

## **Plans Panel (City Centre)**

**Thursday, 19th August, 2010**

**PRESENT:** Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,  
M Coulson, C Fox, S Hamilton, J Matthews,  
J Monaghan, E Nash and N Taggart

### **16 Chair's opening remarks**

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

### **17 Mr John Thorp**

The Chair announced that this would be the last full panel meeting which Mr Thorp would attend as he was retiring from the Council on 1<sup>st</sup> September after being with the Council for 40 years. Members were informed that John would still attend meetings occasionally as he would retain his involvement with a small number of major schemes

The Chair paid tribute to John's work and his invaluable contribution to many important schemes within the city

Other Members echoed these sentiments and referred to John's ability to explain complex issues in a way which could be easily understood and his ability to persuade Members on the qualities of developments when these were not always instantly apparent

John's contributions to Plans Panel City Centre meetings were commented on as was the level of debate which arose at these meetings, largely through the explanations and architectural challenges John highlighted and explained

Tribute was paid to John's approach, in that he had respect for the existing built environment. The diversity of the work he had undertaken was referred to, this being from railway arches to the Art Gallery, the Leonardo Building and the remodelling of City Square and also the fact that John was only the seventh person to hold the prestigious position of Civic Architect in Leeds since 1870

It was stated that John had done more than anyone else to shape the city and that Leeds was better for it

In responding John Thorp paid tribute to the work of Plans Panel City Centre and thanked Members for the richness of the debate which had been generated at the meetings

### **18 Late Items**

Although there were no formal late items, Members were informed that the Chief Planning Officer would provide some important information later in the meeting (minute 26 refers)

### **19 Declarations of Interest**

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 06/04610/OT – Mixed use development at Kirkstall Road and Wellington Road (minute 22 refers):

Councillors Coulson and Matthews declared personal interests through being members of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals

Councillor Campbell declared a personal interest through having been a member of West Yorkshire Integrated Transport Authority at the time Metro would have commented on the proposals

Councillor Fox declared a personal interest as a member of West Yorkshire Integrated Transport Authority Passenger Consultative Committee as Metro had commented on the proposals

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals

Applications 08/05307/FU – 14 – 28 The Calls LS2 (minute 23 refers):

Councillor Coulson and Matthews declared personal interest through being members of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals

Councillor Campbell declared a personal interest through having been a member of West Yorkshire Integrated Transport Authority at the time Metro had commented on the proposals

Councillor Fox declared a personal interest through being a member of West Yorkshire Integrated Transport Authority Passenger Consultative Committee as Metro had commented on the proposals

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals

Councillor Taggart declared a personal interest through being the Chair of West Yorkshire Joint Services Authority who managed WYAAS which had commented on the application

Application 10/01601/FU – Victoria Gardens LS1 (minute 24 refers):

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had objected to the proposals

Councillor Fox declared a personal interest as a close family member was a minor shareholder of Marks and Spencer as this organisation had donated the funding for the scheme

Application 09/03230/FU – St Peter's Hall and House and Chantrell House, Leeds Parish Church Kirkgate LS7 (minute 25 refers)

Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage which had commented on the proposals

## **20 Apologies for Absence**

Apologies for absence were received from Councillors Driver, G Harper, G Latty, M Hamilton and A Carter

The Chair welcomed Councillors Taggart, Coulson, Fox and Matthews who were substituting at the meeting

## **21 Minutes**

**RESOLVED** - That the minutes of the Plans Panel City Centre meeting held on 22<sup>nd</sup> July 2010 be approved

## **22 Application 06/04610/OT - Layout access roads and erect mixed use development at Kirkstall Road and land off Wellington Road, Leeds**

Further to minute 41 of the Plans Panel City Centre meeting held on 5<sup>th</sup> November 2009, where Panel considered a position statement on proposals for a mixed-use scheme on land at Kirkstall Road and Wellington Road, Members considered the formal outline application

Plans, photographs and drawings were displayed at the meeting. A site visit had taken place earlier in the day which Members had attended

Officers presented the report and informed the Panel that the proposals were for a substantial new quarter in the city on a 5.3 hectare cleared brownfield site close to the city centre. The outline application sought approval for siting and access only but a design code had been submitted which set out the proposed general scale of the buildings. Detailed design issues would be considered in due course in the Reserved Matters application

Revisions had been made to the scheme in line with the comments made at the November 2009 Panel

The development which would be carried out in a phased manner, comprised two sites which would be connected by a pedestrian and cycle bridge over the river. On the Kirkstall Road frontage there would be 6 buildings with a mix of uses including residential, offices, food and drink uses with ancillary retail and a community use together with a multi storey car park, underground parking and an area of public open space. The Island site opposite would be predominantly for residential use with some ground floor food and drink uses around an area of public open space. On the Island site an area of townhouses was also proposed. Underground car parking would be provided on both sides of the river. Overall, approximately one third of the site would be public open space

In response to questions raised on the site visit by Members, the Head of Planning Services stated that the proposed levels related to the need to address flooding issues and build in mitigation measures required by the Flood Alleviation Scheme, with the ground level of buildings on the Kirkstall Road Riverside site being set half a storey higher than the existing ground level of the site. The Island site was much higher and the excavation would be to a depth of 1.5 -1.8m with the development set at the same as the footpath to the canal.

In terms of flood risk, Members were informed that the greatest risk was from Kirkstall Road as this was the lowest point and to address this, no ground level residential accommodation would be included on this site

Details in the design code indicated the erection of 14 buildings across both sites, with the buildings on the Kirkstall Road Riverside site being maximum 9-10 storeys in height. Smaller scale buildings ie 3-8 storeys were proposed for the Island site with the opportunity for a taller, landmark building being sited at the narrowest point of the site

Access arrangements were outlined, with Panel being informed that the main vehicular access to the mixed-use site would be from Kirkstall Road between the two office blocks with the multi-storey car park and basement car parking being accessed from this point. Pedestrian and cycle access would be enhanced through the creation of a wider footway to provide a boulevard frontage which would lead down to the open space area

The Island site would be totally pedestrianised apart from emergency and service vehicles and some disabled parking spaces by the town houses, as vehicular access to the basement parking would be from an adjacent access road

The Panel's Highways representative outlined the highway improvements required and stated that the developer contributions for this scheme would help to fund improvements elsewhere

Members were informed that the central reservation along Kirkstall Road would be modified to signalise the access into the development site and provide a right hand turn. A pedestrian crossing facility in two phases would be provided across Kirkstall Road. It was anticipated that these measures could be controlled to ensure there was no detriment to the Quality Bus Initiative (QBI) as funding for the scheme had been given by the Department for Transport on the understanding that there should not be, within 10 years of its opening, any changes to the scheme which would have an adverse impact on the bus corridor. Whilst the DFT had indicated verbally there would not be a problem with these proposals, written agreement had yet to be obtained and if Panel was minded to accept the Officer's recommendation, this would be an additional reason for deferring and delegating the application to the Chief Planning Officer

Further highway improvements were outlined in respect of the Westgate gyratory, egress from the Armley gyratory onto Wellington Road and at the M621 Islington roundabout.

Funding would also be provided for improvements to the Leeds Liverpool canal towpath, with surface improvements from the station to the site to make the towpath more useable in all weathers and additional lighting being provided from Wellington Street Bridge up to the site

A travel plan had been submitted which Officers had considered in great detail and were satisfied with, as were the Highways Agency and Metro. A range of physical and financial measures were to be provided including the provision of an on-site travel co-ordinator and a travel plan bond

In terms of car parking provision, 1382 spaces would be provided across the site, with the Head of Planning Services stating that this figure had to be considered in terms of the quantum of development and the number of spaces was below the maximum UDP levels for car parking

Reference was made to the objection received on behalf of the owners of the adjacent City Gate site. Notification of the revised scheme before Panel had been sent to the objector but no response had been received

The Head of Planning Services recommended the scheme to Panel  
Members discussed and commented on the following matters:

- the possibility of overlooking to the cottage at Oddy's Lock from the residential block opposite
- the location of the bin stores to the townhouses
- whether flood defences in the city centre could impact higher up the river and affect this development
- the height of the town houses
- the high level of car parking within the scheme and the need for this
- the travel plan and the need for further information about aspects of this
- that only 15% affordable housing was being provided despite this being outside the city centre
- the images shown of flat roof houses and the need for these to be avoided in the scheme
- that building no 7 adjacent to Spring Garden Lock should be iconic

- concerns at the amount of hardstanding shown on the graphics; the need for substantial amounts of usable green areas and that the success of the development would depend greatly on the palette of materials selected for the scheme
- the need for flower beds and colour to be included in the landscaping proposals rather than solely grassed areas being provided
- uncertainty about the proposed build out viewing platform next to building no 7 and whether there was a need for this
- the need to take into account the otter survey
- concerns that adequate signage was placed in the underground car parking areas to warn of potential flood risk
- that the site could benefit from a railway station
- that as the application was in outline, that the images shown were not necessarily representative of the final appearance of the scheme, however there was an opportunity to set out at an early stage the need for high quality design proposals and to question the siting of the town houses between two large buildings

Officers provided the following responses:

- that the main windows of the cottage at Oddy's Lock looked out to the area of open space and not directly at a residential block, with Officers of the view that this relationship was acceptable
- in relation to the siting of the bin stores for the town houses, this level of detail would be included in the Reserved Matters application
- regarding flood risk, that the scheme had been drawn up in consultation with the EA scheme and was consistent with that. Whilst it was not possible to indicate any impact higher up the river, the Chief Planning Officer stated that the development had been drawn up to design flooding out of the area
- that the town houses would be 3-4 storeys in height, with the 4<sup>th</sup> floor being able to incorporate a roof garden
- that the car parking levels were at the UDP maximum levels and that in terms of office space this equated to 1 space per 5 employees
- in terms of the travel plan, that money would be set aside to encourage cycling and walking, with the on-site travel co-ordinator being able to use the funds in the best way possible to assist people to use alternative transport methods. There would also be a travel plan bond provided which would be for the steering group, which would be established, to consider the annual monitoring figures and implement any additional measures which would help to reduce car use. Furthermore Sustrans had recently given the city £100,000 for improvements to cycling provision which was welcomed
- that the level of 15% affordable housing was the correct rate applied to areas like this on the edge of a city centre location as set out in Supplementary Guidance

**RESOLVED** - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer subject to the specified conditions in the submitted report (and any others which he might consider appropriate); written agreement from the Department for Transport on the proposed highway alterations

which could affect the QBI and the completion of a Section 106 agreement to include the following obligations:

- affordable housing
- provision of a Travel Plan Co-ordinator
- provision of package of physical and financial measures as part of the Travel Plan
- funding of potential TRO measures on public highway
- public transport improvements
- off site highways mitigation package including trigger points
- 24hr public access areas and linkages to other public routes
- maintenance package for public areas
- riverbank enhancement for the additional nature area
- public car parking tariff controls
- provision of bridge link
- local employment initiatives
- education provision
- public art provision

In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

**23 Application 08/05307/FU - Alterations; extensions and demolition to form offices, A3/A4 bar restaurant; car parking and public landscaped area at 14-28 The Calls, and Conservation Application 08/5309/CA - The Mission Hut and 28 The Calls, Leeds**

Further to minute 6 of the Plans Panel City Centre meeting held on 1<sup>st</sup> July 2010 where Panel deferred consideration of a riverside development at 14-28 The Calls for additional information, the Panel considered a further report of the Chief Planning Officer

Plans, drawings, graphics and an image of Atkinson Grimshaw's 1880 painting 'Leeds Bridge' were displayed at the meeting

Officers presented the report and referred to the areas where Members had sought additional information and how these aspects had been addressed, these being:

- landscaping provision – additional soft landscaping was proposed with an increase in the number of trees being provided along the terrace, with these being Alders which were waterside trees and the addition of a raised stone planter to replace the 'contemplation' space
- the design and position of the pedestrian crossing – that Members' comments expressed at the previous meeting had been considered, however as The Calls formed part of the loop road around the city centre, a crossing area which gave priority to pedestrians was likely to result in accidents, with evidence of this having occurred in similar locations. In terms of using cobbles/sett paving to complement the existing cobbles on The Calls, these would not be suitable for pedestrians and wheelchair users and changes to surfacing would require extensive construction and would be prohibitive on the grounds of cost. In view of this, a standard signalised pedestrian crossing was the preferred approach

- the visual height of the Warehouse Hill building together with the detailing of its base – the visual impact of this building had been reduced through raising the brick balustrade and reducing the depth of the roof covering. In respect of the stone plinth, this would incorporate further detailing at each course. The Civic Architect, Mr Thorp, highlighted the similarities which now existed between this building and the one depicted in Grimshaw's 1880 painting
- the detailing of the riverside elevation of the Atkinson building – that a punched vertical emphasis within a brick elevation was now proposed

A request for an extension of the time limit from 3 years to 5 years had been sought to provide the applicant with a level of flexibility, if Panel was minded to approve the application, with Officers stating they were satisfied with this

The Panel discussed the revisions and commented on the following matters:

- the proposed demolition of 24 The Calls and whether it had been established that this building could not be retained
- concerns at the proposed tree species with the view that Willows might be more suitable
- whether the view against using cobbles/sett paving was due to traffic noise in view of this part being the least used section of the loop road
- that this was a special part of the city and that a standard highways solution might not be appropriate in this location and could look incongruous
- whether there was a need for a pedestrian crossing to be provided
- that a 5 year time limit attached to any approval was acceptable

Officers provided the following comments:

- that a structural report had been commissioned which had stated there was little of the original fabric of 24 The Calls remaining, with what did exist being in very poor condition and not viable to convert. Because of this, its demolition was justified
- concerning the highways issues, that the Chief Planning Officer would discuss these with the Chief Officer Highways and Transportation

Members considered how to proceed, with concerns being raised that it was necessary to be satisfied on the highways elements of the scheme before reaching a final decision on the applications

The Head of Planning Services stated that rather than delay the whole scheme for something which was outside the developer's control to resolve might not be seen to be fair. However, it was accepted there were concerns about the details of the crossing proposal and that these could be brought back to Panel at a future date

#### **RESOLVED -**

#### **Application 08/05307/FU**

To defer and delegate to the Chief Planning Officer for approval subject to the conditions in the submitted report, including an increase in the time limit for the scheme from 3 years to 5 years (and any others which he might consider appropriate) and the completion of a Section 106 agreement, to include the following obligations:

- index linked public transport contribution of £115,627
- implementation of travel plan and monitoring fee of £4000

- car club trial membership of £7625
- provision of on-street car club space and compensation for loss of revenue
- management and accessibility to public areas
- employment and training initiatives
- monitoring fee

In circumstances where the Section 106 agreement has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

That in respect of details of the proposed crossing, that the Chief Planning Officer undertake discussions on this with the Chief Officer Highways and Transportation and that a further report on this matter be presented to Panel in due course

Application 08/05309/CA

To grant consent subject to the conditions set out in the submitted report

**24 Application 10/01601/FU - Alterations to public open space at Victoria Gardens, The Headrow, Leeds LS1**

Plans, graphics and historical images were displayed at the meeting

Officers presented the report which sought permission for alterations to Victoria Gardens at the Headrow which were to be wholly sponsored by Marks and Spencer PLC to mark their centenary and links with the city

The Civic Architect, Mr Thorp, outlined the history of the site with Members being informed that the original intention had been to implement Sir Reginald Blomfield's 1925 scheme for a building on the Victoria Gardens site which mirrored that on the opposite side of the Headrow, formerly the Leeds Permanent Building Society. Whilst Sir Reginald had begun to implement his scheme at this corner and progressed down to Appleyard's Petrol Filling Station in Eastgate, the Council reconsidered the adjacent area with the original proposal being discounted and Victoria Gardens being completed during World War II, with the War Memorial being resited there from City Square

In 1996 there had been a further opportunity to refurbish this area, however the Millennium Commission had selected Millennium Square as the primary project to receive funding, leaving Victoria Gardens in need of some improvement

The Head of Planning Services stated that the area was an important feature and was critical in terms of event space in the city. Whilst the basic form of the space would remain the same, the proposals would remove the raised step between the planters to create a level access from all parts of the site; replace the cracked stone slabs; provide new seating, litter bins and signage; upgrade the large chess boards and introduce smaller boards into the coping stones of the existing planters and replace the trees along The Headrow frontage with 26 London Plane Trees. These would be clipped in a square shape on a clear stem which would be a minimum of 2.4m in height and would be uplit and underplanted with early spring flowering bulbs

Members were informed that the Victoria Cross and Leeds PALS memorials would be retained as would the Italian Alder, the Joseph Beuys Oak and the two Oaks in front of the library, although these two trees would be subject to some crown pruning

The Panel was informed that the proposals provided the opportunity for further trees to be planted in the city centre. Whilst a condition to this effect had been included, Recreation Services had indicated they were not unsympathetic to this and if minded to approve the application, condition 7 requiring submission of off



site tree planting adjacent to the Civic Hall should be deleted to enable this to be resolved between the Chief Planning Officer and the Chief Recreation Officer

Members commented on the following matters:

- that whilst the offer of works to Victoria Gardens was welcomed, there were other areas around the city in more need of attention
- that there should be no change to the name of the gardens
- that ideally the area outside the Town Hall would benefit from being included in the proposals, but an acceptance that the funding could not include this area
- that the interest shown by Marks and Spencer to commemorate their beginnings in Leeds was welcomed
- that the improved chess facilities were welcomed but that there was the opportunity for other games to be laid out to appeal to a greater number of people; concerns that the number of large chess boards was being reduced from 3 to 2 and had been re-sited away from their current position in the corner, which was considered to be the appropriate location for them
- concerns at the proposed removal of the planter adjacent to the chess boards as this acted as a barrier to the loop traffic
- the need for further details to be provided on the proposed benches and street furniture; that there should be a move away from stainless steel seating; that the benches should be comfortable and that replica art deco seats could be considered as a replacement for the original art deco benches which had been removed some years ago
- whether consideration should be given to siting the War Memorial centrally within the site, with mixed views on the appropriateness of this

A discussion on the proposed landscaping proposals ensued, with the following comments being made:

- concern at the loss of the flowering cherry trees along The Headrow and that they provided much needed colour in the area
- the information in the report which stated that the existing trees were not suitable due to the pollution levels and in time, they would need to be replaced
- the suitability of London Plane trees; their vigorous growth and their need for high level maintenance, particularly due to the manicured form which was being proposed
- that currently there were 16 trees in the planters; that these would be replaced by 26 trees and that unless their growth was carefully managed, the end result could be a dense hedge which could impact on views of the buildings behind them
- that London Plane trees were not evergreen and so for several months of the year would appear as bare branches
- the need for a maintenance agreement with Recreation Services to ensure the trees would be maintained as shown on the drawings presented to Panel
- whether the shape proposed for the trees was the most suitable
- the need for colour to be included within the scheme in addition to the underplanting with bulbs and light treatment

Officers, including the Principal Landscape Architect, provided the

following comments:

- that there had been no suggestion that the applicants were seeking to change the name of Victoria Gardens
- that whilst the scope of the scheme could not cover everything, substantial improvements, particularly provision of disabled access, would be achieved
- that oak and stainless steel seating was being considered but that the stylistic reference to the previous art deco benches could be useful to consider
- that several options had been considered for the landscaping treatment of the scheme, including the removal of the planters. Whilst this option had been discarded it meant that a limited soil volume still remained, although the proposals would re-engineer soil volumes and provide underground irrigation
- that climate change had to be considered and that London Plane trees would grow there and be effective in clipped forms
- that the site fronted the city's Art Gallery and the Henry Moore Institute and perhaps was a part of the city where one could expect sculptural treatment, so giving the landscaping an artistic value

The Panel considered how to proceed in view of the issues which had been raised. Concerns were expressed that matters of personal taste were influencing consideration of the planning application and that with the exception of the trees, all of the proposed conditions set out in the report were acceptable

A proposal to accept the Officer's recommendation was made and seconded but was not approved by the majority of the Panel

**RESOLVED** - That determination of the application be deferred and that the Chief Planning Officer be asked to submit a report to the next meeting to cover the following matters:

- details on the proposed litter bins and benches
- the opportunity to lay out other games in the site
- further information about the use of London Plane trees; the shape to be created; the maintenance requirements and how those would be achieved

## **25 Applications 09/03230/FU: 09/03280/CA and 09/03397/LI for change of use, refurbishment and extensions to form flats and offices with car parking at St Peters Church and Church Buildings, Chantrell House, Leeds Parish Church, Kirkgate, Leeds LS2**

Further to minute 7 of the Plans Panel City Centre meeting held on 1<sup>st</sup> July 2010 where Panel deferred determination of applications for the redevelopment of St Peter's Hall and House together with Chantrell House, Leeds Parish Church, Kirkgate, Members considered a further report of the Chief Planning Officer seeking Panel's comments on the design principles outlined in the submitted report and presented to the Panel by the Civic Architect

Plans, drawings, graphics, photographs including historical images of the former school adjacent to Leeds Parish Church were displayed at the meeting

The Civic Architect, Mr Thorp, outlined the work undertaken since the meeting in July to address some of the issues raised by Members in order to take the scheme forward

In terms of St Peter's Hall, Members were informed that the elevation disliked by Panel in the previous scheme had been removed with consideration being given to a ground floor extension only with stair and lift arrangement with a possible conservatory being included

On St Peter's House, an increase in height was being considered to reflect the height of the properties on the opposite side of the street and an extension which was angled at the side to maintain the view through to the Parish Church

The idea for Chantrell House was to provide a gabled roof building which would give reference back to the former school building which had previously existed on the site but which would be smaller in footprint to maintain views of the Parish Church and reduce the impact on Chantrell Court

Members were advised that there was limited potential for different uses due to the site being in a flood risk area

Members commented on the proposals as follows:

- whether the remains of the old building (the boundary wall) would be incorporated in the proposals
- the need for top quality materials to be used; possibly reclaimed materials
- the increased height of Chantrell House; that it created better balance and if the views across were maintained, then this could be acceptable
- concerns about the potential dominance of Chantrell House on Chantrell Court and whether the built form could be narrower pulling it away from Chantrell Court
- on St Peter's Hall, the need to understand how the positioning of the lift in the corner would work
- that concerns remained about how the proposed extensions would relate in detail to the existing buildings
- that some vertical emphasis could be considered on Chantrell House
- the possibility of using mirrored glass within the scheme, particularly on gable ends
- that a feature should be made of the original detailing within the scheme
- concerns that although suggestions could be made on the scheme, these might not translate as envisaged

**RESOLVED** - To note the report, the presentation and the comments now made

## **26 Kirkgate**

The Chief Planning Officer informed the Panel of a serious situation which was ongoing involving the Listed First White Cloth Hall at Kirkgate

Members were informed that a lintel had recently become structurally unsound in the property next door to the First White Cloth Hall and because of this the whole structure was in danger of collapse and was a public safety risk

Although every opportunity was being considered to save the historic building, it might be that The First White Cloth Hall would need to be demolished very shortly

The Panel was informed that a proposal which had been submitted to Panel in the past envisaged the demolition and reconstruction of this building and that if its demolition was imminent, then the building's materials would be salvaged, labelled and retained for use in the new building on the site

**27 Date and time of next meeting**

Thursday 16<sup>th</sup> September 2010 at 1.30pm in the Civic Hall, Leeds