higher buildings would be located on the edges of Quarry Hill with building heights dropping toward the centre of Quarry Hill. The height of the previous approval is clearly shown on the submitted drawings and in most parts this relates to the current proposal. Whereas the building form has changed it is considered that the proposed form with the wavy roof has improved upon the previous approval. The proposed uses still include hotels, bars, restaurants and a casino ,as before.

It is felt that Members are aware of the Caddick proposals as these are indicated on the submitted drawings. Whereas Members have been minded to approve the Caddick scheme, permission has not formally been granted as the S106 has not been signed. The implications of the Leeds Properties schemes and Caddick proposals have always been considered together and a plan showing the layout of the whole of Quarry Hill, as provided by the Civic Architect, will be presented to Members.

The layout of the proposed building accords with the masterplan and more recent expectations for the overall layout of Quarry Hill. This allows for public space to be provided where it is considered necessary and beneficial. This includes an attractive Centenary Steps area to which the £586,000 held on deposit by the

Council will facilitate. Whereas these provisions do not directly contribute to a 20% public open space provision as required by UDP policy, they provide the necessary open space improvements required to ensure an attractive experience across Quarry Hill.

Comment regarding the casino element is provided in the response to Yorkshire Forward's comments below, it is considered that no further consideration is required on this matter.

Sustainability colleagues have been in discussions with the applicant's agent to ensure delivery of a scheme that will meet an appropriate BREEAM rating. Discussions are on going and further information will be reported verbally to Panel. The green travel plan has been agreed and a condition will be added with regards sustainability standards.

On 25th February 2009 a meeting of representatives of the applicant for this scheme, the Caddick proposals and the Playhouse recently took place where a detailed presentation of the Leeds Property schemes took place. It is felt this has sufficiently updated the interested parties at Quarry Hill.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Highways: The principle of both the hotel and office developments and the linked parking arrangements is accepted. The parking numbers are below UDPR maximums and the surrounding highway network can accommodate the numbers of vehicle movements highlighted in the TA. However, there are outstanding issues, primarily relating to the MSCP that need to be examined further.

Yorkshire Forward: YF accept that the principle of a mixed use development has been established and support the introduction of the two hotels of different standard, thus broadening the offer and hotel capacity across the city and region and supporting further business growth in the area.

There is concern regarding the Casino element and where it fits into the Government's proposals for regional, large and small casinos. The proposal is not in line with floor space guidance for large casinos and any casino license has not been subject to a fair and open competition.

The proposed development is in a sustainable city centre location and will support the local public transport network. It is considered that further links to the existing and proposed public network should be encouraged.

The applicant appears to have incorporated some sustainable construction and design consideration but it is disappointing that only the minimum standard under Part L of the Building Regulations is sought. YF request the developer should be required to recycle 10% of waste and perform better than Part L by 10%. The development should achieve BREEAM 'very good' and be in accordance with draft RSS policy ENV 5B (iii) that requires 10% renewable energy be produced on site.

The draft RSS would seek 30-39% of the residential units be affordable.

Response

The issuing of a license for the casino would be considered through separate legislation by the Council's Entertainment Licensing section and does not fall under planning control. As such the introduction of a casino at this site (as has been

established by the previous permission) is considered against the relevant planning policy only. Again, the layout of the casino does not fall within the planning agenda.

The agreed Travel Plan encourages the use of existing public transport links.

The Sustainability Assessment submitted with the application has been amended and is currently subject to further improvement and will incorporate a bespoke BRE assessment.

The serviced apartments (apart-hotel) are considered as being within the same use class as the hotels, C1, therefore affordable housing is not required. The apartments will be owned by one of the hotels, will not be sold, will be maintained by a hotel and will have the option of room service and other similar features; there will also be the option for self catering. No affordable units were provided with the previously approved apart-hotel.

Non-statutory:

Travelwise: The majority of the measures provided in the Travel Plans are acceptable. Minor changes are being made to the TPs and revisions should be provided prior to Panel where any further comments can be presented verbally.

Yorkshire Water: A water supply can be provided; conditions recommended.

Mains Drainage: An overall drainage strategy has been developed for the whole of the Quarry Hill site; the drainage for the hotel should be incorporated into the existing proposal. Standard conditions recommended.

Access: 6% disabled parking is required, flat and level access throughout the building and manifestations to fully glazed doors should be provided. Dimensions for disabled bays are detailed.

Response

These recommendations have been provided to the developer and the numbers of disabled bays across both sites are now in accordance with the Access requirements, 15 spaces are provided by the hotel scheme and 40 by the office/MSCP.

City Centre Management: No objection in principle but query whether this development could lead to an oversupply of hotel accommodation.

Response

The query regarding market forces is not a planning matter. However, this development incorporates a number of leisure facilities in an area subject to significant future development therefore the hotel provision is considered acceptable and complimentary to the wider development of the area.

City Services – Waste Management: No response received.

Response

The Waste Management Strategy has examined this issue in detail and further details will be required by condition.

Environmental Health – Air Quality: The site is away from the highest sources of pollution, as it is a hotel development nobody would be exposed for the relevant exposure period therefore an air quality report is not necessary.

Neighbourhoods and Housing: The development has the potential for some noise disturbance during construction and occupation. Conditions are requested that include the submission of details of a sound insulation scheme, storage of litter, ventilation and the restriction of opening/delivery hours.

Licensing: Applications for Premise Licenses will have to be made. There is no provisional license application for the casino.

Land Contamination Team: The previous uses of the site and submitted reports do not highlight any concerns. Standard conditions requested.

Metro: The site is well located. Travel cards should be provided for new residents and employees and a 'real time' display provided in the hotel reception.

Response

Travel cards and real time displays are not considered appropriate for occupiers of this development as it is within such close proximity of the bus station and will be not be occupied by permanent residents but those staying for short periods only. Information contained within the Travel Plan will highlight the public transport services available.

Police Architectural Liaison Officer: Secured By Design principles and recommendations are laid out and advice offered.

Response

It is considered the proposal conforms with the principles outlined; the developer is keen to meet with the ALO at a later stage to discuss how best to implement the various measures promoted.

Property Services: Any changes to Playhouse Square should ensure there is minimal disruption to the WYPH and that sufficient turning area is provided for all users of Playhouse Square.

Public Transport Contribution: As there have been pre-application discussions the contribution is measured against SPG5 and equates to £125,000.

8.0 PLANNING POLICIES:

Development Plan

Regional Spatial Strategy: The RSS for Yorkshire and Humber was adopted in May 2008. The vision of the RSS is to create a world-class region, where the economic, environmental and social well-being of all people is advancing more rapidly and more sustainably than its competitors. Particular emphasis is placed on the Leeds City Region.

UDPR Designation: Prestige Development Area.

GP5: Proposals should resolve detailed planning considerations.

GP11, GP12 (Sustainable Design).

BD2: New buildings should complement and enhance existing skylines, vistas and landmarks.

BD4: Seeks to minimise impact of plant and machinery.

BD5: Seeks to ensure a satisfactory level of amenity for occupants and surroundings.

T2: Development proposals should not create new, or exacerbate existing, highway problems.

T5: Satisfactory provision for pedestrians and cyclists.

T6: Satisfactory disabled access.

T24: Parking to reflect detailed UDP parking guidelines.

A4: Development and refurbishment proposals should be designed to secure a safe and secure environment, including proper consideration of access arrangements.

SA9, SP8: Promote development of City Centre role and status.

CC4: High quality design and appropriate scale at city centre gateway locations.

CC27: Proposal areas within the City Centre.

CC31: Uses appropriate within Prestige Development Areas (incl. hotels, conference, leisure).

S1: The role of the CC as the regional centre will be promoted.

LD1: proposals should allow sufficient space around buildings to retain existing trees in healthy condition & allow new trees to grow to maturity.

N12: Fundamental priorities for urban form.

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

Supplementary Planning Guidance

City Centre Urban Design Strategy September 2000 – Seeks to reinforce the positive qualities of character areas, re-establish urban grain, provide enclosure to streets, create visual interest, encourage excellent design, improve pedestrian connections, develop a mixture of land uses, promote active frontages and promote sustainable development. It is considered that the proposals would meet these objectives as described in the Appraisal section below.

National Planning Guidance

PPS1 General Policies and Principles

PPG13 Transport

9.0 MAIN ISSUES

- i. Principle of the development.
- ii. Design.
- iii. Highways
- iv. Treatment of Playhouse Square.
- v. Disabled Parking.
- vi. Additional Coach Drop Off.
- vii. Section 106.

10.0 APPRAISAL

i. Principle of the Development

As previously highlighted this site formed part of the Quarry Hill masterplan of 1990 and was subject to previous outline and reserved matters approval for a multi-level hotel with leisure, serviced apartments and basement parking that expired in April 2008. The basic scale, form, materials and overall appearance of the approved scheme are reflected in the current proposal. However, following pre-application discussion and presentations to Members plus further amendments during the application process the scheme has been developed to improve its design and many other aspects. As such it is considered that the principle of the uses and form of development have been established in the past and subsequently considered through pre-application. The proposed development is compliant with the RSS that seeks to promote Leeds as a regional capital and the uses are compatible with the UDP designation as a Prestige Development Area. The 1990 Farrell masterplan identified a hotel/national film theatre on this site. Some of those Member concerns

regarding the form and layout of the proposal raised via the position statement are discussed in more detail below.

ii. Design

The location and proposed uses within this scheme are complimentary to the major place making objectives in this part of the city centre that seek to connect the established streets of the Headrow/Markets area with Quarry Hill and beyond into the communities of East Leeds. The hotel building provides a focus, destination and enhances pedestrian routes between these areas and is a key element in the development of this part of the city centre and its links to adjacent communities.

At the presentation of the position statement Members had raised queries regarding the general form of the building and queried why there were curved elements and angular, stepped forms above the common plinth. Members also asked if the building could be splayed along its southern elevation to reflect the Playhouse and open up Centenary Steps. It was also queried whether the masterplan for Quarry Hill needed to be revisited. An increase in active frontage was also requested, as at previous presentations. Following a description of the proposal a more detailed analysis of Members comments and the changes since the position statement is made below.

The scale and design of the scheme reflects the previous approval with a curved Eastgate frontage, stepped roof form adjacent to the Playhouse steps and eastern elevation being partially stepped back to allow views of the roof terrace; essentially there are three elements to the scheme all linked by the strong common plinth in natural stone. The stepped form and curved roof help to continue the natural gradient down to Eastgate from Quarry House. The design rationale was that both buildings should relate closely to all of their surrounding streets as truly urban buildings whether they be the curved streets of St Peter's Street or the straight streets of the internal layout. Architecturally the contrast in forms adds interest with the clearly articulated visual breaks between the two forms.

The materials include two composite granite panels to the plinth with a further composite granite to the upper levels. There are large amounts of clear glazing, a copper cladding to encase two vertical elements toward Playhouse Square and composite metal cladding encase the upper plant levels. The curved roof will also be a composite cladding material such as Kalzip. Sample materials will be available to Members to view and the developer has stated a large sample structure of around 2.5 storeys will be provided on site when discharging materials conditions. The materials provided and those indicated are considered to be of a high quality that will further enhance the quality and attractiveness of the building design. The detail to the stone ceramic plinth provides interest to the lower levels that also includes projecting stone strips (approx. 50mm in depth) with strip lighting to illuminate elements of the plinth at night.

The roof form has been significantly improved since the previous approval and now has a more attractive gentle flow to it with 'flicks' at both ends. This roof form is not a common feature within the city and therefore emphasises the prestigious nature of this development and remainder of Quarry Hill.

Whereas Members queried the form of the stepped element and requested an introduction of a splay to Centenary Steps, it is felt that the basic form was established via the previous approval, albeit historic and expired, and concern had not been raised at the three previous pre-application presentations. As such it is felt that such a drastic change to significantly amend the footprint or remove the

stepped form would not be appropriate at this stage. The applicant has had support for the basic form of the development for a number of years.

The intention is to treat the whole of the Quarry Hill boulevard up to Quarry House as an extension of The Headrow / Eastgate with buildings of a similar alignment. The exception would be Playhouse, but the aspiration is to add a wedge shaped building adjacent to it to enhance its alignment. The building line along the southern frontage of the hotel is highlighted in the original masterplan. This line is continued by the hotel building and then the proposed building as part of the Caddick scheme before meeting Quarry House. The strong building line to the northern side of the Headrow is also reflected on the southern side and it is intended that a strong southern building line will also be maintained by the Eastgate approvals and developments within the Caddick scheme but also through the delivery of a low rise terrace building at the splayed element of Centenary Steps. This concept has been a long held ambition of the Civic Architect and has been discussed in a number of workshops for schemes within Quarry Hill and the Eastgate Harewood Quarter and, as requested by Members, plans has been drafted that highlight the relationship of Quarry Hill to the Headrow. The delivery of the proposed hotel building will continue part of the strong building line to the northern side of the Headrow and with this concept continued by established development proposals.

As highlighted above, the southern building line of the hotel development is in line with the Farrell Masterplan. However, discussions on this scheme and others at Quarry Hill are not solely based on the masterplan but have been influenced by the findings and proposals within the masterplan before being developed and improved upon the meet changing thoughts and aspirations of subsequent years. As such it is felt that the masterplan does not need to be revisited as it is not relied upon but its findings developed and proposals enhanced.

There are many different uses within the proposed development and due to its location, there is no 'back' to the building. This has made it very challenging to provide a building that reflects the grid nature of the masterplan and Caddick scheme but also the more organic developments that can be found elsewhere at Quarry Hill. This has resulted in the building being formed with a strong plinth with building line to Eastgate, Centenary Steps and the existing access road within Quarry Hill. Sat on the plinth are three almost separate buildings including the curved element reflecting the curve of Eastgate (including the curved, wavy roof on top) and the stepped element that maintains a strong building line to Centenary Steps but with an increase height to reflect the rise in levels.

This form is established and previously raised no objection from Members but the scheme has been amended with Members concerns in mind to reduce the complication of the stepped approach and reduce any dominance toward the Playhouse.

Four of the serviced apartments have been removed from the first 'step' adjacent to Eastgate and therefore increase the visibility of the plinth and therefore prominence of the Playhouse when viewing from the west. The reduction in the number of steps simplifies the building form and also gives greater prominence to the attractive curved roof and views toward the roof terrace.

The four apartments removed from the Eastgate frontage have been incorporated elsewhere with changes to the internal layout. Whereas this maintains the southern elevation as being higher than the previous approval it is not considered to

dominate or adversely impact upon the setting or amenity of the Playhouse that would be no less than 20m to the south. To further reduce the impact of the building the top floor has been set back and there has been a reduction in the amount of masonry in the southern elevation with glazing being added to soften the buildings appearance.

It is felt that the changes made since the position statement have sought to address some of the concerns of Members with regard to the form of the building without the fundamental changes that are considered inappropriate at this stage.

A consistent request from Members is to improve the activity along the Eastgate frontage and enhancements to this frontage have continually been sought and achieved despite the restrictions of the internal layout.

Along the Eastgate frontage there are the projecting stone strips that are lit at night and an outdoor terrace to the casino. Doors to the service area are in the attractive ceramic granite and the lower plinth begins to have more prominence therefore providing a changing appearance at ground floor. The area adjacent to Playhouse steps and the roundabout has a greater glaze element than the consented scheme that promotes the activity in this area. The floors above include significant glazed elements including a projecting bay, recessed elements and further illuminated stone strips.

Further changes have been made including significant internal revisions to allow for an increase in glazing and areas of activity along the Eastgate frontage.

An additional 8m of glazing has been added to the length of the casino elevation opposite the Eastgate roundabout that will significantly enliven areas around the main pedestrian route down from the Headrow.

Further glazing has been added to various levels of the plinth along Eastgate including glazing into discreet locations within the service yard.

Further glazing insertions are not considered appropriate as they would provide views into unsightly service yard areas and it is considered that sufficient activity and interest has been provided. Due to its location each of the building 3 elevations are to pedestrian routes therefore it is very difficult to provide an active frontage to all these locations in addition to the large service areas required for a building of this size. It is considered the main pedestrian areas, ie those opposite the Eastgate roundabout, along Centenary Steps and facing Playhouse Square have almost continuous active areas. The ground floor element along Eastgate is a significant improvement on the consented scheme and achieves the maximum activity possible with regard to the uses behind.

iii. Highways

Many of the principles associated with this development are accepted including the capacity of Quarry Hill and the surrounding highway network to accommodate the number of vehicles for this and other proposed schemes. The layout of the car park is also acceptable.

The vehicular access to the site is as per the previous scheme, via a new roundabout within Quarry Hill to the north-east of the site. Upon entering the building there will be a service yard providing servicing for all uses and bin storage.

Some servicing will be permitted from the lay-by on Eastgate but this will be restricted to night time only. Again further details of the operation of this lay-by will be required and restricted by condition.

Playhouse Square will be amended as part of the overall development of Quarry Hill. As discussed in more detail below, the applicant has shown that adequate turning for vehicles (incl. large 12m coaches and emergency vehicles) can take place in the area in front of the entrances to the proposed hotels. This allows an enlarged area adjacent to the WYPH to be for pedestrian use only therefore allowing the WYPH to continue to place advertisements in this area, school children and other parties to congregate and generally provide an attractive area for visitors to the WYPH and other Quarry Hill developments.

The S106 will set the car park charges for the public car park to ensure the pricing acts as a deterrent for its use as long stay commuter car parking. The structure will change in the evening to allow visitors to the WYPH cheaper parking. Until the offices are constructed, the spaces allocated to the offices will be available for the public at the same tariff. Fixed tariffs had been adopted in the past to deter commuter parking but these had not always proved successful. The current proposals would require an annual assessment of the tariffs and it is considered that this scheme could have greater success.

iv. Treatment of Playhouse Square

Members had raised concerns relating to the layout of Playhouse Square both during the construction phases and upon completion of this and the Caddick development.

Plans have been provided that show the impact on Playhouse Square during the phases of construction and these will be presented at Panel. Plans show the turning and drop off areas for;

- a) the current Playhouse Square arrangement,
- b) whilst the basement to the hotel is being dug out,
- c) after the basement has been dug out and a temporary surface in place but with the Caddick site fenced off during its construction,
- d) following completion of the hotel, final surfacing of Playhouse Square and during construction of the Caddick development,
- e) following completion of both the hotel and Caddick developments.

The plans highlight how a 12m luxury coach can turn within Playhouse Square and the remaining space available for visitors to drop off throughout the stages of construction.

A constant throughout the construction process and following completion is that the pedestrian space in front of the main entrance to the Playhouse remains and is not reduced. Upon completion of this scheme the pedestrian space outside the Playhouse entrance is increased by 2m in width.

Also, by replacing the 8 existing disabled spaces in Playhouse Square with the 5 designated disabled spaces in the car park under the hotel, the vehicle dominance of Playhouse Square is reduced and becomes limited to the being a turning/drop off area rather than an area where cars can be permanently parked.

The detailed design of the final layout of Playhouse Square is will be subject to condition but a drawing has been provided that provides a concept for its layout, this drawing will be presented to Members. The intention is to create a single, high

quality open space that links to and addresses the work on Eastgate associated with the Eastgate/Harewood Quarter redevelopment, create a major space linking Eastgate and Quarry Hill and creates a significant amenity space to benefit the Playhouse access. With these changes Playhouse Square is reduced from 41 x 29.5m (1209.5sq m) to 25 x 29.5m (737.5sq m) but will still meet the needs of the proposed Hotel development and Playhouse whilst allowing for an increase in the space available for pedestrian movements.

The pedestrian routes from Playhouse Square to and from the MSCP for the various construction constructions have been shown on plan and will be conditioned to ensure appropriate pedestrian routes are provided with regard to gradients and surfacing.

Concept plans have been provided by the Civic Architect that show the layout of Quarry Hill with all existing and approved buildings, those currently proposed plus the coach drop off and Playhouse Square. This plan also includes the relationship with the Eastgate roundabout and Eastgate approval, Headrow and connectivity to adjacent communities. This plan, plus a more detailed plan of Playhouse Square, will be presented to Members to show how the completed Quarry Hill, including Playhouse Square, is intended to operate.

The applicant has also submitted indicative hoarding designs that will be added to the existing hoardings currently situated around the hotel site that will remain in place during the construction process. This will provide interest to this hoarding and advertise forthcoming shows and events at the WYPH.

v. Disabled Parking

The hotel and office/MSCP proposals result in the loss of only 8 disabled parking spaces at Quarry Hill, those currently found in the centre of Playhouse Square. There are a further 23 public disabled spaces across the remainder of Quarry Hill.

The MSCP provides a total of 20 public disabled spaces plus a further 20 spaces designated to the office and hotels. The car park under the hotel scheme provides for a total of 15 disabled spaces of which 5 will be designated for sole use by the Playhouse that will be free and can be reserved when booking tickets for performances.

As such the loss of the 8 publicly accessible disabled spaces within Playhouse Square is compensated by 20 public spaces within the MSCP and the 5 spaces designated to the Playhouse that are located under the hotel development.

It is considered that the compensation for the loss of the spaces is considered appropriate and relative to the loss. The 5 spaces will only be for Playhouse patrons and will be within easy reach of the Playhouse entrance. By being able to book the disabled parking when ordering performance tickets disabled visitors can be guaranteed they will be within easy reach of the Playhouse entrance unlike the present arrangements of first come first served.

It is accepted the 20 public disabled spaces within the MSCP are further away from Quarry Hill but on completion of both the Leeds Properties and Caddick schemes the journey from the car park to the Playhouse will be across surfaces that will be fully DDA compliant. Prior to the commencement of the Caddick scheme the existing 23 surface disabled car parking spaces at Quarry Hill will be available and within close proximity to the Playhouse.

During the construction of the hotel scheme 8 temporary disabled spaces will be located within Playhouse Square as a direct, albeit temporary, replacement for the 8 disabled spaces lost.

The adjacent Caddick car park would also be required to provide 6% disabled parking that is expected to equate to approximately 35 disabled spaces, of which approximately 20 would be public disabled spaces. Upon completion of the Caddick scheme there would be approximately 40 public disabled spaces at Quarry Hill plus those 5 spaces designated to the Playhouse plus all other disabled parking allocated to the leisure and offices uses.

It is not proposed to re-introduce surface disabled parking within Playhouse Square as the overall intention is to remove as much surface parking as possible from within this part of Quarry Hill and introduce a visually attractive public realm with limited vehicular intrusion.

The public disabled parking provision provided by the MSCP and under the hotel scheme is considered to sufficiently compensate for the loss of the 8 spaces within Playhouse Square and also provide a significant number of additional public spaces for the benefit of all Quarry Hill users in addition to the Playhouse.

vi. Additional Coach Drop Off

As mentioned above, plans have been submitted that show how large coaches can continue to drop off within Playhouse Square during the various construction phases and upon completion of the development.

Between the eastern elevation of the Playhouse and the College of Music, it is intended that a coach drop off area will be provided by the Caddick scheme. This will be for the sole use of the Playhouse and will allow large groups of visiting parties to drop off/pick up close to the front doors of the Playhouse.

This will significantly reduce the number of vehicles requiring access to Playhouse Square and therefore maintain the use of the square purely for drop off.

vii. Section 106

The heads of terms for a joint S106 for both the hotel and office/MSCP proposal has been agreed with the developer and will include the following:

- Public transport contribution of £125,000 (index linked).
- Travel Plans with monitoring fee of £9,615 for the hotel development.
- Commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service during and post construction regarding employment at the site and use local contractors, sub-contractors and material suppliers.
- £600 monitoring fee for each clause that requires admin/management/monitoring.

viii. Sustainability

To date the information available regarding sustainability measures is not complete as much of the sustainability benefits come into play when the hotel is being constructed and then when it becomes operational. Much of the sustainable construction methods are not yet known, simply because a contractor has not yet been appointed to carry out the works. With regards to the operational sustainability, this is dependent on the operators themselves and because of changing technologies the operators for the hotel would be looking to harness the most sustainable technologies at the time of fit out, which will be in 2 – 3 years time.

It is therefore considered acceptable to address operational sustainability via a condition that requires a design stage pre-assessment to be agreed prior to starting on construction, followed by a post construction BRE certification.

11.0 CONCLUSION

The proposed development is considered to be a well-designed building that meets the challenges objectives of the masterplan and the changing appearance of Quarry Hill. The scheme provides an innovative roof form and will provide a new and attractive entrance to Quarry Hill from the west in addition to the future development of Centenary Steps. The scheme provides for designated disabled parking for the Playhouse and is considered to meet the needs of both the new development and those of the Playhouse (in addition to the coach turning elsewhere).

Background Papers:

Application file and history files 20/311/01/OT and 20/19/04/RM.

Notice has been served on Leeds City Council.

Minutes of the Panel of 29th January 2009:

Further to minute 7 of the Plans Panel City Centre meeting held on 21st June 2007 where Members received a further pre-application presentation on revised proposals for a mixed use development including hotel, casino and basement car parking at Quarry Hill, the Chief Planning Officer submitted a position statement on this proposed scheme. It was noted that details of this development had been presented to Members at the Plans Panel City Centre meeting held on 9th October 2008 when the adjacent site had been the subject of a pre-application presentation (minute 54 refers)

Plans, photographs, graphics, including a fly-through and sample materials were displayed at the meeting

The Head of Planning Services referred to a letter which had recently been received on behalf of Quarry Hill Developments Ltd concerning the report which had been submitted by Officers. He reiterated that the report was a position statement, the purpose of which was to inform Members of the current situation in respect of the proposals, clarified the ownership of the land and the previous history, noting that whilst the previous approval for a leisure development had expired it was still a material planning consideration. Members were not being asked to make a formal decision at this stage on the proposal

Officers presented the scheme which proposed a multi-level hotel development with casino, bars/restaurants and basement car parking at Quarry Hill which was sited within the Prestige Development Area and adjacent to the proposed Eastgate and Harewood Quarter development

Planning permission for a similar scheme had been granted, but had expired in 2008

Brief details of the range of uses, number of hotel bedrooms and serviced apartments were provided together with information on car parking, the implications for the coach drop-off point for Playhouse Square during the construction process and the number and location of disabled parking spaces. Regarding the letter which had been submitted on behalf of Quarry Hill Developments Ltd, Members were informed that the points raised in this would be covered when the application was brought for determination

Members commented on the following matters:

- disabled parking provision including the number and location of spaces which would be provided; the relocation of the current disabled parking provision within Playhouse Square during the construction of the hotel and the possible detrimental impact this could have for people with disabilities being able to attend the theatre
- whether it would be possible for a double-decker bus to turn around in Playhouse Square

- the design of the proposals; that the outer and inner elements were not harmonious; that the curved outer element was welcomed but that the inner element resembled a cruise ship which was incongruous to Leeds
- that the proposals did not promote activity and create a welcoming environment along Eastgate, as previously requested by Members
- that there should be a splay to match the WYPH
- that the masterplan was now out of date and should be revisited
- highways issues; whether the existing highway access points were adequate to accommodate the amount of taxis, coaches etc which would be dropping off at the hotel and concerns at possible conflict between traffic going to the hotel and to the WYPH
- the reason for the removal of the much larger undercroft parking in the hotel compared to the previous scheme
- that the response to City Centre Management's comments regarding the possible oversupply of hotel accommodation was not adequate
- whether a S106 Agreement would include within the standard training initiatives a requirement for a level of apprenticeships to be provided
- that the development did not provide the required level of public open space
- that the tightness of Centenary steps could be problematic and that a site visit could be beneficial
- whether by having engaged in pre-application discussions on the scheme it could be deemed that Members had pre-determined the application

Officers provided the following responses:

- regarding disabled parking, that more spaces would be provided in the scheme, but it was accepted that these would be in a different location
- that there were no overhangs to prevent a double-decker bus from using the coach turning point in Playhouse Square and that its length had been tested with a long coach and was sufficient to accommodate this
- that the scheme was a challenging one, not least because it comprised four integrated buildings. Furthermore the masterplan which had been produced by Sir Terry Farrell was based on biaxial symmetry which created a grid system and had led to the site developing as plots. The challenge was now how to reconcile the organic developments which were emerging around the periphery of the site, ie the BBC Building, College of Music and the Northern Ballet proposals, with the more rigid layouts which had been established. The Civic Architect, Mr Thorp, stated that these compositional dilemmas could be taken on board
- in respect of highways issues, highway capacity had been tested and that the projected increase in capacity could be accommodated, even at peak time. Further testing to include the Eastgate and Harewood Quarter development had been included and that Highways Officers were satisfied that the network could accommodate both developments
- that Playhouse Square would be busy especially with the taxi drop-off point to the hotel entrances, however an area for this and for pedestrian access would be maintained
- that the previous scheme proposed six levels of car parking below the hotel. The current scheme provided less as the density of the rock underneath the site had proved difficult and costly to excavate so making it financially unviable to pursue a deeper car park; the additional spaces would be accommodated in the adjacent mixed use scheme
- that a recent Joint Plans Panel meeting agreed a protocol for pre-application presentations. That their aim was to provide feedback and guidance to developers but that this did not result in pre-determination of applications

The Head of Planning Services raised concerns that fundamental issues relating to layout and design remained outstanding despite the previous presentations on the scheme to Members. Whilst it could be accepted that the situation had changed since the previous permission, it should be noted that the developers had paid a significant contribution towards the refurbishment of the Playhouse Steps area, and that this money was currently held on deposit. On this point, Members queried in the event of the Playhouse Steps refurbishment costing more than the sum provided, whether further money could be requested. Officers agreed to investigate this and report back

The Head of Planning Services stated that it was the intention to present the application for formal determination to a future meeting. Whilst the footprint for the scheme was largely set by the plan and the previous permissions, the following issues would be addressed within the report:

- design issues – how the scale and height of development and public space related to other developments on Quarry Hill and the wider area including the Eastgate and Harewood Quarter scheme and planned public realm improvements in the area
- parking provision, particularly disabled parking spaces and the needs of the WYPH
- the functionality of the building with the need to provide for servicing whilst retaining activity from Eastgate
- pedestrian routes and linkages and how they relate to public realm
- the need to resolve the variation in styles shown on the development and provide a more integrated design
- the servicing of the site

RESOLVED -

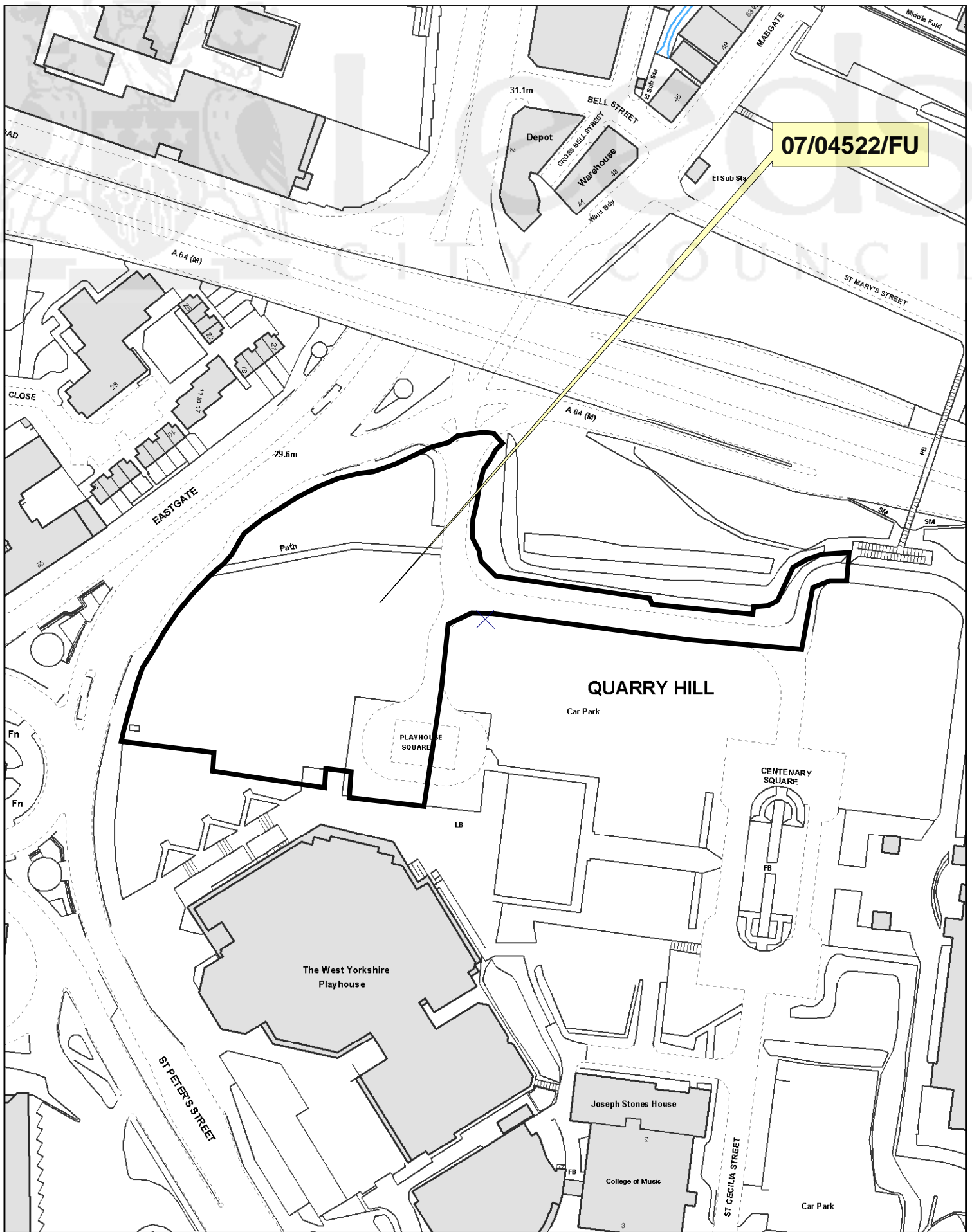
- i) To note the report, the presentation and the comments now made
- ii) That a site visit be arranged prior to formal consideration of the scheme

APPENDIX 1

Planning Application 07/04522/FU Non Standard Conditions

3. The adjacent MSCP proposal (08/06093/FU) includes the parking allocated to the hotel plus the 339 public spaces. As such it is necessary that both the hotel development and MSCP are not occupied until both developments are complete, unless otherwise agreed in writing with the LPA. This condition will be added to both 07/04522/FU and 08/06093/FU.
7. The standard landscaping condition will be amended to include a requirement to provide details of the layout of the access road and footpaths, new roundabout and Playhouse Square.
10. To compensate for the loss of the 8 disabled spaces presently in Playhouse Square, a minimum of 5 disabled spaces shall be made available in the hotel basement car park. The location of these spaces will need to be agreed to ensure they are in an appropriate location providing easy access to the Playhouse.
20. It is considered necessary to prevent change of use under permitted development rights from A3 and A4 uses to A1 use to ensure that large scale A1 is not created in an area outside the designated retail quarter, contrary to the Council's adopted policies.
22. Details of safety and security measures for the site including the off-site car park and access to buildings to 'Secured by Design' standards to ensure that the design is sufficiently robust to deter crime and anti-social behaviour in response to the Police Architectural Liaison Officers comments.
24. Full details of the sustainability measures to be incorporated will be required via a design stage pre-assessment and post construction BRE certification. These assessments will ensure compliance with an appropriate BREEAM target.
26. Information has already been provided regarding the how the building will be cleaned and maintained including details of the cleaning cradles, this includes information highlighting that the cradles can be parked within plant rooms and therefore will not be visible when dormant. Full details of the design, their operation and parked positions will be required to be agreed by condition.
28. The applicant has committed to providing adverts along the hoardings of this site to promote performances at the WYPH. Indicative drawings have been submitted and full details will be required by condition. This will ensure the hoardings are enlivened and provide much needed promotional space to the Playhouse during construction.

29. Quarry Hill is a large site that does not benefit from the LCC CCTV system. In addition to the enhanced landscaping around the footbridge it is considered that CCTV is necessary in this area (via the office/MSCP application) plus in those public areas around the hotel development such as Centenary Steps, Playhouse Square and along the access road. The CCTV will be required to link up to the LCC system. A similar condition is also to be added to the Caddick consent.
30. The serviced apartments have been considered as an ancillary use to the hotel (class C1). To ensure this remains to be the case a condition will be added to prevent their use as a private residential unit.
31. Plans show how the pedestrian flows from the MSCP toward Playhouse Square can be accommodated during the construction phases. To ensure appropriate routes are delivered a condition is added that requires detailed agreement of these routes, including surfacing.



CITY CENTRE PANEL I

Scale 1/1500

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