



PLANS PANEL (CITY CENTRE)

Meeting to be held in Civic Hall Leeds on
Thursday, 19th August, 2010
at 1.30 pm

MEMBERSHIP

Councillors

B Selby (Chair)	C Campbell	A Carter	D Blackburn
G Driver	M Hamilton	G Latty	
S Hamilton	J Monaghan		
G Harper			
E Nash			

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF INTEREST</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the Plans Panel City Centre meeting held on 22nd July 2010</p> <p>(minutes attached)</p>	9 - 14
7	City and Hunslet;		<p>APPLICATION 06/04610/OT - LAYOUT ACCESS ROADS AND ERECT MIXED USE DEVELOPMENT AT KIRKSTALL ROAD AND LAND OFF WELLINGTON ROAD, LEEDS</p> <p>To consider the report of the Chief Planning Officer on an application to layout access roads and erect mixed use development, with residential, business, retail, leisure and community uses, with car parking, public open spaces, riverside walkway and nature corridor. The Panel previously considered a report on this application on 5th November 2009 (minute 41 refers)</p> <p>(Report attached)</p>	15 - 48

Item No	Ward	Item Not Open		Page No
8	City and Hunslet;		<p>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</p> <p>To consider the report of the Chief Planning Officer on an application for alterations and extension to form officers and A3/A4 bar/restaurant development and erection of a 5 storey office block with basement car parking and public landscape area, along with a Conservation Application for the demolition of the Mission Hut and 28 The Calls, Leeds. The Panel previously considered a report on the proposals 1st July 2010 (minute 6 refers)</p> <p>(Report attached)</p>	49 - 66
9	City and Hunslet;		<p>APPLICATION 10/01601/FU - ALTERATIONS TO PUBLIC OPEN SPACE AT VICTORIA GARDENS, THE HEADROW, LEEDS LS1</p> <p>To consider the report of the Chief Planning Officer on an application setting out proposed alterations to public open space at Victoria Gardens, The Headrow, Leeds LS1</p> <p>(Report attached)</p>	67 - 74

Item No	Ward	Item Not Open		Page No
10	City and Hunslet;		<p>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</p> <p>To consider the report of the Chief Planning Officer providing an update statement on the applications for the change of use including refurbishment and extensions to two church buildings with 2 flats, to form offices and 20 flats, and erection of a part 4 part 5 storey block comprising office and 31 flats, with car parking; along with a Conservation Application to demolish an office building and a Listed Building Application for the partial demolition and making good of a boundary wall. The Panel previously considered a report on the proposals on 1st July 2010 (minute 7 refers)</p> <p>(Report attached)</p>	75 - 80
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday 16th September 2010 at 1.30pm</p>	

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To:
Plans Panel City Centre Members
and appropriate Ward Members

Chief Executive's Department
Governance Services
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Angela Bloor
Tel: 0113 247 4754
Fax: 0113 395 1599
angela.bloor@leeds.gov.uk
Your reference:
Our reference: ccpp/sitevisit/
11th August 2010

Dear Councillor

PLANS PANEL CITY CENTRE – THURSDAY 19th AUGUST 2010

Prior to the meeting on Thursday 19th August 2010 there will be a site visit, and I set out below the details:

Depart Civic Hall Ante Chamber at **10.00 am** to depart by coach for site visit to visit Application 06/04610/OT, Kirkstall Road and Wellington Road, Leeds (Layout access roads and erect mixed use development, with residential, business, retail, leisure and community uses, with car parking, public open spaces, riverside walkway and nature corridor.)

Return to Civic Hall for 12.00 noon approx

Please could you let Daljit Singh know (2478170) if you will be attending the site visit.

Yours sincerely

Angela M Bloor
Governance Officer

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Report of the Chief Planning Officer

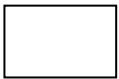
PLANS PANEL CITY CENTRE

Date: 19th AUGUST 2010

Subject: PRE-APPLICATION PRESENTATION OF PROPOSED RESERVED MATTERS DETAILS FOR LEEDS ARENA AT SITE BOUNDED BY CLAY PIT LANE / INNER RING ROAD / WADE LANE / JACOB STREET / BRUNSWICK TERRACE, LEEDS.

Electoral Wards Affected:

City and Hunslet, Hyde Park and Woodhouse



Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Plans Panel for information. The Developer will present the details of scheme to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION

- 1.1 In November 2008 Executive Board agreed to approve Clay Pit Lane as the preferred site for the development of a multi purpose arena for the city. An outline planning application was submitted in November 2009 to provide necessary flexibility in the design process. Outline planning permission for the arena was granted on 26th March 2010 (reference 09/04815/OT).
- 1.2 The outline permission included detailed approval of access arrangements. As such, accessibility to and within the site for vehicles, cyclists and pedestrians was established at outline stage. The outline application was supported by parameter plans which identified maximum and minimum tolerances of the arena building. The Reserved Matters which remain to be agreed are the detailed scale and appearance of the building, its layout and landscaping proposals. In granting planning permission it was stated that the landscaping proposals should include details of all areas of the site which shall form the public realm and the immediate pedestrian access to the site including the proposed pedestrian crossing across Clay Pit Lane.

- 1.3 On 29th April 2010 the Civic Architect led a Plans Panel workshop at which the emerging approach to the detailed design of the building was discussed. Since that time the design team has been engaged in detailed design work with a view to submitting the Reserved Matters application towards the end of August 2010.
- 1.4 This presentation is intended to inform and update Members of the emerging detailed proposals for the arena building and public realm.
- 1.5 Details of the proposed exterior design of the building were announced on 11th August. A public exhibition will be sited at various locations in the city centre during September. The applicant is also continuing to meet with key stakeholders including neighbours and Leeds Independent Disability Council.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is bounded by Clay Pit Lane to the west, the Inner Ring Road to the north, Wade Lane to the east, and Jacob Street and Brunswick Terrace to the south. The site also abuts Yorkshire Bank offices on the south-western boundary. Elmwood Road currently dissects the site. In total the area extends to approximately 2 hectares.
- 2.2 The western fringe of the site is located at a local highpoint with ground levels falling towards the north, the city centre and across the site towards the east. The Inner Ring Road sits approximately 6 metres lower than the site beyond a retaining wall.
- 2.3 Much of the site has been used for surface car parking for a considerable period. There is additional on-street parking on Elmwood Road. The former Leeds Metropolitan University Brunswick Building situated on the south-western quarter of the site is currently being demolished. There are rows of trees on the site boundary fronting Clay Pit Lane and Brunswick Terrace, and along Elmwood Road.
- 2.4 The surrounding area is characterised by a number of large scale buildings, several of which have been recently completed. Most recently, the 37 storey Plaza tower on the west side of Clay Pit Lane and the 25 storey Opal Tower at the eastern end of the site, both contain student accommodation. Tower House and Merrion House on Merrion Way, and Hepworth House on Clay Pit Lane are earlier blocks containing office and educational uses. To the south of the site, Yorkshire Bank, and to the north, the HBOS building are other notable large buildings.
- 2.5 To the north/north-east of the site the areas of Little London and Lovell Park contain significant areas of housing including accommodation ranging from single storey and low-density buildings to 17 storey tower blocks. There are also areas of open space, including Lovell Park itself.
- 2.6 Queen Square Conservation Area is situated on the west side of Clay Pit Lane.

3.0 PROPOSAL

- 3.1 The development consists of a 12,300 seat entertainment focused, multi use arena. The arena would have a super theatre format in a fan configuration with all seats facing the performance area. It is proposed to accommodate 110 disabled persons seats and 110 helper seats when the arena is in a fully seated configuration. These seats are distributed throughout the arena bowl. In addition, each executive suite can accommodate disabled patrons and helpers. Vertical circulation through the

public areas of the building would be achieved by a combination of stairs, escalators and lifts.

- 3.2 The venue would host approximately 120, primarily music, events per year whereas ancillary uses would be open all year. Events would typically operate between 1900-2300 hours with the event change-over occurring from 2300 hours onwards.
- 3.3 The maximum height of the building would be approximately 35 metres, falling to its lowest point of approximately 25 metres above the stage and 4-5 metres above the covered service yard at the eastern end of the building.

3.4 BUILDING DESIGN

- 3.4.1 Whilst the form of the building is strongly driven by its function it is intended that the building elevations respond directly to their context. The architect will describe the complex layered approach, stratification and materiality of the building.

3.5 LANDSCAPE DESIGN

- 3.5.1 The principal areas of public realm are to be laid out to the south and west of the building towards Brunswick Terrace and Clay Pit Lane. It is intended that the landscape proposals promote a sense of anticipation and arrival before an arena event. Additionally, it is proposed that there is a dialogue between the building and the landscape.
- 3.5.2 Initial details identify hard landscaping proposals for the piazza area extending to the back edge of the Clay Pit Lane footway. The proposed paving is intended to create a dynamic banded arrangement. 4 trees would be planted in the piazza area as an extension to the line of trees on Brunswick Terrace alongside the Yorkshire Bank. On the northern side of the building, adjacent to the Inner Ring Road, raised, movable, planters are currently proposed between disabled persons parking spaces and separating the service road from the pedestrian footway. The layout of this area is currently being reviewed in light of potential requirements for additional vehicle barriers alongside the Inner Ring Road. 2 new trees are also shown between the service road turning head and Clay Pit Lane.
- 3.5.3 Landscaping proposals for the development plots include ornamental shrub planting and a grassed area for the southern plot. The northern plot includes retention of existing trees within a wildflower area with a sloping lawn facing the arena building. Eastern segments of the building, particularly visible from Opal 3, would have a green roof.

4.0 TIMESCALES

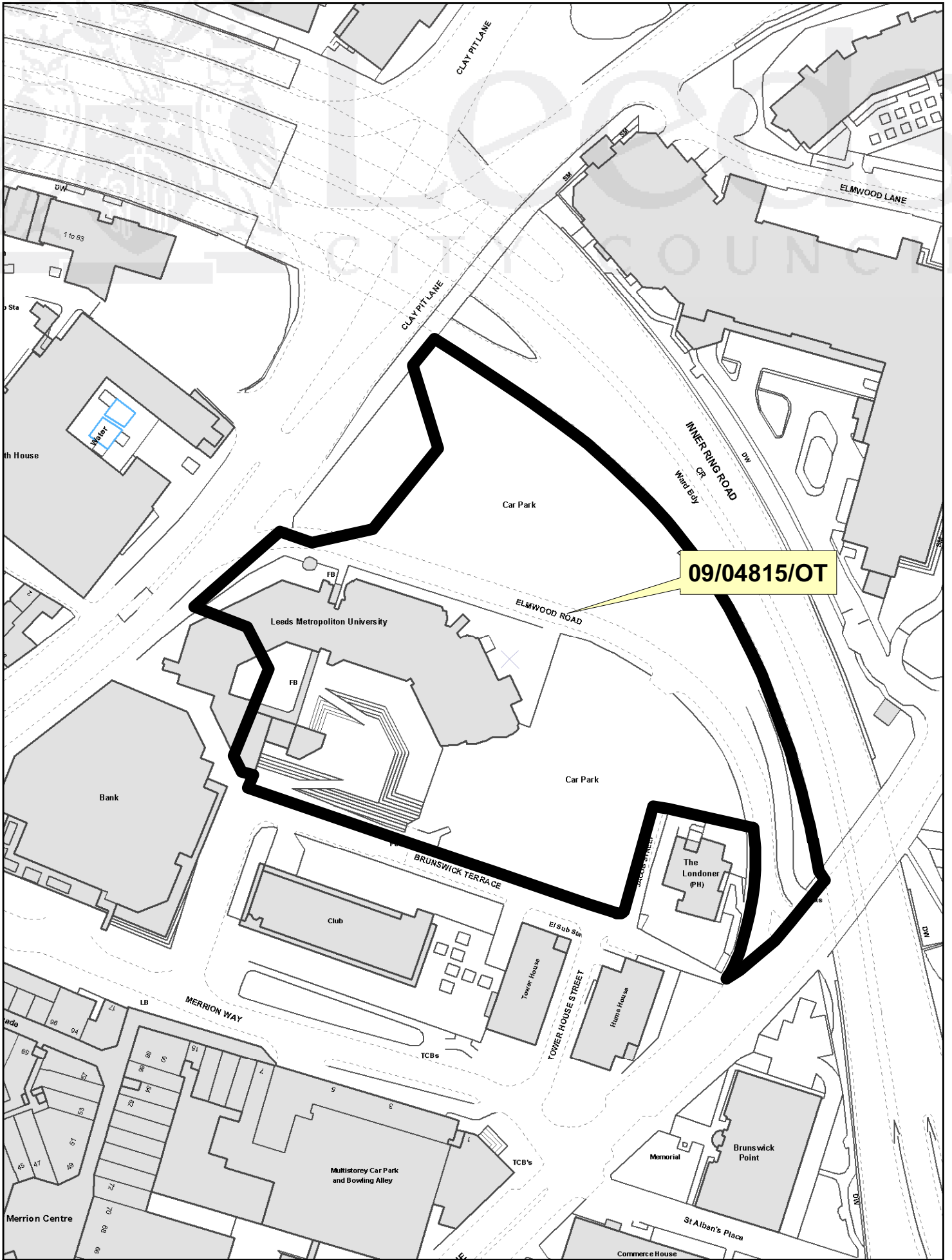
- 4.1 It is now intended to submit the Reserved Matters application at the end of August 2010. It is hoped that it will be possible to determine the application at Plans Panel on 11th November 2010 with a view to commencing construction during January 2011. Construction is planned for a two year period allowing opening early 2013.

5.0 ISSUES

Members are asked to:

- (i) Note the position reached and that Reserved Matters details relate to the design of the building and public realm.

- (ii) Comment on the emerging proposals for the design of the arena building, the design of the public realm and surrounding pedestrian areas.
- (iii) Note the proposed programme.



CITY CENTRE PANEL

Scale 1/1500

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Plans Panel (City Centre)

Thursday, 22nd July, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
G Driver, M Hamilton, S Hamilton, G Latty,
J Matthews, E Nash and R Wood

10 Chair's opening remarks

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

11 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 08/05440/FU – Globe Road/Water Lane LS11 - Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage which had commented on the proposals and Councillor Matthews declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 14 refers)

12 Apologies for Absence

Apologies for absence were received from Councillor A Carter, who was substituted for by Councillor Wood; from Councillor Monaghan, who was substituted for by Councillor Matthews and from Councillor G Harper

13 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 1st July 2010 be approved

14 Application 08/05440/FU - 5 storey 78 bedroom hotel at Globe Road/Water Lane Holbeck LS11

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

Officers presented the report which sought permission for a 78 bedroom hotel situated at Globe Road/Water Lane LS11 which lay within Holbeck Urban Village (HUV) and adjacent to Hol Beck and the three Italianate towers

Details of planning permissions which had been granted to adjacent sites were outlined to enable the site to be viewed in context

At the ground floor level there would be a restaurant, gym and changing rooms, with a unit on the corner which would be independent of the hotel but to be controlled to provide an active use such as a café, so providing a high level of activity at this level

The accommodation would comprise double bedrooms, with some large rooms designed for use by people with disabilities

Details of the roof were provided with Members being informed that this would be an 'eco roof' and would encourage plants, birds and insects, with nesting boxes also being provided. The plant room would be sited in the centre of the roof, and would be constructed from punched aluminium to resemble patinated copper, - this material also being used elsewhere within the scheme. The plant room would not be visible from street level. Also on the roof would be eight solar panels to provide energy for use by the hotel. There would also be a roof terrace which would enable guests to experience views, north, south and west of the city

The main entrance to the hotel, restaurant and bar would be on the west elevation and would be defined by two wavy ribbons in the same material as the plant room

The proposal would provide £300,000 towards the planned public realm improvements in the HUV area. In the vicinity of the site these would comprise provision of lay-bys and crossing points on the north side, making Water Lane one-way and providing footpath improvements to the south side and general surfacing improvements. In the interim, the development would provide highway works to ensure the scheme could be serviced properly in the form of a lay-by on Globe Road

The scheme did not contain any parking. On balance this was considered acceptable for a hotel in this location since visitors would be able to arrive by train or bus and there were strong on-street parking controls in the vicinity of the site which would help to prevent the potential for adverse highway conditions

Members discussed the following matters:

- the hotel and the market this would be aimed at. Members were informed that the concept of the scheme was to provide longer-term hotel accommodation for up to 3 months at a time
- whether guests would arrive predominantly by public transport
- that some doors appeared to open inwards and whether that was contrary to fire regulations
- the possibility of a café/bar use at the corner of the development; whether this would be in addition to the hotel bar and whether such a use could be sustained in view of the number of café/bars in the surrounding area, none of which seemed to be full
- policy BC7 relating to use of local materials in Conservation Areas; that there did not appear to be much copper in the area around the site and how this policy requirement could be seen to have been met
- policy N19 relating to the need for new development within or adjoining a Conservation Area to preserve/enhance the character and appearance of the Conservation Area and concerns that the use of copper in the scheme did not do this
- the metal ribbons at the entrance, with mixed views as to the overall success of this feature
- the siting of the entrance on the west elevation; that this was not the most prominent position for it; that this could account for the need to highlight its position by using the metal ribbon feature and that moving

the entrance to the front of the building in the area designated for the active unit would be more acceptable

- concerns at the lack of access to public transport in view of there being no bus routes in the area and the proposals for the southern railway station access having been halted
- the proposed drop-off point on the north side; whether this catered for people with disabilities and that the drop off point was too far from the entrance both for people with mobility problems and guests with heavy luggage
- the travel plan; that no parking was being made available in the scheme either for staff or guests; the need to understand how this would be enforced; the specific detail on this issue in the travel plan; that it needed to be robust and that Members needed to understand this aspect of the scheme
- that it was unreasonable and unrealistic to think that people using the hotel in the way that was envisaged, ie up to 3 months at a time, would not use a car and require parking
- that the site was not near local transport, nor located centrally so there was a likelihood of guests parking their cars in nearby communities and what measures would be put in place to prevent this from occurring
- the possibility of the accommodation being sold off individually as flats and how this could be prevented
- the need for an explanation of 'reasonable endeavours' in terms of the S106 requirement
- that the building was fairly innocuous but that it did not make a statement and that at the Water Lane/Globe Road junction, it would probably be the Giotto Tower which was noticed more than the corner of the hotel building
- that the relationship between the stone wall around Hol Beck and the brick of the building was uneasy and that some stone detailing should be introduced at ground level to help with the transition
- the copper effect trim, mixed views as to its success in the scheme and concerns that if this was to be used, it should be real copper as the proposed material was not of a high enough quality
- that from the images shown, Members were unable to fully see the detailing of the building which gave the impression that the elevations were flat, leading to concerns at the overall effect of the building
- the siting of the photovoltaic cells, and that it would be more effective to put them on the plant room
- concerns at the siting of the plant room and that a straight-line roof was needed

Before Officers responded to points raised by the Panel, the Head of Planning Services who was in attendance, stated that following concerns raised by Panel about the use of public transport contributions, as agreed, a letter had been sent by the then Chair of the Panel, Councillor Martin Hamilton, to Metro on this matter and that whilst a response had not been received, this would be chased up. In respect of the use of public transport contributions from the City One site, a meeting was to be arranged with Metro to discuss this

Officers provided the following responses to points raised by Members:

- that fire doors were required to open outwards but that non-fire doors could open inwards
- that the corner unit would provide an active use and whilst a café/bar had been mentioned in the presentation, this was not the defined use and that when interest in a use for the unit had been shown, this would be considered and if approved, would be controlled by condition
- that the use of copper-effect cladding in the scheme was as an accent material and that it was the use of brick as the main construction material which related to policies BC7 and N19
- that the drop-off point would be provided on the north side which would provide a widened footpath and a lay-by with a restriction on times to ensure taxis could gain access and that level surfaces would be provided for wheelchair users
- in terms of the lack of parking in the scheme, that this would be dealt with by the parking restrictions in the area as the development was envisaged as part of the whole HUV masterplan. Whilst the site and surrounding area might appear to be isolated that there were a number of consents which had been granted, including a multi-storey car park on Sweet Street which would provide the parking for uses in HUV where no parking had been included
- the concerns raised about increased on-street parking resulting from the development; that there were existing on-street parking controls which resulted in very little unauthorised parking which suggested that the controls which were in place were effective
- that hotels dealt with car parking in different ways, depending upon the type of operator, with some budget hotels indicating in their promotional information the location of nearby car parks; others had arrangements with car parks to provide parking for guests and some high class hotels provided a valet service. At this stage it was not known who the operator of the proposed hotel would be
- regarding a lack of parking for staff, that the hotel would be no different to shops, hotels etc located in the heart of the city centre without parking. That hundreds of people worked in the city centre and they had the choice to either walk, use public transport or pay to park in order to arrive at their workplace
- that a Travel Plan had been agreed with the developer and this would consider the situation after the initial 3 month period and would assess how people were arriving at the hotel and consider how any car use could be reduced. The Plan would promote the use of public transport possibly through the distribution of leaflets, briefings to staff and incentives, with the Travel Plan being monitored for effectiveness
- that the nature of the ownership of the development would be controlled by condition to prevent rooms being sold off as flats and that a maximum occupancy period of 3 months per person would be set out in the proposed conditions to be attached to any approval
- in relation to the detailing of the building and the images shown, Officers did pay attention to details ie shadow lines and how facade levels were expressed and required the submission of 1:20 details including cross sections and eaves details

The Civic Architect, Mr Thorp, commented on the following specific design issues:

- the detailed articulation of the building and whether its intention was to be simple and elegant or simple and bland. That from the views expressed by Panel that the building was considered to be bland and that consideration would be needed on how the appearance of the building could be improved
- that if the proposed entrance was moved to the corner of the building, the challenges of the ribbon feature would be removed
- that the proportions of the building were in keeping with a warehouse-style building but that the design of the elevations, being expressed in columns, did result in a scheme which looked flat and that further detailing, eg shadow bands all the way along, could be considered
- Members' concerns at the patinated copper-effect material being proposed and if that was the effect being sought, then patinated copper should be used. However, a calm, zinc sheeting might be more suitable than a copper material

The Panel considered how to proceed. The Chair congratulated the developer on having been able to achieve some development on what was a tight site, however there remained a number of issues which Members had expressed concerns about

In terms of the scale, massing, siting and shape of the building, the Panel was largely satisfied with the proposals, but that there were a range of concerns including detailing of the elevations, materials and the relocation of the entrance and drop-off point

RESOLVED - That determination of the application be deferred and that the Chief Planning Officer be asked to submit a further report in due course on the following issues only:

- a revised entrance to the hotel to be sited on the corner of the building and how that would be expressed
- proposed materials
- additional elevations to provide greater detail and depth to the building

The Head of Planning Services stated that the scheme was now being put forward on behalf of a Receiver and whilst it was useful to resolve some of these detailed issues, a hotel operator could have different ideas

In response to the request for a copy of the Travel Plan, Members were informed that the detail of this would be circulated to the Panel as quickly as possible

15 Date and time of next meeting

Thursday 19th August 2010 at 1.30pm in the Civic Hall, Leeds

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Originator: Paul Kendall

Tel: 0113 2478196

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 19th AUGUST 2010

Subject: APPLICATION 06/04610/OT – Layout access roads and erect mixed use development, with residential, business, retail, leisure and community uses, with car parking, public open spaces, riverside walkway and nature corridor – Kirkstall Rd. and land off Wellington Rd.

APPLICANT

Gladedale

DATE VALID

28th July 2006

TARGET DATE

10th November 2006

Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION : DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions (and any others which he might consider appropriate) and the completion of a Section 106 agreement, to include the following obligations:

1. Affordable Housing
2. Provision of a Travel Plan Coordinator
3. Provision of package of physical and financial measures as part of the Travel Plan
4. Funding of potential TRO measures on the public highway
5. Public Transport Improvements
6. Off Site Highways Mitigation Package including Trigger Points
7. 24hr Public Access Areas and linkages to other public routes
8. Maintenance Package for Public Areas
9. Riverbank Enhancement for the Additional Nature Area
10. Public Car Parking Tariff Controls
11. Provision of Bridge Link
12. Local Employment Initiatives
13. Education contribution
14. 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.

Conditions:

1. Time limit on outline permission and submission of reserved matters
2. Samples of walling and roofing materials to be submitted
3. Sample panel of stonework
4. Sample panel of brickwork
5. Details of fencing and/or walls to be provided
6. Areas to be used by vehicles to be laid out
7. No refuse containers outside specified areas
8. Submission of landscape details
9. Implementation of landscaping scheme
10. Preservation of existing trees and other vegetation
11. Protection of existing trees and other vegetation
12. Submission of second round of site investigation works
13. Submission of remediation statement
14. Amendment of remediation statement
15. Submission of verification reports
16. Details of storage and disposal of litter
17. Sound insulation scheme to protect residential amenity from commercial uses
18. No playing of music in external areas
19. Details of extract ventilation system to incorporate filter to commercial kitchens
20. Standard opening hours on restaurant bar uses, 0700 – 2300
21. Specified hours of delivery, loading and unloading
22. Provision of grease traps to commercial kitchens
23. Extract ventilation system details
24. Sound insulation of specified plant and machinery
25. Sustainable drainage systems to be used
26. Separate system of drainage for foul and surface water
27. Details of disposal of surface water
28. No piped discharge of surface water until drainage works completed
29. Surface water to pass through oil interceptor
30. Submission of plan indicating phasing
31. Notification of LPA on commencement of each phase of development
32. Restriction of overall A1 use to 430 sq m
33. Removal of permitted development for change of use from A3,A4,A5 to A1
34. No building occupied until the car parking for that building has been laid out
35. No construction operations outside hours of 0800 - 2000
36. Submission of details for treatment of the riverbank
37. Submission of a statement which address the principles of sustainable development (SG10)
38. Suppression of dust from construction vehicles and construction equipment
39. Means of preventing mud on carriageway
40. Access for disabled people
41. Provision of disabled person parking spaces
42. The provision of a schedule of public art to include its design and locations.
43. A construction management plan to be approved indicating how vehicles will enter and exit the site and the location of construction cabins and any necessary highway closures.

Site specific conditions 44 – 51 are included at the end of this report.

Reasons for approval: The application is considered to comply with policies GP5, H11, T2, T5, T6, BD2, BD5, B12, N8, N9, LT6B, BD15 of the UDP Review, as well as guidance contained within Supplementary Planning Documents on Biodiversity and Waterfront Development, Public Transport Improvements and Developer Contributions, Sustainable Design and Construction and Central Government advice set out in PPS1, PPS3, PPS4, and PPS25 and having regard to all other material considerations, as such the application is recommended for approval.

1.0 INTRODUCTION:

This is an outline application which was submitted in July 2006 and was considered by Members during a series of Panel meetings and workshop sessions in 2007. At that time the applicant was working together with the owners of the adjoining sites to the west who were seeking to submit their own applications for similarly large scale mixed use schemes. However, more recently, the likelihood of these other schemes coming forward in their original form has diminished and the current application remains the only one to have been formally submitted and the applicant now wishes this application to be determined.

In order to refamiliarise Members with this scheme officers presented it at Panel in November 2009. The minutes of this are reproduced in the Planning History section below. Following this the applicant was required to bring the scheme in line with current Central and Local Government policy and submitted a package of revisions including plans and a revised suite of documentation which formed the basis of a reconsultation exercise, the results of which are set out below. The scheme was also readvertised and the applicant undertook a new community consultation exercise the results of which are also referred to below.

2.0 CURRENT PROPOSAL:

This application is in Outline and is for siting and means of access only. The scheme being brought to Panel is very similar in terms of the plan form to that presented to Members in November 2009 with the exception of the areas which Members expressed concern over as set out in the Minutes below (specifically the taller building at the western end of the island site (Building 7) and the limb of the building which fronts the open space area to the north of the river (Building 4) – these changes are explained below).

The mix of uses has stayed much the same since the previous presentation and as explained in November, with the exception of the offices and car park at the Kirkstall Rd end of the site, all of the building heights have been reduced since the time of the original submission. In total the scheme provides the following:

- B1 Offices 31,000 sqm
- A3,A4,A5 public houses/restaurants 2,500sqm
- A1 retail 430 sqm
- Community Health Facility 400 sqm
- C3 (flats) 1,000 – 1424 units
- C3 (houses) 20 units

As this application is in outline for siting and means of access only, the external envelope of each of the buildings and their overall mass and form, whilst important to the consideration of the scheme, can only be referred to as part of a design code. This sets out the principles in terms of heights and any stepping and cut backs for each of the buildings and will be used to inform the detailed design at subsequent reserve matters stage. Extracts from the design code will be presented to members at Panel in order to give a full understanding of the sculptural nature of the proposal. The following is a description of the development which should be read together with the plan attached to this report using the building numbers set out on that plan.

Kirkstall Rd Riverside

- Vehicular access is to be taken from a central point on the Kirkstall Rd frontage with 2 no. nine storey office buildings to either side fronting the main road (Buildings 1 and 2). These are positioned a distance from the curb which would allow the commencement of the 'boulevard' type of street character which is referred to in the Kirkstall Rd Renaissance Area Planning Framework (KRRAPF – this document will be explained in more detail in the policy section below).
- The main access road intersects the secondary east/west running spine road at a 'T' junction, giving vehicular access to the basement car parking areas which sit beneath all of the buildings on the north side of the river. It also enables connection to the neighbouring sites to west and east when this is required in the future. However, initially the road would be set out with turning heads on the boundaries to enable vehicles to be able to turn and exit the site in forward gear.
- 3 further buildings continue the grid pattern between the spine road and the River Aire; the 2 fronting the river (Buildings 4 and 5) being primarily residential and having a maximum height of 10 storeys reducing to between 6 and 8 storeys fronting the river. The other (Building 3) is more central to the site and is a 9 storey car park with commercial uses at ground floor level to provide a lively and active frontage next to the pedestrian environment.
- Car parking will be located in individual basements under the office buildings and in a combined basement beneath the multi-storey car park and residential buildings (numbers of spaces are set out in the paragraphs below). Additional parking will be within the multi-storey car park which will be for the use of both the commercial and residential buildings as the collective basement capacity is too small to provide the necessary numbers of spaces. 61 spaces will be provided in the lowest level of the multi-storey car park which will be a short stay facility for visitors and this use will be controlled by tariffs. A management plan will be used to control the use of the car park and this will be part of the S106 agreement.
- All of the buildings are located at such a distance from the western boundary that they would not prejudice the erection of buildings on the neighbouring development site. To the east there is a considerable area of publicly accessible open space fronting the River Aire with 2 no. retail buildings, one a large warehouse type unit and the other a much smaller stand alone unit fronting Kirkstall Rd, to the north.

- The main publicly accessible open space area is proposed next to the river in the south eastern corner of the site and adjacent the open space area on the neighbouring site. The largest single area of space measures approximately 75m north to south and 65m west to east. This is linked to the main site access road by a 20m wide tree lined pedestrian boulevard ensuring that the north/south access route is strong and legible.
- The construction of the basement car parks enables the whole site to be raised above the existing ground levels to the extent that it would be above the 1:200 year plus climate change flood level required in the L.C.C. Flood Alleviation Scheme (FAS). This means that the site and the various access points to the buildings and the basements will not flood. This also enables the riverside walkway to be continuous with site levels being adjusted to ensure that the gradients are kept to an absolute minimum (less than 1:20 to ensure full accessibility along the waterfront and to the pedestrian/cycle bridge – referred to below). The Island site to the south is set well above the northern river bank levels; hence, there is no chance of the island site flooding. The raising of the northern site also has the additional benefit of enabling the river bridge to achieve a gradient of less than 1:20 making it fully accessible.
- In response to Members comments at Panel in November 09, Building 4 has been reduced in length and it's southern-most elevation set at an angle to replicate that of the neighbouring river frontage building (Building 5). A set back has also been introduced at ground and first floor levels which will be entirely glazed to further open up the riverside area. There will also be a double height opening through the building to increase pedestrian permeability and the sense of openness. This will create visual interest and provide a location for an A3/A4 unit which will animate the open space that exists on 3 sides.
- All of the buildings will have a mix of uses at ground floor level and also at first floor level in some cases. These include a small scale retail unit, a community health facility, offices, bars and restaurants and these will help to animate the pedestrian routes through the site and provide a healthy mix of uses rather than being reliant on one particular use class. The bar and restaurant uses are to be contained in Buildings 4 and 5 and be oriented towards the large area of public open space which means they will be able to take advantage of the river views and southerly aspect.

The Island

- The large river front open space area on the north side of the river will act as a springing point for a new pedestrian and cycle bridge crossing the River Aire landing on The Island site where it would lead to another large area of publicly accessible open space approx. 70m x 50m. This space would be enclosed on 3 sides by 7/8 storey buildings (Buildings 12,13 and 14) and a pedestrian route through the middle of this would lead through to the canal-side towpath close to the GII listed Oddy's Lock and lock keepers cottage. This is the identified route for cycles and pedestrians and ensures full permeability both to and through the site. (Members should note that it is unusual for both sides of a river to be in a single ownership and this is an important factor in securing the delivery of the bridge without having to rely on another party).

- The Island site benefits from a totally pedestrianised environment as all vehicles (except for emergency and service) are taken into a basement at the south-eastern corner of the site off the Wellington Road Industrial Estate access road. This basement sits under the entire site and has the effect of raising the site to the level of the canal towpath. This enables simple and direct connections to be made through the towpath boundary wall for pedestrians and cyclists.
- Buildings 13 and 14, along the eastern edge of the site, are set away from the boundary and have a 10m gap between them which would allow access through to any future redevelopment of the neighbouring site and ensure that such a proposal would not be prejudiced.
- Residential buildings then occupy the remainder of the site and reduce in scale to the west in three north/south oriented blocks. These reduce in scale (8 storeys at Building 12 down to 5 storeys at Building 10) as they get further away from the city and also at their river and canal frontages. This results in an appropriate scale of development and the ability to create terraces for the upper level residential units.
- To the west of these are proposed 20no. 3 to 4 storey terraced town-houses in Buildings 8 and 9. The apartments and town-houses are set within a private area of amenity space, necessary due to the fact that residential uses are taken to ground level here and are therefore more vulnerable. These open space areas, although private, will still provide visual amenity value and will contain substantial areas of hard and soft landscaping. The town houses which back on to the river include balconies that are cantilevered out over the river bank which, given their height above the river flood levels, the EA have approved in principal (see comments from EA below). The car parking for these units will be in the basement beneath and this includes for disabled spaces, although there is now an additional provision to be made for 3no. disabled spaces on the surface adjacent the town houses.
- The western most building (Building 7) is located at the point where the river and the canal converge and are only 30m apart adjacent the GII listed Spring Gardens Lock. This is one of the aspects of the scheme over which Members expressed concern in November 09 and this has been the subject of further negotiations between officers and the developer team. It remains a residential building which will rise from 4 storeys adjacent the town-houses to 9 storeys at its western end where it will act as an end stop to the development before the waterside nature area commences. The footprint of this building is asymmetrical with a straight side against the river and a curved elevation to the canal and these 2 faces converge to a curved balcony feature. There is a narrow strip of private amenity space surrounding this building which again is being provided for reasons of residential amenity and security.
- The nature area is the very thin strip of land which is located between the River Aire and Leeds Liverpool Canal to the west of Building 7. For much of it's length it is set on a steep slope which makes it difficult to access and very difficult to use for anything other than as the natural wildlife habitat proposed. This area will be made secure and additional planting used where it is considered necessary.

- Emergency and service vehicles and the disabled spaces will use a shared surface area which will run parallel with the canal towpath. This will be separated from the towpath by a landscaped strip containing hedge planting and trees and will also be lit for directional and security purposes. As previously stated, a series of connections can then be made to enable a high degree of permeability to be achieved.
- The towpath is part of the Aire Valley Towpath Route and also a part of the Sustrans network of cycle ways which span the country. The proposal is to upgrade the surface of the towpath from Viaduct Rd, to the west of the application site, all the way to Granary Wharf to the east. Also to improve the lighting from at least the IRR bridge to the site itself (the path is already lit from the IRR to Granary Wharf). This is referred to below as part of the package of off-site transport measures. This would ensure that a high quality link would then exist from the City Centre out as far as Viaduct Rd.

Except for the private areas of amenity space around the buildings identified above on The Island site the remainder of the site will be open to general public access throughout the day and night. This will be ensured by appropriately worded clauses within the S 106 agreement.

To summarize **car parking provision**, on the Kirkstall Rd side of the site this will consist of 394 spaces within the basements and a multi-storey car park containing 488 spaces, of which 61 will be short stay for visitors. On the Island site there will be 503 basement parking and 7 surface parking spaces. It is proposed that a small number of surface short stay bays will be provided close to the convenience store on the Kirkstall Rd side to enable retail customers to park for short periods of time without blocking the carriageway. The proposed car parks will be actively managed by the Management Company to ensure they are not abused and there will be no 'over-allocation' of parking during the initial phases of the development. In addition, no parking is to take place on un-developed parts of the site.

It is also proposed to provide approximately 1310 cycle spaces and 60 motor cycle spaces, a large percentage of which will be within the basement areas. Electric vehicle charging points will also be provided, with 20 disabled parking bays to be provided within the basement parking area to the north of the river and 18 in the basement on the Island. There are 3 disabled spaces located on the surface in the vicinity of the townhouses. There is also the opportunity to provide additional spaces within the multi-storey facility if this becomes necessary.

Highways: The applicant has completed a revised Transport Assessment and Travel Plan. The primary requirements of these are identified as:

- The provision of a suitable layout for the access on to the Kirkstall Road Quality Bus Initiative (QBI)
- The provision of acceptable parking levels within the site.
- Funding an appropriate level of off-site highway improvements to mitigate for the development traffic associated with the site
- The provision of a Travel Plan for a stand alone site that will deliver the required modal split and reduce dependency on the private motor vehicle.

The Travel Plan and Transport Assessment sit side by side and work together. The Travel Plan exists as a main framework document with 3 specific documents nesting within it which detail measures relevant to the proposed residential, office and leisure uses. The measures in the Travel Plan act to reduce reliance on the private motor vehicle and this limits the numbers of vehicles arriving at the site and therefore reduces potential pressure on the highway network. Detailed comments on the Transport Assessment and the Travel Plan are included in the Highways Services comments in the Non-Statutory consultation section below (Section 7)

The resultant number of trips generated on the local highway network is modeled within the Transport Assessment and as a result of this the highway mitigation measures identified below are considered to be necessary:

Traffic Mitigation Measures

- Yorkshire Post Gyratory Improvements £250,000–£500,000 - Phased re occupation of Grade A offices which are responsible for most peak period flows.
- Improvement to egress from Armley gyratory on to Wellington Rd, north bound – Phased provision.
- M 621 Islington Roundabout Improvements £100,000 – Phased to occupation of a proportion of the development
- Lengthening of the start to the QBI lane on the outbound carriageway to allow the new site access junction to be created and sufficient space for vehicles to be able to turn into the site without impeding bus flow.

In addition to this, other measures are considered necessary in order to make the site more accessible to modes of transport especially the island site which is currently remote from the public transport network. These are:

- Pedestrian and cycle bridge - provision phased for when the landing points on both sides of the river are completed
- SPD Public Transport Infrastructure Contribution total £899,024 - Phased Provision relating to occupation of each building.
- Canal Towpath Improvements surfacing, lighting, signage £350,000 phased to the residential occupation on the island site.
- Enforcement cameras on the QBI lane to ensure no abuse of the site access junction and bus lane.
- £150,000 to be set aside for use on improving peak period bus services or the provision of a dedicated shuttle bus (final details to be agreed with Metro) if this is considered to be necessary once the scheme is occupied
- Funding up to £50,000 for Traffic Regulation Orders necessary if parking on local residential streets occurs.

Travel Plan measures

The Travel Plan will ensure the following:

- Promote the integration of travel modes.
- Improve the accessibility of the site by means other than the single person occupied car and encourage use of sustainable modes of travel.
- Ensure that the Travel Plans meet the needs of the business occupiers, staff and residents.
- Make staff and residents aware of the benefits to be derived from the Travel Plan.
- Minimise the level of vehicular traffic generated by the development.
- Enable the development to protect and enhance the environment
- Encourage car sharing by making certain spaces available for car sharers only (minimum 15% per each business)
- Identify public transport fare discount opportunities e.g. Metro Cards Contribution
- Assemble and maintain current public transport timetable and fare information ensuring this is readily available to employees and residents

In order to ensure that these objectives are achieved the following measures will be put in to place:

- LCC Monitoring/Evaluation Review Costs £15,000 - phased to occupation
- Cycle/Walking Incentives Budget £20,000 - phased to occupation
- 2 no. City Car Club Vehicles £30,000 - phased to occupation
- City Car Club Budget for Membership/Free Trial Incentives £20,000 - phased to occupation
- Metro Cards Contribution £157,604 available to all occupiers of residential and office/commercial buildings
- Real time information displays - £40,000
- TP Co-ordinator Funding (initial 5 years) £100,000 - prior to occupation (thereafter funded by service charges levied on the occupiers)
- Travel Plan Bond for Mitigation Measures £100,000 payable within 1 year from occupation of the office buildings should target modal splits not be met

Drainage and Flooding: The applicant has submitted a revised Flood Risk Assessment and this sets out the following:

- Detailed examination of existing site features and topography shows that the northern part of the site is defended at present and therefore does not fall within the effective flood plain and the most likely source of flooding would be from water flowing along Kirkstall Road if the river overtops defences or breaks its banks further upstream
- Along the frontage with Kirkstall Road, commercial premises can be set at a level to suit the existing road level, subject to the adoption of a flood resilient design.
- The access road should ramp up from Kirkstall Road as soon as possible.
- The bridge should be designed with a minimum soffit level to avoid impeding river flow in times of maximum flood
- The Island site is above the predicted 100 year plus climate change flood level (medium risk) and requires no further consideration from a flood risk point of view.

- Flood risk to others as a consequence of surface water drainage from the site will not be compromised as the impermeable area will have approximate parity with the existing situation. Existing peak discharge rates will be reduced by 30% in compliance with PPS25 and LCC development standards.
- On site storm water storage will be provided. This is located to coincide with landscaped areas and will therefore fulfil a secondary function of sustaining plant life.
- Safeguards to be provided include subscription to Environment Agency Flood Warning Services, evacuation to the upper storeys of buildings and egress via the proposed elevated footbridge crossing the river.

The Sequential and Exceptions Tests also indicate that there are no other sites which are able to be developed which have a lower level of flood risk and which can create the sustainable mixed use community proposed here and also be within the Kirkstall Road Renaissance Area Planning Framework (KRRAPF) area which defines the limit of the tests.

Contaminated Land: All buildings have now been removed and this has enabled further exploratory works to be undertaken. The applicant has submitted revised ground assessment reports and these will require further works to be undertaken during each phase of development because the ground situation may change overtime and studies are required closer to the time of development. This is clearly important given the previous use of the site as a chemical works. Any subsequent issues regarding contamination will be dealt with by conditions and therefore the site will be developed in a safe and controlled manner.

The site still benefits from a hazardous substances consent which has resulted in the consultation response to the proposal from the HSE set out below. This matter will be dealt with as part of the Section 106 agreement which will result in the applicant giving up this consent and therefore removing this source of objection.

Sustainability: In respect of sustainability objectives, the scheme is developed on brownfield land which has good transport links and accessibility to the public transport network. It will also utilize the following sustainable methods and technologies:

- 3 combined heat and power plants
- renewable energy sources e.g. solar water and photovoltaic panels
- locally sourced and recycled materials
- reduce and off-set water consumption
- low energy lighting
- reduce CO2 emissions
- accommodation of waste recycling schemes
- construction to minimum BREEAM rating 'very good' and code for sustainable homes Level 3.

Habitat protection and protected species: The river banks have been identified by Natural England as an area where otters are present. The applicant has therefore produced a mitigation statement to show how the development would avoid impacting negatively on their habitat as well as providing enhancements to their corridor of use, including additional planting, resting areas and a holt. It also makes it clear that a "band of semi-natural woodland and associated Bankside vegetation will be retained and supplemented to form a continuous nature corridor along the south bank of the river, providing cover for otters". It is also stated there will be: no external illumination of buildings fronting the river, bridge supports and other structures will be designed not to create obstacles to otter movement; gently graded sections will be retained to provide otter haul-out areas.

The statement also makes it clear that strands of Giant Hogweed, Japanese Knotweed and Himalayan Balsam exist in the river bank and that other legislation requires that these invasive species are not spread. Where these are required to be cleared a search will precede it to ensure that otter holts are not disturbed although this is considered to be highly unlikely.

An arboricultural assessment has been undertaken as part of the proposal and this identifies both the number and species of the trees which currently exist on site. These are mainly located on the southern bank of the river and more particularly where the site narrows and the proposed nature area would exist at the western end of the island site. Within the area of embankment which sits in front of the proposed buildings the assessment states that there are: no category A trees (retention most desirable); 3 no. category B trees (retention desirable); the remainder are classified as Category C (trees which could be retained). However, as identified above, this area is one in which the otter habitat is to be protected and therefore the extent of the retention of these trees will be controlled by condition.

Other matters: Items to be provided as part of the scheme and to be controlled by a Section 106 agreement are:

- Affordable Housing: Potentially £10,000,000 (min) at 15% on site based on phased occupation of the residential buildings to standard S106 criteria.
- Education: £59,446.45 - phased to occupation of the 3 bed units and use of identified mechanism if additional 3 bed units are provided as part of subsequent reserve matters applications
- Hazardous Substances Consent Revocation: Prior to commencement/occupation
- Public Access Areas: Phased details to be agreed and implemented as and when the open space areas are constructed.
- Riverside and Nature Area: Management scheme to be agreed prior to commencement
- Vehicular Links to Adjacent Sites: To facilitate the connection of this site to the neighbouring sites (not to hold those sites to ransom)
- Public Art: Phased re Riverside Squares etc, Amount and location to be agreed
- Training & Employment Initiative: To be introduced during construction and for employment element of the scheme

3.0 SITE AND SURROUNDINGS:

The site is located to the south of Kirkstall Road and comprises the former Yorkshire Chemicals PLC site along with the island immediately to the south of this and lying between the River Aire and the Leeds-Liverpool Canal. The total site area is 5.3 hectares. The buildings have now been totally demolished and therefore the site is cleared and vacant.

To the west is the former First Bus depot and various out buildings and to the east is the City Gate site which along the common boundary has a large mature landscaped open space area at it's southern side and a retail warehouse to the north fronting Kirkstall Rd. Between this retail warehouse and the application site fronting Kirkstall Rd is a small single storey retail unit. Kirkstall Rd is generally characterized by its mix of commercial uses and it's width due to the fact that the buildings on the northern side of the road are set well back from the highway. Works to construct the new Quality Bus Initiative (QBI) have commenced along this section of the Kirkstall Rd corridor which will clearly have a major impact on not only this site but the whole western side of the city.

4.0 RELEVANT PLANNING HISTORY:

At City Centre Plans Panel on 1st March 2007 Members received a presentation from the developer's team regarding the progress made on the application. For information the minutes and resolution of this are reproduced below:

Members welcomed the progress which had been made and commented on the following:

- the extent of the improvements to the canal and whether British Waterways supported the proposals
- the design of the living bridge and the need to ensure this was not designed as a 'block'
- concerns that the proposals may be over intensive
- that the proposals should include a level of Affordable Housing at 15%

RESOLVED –

- (i) To note the report, the presentation and the comments now made
- (ii) That a series of workshops involving Members, Officers and the applicants be set up to explore the proposals further in respect of detail, heights, materials prior to the determination of the application

As a consequence, and in accordance with resolution (ii) above, there then followed 2 no. Member workshops in April and September of 2007. These considered not only the application site itself but the sites further to the west. There then followed a site visit and Panel presentation in Dec 2007 specifically to consider the design of the Living Bridge. However, Members will now be aware that this aspect of the scheme has been removed. A considerable number of meetings were then undertaken regarding traffic modeling on the highway network and travel planning on both this and the adjoining sites.

As explained above, officers presented the scheme to Members at Panel on 5th November 2009 and the minutes of this are set out below:

Members commented on the following matters:

- the scale of the proposals and uncertainty regarding the height and massing of the large residential block adjacent to the town houses on the Island site (building 7) and that further design detailing was required
- the car parking for the residential units on the Island site and concerns that no disabled parking was being provided directly outside the town houses
- the massing of the buildings, with some Members raising concerns that these were too bulky
- the living bridge, with mixed views about the deletion of this feature from the scheme
- the latest otter survey and the need for reassurances that the proposals took this survey into account
- concerns at the underground parking, particularly due to the high risk of flooding on this site
- why the proposals might constitute a departure from the Development Plan
- the level of affordable housing being provided on the site
- the need to provide links to Armley and under the Inner Ring Road (IRR) to the city centre
- the need for the towpath and Island road to be separate

- the need for quality design, materials and construction and regret that the opportunity for an iconic building in this area had been lost through the deletion of the living bridge
- that the replacement pedestrian bridge must be of good quality and design
- concerns were expressed that the newly extended eastern residential limb (*Building 4 on the northern side of the river*) was located between the existing and proposed green spaces rather than allowing them to be joined and should be redesigned and reconfigured, recognising that the neighbouring existing green-space was in a different ownership

Officers provided the following responses:

- that the tall residential block (building 7) on the Island site was smaller than in the previous scheme, although the Civic Architect, Mr Thorp, stated that further consideration could be given to this building. It would then be a balanced judgement between either a reduction in height to reflect the town houses, or be designed to be more reflective of its island context
- that some vehicular access to the town houses, particularly for people with disabilities, could be considered
- that the otter survey would need to be updated by the applicant
- in relation to flooding, that there was an obligation under the Strategic Flood Risk Assessment to satisfy the Environment Agency (EA) on the proposals and if the EA remained unhappy, the scheme could be called in by the Secretary of State
- that safety measures would be included in the design details of the underground car park
- that Officers were considering whether the application was a departure from the development plan as the office and commercial elements were not in the city centre. However the KRRAPF did envisage a mix of uses and underground car park for the site (*now determined that this is not a departure*)
- that the applicant had agreed to affordable housing provision of 15%
- regarding linking the site to the wider area, that a Green Travel Plan would be included and would provide for a cycle, bus and walking study (*included within the TP*) which would show the links from the site to the city centre, and that further consideration would be given to establishing links to Armley and the city centre under the IRR
- that as the living bridge was not required by policy and as it was an aspiration of the applicant, then its loss could not be objected to
- that discussions would take place with the applicant on the need for better links both visually and management wise between the existing and new open space

RESOLVED - To note the position statement and the comments now made

5.0 HISTORY OF NEGOTIATIONS:

Officers have been in negotiations with the applicant and agent on a range of matters since the Plans Panel presentation in November 2009. In all cases the applicants have demonstrated their willingness to accommodate the raft of relevant policy requirements and also to enter into a S106 agreement where necessary. The items to be included in the S106 have been highlighted above in the proposal section.

6.0 PUBLIC/LOCAL RESPONSE:

A revised community engagement exercise was carried out by the applicant in Oak House (91 Kirkstall Rd) for two afternoon and evening sessions on a Friday and Saturday in November 2009. This was advertised by house delivered flyers, generally distributed flyers, direct e-mail invitations to all Councillors and an advertisement in the Yorkshire Evening Post. 14 members of the public attended the event along with representatives of the Little Woodhouse Community Association and one Councilor (Cllr Hanley) and this resulted in 7 completed comment sheets. Below is a summarized list of comments:

Supportive comments

- Provides good connection to the river
- Would provide more public space
- Opens up the river and canal front
- Low density – waterside presence
- Offers a mix of uses
- Uses brownfield land
- Provides family housing
- Will provide a catalyst for new businesses and support existing businesses in the area
- Bars and Restaurants will be a positive addition to the area
- Will regenerate the western area of Leeds city centre
- The bridge is a positive feature
- Both sides of the river are opened up to create a breathing space

Critical comments

- Only deals with a part of the waterfront: - response, this is one scheme and others will inevitably follow. However, the timing of these submissions is out of the hands of the Local Planning Authority or the developer. This site will act as a catalyst for the future regeneration of the area.
- Building design appears blank: - response, this is an outline scheme and the building designs are not for consideration. The visualizations submitted are only indicative and are intended to give an impression of the buildings and not their final design.
- Layout is regimented - wants a return to 'the street' with a human scale:- response, the layout is dictated by the requirement for north south and east west movement and linkages to the adjoining sites and the creation of frontages to the road and river corridors. The site is on the edge of the city centre where a larger scale of building is appropriate. However, there is a downward shift in scale towards the river and especially on the island site. This accords with the principles set out in the KRRAPF.
- Developments need to be more individualistic :- response, each scheme inevitably develops it's own character and in this case where there is so much open space and a river focus with an island site and water frontages, the Bankside site will have an individual character in the same way that other schemes in the city have developed.
- There needs to be a light-rail link within the site:- response, The City is now committed to the QBI scheme and this means that a light-rail link would conflict and compete with these objectives.

Other points raised

- Is there a risk of flooding? response:- See Environment Agency comments below.
- How does the site link to adjacent sites? Response:- See Description of development proposals above.

A letter was received from Cobbetts solicitors in April 2007 on behalf of **Evans Property Group** who own the neighbouring site to the east (The City Gate site). This identifies that there are potential benefits arising from the redevelopment of this site but that it is when and how these benefits come to be realized over which Evans express their concern. They then went on to make a critical analysis of the original Transport Assessment (TA). Cobbetts were re notified of the submission of the revised package of information on 16th July 2010 and were given 14 days to respond. At the time of writing this report, no response had been received.

A letter was received from **Leeds Civic Trust** and this made comments on the original scheme:

- Required more detail and a 'light touch' to the living bridge building:- response, This has now been removed from the scheme
- The heights of the buildings at 14 storeys was too tall:- response, These have now been reduced considerably
- There was a lack of green space:- response, This has now been increased considerably
- Pedestrian routes should have tree planting:- response, The main pedestrian route through the site is a tree lined avenue.
- The towpath needs to be well integrated to the scheme and the route in to town under the Inner Ring Road requires to be upgraded:- response, A considerable length of the towpath is being upgraded as part of this scheme and this will provide a better quality access to Armley and Granary Wharf/Leeds Station. West St gyratory is being amended in 2 places as part of the off site highways mitigation package and the area already benefits from pedestrian crossings over both the on and off slip which give safe and direct pedestrian and cycle access under the Inner Ring Road to Wellington St and the Prime Office Quarter.

7.0 CONSULTATION RESPONSES:

A full re-consultation process has taken place since the scheme was formally revised following the November Plans Panel presentation. The responses received are set out below:

Statutory:

Environment Agency: No objections provided the measures proposed in the submitted Flood Risk Assessment are carried out as part of the development: including: minimum levels of the basement access points, finished floor levels and soffit level beneath the new river bridge; a scheme to manage surface water run off; details of the flood defenses along the northern side of the river (the wall is to be built up to in excess of flood defence level plus

freeboard); the provision of safe routes off the site (which includes crossing the river bridge to the southern bank which is higher). They have also attached the general condition about no development within 6m of the top of the river bank. However, the EA have accepted the structures shown on the layout plans which are located within 6m of the tops of the river's south bank. This is predominantly because the southern side of the river is higher than the north and therefore will not flood.

British Waterways: The layout of the island site allows vision from the canal to the river which is positive. Elevations on to both watercourses should be well designed. The height of the western building (Building 7) on the island will become a landmark. The interface between the canal towpath and the development is important (hedge and tree planting as well as level access and a number of access points are proposed here). A mix of uses will provide greater surveillance and security on the site. Require a financial contribution to the upgrading of the canal towpath as this is in poor condition and the intensity of its use would increase as a result of this proposal. The canal wall will be supported adequately by the new basement parking structure which sits beneath the island site.

Health and Safety Executive: Advise that there is still a Hazardous Substances consent on this site and therefore the HSE must issue the advice that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission. Response:- See appraisal section

Highways Agency: Require that there is a clear structure in place in order to implement, deliver and monitor a workable Travel Plan and agree that the document now submitted is both robust and practical.

Yorkshire Forward: (These comments were made prior to the recent Central Government advice stating its intent to abolish the Regional Spatial Strategy but have been included here for completeness). They support the proposal and welcome use of a Brownfield site. Policy emphasizes the needs for significant economic development, jobs and homes that will enable Leeds to develop its role as a regional city. This scheme could potentially support 1,500 jobs and is therefore welcomed. The integrated mix of uses presents an opportunity for a sustainable community to be developed as on site services and uses will lead to vibrancy. The large amount of green space is supported as this also attracts investment and jobs. The spaces have to be well designed for multi-purpose use. Points out that traditionally canal side buildings are parallel to the water. Supports the objectives of the Travel Plan and the drive towards sustainable development. YF considers that the minimum BREEAM rating should be Very Good and the Code for Sustainable Homes a Level 4 (*LCC emerging draft SPD10 on Sustainable Development requires Level 3 in this location*).

Non-Statutory:

Highways: This section of the report explains how Highways Services colleagues have considered the range of highways related matters attached to this proposal. Whilst this leads to a significant set of highways comments, it is considered that this is the clearest way of explaining how each of the separate measures sit alongside each other and in certain cases inter-relate. The comments have been broken down into headed sections for ease of reference.

Kirkstall Road Masterplan: A masterplan traffic modelling exercise was carried out in 2009 whereby the combined impact of proposed development of the Bankside, First Bus and the ARLA sites was examined. Works were identified to amend the Kirkstall Road QBI scheme to accommodate the development accesses and generated traffic together with improvements to West Street/Wellington Road and Armley Gyratory to accommodate the development traffic. Discussions were still ongoing on the content of the Travel Plan when the First and ARLA developers withdrew due to the financial downturn.

Traffic Modelling: The Bankside development has taken the modelling work from the masterplan, the trip rates and distribution of traffic agreed at that stage and has used them in this application. The office trip rates are based on an assumption that 35% of trips would be by car driver. This figure reflects the information gathered from the 2010 West Yorkshire annual snap shot travel to work survey that shows that around 32% of the journeys to work in Leeds city centre are by car driver. The parking provision on site only allows for approximately 21% of office trips to be by car, however, off site car parking is available, and robust travel plan measures are proposed including funding for on street parking controls in residential areas to help achieve this target.

The residential traffic generations are considered realistic for the location of the site and are based on similar developments around Leeds and elsewhere.

Transyt Model Results: The extent of the highway network to be modelled was agreed at the master planning stage and various Transyt models developed. The same extent of modelling has been used for this development. The Transyt models from the masterplan work have been re-examined and modified and are considered fit for purpose.

Transyt models have been presented for a base situation that includes various committed developments in the city centre and extant Arla traffic. The model reflects the current position on the A65 QBI scheme, whereby the funding for the project provides two traffic lanes and a bus lane both inbound and outbound passed the site. The alignment also allows space within the central reserve area to accommodate additional lanes to allow turning movements to this site and the other master plan sites. The QBI scheme is therefore providing significant works to the benefit of the developments.

The principle adopted in dealing with the Bankside development in isolation was that part of the masterplan improvements would be provided and that the remainder of the network would be examined to ensure the impact did not become unacceptable.

Transyt models have been presented to reflect the situation with the proposed Bankside development and identified improvement schemes to the West Street/Wellington Street gyratory and the west bound on slip to the A58(M)and Armley Gyratory/Wellington Road junction. The first improvement is that required to accommodate the masterplan development, the second is a minor interim improvement necessary for the Bankside development, until a more major improvement required for the masterplan development is brought forward.

QBI Impact: The proposals extend the bus lane towards the city centre and introduce bus detection linked to the signal operation to compensate. It has also been demonstrated that the access arrangements for the right turn into the site operate without detriment to the inbound bus lane. The proposals have been submitted to the Govt office for comment which is still awaited. An element of funding from the public transport contribution will be spent on bus lane camera enforcement to deter illegal use of the bus lane.

A contribution is also being offered towards identified improvements to the roundabout at Junction 2 of the M621 or further improvements at Armley Gyratory of £100,000.

Sustainable Transport Assessment: As described above, the traffic impact of the development is predicated on a demanding target for car driver mode share. Therefore, the robustness of measures to encourage travel by means other than single occupancy car journeys is crucial to the acceptability of the development proposals. In discussions on the master plan, it was emphasised by council officers and the Highways Agency that the proposal would only be acceptable with an innovative travel plan and substantial measures to encourage sustainable travel options.

The options for travelling to the site by public transport have been considered in some detail. Whist buses on the Kirkstall Road and Burley Road corridors allow people to directly access the site from origins and destinations on these corridors, this only accounts for approximately 25% of bus users, the remainder will need to change within the city centre or walk to the site, similarly rail users are delivered to the city centre. Measures proposed to assist people travel to and from the city centre include; improvements to the canal towpath, funding for Metrocards which enable people to change buses without paying additional fares and funding towards additional services/shuttle bus if this is considered to be necessary by L.C.C./Metro

As with other city centre residential developments, it is expected that a significant proportion of residents will walk to jobs within the city centre and the surrounding area. The railway station, university and LGI are a little over 1km from the site .i.e. 15 minutes walk, with much of the city centre lying within the recommended 2km maximum walk distance to places of work or education.

Pedestrian and cycle access through the site will be encouraged through the provision of a bridge over the river within the site, this will link to the canal towpath, an important arterial route into the city. The Kirkstall Road QBI scheme has 4.2m wide bus lanes to facilitate shared use with cycles and a pedestrian crossing will be provided across Kirkstall Road at the site access.

The scheme will generate a substantial contribution to public transport improvements under the SPD, it has been agreed that a part of this contribution can be used to improve the canal towpath surface and lighting towards the city centre to encourage its use as it is the most direct route to the station from the island part of the site and a little longer but pleasant car free route to the whole of the site.

A financial contribution is also available towards establishing the car club on site including funding two cars and trial membership, this will reduce the need for people to bring a car to work for use during the working day and provide an option to residents who do not wish to own a car, or require a second car on occasions.

A fund of £50,000 is also available to fund traffic orders on surrounding residential streets, should fly parking become a problem.

Travel plan: Concurs with the Council's Travelwise officer and the Highways Agency's view that the Travel Plan is an acceptable and robust document.

Targets have been set within the travel plan to achieve a level of car driver trips to the various uses as follows; 35% of office trips, 25% of residents drive to work, 23% of children to school by car, 35% of drivers to health and leisure facilities and 25% of visitors. These targets are considered to be tough but achievable.

The travel plan structure involves the appointment by the developer of a site wide travel plan co-ordinator (SWTPC) for five years to establish measures on site and assist occupiers to prepare their individual travel plans. A steering group will be established consisting of the SWTPC, representatives of site occupiers, the council and Highways Agency, this group will review the effectiveness of the travel plan at meeting the targets set and advise on measures to improve performance, a fund of £100,000 will be available to introduce further measures should targets not be met.

The travel plan is to remain in place for perpetuity, ongoing funding will be met through lease agreements and service charges.

Car parking Layout: A total of 882 car parking spaces are proposed on the main site. Office space provision is at UDP maximum of 293 spaces, residential parking is less than 1 space per unit at 528 spaces on the main site and 470 spaces for the island site, with 40 spaces for the 20 townhouses. Office car parking is being provided at UDP maximum levels (see guidelines set out in policy section below). However, it is likely that 35% of office employees may drive and therefore it is expected that demand for spaces will exceed supply. This excess will be diminished by certain factors such as leave and sickness which will mean that not all employees will be at work all day every day. The funding towards traffic orders in residential streets will constrain the off site parking to acceptable locations.

Parking for visitors has been identified both within the proposed multi storey car park, where 61 short stay spaces will be designated with a small number of surface spaces for people visiting the retail uses and disabled parking. A car park management plan is required for the multi-storey car park to control the use to within UDP guidance and the short stay use by the public, this will need to be controlled by the Section S106 agreement.

Site layout: The site layout is acceptable as a self contained site with suitable turning areas being provided. Access by vehicles is limited to the half of the site nearest to Kirkstall Road, reserving the remainder of the site for pedestrian activity. With future adjacent development the internal roads should connect through to improve internal circulation.

Construction: A construction management plan will be required to deal with the impact of construction traffic and parking.

Department for Transport: Comments will be reported verbally to Members at Panel

Travelwise (Travel Planning): The Travel Plan is sufficiently robust and has a significant package of measures included within it to achieve the required modal split targets. Also a financial penalty of £100,000 is to be paid if these targets are not met which will be used to fund mitigation measures.

NGT (Public Transport): The applicant is funding a significant package of measures to the extent that there is sufficient access given to public transport infrastructure.

Metro: Support the general principal of development of this site and note that there are a number of bus services on both Kirkstall Rd and the Inner Ring Road. Note that a substantial SPD contribution toward improving sustainable transport as well as specific improvements particularly to pedestrian and cycling access to the city centre via the canal towpath. Accept that a robust travel plan is to be set in place and that there will be a means of crossing Kirkstall Rd to gain access to the inbound bus services. The river bridge is supported as it will give the island residents better access to bus services. Welcome the provision of a financial contribution to real time bus displays and a contribution to improving peak period bus services/a shuttle bus if this ultimately becomes necessary.

Main Drainage: No objection subject to compliance with all recommendations of the FRA and application of conditions recommended by the EA.

Minerals Contaminated Land: No objection subject to conditions

Environmental Protection: No objection subject to conditions

Education: There is a requirement for a contribution to education and this is a product of the number of 3 bedroom units. At this stage only the townhouses are proposed to be 3 bedrooms although subsequent apartments may also have this number. The applicant has indicated their willingness to provide the contribution at the levels required and to provide additional funding if at reserved matters stage further 3 bedroom units are proposed.

West Yorkshire Archaeological Society: No objection

Police Architectural Liaison Officer: No objection. However, North East Counter Terrorism Unit will be required to comment on subsequent reserved matters applications.

Nature Conservation Ecology: The applicant has submitted a revised Otter Survey and a mitigation strategy indicating how the development will avoid impacting on the identified otter habitat locations along the river bank and this is considered to be acceptable subject to the imposition of a condition which controls development both during construction and on occupation to ensure that the habitat is not negatively impacted upon. This is specifically so in the case of the townhouse balconies which overhang the river bank.

8.0 PLANNING POLICIES:

The area is allocated immediately outside the City Centre as defined in the Leeds Unitary Development Plan Review 2006 (UDPR) with the boundary running along the eastern edge of the site. The area is unallocated in the UDPR which assumes that the existing use will continue. As previously explained, none of the buildings remain on the site and the chemical works was considered to be a blight on the area when it existed. The future development of the land is impacted upon by a raft of national and local planning policies. The following are considered to be of particular relevance to the proposals:

Leeds Unitary Development Plan Review 2006

GP5 Development proposal should resolve detailed planning considerations including access, drainage, contamination, stability, landscaping and design. Proposals should seek to avoid problems of environmental intrusion, loss of amenity, pollution, danger to health or life and highway congestion, promote energy conservation and the prevention of crime.

H11 Housing developments throughout the district will normally be required to provide an appropriate proportion of affordable housing.

T2 New development will not be permitted unless adequately serviced by road access, public transport and cycle access.

T5 Safe and secure access for pedestrians/cyclists.

T6 Satisfactory access for disabled people and persons with mobility problems.

BD2 The design and siting of new buildings should complement and where possible enhance existing vistas skylines and landmarks.

BD5 New buildings should be designed with consideration given to both their own amenity and that of their surroundings. This should include useable space, privacy and satisfactory penetration of daylight and sunlight.

B12 Development to respect fundamentals of urban design, linked and appropriate spaces and retain best of the old fabric.

N8 & N9 Seek the provision of green corridors which improve connectivity to the surrounding countryside and improve access, recreation, nature conservation and visual amenity

LT6B Seek, where appropriate, to secure footpath access and public rights of way along both banks of the river having regard to public safety and nature conservation interests.

BD15 Works of public art will be encouraged in all new development.

Car parking guidelines for this Fringe City Centre Commuter Parking Control Area are set out in UDPR Vol. 2 and these are set as the following (maximum)

- Offices 1:100sqm
- Retail 1:40 sqm
- Bars/Restaurants 1:4 sqm
- Health Care On merit
- Residential apartment less than 2 beds 1 per unit
- Residential apartment more than 2 beds 2 per unit

National Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing - Advocates the use of previously developed land within urban areas for residential use and this leads to a more sustainable form of development, and reduces reliance on the private motor vehicle.

PPS4 Planning for Sustainable Economic Growth – Objectives are to build prosperous communities by improving the economic performance of cities, promoting regeneration and delivering more sustainable patterns of development and reducing the need to travel by car.

PPS25 Flood Risk – Sets out the requirement to ensure that uses sensitive to flooding are not located in high flood risk areas and the carrying out of a sequential test on sites prior to the consideration of detailed methods to mitigate the effects of flooding.

Supplementary Planning Documents

SPD - Biodiversity and Waterfront Development : Objectives are to: identify and safeguard existing habitats; provide ecological design guidance on waterfront developments; provide guidance on the conservation of protected and important species; identify opportunities for habitat enhancement, creation and restoration; encourage appropriate long term habitat management.

SPD - Public Transport Improvements and Developer Contributions: To ensure that developers take full account of ensuring access to their site by means other than the private motor vehicle.

SPD - Sustainable Design and Construction: Advocates the use of a range of measures to ensure that the best possible practices are used to ensure a sustainable environment is created.

SPD (Draft) - Travel Plans: Sets out the requirements to be placed on developers to ensure that their sites will be accessible by means other than the private motor vehicle.

Waterfront Strategy : This advocates public access to the waterfront as well as its laying out with landscape treatment which seeks to soften the bank edge. In addition, open space oriented towards the river, uses which take advantage of the amenity offered by the river and the protection of any wildlife habitats are also advocated.

Kirkstall Rd Renaissance Area Planning Framework : (KRRAPF) has now been adopted as Informal Guidance for planning purposes. It aims to promote the regeneration of the area in a manner which will establish a real sense of place and guide developers in formulating proposals for the re-development of land. It serves to develop the principles of the UDPR and broader renaissance initiatives. This is underpinned by a need to ensure that a consistent approach is taken to all development in the area.

The framework area is split in to a series of character areas. The area between the River and the Kirkstall Rd is within the 'Kirkstall Road Riverside' and the area between the river and the canal is identified as 'The Island'. Within these two areas the framework advocates that the buildings are laid out in a 'flexible configuration on a grid based block pattern. Development sites/blocks and building envelopes will be determined by the requirement for public realm and safe and attractive pedestrian movement'. New buildings must contribute to the formation of these objectives by resolving:

- Appropriate height, scale and massing
- Siting and orientation
- Landscape settings
- Emphasis of corners
- Locating entrances on public access streets/paths
- Facilitating pedestrian access through the area and avoid potential conflict with traffic.

There is a requirement to create a boulevard along the A65 Kirkstall Rd corridor which will be achieved in conjunction with works associated with the QBI and is considered to be a fundamental part of the future growth of this area.

Heights are set out on a plan but broadly envisage 8 storeys at the north-eastern corner of the Bankside site and reducing towards the river. The Island should be the 'greenest' of the areas covered by the framework with building heights reducing away from the city and the western end to be preserved as a wildlife habitat. A link across the river is also indicated as is public access to the river banks.

QBI : The A65 QBI has received Government funding and is in its initial construction phases on site. The scheme proposals have been amended to give a robust solution that will work without any proposed amendments associated with adjacent development. It does not, however, exclude further alteration to Kirkstall Road to accommodate future development access, as and when each of the development sites comes forward.

9.0 MAIN ISSUES:

1. The principle of the proposed uses
2. The scheme layout and building heights
3. Transport Assessment and Travel Plan Issues
4. Flood risk
5. Contaminated land
6. Education
7. Health and Safety Executive
8. Sustainability
9. Community Consultation
10. Otters
11. 24 hour access
12. Section 106 legal agreement heads of terms

10.0 APPRAISAL:

1. Principle of the proposed uses

The dominance of residential use on this site is desirable and is in line with national legislation, as is the provision of affordable housing which is in line with the guidance set out in the relevant SPD and this is clearly to be welcomed. The residential accommodation being provided is in a range of sizes and types and whilst it is accepted that most of these are in the form of apartments, the inclusion of family housing with gardens is welcomed as a positive step towards a truly mixed community. The objective of providing a wider range of accommodation types, which will encourage people to remain closer to the city centre for longer, is therefore fully supported. The residential use of the site is therefore supported as is the mix of unit types.

Regarding the inclusion of commercial uses, the previous use was as an employment site and an important aspect of this scheme is its potential to act as a catalyst for the regeneration of a very large area of riverside. As there are proposed to be a considerable number of residents within the site and the intention is to provide an environment which is to be sustainable and supportive to both the scheme and the wider community, it must also provide an appropriate mix of uses.

In respect of their location within the scheme, the Kirkstall Rd corridor provides an environment which, even after the QBI improvements, would be unsuitable for residential accommodation and therefore the commercial/office uses on this frontage would act as a buffer for the residential uses to the south. The ground floor commercial elements provide life and activity and would animate the extensive open space areas proposed. In this respect, the location of uses is considered to strike the correct balance between regeneration, attractiveness, place making and appealing to the wider community and this was a point brought out during the public consultation exercise.

These uses, and the creation of a mixed use environment are objectives set out in the KRRAPF which is a material consideration in this application and therefore must be given due weight. For the above reasons, the commercial uses on the site are considered to be appropriate and acceptable.

2. Scheme layout and building heights:

Kirkstall Rd Riverside: The grid-like layout plan on the northern part of the site is advocated in the framework document and has been accepted as appropriate at all stages of consideration to this point. It works very well in terms of providing both north/south and east/west access routes as well as links to neighbouring sites and along the river. The 2 buildings which front the river have plan forms which include south facing courtyards and this produces even greater areas of publicly accessible open space and allows natural light penetration to the benefit of the residential units above.

The heights of the buildings sets up a strong frontage to Kirkstall Rd whilst still allowing a better pedestrian environment along this major arterial route to be created by allowing a greater width of footway. The height of the buildings reduce in scale towards the river and this approach is also supported by the framework document.

The decision to remove the living bridge and the buildings which flanked it has both reduced the quantum of development considerably and increased the amount of open space. This results in the bridge itself becoming the focal point of the 2 open space areas which sit on either side of the river. It is also clearly visible in the view along the river from the Inner Ring Road bridge to the east and this places an even greater emphasis on the quality of the bridge design. This will be the subject of a future application and Members made it clear in November that this needs to be of a high quality. If Members require it then this bridge can be brought back to them to consider when the application is eventually received.

The level provision of publicly accessible open space on the site is considerable and accounts for over a third of the total site area even when the nature area is excluded. The main areas of space are adjacent the river, which is considered to be the best location and in line with policy requirements including those of the Waterfront Strategy. In the case of the space to the north of the river this would combine with the neighbouring site to form a sizeable south-facing riverside area (approx. 0.87 ha).

The Island site: The building layouts respond to the large area of open space adjacent the footbridge providing containment on 3 sides. The north/south orientation of the buildings provides both river and canal frontages but also allows visual permeability between the 2 water corridors. As the island narrows the buildings respond by reducing in height down to the town-house element and this has the smallest footprints of all of the buildings on the site. This reduction in scale is considered to be appropriate and inline with the objectives of the framework.

Officers have worked with the project architect to improve and refine Building 7 and now consider that its footprint, form and scale are acceptable and will provide an appropriate focal point whilst at the same time responding to the converging building lines of the river and canal frontages.

The design code provides a very useful tool when considering the overall sculptural nature of the proposal in respect of building heights and their relationships to one another and the streetscape. This will be used to control development at subsequent reserved matters stage and is considered acceptable as part of this outline proposal.

To conclude, the scheme exhibits a simple and clear logic and the scale is now considered to be appropriate resulting in a more successful scheme in terms of the locations of the building footprints and the scale and mass of the buildings. These factors will contribute to the creation of a scheme which will have a real sense of place with a river crossing point at it's heart.

3. Transport Assessment and Travel Plan Issues:

Officers have reviewed the proposals in relation to the A65 QBI and are satisfied that the proposals made in terms of the vehicular access to the Bankside development will satisfactorily mitigate the impacts of this development on the QBI scheme such that it will have no detrimental impact to the performance of the QBI. As the scheme funder the Department for Transport has been notified of the proposed application and an opinion sought in accordance with the terms of the grant, however, no response had been received at the time of writing this report. Members will be updated verbally at Panel.

The TA includes a number of physical off site measures to improve and increase the capacity of the local highway network which are proportionate to the impact of this one development. Clearly, the future development of other sites could fund further network improvements if this is considered necessary once their impact has been established. As set out above, there is to be a significant financial contribution to public transport and associated infrastructure and this is in addition to the fact that the QBI is to be constructed immediately adjacent the site. This will contribute to the ability of the site to be accessed by means other than the private motor vehicle which will assist in meeting the modal split target for private car use.

The measures to be included in the Travel Plan are extensive and significant and these are considered both by officers and the Highways Agency (HA) as sufficient to achieve the necessary move away from use of the private motor vehicle. As the HA do have the ability to exercise the right to issue a holding direction on the site, but have chosen not to do so in this case, this is a further indication of the robustness that they consider the Travel Plan exhibits.

The physical improvement of a significant length of the canal towpath is a very welcome aspect of the scheme as the poor surface is acknowledged as a weakness of the current network. It will also provide an improved walking and cycling route from the site to both the City Station and the proposed new southern access which it is hoped will encourage more people to walk and cycle to and from the site and out to Armley and the Kirkstall Valley.

Tariffs and management measures for the public spaces within the car park will ensure that this area is retained for visitor use only and this will be ensured by the S106. The remainder of the car parking spaces on the site are to be allocated to the proposed uses and therefore there are to be no tariff restrictions placed on these. The number of spaces to be provided on site is in line with the UDPR guideline figures set out above and therefore this level of

provision is acceptable. The applicants have also stated that they will not exceed the UDPR car parking guideline figures at any point and this will be controlled by the S106 Agreement. However, it may be the case that vehicles may still try to park on the surrounding highway network, albeit that almost all of the roads within reasonable walking distance of this site are controlled by TRO's. Therefore, in this event, the applicant has provided a fund of £50,000 for making further TRO's or strengthening existing ones and this will ensure that surrounding streets do not become parked with any overspill from the development site.

4. Flood Risk :

The applicant's revised FRA has been assessed by the EA and is considered to be acceptable. The mitigation produced by raising the site and creating a frontage to the river to the levels required by the Flood Alleviation Scheme is considered to be an acceptable approach. Basement car park accesses are set at a height which will avoid them flooding given that it is acknowledged that any flooding event is more likely to come from the direction of Kirkstall Rd . A series of conditions will be required to ensure that the objectives of the FRA are carried out on site

5. Contaminated Land :

All buildings have now been removed and this has enabled further exploratory works to be undertaken. The revised ground assessment reports are considered to be acceptable subject to conditions regarding detailed works prior to and during each phase of development. Any subsequent issues regarding contamination will be dealt with by these conditions and therefore the site will be developed in a safe and controlled manner.

6. Education :

The site contains family housing and this will require a contribution to be made towards local educational infrastructure. The applicant is to make the required level of contribution which is directly related to the number of family dwellings proposed (even if this is to rise on the submission of subsequent details) and this is to be included in the Section 106 Agreement and is acceptable.

7. Health and Safety Executive:

The HSE have advised that as the consent for the storage of Hazardous Substances currently remains in place, they must advise against the application being approved on safety grounds. However, the applicant has agreed that this consent will be revoked on the granting of planning permission and this process will be controlled through the Section 106 agreement. This means that the current objection by the HSE and the potential for call in by the Secretary of State would be avoided

8. Sustainability:

The submitted statement sets out the principles on which the final scheme will be developed and demonstrates it's alignment with PPS1 and the associated climate change supplement and draft SPD10. This will ensure that the proposals will achieve a reduction in CO2 emissions; achieve the required BREEAM 'very good' and Code for Sustainable Homes Level 3 ratings for new buildings and use sustainable energy sources. A condition will be used to ensure that these proposed objectives are carried out on site for each phase of the development.

9. Community Consultation:

The revised community consultation exercise produced a largely positive response with the exception of those points raised and addressed above. In the light of this and the lack of any other objections it is concluded that the local community considers the scheme to be acceptable.

10. Habitat Protection and Protected species:

The applicant's mitigation strategy has been assessed as adequately protecting the otter habitat during and after construction. It also seeks to improve the existing environment and there is the additional assurance that the existing naturally grown area of land between the river and canal is retained and never developed. A condition will be used to ensure that, on each phase of development which impacts on the southern river bank, the measures to protect the otter habitat and protect the existing trees to be retained will be established and employed. This is considered to be an acceptable solution to the protection of the otter habitat and the riverside vegetation in the proximity of the site at this outline stage.

11. 24 hour access

The retention of all of the areas of the site (with the exception of those on the island site identified as private residential), as available for 24 hour access is clearly to be supported as is the fact that these areas will be maintained by the developer. The extent of the 24 hour access areas and the regime under which they are maintained is to be included in the S106 agreement.

12. Section 106 Agreement

In the light of the above, the S.106 heads of terms which will need to be covered in the final scheme (and detailed in the proposal section above) are:

- Affordable Housing
- Provision of Bridge Link
- Public Transport Improvements contribution
- Off Site Highways Mitigation Package including Trigger Points
- Provision of a Travel Plan Coordinator
- Provision of package of physical and financial measures as part of the Travel Plan
- Funding of potential TRO measures on the public highway
- 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 and Management Measures
- Local Employment Initiatives
- Education contribution
- Public Art Provision
- A £600 fee for each clause which requires management or monitoring.

All the identified S106 contributions have been considered against the 3 three legal tests introduced as a result of Community Infrastructure Levy legislation and which came into force on 6th April 2010 and are considered to comply.

11.0 CONCLUSION:

The scheme sets out a definite street pattern which provides a positive urban grain and offers opportunity to provide linkages to neighbouring sites. It also provides large areas of open space which relate well to each other as well as to the area which has already been laid out as part of the site to the east. These routes and spaces offer a range of attractive locations for the mix of uses proposed in an environment which is largely free of motor vehicles. It provides links to the surrounding network of streets and allows 24 hour access through all of the public areas. The site is clearly in a sustainable location with both public transport and river corridors running past and through it, however, despite this, it will benefit from a robust Travel Plan and a significant package of financial and physical highway and accessibility measures.

There is a high likelihood that this proposal will result in a greater focus of activity and investment in the area and will act as a catalyst for future development to the benefit of surrounding buildings and sites. The proposal accords with a range of policies at National, Regional and local level and is, therefore, considered to be acceptable.

Background Papers

Leeds Civic Trust letter 26th Sept 2006

Letter from Cobbetts on behalf of Evans Property Group 24th April 2007

Kirkstall Rd Renaissance Area Planning Framework - January 2007

Special conditions required to be attached.

44. Prior to the commencement of each phase, or part, of development which has a frontage to the southern bank of the River Aire, a Protection and Mitigation Statement, to incorporate both a written statement and plan, shall have been submitted to and approved in writing by the Local Planning authority. The statement shall set out how the development will ensure that the riverside habitat is protected both during construction and after the development has been completed and occupied shall include details on the provisions to be made for the following: identifying those areas of existing vegetation which are to be both retained and removed; the areas of the riverbank which are to receive additional planting; protecting the riverbank during construction; the extent to which the upper parts of the bank will be disturbed to enable construction to occur; the hours of construction; lighting to be used during construction; restrictions on lighting to be used in the river corridor on completion and during occupation and how this is to be enforced; any method of subsequent access to the river bank to be required for maintenance and survey work; the details of any new otter holt or other facility for the successful occupation of the area by otters to continue. The works set out in the approved Protection and Mitigation Statement shall be carried out during the construction and subsequent occupation and thereafter retained on site unless otherwise agreed in writing by the Local Planning Authority.

45. Notwithstanding the plans submitted prior to the commencement of development, details of the proposed demolition/excavations/earth removal/foundations to be undertaken shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.
Reason: Demolition, excavation, earth removal and/or construction of foundations have the potential to adversely impact on the integrity of the waterway infrastructure.

46. Notwithstanding the plans submitted prior to the commencement of development, details of the existing and proposed ground levels and finished floor levels shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.
Reason: Significant changes in ground levels have the potential to impact on the integrity of the waterway and the appearance of the waterway corridor.

47. Notwithstanding the plans submitted prior to the commencement of development, details of the proposed protective fencing to be erected to safeguard the waterway infrastructure during construction of the development shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.
Reason: The ecological environment in this location is sensitive and should be protected from disturbance, dust, run off, waste etc. entering the canal.

48. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 22 July 2009 and the following mitigation measures detailed within the FRA:

1. Basement access points shall be set at a minimum level of 31.00 metres Above Ordnance Datum (m AOD).
2. Finished floor levels shall be set no lower than 31.6 m AOD, for 'more vulnerable' development, and no lower than 31.3 m AOD for 'less vulnerable' development. With the exception of buildings 1 & 2 as indicated on drawing No: 202 dated 27 January 2010 which shall have finished floor levels set no lower than the existing adjacent road level.
3. The soffit level of the proposed bridge crossing the River Aire shall be set no lower than 31.864 m AOD.
4. There shall be no buildings, structures (including gates, walls and fences) within 6 metres of the top of any bank of the River Aire or any constructed flood defence wall, unless otherwise agreed in writing by the Local Planning Authority.

Reason

1. To reduce the risk of flooding to the proposed development and future occupants.
2. To reduce the risk of flooding to the proposed development and future occupants.
3. To ensure that the bridge is compatible with the Leeds FAS.
4. To maintain access to the watercourse for maintenance or improvement.

49. The development hereby permitted shall not be commenced until a scheme to limit the surface water run-off generated by the site has been submitted to, and approved in writing by, the Local Planning Authority. The scheme must demonstrate how surface water will be

managed in compliance with Leeds City Council's document 'Minimum Development Control Standards for Flood Risk'. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

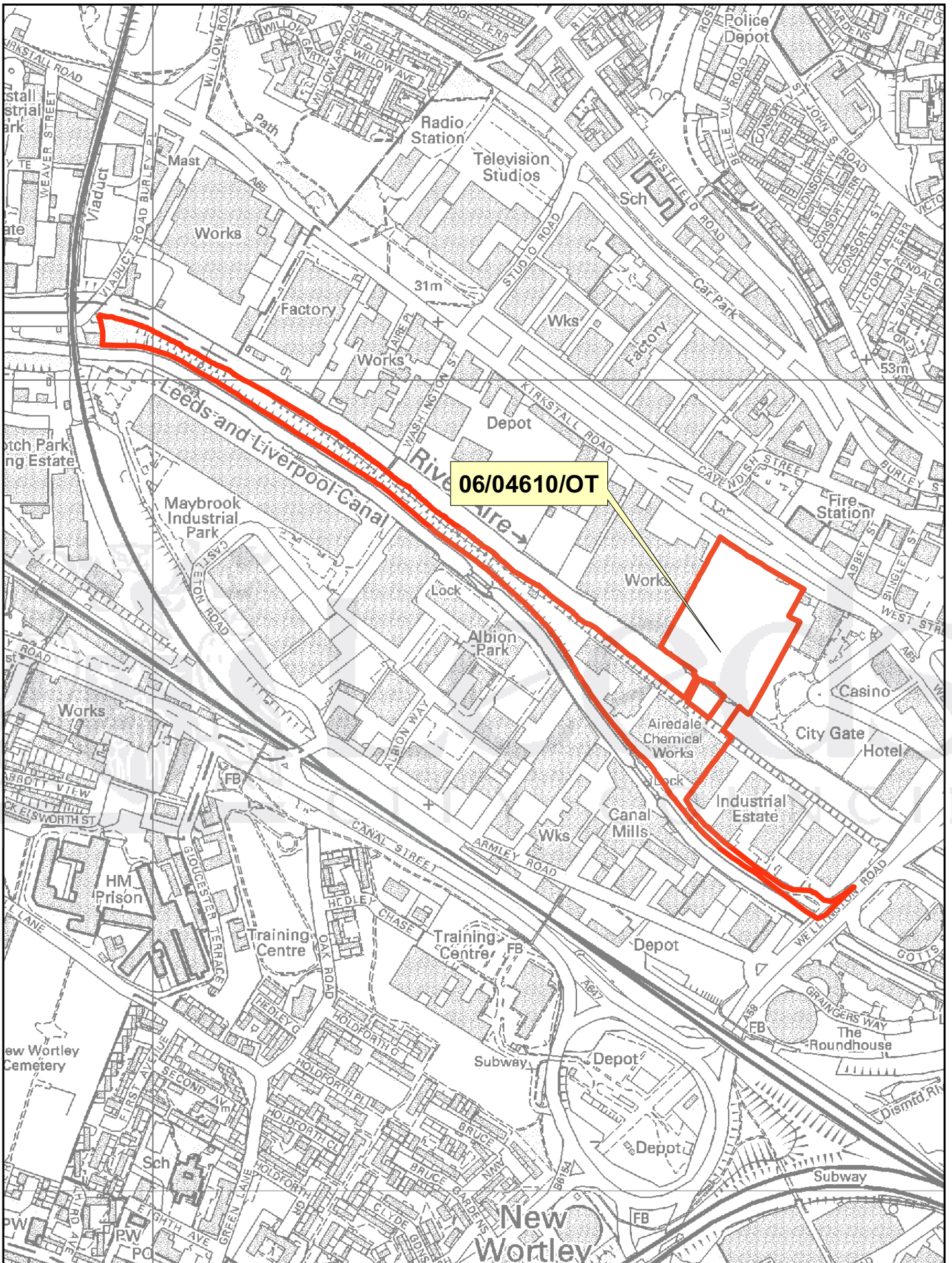
Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

50. The development hereby permitted shall not be commenced until the detailed specifications of the section of flood defence to be provided as part of the development along the north bank of the River Aire, has been submitted to, and approved in writing by, the Local Planning Authority. The design shall include the flood defences being built to a minimum height of 31.024, metres Above Ordnance Datum. The flood defence shall be fully implemented prior to occupation of the development or within any other period as may subsequently be agreed in writing by the Local Planning Authority, and shall subsequently be retained and maintained throughout the lifetime of the development.

Reason: To ensure the required standard of protection and structural integrity of the proposed flood defence, thereby reducing the risk of flooding. As detailed in the Flood Risk Assessment NJB/32034 dated 22 July 2009.

51. The development hereby permitted shall not be commenced until such time as scheme identifying the provision of safe route(s) into and out of the site to an appropriate safe haven during the event of flood, has been submitted to, and approved in writing by, the Local Planning Authority. The route(s) shall thereafter be incorporated into the design and layout of the development along with any associated infrastructure such as signage. The route(s) shall be retained as such throughout the lifetime of the development.

Reason: To ensure safe access and egress from and to the site.



CITY CENTRE PANEL



Scale 1/ 6000

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06/04610

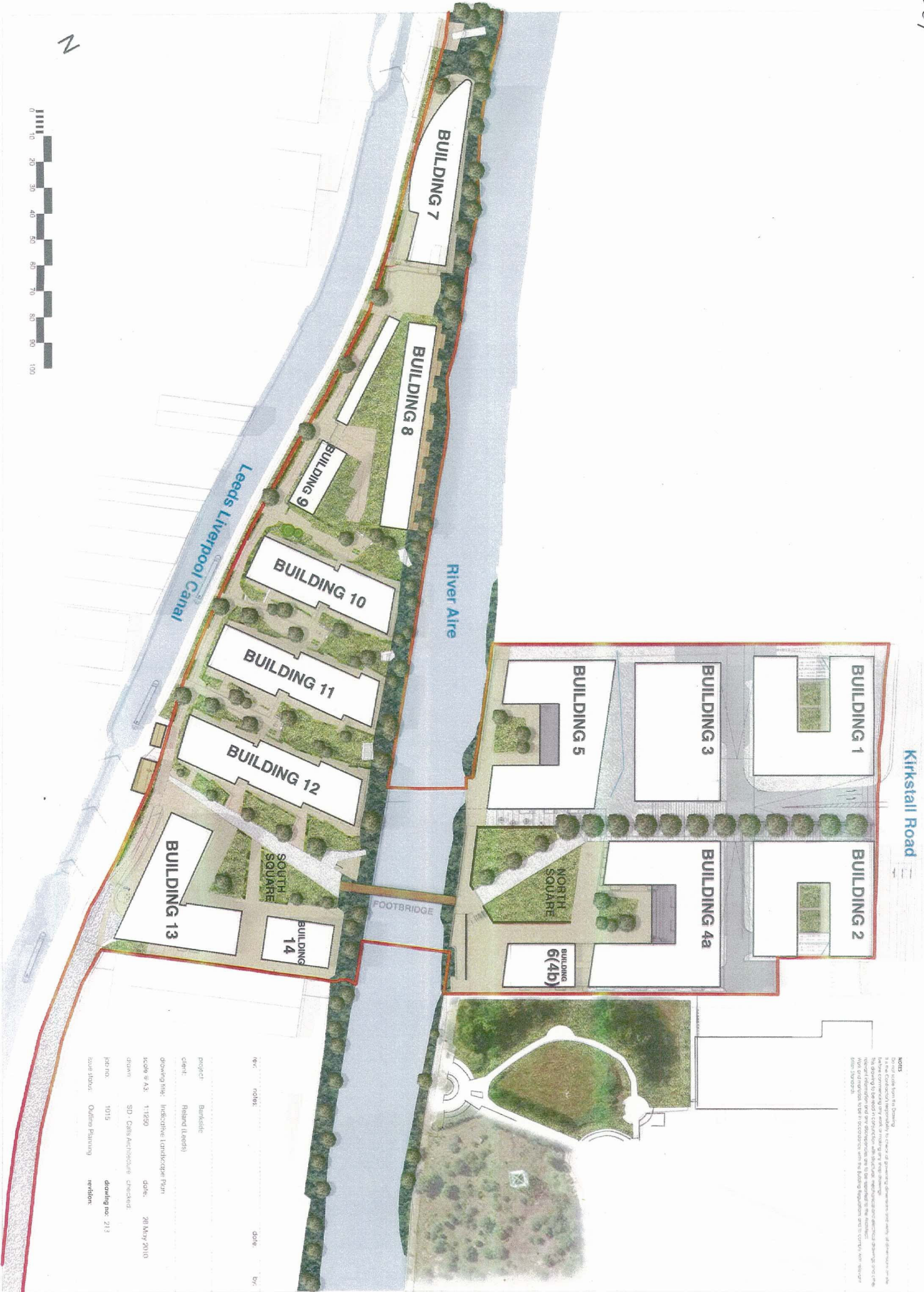
Kirkstall Road



NOTES
 Do not scale from this Drawing
 The drawing is to be used for planning applications and only if all dimensions are
 given. It is not to be used for construction or for any other purpose.
 The drawing is to be used in conjunction with the structural, mechanical, electrical, plumbing and fire
 drawings. It is not to be used in conjunction with the building regulations and is not to be used
 as a basis for any other drawings.

rev: notes: date: by:
 project: Bankside
 client: Reland (Leeds)
 drawing title: Indicative Landscape Plan
 scale @ A3: 1:1250 date: 28 May 2010
 drawn: SD - Cells Architecture checked:
 job no: 1015 drawing no: 213
 issue status: Outline Planning revision:

06/04618



NOTES

1. This is a preliminary drawing. It is not to be used for construction purposes until it has been approved by the relevant authorities and the client. It is the client's responsibility to ensure that all necessary permissions and consents are obtained before construction begins.

2. The drawing is based on the information provided by the client. The architect does not accept liability for any errors or omissions in the information provided.

3. The drawing is the property of the architect and should not be reproduced or used in any way without the written consent of the architect.

no.	1015	drawing no.	213
date	28 May 2010	checked	
drawn	SJD - Collis Architecture	checked	
scale	1:1250	date	28 May 2010
drawing no.	11250	date	28 May 2010
client	Richard (Leeds)		
project	Bunksite		
architect	Collis Architecture		

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Originator: Tim Hart
Tel: 3952083

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 19th AUGUST 2010

Subject: Applications 08/05307/FU - Alterations and extension to form offices and A3/A4 bar restaurant development and erection of 5 storey office block with basement car parking and public landscaped area 14-28 The Calls; and 08/05309/CA - Conservation Area application for demolition of the Mission Hut and 28 The Calls, Leeds.

APPLICANT	DATE VALID	TARGET DATE
Bracken Ltd and CDP Ltd	14 November 2008	13 February 2009

Electoral Wards Affected: City & Hunslet <input type="checkbox"/> No Ward Members consulted (referred to in report)	Specific Implications For: Equality and Diversity <input type="checkbox"/> Community Cohesion <input type="checkbox"/> Narrowing the Gap <input type="checkbox"/>
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RECOMMENDATION:

Application 08/05307/FU : DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions (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 £115,627; implementation of travel plan and monitoring fee £4000; car club trial membership £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 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.

Application 08/05309/CA – GRANT CONSENT subject to the specified conditions.

Application 08/05307/FU Conditions

1 3 Year Time Limit

- 2 Notification of Commencement
- 3 Details of levels including Ordnance Survey Data
- 4 Details of phasing including demolition and construction.
- 5 Archaeological recording.
- 6 Retention/restoration of existing street and building signs.
- 7 1:20 details.
- 8 Details of walling, roofing and facing materials.
- 9 Sample panel of all external facing materials.
- 10 Details and samples of surfacing materials.
- 11 Off-site pedestrian crossing to be delivered before first use of development.
- 12 Details of contractor's storage and parking.
- 13 Details of methods to control dirt, dust and noise during construction.
- 14 Hours of construction 0800-1800 Mon-Fri and 0900-1300 Sat only.
- 15 Cycle, motorcycle and disabled person's parking provision.
- 16 Parking areas to be laid out and drained.
- 17 Details of hard and soft landscaping including lighting, decorative grilles, car park and pedestrian gates, steps, ramp and riverbank railings.
- 18 Implementation of landscaping scheme and retention of lift.
- 19 Details of method, storage and disposal of refuse.
- 20 Contaminated land measures should unexpected contamination be encountered.
- 21 Separate system of foul and surface water drainage.
- 22 Details of foul and surface water drainage.
- 23 Provision of oil interceptor.
- 24 No building within 3m of sewer.
- 25 Development completed in accordance with approved flood risk assessment.
- 26 Piling and foundation design.
- 27 Floor levels no lower than 26.7m AOD.
- 28 No structures with 3.0m of the top of bank or watercourse along the boundary of the site.
- 29 Details of extract ventilation.
- 30 Details of air conditioning.
- 31 Details of flue pipes, extract ventilation or other excrescences to be located to the side or roof of the building.
- 32 Provision of a grease trap.
- 33 Specified entertainment noise levels.
- 34 Specified non entertainment noise levels (eg plant and machinery)
- 35 Opening hours of the A3/A4 use : 0800-0200 hours Monday to Saturday, 1000-0100 hours Sunday.
- 36 External areas not to be used after 2200 hours - management details to be submitted including no external speakers, no external entertainment and closure of gates at 2230 hours.
- 37 Deliveries 0800-1800 hours.
- 38 Removal of permitted development rights to A1.
- 39 Reinstatement and restoration of site should development for any reason cease.
- 40 Measures to be agreed to ensure 10% of energy is from decentralised and renewable or low-carbon energy sources.
- 41 Development to be in accordance with approved plans.

Application 08/05309/CA Conditions

1. Time limit for commencement of development.
2. No demolition until contract signed for redevelopment.
3. Archaeological recording prior to demolition.

Reasons for approval:

Application 08/05307/FU

The application is considered to comply with policies GP5, N12, N13, N19, T2, T5, T6, A4, CC3, CC5 and CC28 of the UDP Review; as well as guidance contained within Leeds City Centre Urban Design Strategy; PPS1, PPS5 and PPS25 and having regard to all other material considerations the application is recommended for approval.

Application 08/05309/CA

The application is considered to comply with policies N18A and N18B of the UDP Review and PPS5 and having regard to all other material considerations the application is recommended for approval.

1.0 INTRODUCTION

- 1.1 This is a large riverside site that has an extant permission for a mixed use residential, office and A3 development approved in April 2007 (20/262/03/FU).
- 1.2 The current scheme was first presented to Panel in December 2007 at pre-application stage. A planning application was submitted in November 2008 and revisions to the scheme were presented to Plans Panel as part of a Position Statement on 18th June 2009. Following the receipt of revised plans a further report was considered by Panel on 3rd December 2009. Members were of the view that the scheme was much improved.
- 1.3 Revised proposals, including a significant reduction in the projection of the Atkinson Building and changes to design and materiality, were considered by Plans Panel on 1st July 2010. The application was deferred to review the following matters only:
 - Landscaping provision
 - The design and position of the pedestrian crossing
 - The apparent height of the Warehouse Hill building and the detailing of its base
 - The detailing of the riverside elevation of the Atkinson Building

These matters are considered in turn at paragraphs 1.4.1-1.4.4 below.

1.4.1 Landscaping provision

Additional soft landscaping is proposed. Five fastigiate oak trees are now identified. The “contemplation” area to the east of the site has been replaced with a raised stone planter.

1.4.2 Pedestrian crossing

The main pedestrian route into the site is directly opposite Crown Street which means that the proposed pedestrian crossing would need to be off set to either the east or west of the site access. It may be possible to tighten the junction radius of Crown Street to enable the pedestrian crossing to be located as closely as possible to the main pedestrian route into the site.

The Calls forms part of the loop road around the City Centre. A crossing area which appeared to give priority to pedestrians would cause confusion and similar locations have resulted in accidents occurring. A raised table or change in surface is therefore not recommended on road safety grounds without being part of a formal signalised crossing.

There are both road safety and maintenance issues with regard to a change in surface. The use of cobbles/sett paving would not be suitable for pedestrians/wheelchairs to use and may create issues of noise for nearby residents. Any change in surface material would need to meet the required skid resistance and would need to provide a level surface for pedestrians to walk across.

All the current areas in the district where block paved crossings were previously provided are currently being removed due to structural failure. Any change in surfacing would require extensive construction to ensure that a solid base was provided to prevent the surfacing failing. The cost of construction would be prohibitive.

Bearing in mind the above comments a standard signalised pedestrian crossing is the preferred approach.

The detailed design of the crossing would be carried out by Leeds City Council Highways following the grant of planning permission in accordance with the normal approach.

1.4.3 Warehouse Hill building height and plinth

In order to lessen the perceived height of the building the visual impact of the top floor has been reduced. This is achieved by subtly raising the brick balustrade at fourth floor level surrounding the glazed area. At the same time the removal of the copper roof and extension of the glazing to roof height reduces the overhang and diminishes the massing of the roof.

The stone plinth will be detailed to show a recessed horizontal joint at each course reflecting details of the plinth on flats at Riverside Court to the west (former Aire and Calder Navigation warehouse).

1.4.4 Atkinson Building elevational treatment

The architectural expression of elevations facing the river has been changed. A punched vertical emphasis within a brick elevation is now proposed. The vertical copper fin on the east elevation, reflecting the materiality eastern elevation of the Warehouse Hill building, is retained to enable restricted views towards the river.

2.0 PROPOSAL

2.1 The revised scheme involves the refurbishment of 20 to 24 The Calls and the construction of 2 distinctive new build blocks to form 5070m² of B1 office accommodation and 1496m² of A3/A4 floorspace, with underground car parking, cycle and motorcycle facilities. The buildings frame a large south facing space which incorporates ramps, staircases and a public lift to allow movement between the levels. The scheme is formed by the following actions:

- Demolition of 15-18 and 28 The Calls and The Mission Hut. Physical gaps are created at both points to create river views from The Calls and from the Corn Exchange and to encourage public access into a large area of public realm.
- 20 to 24 The Calls is a three/four storey, red brick former warehouse. This building is proposed to be retained as part of the proposed scheme. The former warehouse building will be refurbished as A3/A4 at ground and lower ground floor levels with two levels of offices above.
- The construction of two contemporary blocks situated towards the east and west fringes of the site. The west block (Warehouse Hill Building) occupies the site of 18 The Calls and projects at a right angle along the front of 2 to 12 The Calls. The building would contain 5 levels of office accommodation over a lower ground parking area. The building plan follows the natural bend in the river and would sit on a stone plinth. The building has a vertical emphasis expressed by the window proportions and brickwork arrangement. The verticality is reinforced by the projecting frame of the southern extent of the building element which runs through from The Calls. The glazed top floor of the building is cut back from the southern elevation and continues in a straight plane. The glazed top storey is clearly defined. The eastern flank extension of this glazed area is detailed as a copper elevation with vertical windows. The ground and first floor of the building on The Calls would be set back on a splay to create a double height void. As with the associated projecting riverside element the elevation is fully glazed and framed in brick. The return element to this part of the building would be constructed in a red/blue rustic brick with fenestration set in deep reveals. Lower levels would utilise expansive areas of glazing.
- The east block (Atkinson Building) is proposed on the site of 28 The Calls. The building projects southwards towards the river and at lower levels across the southern elevation of 20-24 The Calls. The building would be 4 storeys in height fronting The Calls and utilises the fall in levels to form a lower ground floor level facing the river. The building form has been significantly changed since December 2009 Panel. The building has been cut back 6 metres such that it would align with the upper terrace. A punched vertical emphasis within a brick elevation is now proposed on the southern and western elevations. The eastern elevation, perpendicular to 32 The Calls, is redesigned with the replacement of etched glazing and slot office windows above by an elevation comprising brickwork and a copper fin. Glazing on this elevation would be limited to windows at office level with views solely towards the river. A lower link would abut 32 The Calls over a 3-4 metre wide route providing pedestrian access from The Calls to the lower terrace area.
- Basement car parking for 50 cars, including 5 disabled spaces, 12 cycle parking spaces and 4 motorcycle parking spaces. These facilities are accessed from Riverside Court and is located primarily beneath the Warehouse Hill Building. The basement includes storage, shower and changing facilities for cyclists.
- A “Very Good” BREEAM rating will be achieved for the buildings through location and travel considerations, selection of materials, solar orientation, high levels of thermal insulation and selection of maximum energy efficiency mechanical and electrical installations, including a system of water heater solar collectors at roof level and other devices to minimise energy consumption.
- The formation of a street level terrace and large area of public realm primarily located along the southern side of 20-24 The Calls. The primary pedestrian

access would be in the existing position of 18 The Calls opposite Crown Street. This would lead to the upper terrace. The space would be linked to the lower terrace by steps, a ramp and a public lift. A new riverside footpath would be formed from Riverside Court and access would also be provided down steps adjacent to 32 The Calls to complete the circuit thereby ensuring no dead ends. Public areas and walkways would be appropriately lit. Gates are identified at each of the three access points into the public realm. The gates would be closed at 2230 hours. Railings have now been identified along the river edge. 5 trees and a raised planter at the eastern end of the site are now proposed.

2.2 The application is supported by the following documents:

1. Design and Access Statement (revised April 2009, November 2009, May 2010).
2. Planning Statement.
3. Flood Risk Assessment.
4. Travel Plan (revised June 2010).
5. Sustainable Development Design Proposals.
6. Bat survey.
7. Sunlight Study.
8. Justification for the demolition of 28 The Calls.
9. Statement of Community Involvement.
10. Land Contamination Report.
11. Transport Assessment.
12. Noise report.

2.2.1 The revised Framework Travel Plan promotes the use of alternative and sustainable modes of travel to the car; seeks to reduce the need to travel and the need to travel by car; and aims to reduce the impact of journeys made by car. The measures include a walking strategy, a cycling strategy, a public transport strategy, a sustainable car use strategy, a motorcycle strategy, a strategy to reduce the need to travel and a marketing and communication strategy.

2.3 Section 106

At Panel in December 2009 officers reported that issues regarding viability of the scheme had been belatedly raised by the applicant and consequently that Section 106 contributions may need to be reviewed before a decision could be taken. However, given that it is unlikely that the scheme would be implemented in the immediate future the applicant has accepted that the Section 106 will include the components set out below. A clause would be inserted within the agreement that would enable the applicant to submit a request to the Council prior to the development commencing to review the contributions in light of the viability of the scheme at that time. The request would need to be accompanied by a full financial appraisal and a fee to enable the Council to consider the appraisal.

- Index linked public transport contribution of £115,627, including £50,000 - £60,000 for the provision of a controlled pedestrian crossing on The Calls.
- Travel Plans with monitoring fee of £4000. Reference to the provision of Leeds City Council Car Club parking spaces and free trial membership package of £7265 for the development.
- Public access and management of the external areas.
- Standard employment and training initiatives.

- A £600 monitoring fee for each clause that requires administration /management/monitoring.

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located within the City Centre Conservation Area and within the Riverside Area as identified in the UDP Review 2006. The site contains a number of buildings originally built to serve trade on the river.
- 3.2 The existing buildings fronting The Calls are of traditional design and appearance, with the rear elevations onto the riverside being functional and plain in appearance. The open wharf previously housed a storage shed and is now used for surface car parking for offices at 2 to 12 The Calls. There is no public access to the site at present.
- 3.3 A number of buildings have been neglected, appearing rundown and adversely affect the appearance of the area and the character and appearance of the City Centre Conservation Area. In particular, 18 The Calls has been derelict for a number of years, and is in a precarious state, supported by scaffolding. Although listed there is an extant consent for its demolition.
- 3.4 28 The Calls is a small warehouse building, possibly the earliest surviving building on The Calls. However, it was significantly altered in the 20th Century including rendering of the original brick skin both to the front and rear elevations and alterations of window openings. Internally the structure was drastically altered and only the original roof trusses and beams survive. Further discussion regarding this building is contained within paragraph 10.4 below.
- 3.5 The Mission Hut is a stone built former Chapel building used by the Leeds canal and waterfront workers in the 19th and early 20th Century. The building has fallen into disrepair and has no viable function at present. There is an extant consent for its demolition. 18 and 28 The Calls and The Mission Hut are proposed to be demolished as part of the proposed scheme.
- 3.7 2 to 12 The Calls to the northwest of the site was occupied by Thistle Hotels as its administrative centre and storage facility until 2002. Application 07/01174/FU secured refurbishment of the buildings to be used as offices. The refurbishment is complete and the building is now occupied.
- 3.8 32 The Calls is located on the eastern fringe of the site. The listed building comprises a 6 storeys fronting The Calls and 7 storeys to the riverside. The building primarily contains apartments. The Aire Bar is situated at lower level within the building with an open balcony area extending towards the river. Buildings on the southern side of the river facing the application site are primarily in residential use, including Navigation Walk. However, in common with the wider riverside area there is a mix of leisure, office and residential use.

4.0 RELEVANT PLANNING HISTORY

- 4.1 Application 20/262/03/FU was approved in April 2007 for redevelopment of the site to provide 74 apartments, offices and A3 bar and restaurant uses. This scheme was similar in scale to the current proposal albeit the distribution and form of the buildings was different. The scheme also involved the demolition of 14-16 The Calls, 18 The Calls and The Mission Hut. This consent is extant until April 2012.

- 4.2 20/261/03/CA: Conservation area application to demolish storage buildings (14 to 16 The Calls and The Mission Hut). This consent is extant until 03.01.2011.
- 4.3 20/591/01/LI: Listed building application to demolish building at 18 The Calls. Approved 28.12.05. This consent is extant until 28.12.2010.
- 4.4 A study of the hours of use of A3 and A4 premises in the locality has been submitted. This shows a wide variation in permitted closing times from 12 midnight Monday to Thursday at Aire Bar, 32 The Calls to 5am Friday to Sunday at The Oracle, Brewery Wharf.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 In December 2007 Members received a pre-application presentation regarding the scheme presented today. Members commented that the heights of the proposed new build element related to heights of existing buildings in the vicinity; considered the flood protection proposals; reviewed the relationship between the west building and 2 to 12 The Calls; and raised concerns that noise issues could arise from the A3 uses. Members also commented that the route to the east of the eastern building needed to be of sufficient width to provide suitable public access and to justify removal of 28 The Calls.
- 5.2 As noted above the scheme was presented to Panel in June 2009 in the form of a Position Statement. A series of workshops commenced shortly after the June meeting with a view to addressing concerns raised. In July Leeds Civic Trust commented on the proposals. The Trust indicated that whilst the overall massing was not inappropriate the solution may be the introduction of some verticality or greater solidity in the elevations, particularly that facing the river.
- 5.3 In response to the comments of Members, and other stakeholders including the Civic Trust, further workshops involving the Civic Architect were held during summer and autumn 2009. The design team responded by creating a stronger architectural form that is more contextual in the following ways:
- Opening up the views of the River Aire from The Calls by altering the form and extent of the Warehouse Hill Building's overhang and removing the columns.
 - Improving the relationship and connection with The Calls by reorganising the entrance arrangement to the Warehouse Hill building.
 - Improving the openness of the public space by remodelling the arrangement of space within the Atkinson Building.
 - Improving the visual link from the eastern "contemplative space" close to 32 The Calls and reducing the perceived risk of anti-social behaviour.
 - Reducing the impact upon occupiers within 32 The Calls by adjusting the footprint of the Atkinson Building whilst at the same time increasing the width of the public route.
 - Transformation of the architectural expression of the Warehouse Hill Building introducing vertical emphasis to the frontage facing the river; the introduction of a stone plinth to provide a strong base to the building and the clear definition of the roof form expressed by a floating façade of copper.
- 5.4 The revised proposals were considered by Panel in December 2009. Members' comments are reported at paragraph 1.2 above. Subsequently, the design team

have made further changes to the scheme in response to Panel's, public and officers' comments.

5.5 The scheme was last considered by Plans Panel in July 2010. Members commented on the following matters:

- The apparent height of the buildings and the appearance of their riverside elevations
- The opportunities for additional recreational uses and a museum given the historic waterfront location
- The need for additional soft landscaping including appropriate tree species
- The need for additional information on the pyramid area at the eastern end of the site
- The design, position and signing of the proposed pedestrian crossing on The Calls
- The timescale for implementation of the scheme

5.6 The application was deferred. The Chief Planning Officer was asked to submit a further report setting out information on the following matters only:

- Landscaping provision
- The design and position of the pedestrian crossing
- The apparent height of the Warehouse Hill building and the detailing of its base
- The detailing of the riverside elevation of the Atkinson Building

5.7 Further discussions have subsequently taken place with the applicant. Further refinements to the scheme are reported at paragraph 1.4 above.

6.0 PUBLIC/LOCAL RESPONSE

6.1 Site notices were initially displayed on 19th November 2008 and the application was advertised in the Press on 27th November 2008. Site notices relating to revised plans were erected on 6th May 2009 and subsequently on 25th November 2009 when residents were also informed of changes to the scheme by letter. Representations were received from local residents and the Leeds Apartment Residents Association, the Aire Bar and Leeds Civic Trust.

6.2 In May 2009 Leeds Civic Trust stated that they did not have significant concerns regarding the overall form and content of the scheme. However, they were concerned that the change in materials, the flat roof and the horizontality of the glazing resulted in the principal building looking like an ugly 1960s multi-storey car park. Concerns regarding design quality were reiterated in a letter of July 2009. In November 2009 the Trust stated that design was a significant improvement and many earlier issues had been addressed. As such, they supported the project as envisaged but wished consideration be given to the junction of the stone plinth and brickwork; the opportunity for more greenery; the need to ensure there would be no external plant; and attempts should be made to link the site to balconies at 32 The Calls.

6.3 Local Residents comments up to December 2009:

6.3.1 19 letters of objection and two petitions were submitted in response to the original proposals:

1. Poor Design including the following observations:

- Historical buildings run linearly to the river - the new blocks will be at right angles blocking views of the river and of 32 The Calls.
 - The proposed building is much bulkier than in the previously approved application.
 - The pyramid is a wasted opportunity to create soft landscaping in this area.
2. Loss of view from 32 The Calls.
 3. Loss of light and privacy to apartments of 32 The Calls.
 4. Public Safety particularly regarding access to the east of the proposal
 - Public access areas are fraught with potential dangers.
 - Public access areas have potential for anti social behaviour after dark. There should not be 24 hour access.
 5. Loss of amenity from noise and disturbance from the proposed A3/A4 use including:
 - Late night entertainment and alcohol consumption and its effect upon the residential amenity of 32 The Calls. A 3am licence is not acceptable. The Aire Bar, Oracle etc have late licences until 1am but outside areas must be vacated by 10.30pm.
 - Use of outdoor terraces should have a restriction i.e. until 10.30 pm.

6.3.2 A letter was received supporting the demolition of the Mission Hut and redevelopment of the site.

6.4 Response to current proposals

6.4.1 Revised plans were received on 13th May 2010. The application was readvertised by sending letters to all original contributors on 13th May and site notices were erected on 19th May 2010.

6.4.2 Leeds Civic Trust (14th June 2010) support the principles of the project and state that the pulling back of the eastern block is a significant improvement. The Trust suggest that the scheme may be improved by wrapping copper around the western façade. They also refer again to the detailing of the stone plinth junction with other materials; the potential for more greenery, and the need to avoid external plant.

6.4.3 One letter of objection has been received in response to the current proposals. It is suggested that the proposals are much improved but objections remain to the use of the lower terrace area for drinking or dining. It is also suggested that the pedestrian access alongside 32 The Calls would be detrimental to the amenities of apartments within that building if access is provided 24 hours a day, 7 days a week.

7.0 CONSULTATIONS RESPONSES

Statutory:

7.1 Highways:

Car parking, motorcycle parking and cycle parking is acceptable. A traffic controlled pedestrian crossing on The Calls in the vicinity of Crown Street is required to provide a safe route between the proposed development and the city centre. Conditions regarding travel plans, off-site highway works and contractor's arrangements during construction are recommended.

7.2 Environment Agency:

No objections subject to conditions.

7.3 Yorkshire Water:

No objections in principle to the site layout details.

7.4 British Waterways:

Welcome the proposed development, an improvement to the previously approved scheme. A further improvement would be removing the gated access on the west boundary. Glazed frontages to the commercial ground floor properties are welcomed; however, the façade of the ground floor car parking offers a relatively dead frontage. Waterside barriers like railings should only be used where there is a high-perceived risk of falling into the water or where there is restricted space along the waterside.

Non-statutory

7.5 Transport Policy:

The Travel Plan (June 2010) is acceptable.

7.6 Contaminated Land Team:

Do not require any additional soil sampling to be undertaken, unless any visual and or olfactory contamination is encountered during the additional geotechnical investigations. The site investigation so far has encountered no significant contamination.

7.7 Access:

The disabled person's parking spaces are now well designed and located and are sufficient in number. Entrance arrangements into buildings complies with Part M of the Building Regulations. It is excellent that level access is provided between the upper and lower terrace. Detailed design of the external steps and ramp should be the subject of a condition.

7.8 Land Drainage:

A Flood Risk Assessment was completed for this site with recommendation for flood defences in line with the Environment Agency's proposal for flood defence in the area. Standard Land Drainage conditions should be applied.

7.9 Public Transport Contribution:

An indexed linked contribution of £115,627 towards the cost of providing strategic public transport is required in accordance with the Supplementary Planning Document.

7.10 Environmental Protection Team

There is potential for noise breakout from the restaurant/bar, noise from plant and from patrons using outside terraces. A noise mitigation scheme may propose that plant can meet satisfactory criteria. Music breakout could be controlled by having an effective lobby to doors, playing music at low levels or not having music. It may be more difficult to deal with noise from patrons using external areas. Limiting use of

the outside area for eating and drinking to a 2200 hours finish would help to reduce the potential for disturbance, as would a requirement for no external speakers although it is not possible to say that this would be enough to prevent complaints. Conditions are recommended regarding acceptable noise levels for entertainment noise and noise from sources such as plant and machinery.

7.11 Entertainment Licensing

Entertainment Licensing have been consulted throughout the planning process. A premise licence would be required. The Principal Licensing Officer (14.6.10) confirmed that the Licensing Section cannot put forward conditions on applications but that Environment Noise are likely to require conditions similar to the ones identified in the proposed planning conditions.

7.12 City Services:

No objections.

7.13 Metro:

Metro welcomes the development and the restrictive approach to parking for the site. In order to prevent excessive private vehicle use at the site, the measures contained within the travel plan must be enforced.

7.14 Police Architectural Liaison Officer:

Due to the site's location, security is a key element in the design process. Access control, controlled riverside access, lighting and landscaping should be taken into account.

7.15 West Yorkshire Archaeology Advisory Service:

WYAAS recommend that archaeological evaluation by means of trial trenching be undertaken along the street frontage once any proposed demolitions have taken place together with an appropriate degree of archaeological investigation and recording as necessary, with the nature and extent of this investigation to be based on the results of the evaluation. WYAAS further recommend that archaeological work in the form of an archaeological watching brief during construction works be undertaken in the southern portion of the site.

7.16 In February 2010 CABE confirmed that they did not wish to comment on the application.

8.0 PLANNING POLICIES:

8.1 Leeds Unitary Development Plan (Review 2006)

The site is located in the City Centre Conservation Area and the Riverside Proposals Area as defined by the Leeds City Council Unitary Development Plan Review 2006. In the Riverside Area no predominant land use is sought (CC28). The Warehouse Hill proposal area (27a) statement indicates that the site provides a major opportunity to combine new building and public space with conservation of adjoining buildings. A significant element of leisure and tourism uses is particularly suitable.

Further, leisure uses are encouraged to spill out into the public space part of the area.

8.1.1 Relevant policies include:

- GP5 All planning considerations
- GP11 & 12 Sustainable Design
- BD4 Mechanical plant should be contained within the building
- BD5 Ensure a satisfactory level of amenity for occupants and surroundings.
- BD6 All extensions and alterations should respect the scale and form of the host building.
- 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
- N16 Extensions to listed buildings should relate sensitively to the original buildings. In all aspects of their design, location, mass and materials, they should be subservient to the original building.
- N17 Wherever possible, existing detailing and all features, including internal features, which contribute to the character of the listed building should be preserved, repaired or if missing replaced. To the extent that the original plan form is intact, that plan should be preserved where it contributes to the special character and appearance of the building.
- N18a Presumption against demolition of buildings or parts of buildings in the Conservation Area that make a positive contribution to the character and appearance of the Conservation Area.
- N18b Consent for demolition in Conservation Areas will not be given unless detailed plans for the redevelopment of the site have been approved. Such permission will be subject to a condition that demolition shall not take place until a contract for the approved scheme of redevelopment has been let.
- N19 All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area
- CC3 The identity and distinctive character of the city centre will be maintained by: a) Protecting the building fabric and style b) Encouraging good innovative design and c) Upgrading the environment where necessary.
- CC5 Development in the City Centre Conservation Area.
- CC10 Public space requirements
- CC28 In the Riverside Area a range of land uses is encouraged to ensure vitality throughout the day.
- T2 Development shall be; a) served adequately by existing or programmed highways or by improvements to the highway network; and b) Adequately served by public transport c) Adequate cycle facilities.
- T5 Satisfactory provision for pedestrians and cyclists.
- T6 Satisfactory access and provision for disabled people and other people with mobility problems will be required within highway and paving schemes, and within new development.
- 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

8.2 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.

Leeds Waterfront Strategy 2002 (Review 2006) guides the regeneration of Leeds Waterfront through use, links and appropriate environmental enhancement.

Public Transport Improvements and Developer Contributions SPD identifies where development will need to make a contribution towards public transport improvements or enhancements.

National Planning Guidance

PPS1 Delivering Sustainable Development and Climate Change Supplement

PPS4 Planning for Sustainable Economic Growth

PPS5 Planning for the Historic Environment

PPG13 Transport

PPS25 Planning and Flood Risk

9.0 MAIN ISSUES

Principle of the development

Design

Residential amenity

Demolition of 28 The Calls

Highways

Section 106

10.0 APPRAISAL

10.1 Principle of the Development

Applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The site is located within the city centre and constitutes previously developed land and buildings which are largely vacant and inefficiently used. The site benefits from permission for a multi-level mixed use development of residential, office and leisure development with basement parking. The principle of the uses and general scale of the development have therefore been previously established and that consent remains extant.

The Unitary Development Plan (Review) Riverside proposals area (CC28) and the related Warehouse Hill statement seek a range of uses in this location to ensure vitality throughout the day; to create a significant publicly accessible riverside space; and to encourage leisure uses to spill out into the public space. The proposed leisure and office uses are entirely in accordance with these objectives. The large area of public space accords with policy CC10. The proposals are in accordance with the Unitary Development Plan (Review) and also the aims of the Waterfront Strategy which seeks to increase the vitality of the area and to introduce pedestrian access to and along the river corridor. The principle of the development is therefore in accordance with the development plan.

10.2 Design

The proposals have been through a number of iterations. In particular, significant changes to design and scale were considered by Plans Panels in December 2009 and July 2010.

In response to comments made by Plans Panel in July further refinements to design have been made. As set out at paragraph 1.4 these result in the apparent height of the Warehouse Hill building being reduced whilst the strength of the stone plinth is increased. The elevational treatment of the Atkinson Building has been reviewed and a punched vertical emphasis within a brick elevation is now proposed thereby achieving a more contextual expression.

10.3 Residential amenity

10.3.1 The revisions to the mass and design of the Atkinson Building previously considered result in an acceptable relationship with 32 The Calls. Suitable conditions will ensure that noise from within the building is adequately mitigated by a combination of building design and management control. The external areas on the upper and lower terrace identified for eating and drinking have also been clearly identified. No amplified music or external entertainment will be permitted in this area and the operator will be required to clear patrons from this area by 2200 hours. Small zones identified for smoking will be located in positions where any noise transmission would be buffered by buildings.

10.3.2 Gates around the development will be closed at 2230 hours thereby helping to control movement and potential for anti-social behaviour. There is a range of approved opening hours for A3/A4 uses in the area. Given management proposals for the open space within the development it is considered that restricting internal areas to closing at 0200 hours would be reasonable.

10.3 Demolition of 28 The Calls (Atkinson Building)

28 The Calls has lost its original appearance and its altered form has neither group value nor makes a strong contribution to the Conservation Area in its own right. The contribution of 28 The Calls to the conservation area is neutral to slightly positive.

It is not possible to adapt or reuse the building without major reconstruction, which is un-economic, and would change the building form yet further. The replacement building will be a high quality infill which will enliven The Calls frontage and also provide opportunity for a public access route into the site.

The demolition of The Mission Hut and 14-16 The Calls have been previously agreed through earlier consents and their removal also formed part of the previously agreed scheme. Their removal continues to be justified by the benefits of the current proposals.

10.4 Highways and access

The scheme provides an acceptable number of disabled persons and general parking spaces. Appropriate cycle and motorcycle parking will also be provided. Within the site level access into buildings will be provided. The provision of a public lift provides level access across a site where there is a significant change in levels.

Beyond the site boundary a traffic controlled pedestrian crossing on The Calls in the vicinity of Crown Street will be delivered which will provide a safe route between the proposed development, and the city centre and assist with wider connectivity in the area.

10.5 Section 106

A draft Section 106 Agreement has been submitted. The S106 includes the following:

- Public transport contribution of £115,627 including the provision of the controlled pedestrian crossing on The Calls.
- Travel Plans with monitoring fee of £4000.
- Provision of Leeds City Council car club on-street parking space and compensation for loss of pay and display revenue £9000.
- Free trial membership of car club of £7265 for the development.
- Standard employment and training initiatives.
- Management and accessibility to public areas.
- £600 monitoring fee for clauses that require administration/management/monitoring.

The Section 106 obligations are compliant with the Community Infrastructure Levy Regulations 2010 Statutory Tests.

11.0 **CONCLUSION**

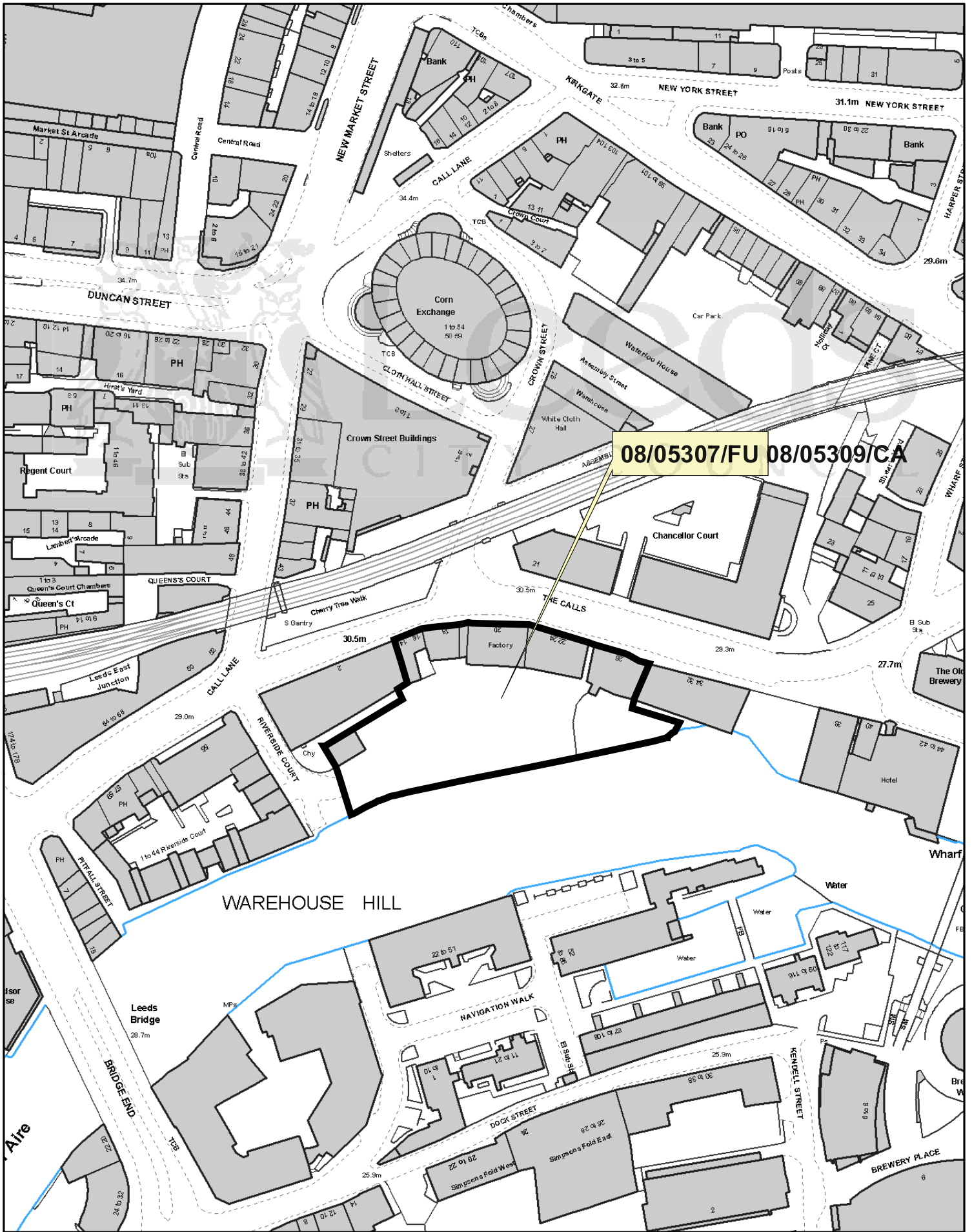
11.1 Through the viability study and the quality of the proposed scheme the applicant has provided suitable justification for the demolition of existing buildings within the site whilst retaining and refurbishing 20-24 The Calls. Consequently, subject to an appropriate condition regarding the implementation of the redevelopment scheme, the Conservation Area application (reference 08/05309/CA) is recommended for approval.

11.2 The proposed development will have an impact upon occupiers of nearby properties. However, following significant revision to the scheme, it is not considered that either the building mass or uses within the scheme would have an unacceptable impact within this existing city centre location which is characterised by a mixture of uses set within a tight urban grain. Further, the proposal is considered to be an improvement upon the extant scheme which would have a greater impact if implemented. The current scheme would deliver quality architecture and public realm, meet current flood standards and would bring forward an efficient and sustainable use of previously developed land in a highly accessible location. The proposed mix of uses is entirely appropriate and would contribute to the vitality and viability of the local area and the regional role of the city centre. As such, on balance it is considered that these considerations outweigh the potential impact on the amenity of neighbours. As a result the application is recommended for approval subject to appropriate conditions and the completion of a Section 106 agreement.

Background Papers:

Application Files 08/05307/FU and 08/05309/CA Historic Files: 20/262/03/FU, 20/261/03/CA, 07/01174/FU, 08/01340/FU & 08/00353/FU

Certificate of ownership – signed on behalf of applicants.



CITY CENTRE PANEL



Scale 1/1500

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Originator: Andrew Windress

Tel: 3951247

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 19th August 2010

Subject: APPLICATION 10/01601/FU – ALTERATIONS TO PUBLIC OPEN SPACE AT VICTORIA GARDENS, THE HEADROW.

APPLICANT	DATE VALID	TARGET DATE
Groundwork Leeds – M Topping	8/4/10	3/6/10

Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: APPROVE subject to the conditions to cover the following:

1. Standard 3 year time limit for commencement.
2. Landscaping condition(s) requiring:
 - The replacement of any failed trees in the next available optimum planting season of November-February, replacement to be at an identical size.
 - Provision of details of illustrated staged management of London Plane trees, with dimensions over a period of 20 years, including any support structures.
 - York stone to match existing in stone colour texture and dimensions, samples to be provided.
 - Full details of crown pruning of retained oak trees to improve spacing between the crowns, with no height reduction.
 - Details at a reduced scale of stone carved lettering to be provided on the road frontage of the planters.
 - Full details of the benches, bins.
 - Samples of resin bound gravel.
 - Details of tree surrounds to the retained trees by the chess boards and details of passive irrigation of these by manipulation of finished levels, cross falls and surface water infiltration channels, flush grille covered.

- Details of the tree up-lighting and any associated control boxes.
3. Full details of surface water drainage.
 4. No increase in the height of the planting beds to ensure appropriate pedestrian visibility is retained.
 5. The lockable drop down bollard system onto Cookridge Street must be retained.
 6. The hard surfaced areas should be laid before use and should not contain loose material. All gradients must be no more than 1:20.
 7. Details of off site tree planting adjacent to the Civic Hall.

Reasons for approval: The application is considered to comply with policies GP5, T2, T5, T6, A4, N12, N19, CC5, CC9, CC11, BC7, N25, LD1 of the UDP Review, as well as guidance contained within the City Centre Urban Design Strategy September 2000 and PPS1, 'General Policies and Guidance', and, having regard to all other material considerations.

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel as it relates to the refurbishment of a significant public open space within the city centre and because there is a letter of objection from the Civic Trust.

2.0 PROPOSAL:

- 2.1 The refurbishment of Victoria Gardens is proposed. The scheme of refurbishment includes the following:
 - The removal of the 16 existing trees in the stone planters and replacement with 26 London Plane trees.
 - Damaged Yorkstone surfacing will be repaired or replaced.
 - The steps to the art gallery will be repaired and cleaned.
 - New stainless steel bins, stainless steel and oak seating, integral information panels and 'Victoria Gardens' signage etched into the existing stone planters.
 - Replacement marble and granite chess boards will be introduced and smaller chess boards will be carved into the coping stones of the existing planters.
 - The existing planter in the north-west corner adjacent to Calverley Street and the library will be reduced in size to assist pedestrian movement into the site.
 - The existing brick setts on the raised area in front of the library will be replaced by a resin bound surfacing that would be more complimentary to the Yorkstone elsewhere in Victoria Gardens.
 - Cycle racks will be relocated adjacent to the chess boards.
 - The existing step up from the Headrow pavement into Victoria Gardens will be removed and the levels re-graded to provide level access.
 - 58 uplighters will be installed in the planters to illuminate the proposed trees.
 - The planters will be turfed and bulbs planted (1,384 of both snow drop and crocus, 2,768 in total).
- 2.2 The Italian Alder in between the art gallery and Henry Moore Institute, the Joseph Beuys Oak adjacent to the war memorial and the two Oaks in front of the library will all be retained. There will be some crown pruning to the Oak trees in front of the Library.
- 2.3 The new London Plane trees will be planted in the existing 6 stone planters with a clear stem of a minimum of 2.4m with 2m x 2m boxed crown above. This crown will

be allowed to grow out to 3m width x 4m height that will result in an almost continuous crown throughout each planter and therefore along the majority of the boundary of Victoria Gardens to define the space.

- 2.4 The Victoria Cross and Leeds PALS memorials are to be retained.
- 2.5 The project of refurbishment is wholly sponsored by Marks and Spencer. It is intended to start works as soon as possible in order to have the works completed and the site vacated in time for the various upcoming public events that utilise this space.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site relates to the public open space known as Victoria Gardens. The site is bounded by the Headrow to the south, Calverley Street to the west, Cookridge Street to the east and the civic buildings of the Library, Art Gallery and Henry Moore Institute to the north. The Library is grade II* listed and the Art Gallery and Henry Moore Institute grade II. The site is within the Central Area Conservation Area.
- 3.2 Victoria Gardens was formed following the demolition of a cluster of Victorian buildings on the site in the 1930s, it was originally intended to construct a new building on the site as part of the Blomfield redevelopment of the Headrow.
- 3.3 There are 6 stone planters on the Headrow and Calverley Street boundaries. These planters contain shrubs and a total of 16 trees (1 Silver Birch, 3 Lime, 10 Crab Apple, 2 Cherry). The trees have an average height of around 5-10m.
- 3.3 The majority of Victoria Gardens is surfaced with Yorkstone with the exception of an area in front of the Library that is surfaced with brick setts. This area also contains two large chess boards. There is the monument at the eastern end of Victoria Garden and the war memorials within the eastern planter. There is seating located adjacent to some of the planters and a variety of signs within the site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 09/04249/LA and 09/04250/LA: A package of wall mounted and free-standing signs on and around the Art Gallery and Library were approved on 11/1/10 following a panel resolution and referral to the Secretary of State. This proposal included free-standing banner signs adjacent to the planters and signs attached to the planters.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant, Groundwork, carried out local public consultation on behalf of Marks and Spencer, this included face to face consultations at Victoria Gardens and a postcard questionnaire being distributed in the Library, Art Gallery, Tiled Hall Café and central Marks and Spencer. Leeds City Council Parks and Countryside have been fully involved in the formulation of the proposals at pre-application stage.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Site notices were erected around the site on 21/4/10 and an advert was placed in the Leeds Weekly News on 29/4/10.
- 6.2 Leeds Civic Trust have commented on the scheme as originally submitted in April. The Civic Trust state that Victoria Gardens is long overdue for an overhaul and

commends the investment from Marks and Spencer. However, the Trust strongly objects to the removal of the existing shrubs and trees that blossom every spring and replacement with shaped London Plane trees and turf within the planters. The Trust request 'colour and imagination'. The Civic Trust also objects to the suggestion in the material submitted with the application that they were involved in the pre-application process. *Response: The objection to the removal of the trees is addressed in the appraisal section. It is understood that the applicant has since made contact with the Civic Trust to discuss the proposals.*

7.0 CONSULTATIONS RESPONSES:

7.1 Non-statutory:

7.2 Access: The amount of seating should not be reduced and the benches should accord with the latest design guidance and British Standard (BS). Further information should be provided regarding the new seating on top of the Library steps and the bollards should be designed in accordance with the latest BS. The resin bound gravel will be significantly different to the Yorkstone and may make some ambulant disabled people trip due to the friction of the surface. Evidence should be provided to ensure the material does not pose a trip hazard. The entrances from the Headrow should be re-graded to provide level access. *Response: The amount of seating is increased and significantly improved. All fixtures will be designed in accordance with the latest BS. The bench on top of part of the steps adjacent to the Library/terrace bar were introduced at the request of the Chess Society and LCC Events Team that have had concerns with regard to people watching the chess boards and other events and falling backwards down the steps. The steps are lightly used in this location and the bench is not considered to create a significant hazard to those climbing the steps but will significantly improve safety around the chess boards. The resin bound gravel will be agreed by condition to ensure there is no trip hazard. The entrances from the Headrow will be re-graded.*

7.3 Public Rights of Way: No known claimed public rights of way are affected.

7.4 Mains Drainage: Surface water discharges should be minimised.

7.5 Highways: No objections subject to conditions

8.0 PLANNING POLICIES:

8.1 Development Plan Policies

8.2 Unitary Development Plan (Review 2006) (UDPR): The site is designated as an 'existing pedestrian corridor/public space' and is located within the Civic Quarter, Central Area Conservation Area with a number of listed buildings in close proximity. Relevant policies include:

Policy GP5: Proposals should resolve detailed planning considerations.

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

T5: Satisfactory provision for pedestrians and cyclists.

T6: Satisfactory disabled access.

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

CC5: All development in the CA must preserve or enhance the character of the area. New buildings in the CA should respect the surrounding buildings by normally being within one storey in height.

CC9/CC11: Enhancement of pedestrian spaces and routes.

BC7: Use of local materials in Conservation Areas

N12: Fundamental priorities for urban form.

N19: Development within or adjoining Conservation Areas should preserve/enhance the character and appearance of the Conservation Area.

N25: Boundaries should be appropriate to the character of the area.

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

8.3 **Relevant Supplementary Planning Guidance.**

8.4 **City Centre Urban Design Strategy (CCUDS) 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. CCUDS identifies Victoria Gardens as an important 'City-wide Space' and highlights how the trees and flowers provide shade and colour outside the Art Gallery.

8.5 **National Planning Guidance**

8.6 PPS1 General Policies and Principles

9.0 **MAIN ISSUES**

- General refurbishment and upgrade of hard surfacing, seating and other features.
- Pruning and removal and replacement of the trees.

10.0 **APPRAISAL**

10.1 **General refurbishment and upgrade of hard surfacing, seating and other features.**

10.2 Victoria Gardens has not had any major improvement works for a number of years and the space is looking tired. The proposed refurbishment includes the replacement of damaged Yorkstone paving that will remove the unevenness of the current surface in addition to the visual improvement. The popular large chess boards will be replaced with two new granite and marble chess boards with further smaller chess boards etched into the stone planters to provide further opportunity for day to day activity in the area. New bins and seating will significantly enhance the area whilst the seat introduced on top of the steps in front of the Library will improve safety for those watching or participating in chess and the other events held within Victoria Gardens.

10.3 Part of the existing planter in the northwest corner is removed to permit an easier access into the site from Calverley Street and new surfacing will be introduced into the area currently laid with brick setts. The brick setts are not complimentary to the Yorkstone or the setting of the listed buildings therefore a new resin bound gravel, to be agreed by condition, will be able to provide a more appropriate surface. The budget available from Marks and Spencer would not permit this area to be surfaced with Yorkstone to match that elsewhere in Victoria Gardens.

10.4 Another significant benefit of the scheme will be the provision of level access from the Headrow into Victoria Gardens at the four access points in between the planters. At present there is a step up into Victoria Gardens of approximately 50-60mm that makes it awkward for the visually impaired and those in wheelchairs. The proposed scheme will re-grade the paving in this area to ensure level access from the Headrow.

10.5 Pruning and removal and replacement of the trees.

10.6 Leeds City Council Parks and Countryside Forestry Section were commissioned to undertake an Arboricultural survey and hazard assessment of the existing trees at the site. The majority of those trees along the Calverley Street and Headrow Frontages were considered to be of poor vigour with removal being the recommended course of action.

10.7 The two Oak trees in front of the Library were considered to be of reasonable vigour and provide sun shading for those playing chess in the summer. These trees are retained but with some remedial pruning (5%) and removal of deadwood to improve the visual connection with the civic building behind.

10.8 The Joseph Beuys Oak adjacent to the war memorial was rated as having poor vigour but with reasonable form. Due to the prominence of this tree and its relationship to the war memorial this tree is to be retained.

10.9 Despite being rather close to the Art Gallery, the Italian Alder is considered to give this building an appropriate setting and neatly fill the space between the gallery and Henry Moore Institute therefore it is retained.

10.10 As stated above the 16 trees within the planters were primarily of poor vigour and all were recommended for felling in the tree survey despite not causing any significant threat to public safety. The existing trees are of a mixed variety and are not considered to give a uniform setting to the civic buildings.

10.11 The 16 trees will be replaced with 26 London Plane trees, a tree commonly found in city centres partly due to its tolerance of urban conditions. The new trees will be planted at regular intervals within the retained planters to form a continuous line of trees bounding Victoria Gardens. The trees will be planted with a minimum 2.4m clear stem with 2m x 2m cubed headed/boxed crown. This crown will be permitted to grow out to 3m in width and 4m in height and then maintained at this dimension to give a formal appearance to all the trees and the space. The clear stem will permit views into the space from street level whilst the regular crown will result in framed views of the civic buildings in between the planters.

10.12 After understanding the history of the space and historic and future aspirations, the regular form and appearance of the proposed replacement trees are considered to accord with these aspirations and general urban design principles, I outline some of the history and aspirations below.

10.13 The space of Victoria Gardens was created following the demolition of a cluster of Victorian buildings in the 1930s. The space is a remnant of two grand schemes, the 1920's Blomfield/Headrow scheme that sought to introduce a building to mirror what is now 'The Light' into the space and the 1930's civic schemes for spaces in front of the library/museum/art gallery and new courts building all respecting an axis through the centre line of the Town Hall. However, the spatial clarity was not achieved

following the collapse of the 1930s proposal. The southern elevation of the art gallery and library is actually the side elevation and were never intended to be exposed or considered as the fronts of the buildings. In the 1996 Millennium Bid there was a strategic objective of creating three linked spaces at Millennium Square, Victoria Gardens and City Square.

- 10.14 The great strength of the current proposal is to create a formal continuity of the 19th century composition of the Municipal Buildings and thereby create a scheme for "a space within a space" with Cookridge Street, The Headrow and Calverley Street being the outer space. These spaces contain two axes, the Art Gallery Door axis (Part of the 1930s Civic proposals) and the War Memorial and Joseph Beuys oak axis. The outer space will be seen below the proposed 'boxed' trees and is considered to be a very elegant device to achieve this.
- 10.15 The space beneath the trees within the planter will be turfed to enable further areas to be used for seating and to ease maintenance whilst the up-lighting will further enhance the visual setting of the trees, space and buildings at night. Bulbs will be planted under the turf to give some colour and interest.
- 10.16 To further mitigate the impact of the proposals on the existing trees, officers are exploring the possibility of introducing blossoming trees adjacent to the western façade of the Civic Hall as a replacement for those existing blossoming trees that are to be removed from Victoria Gardens. A condition will require this off-site planting.

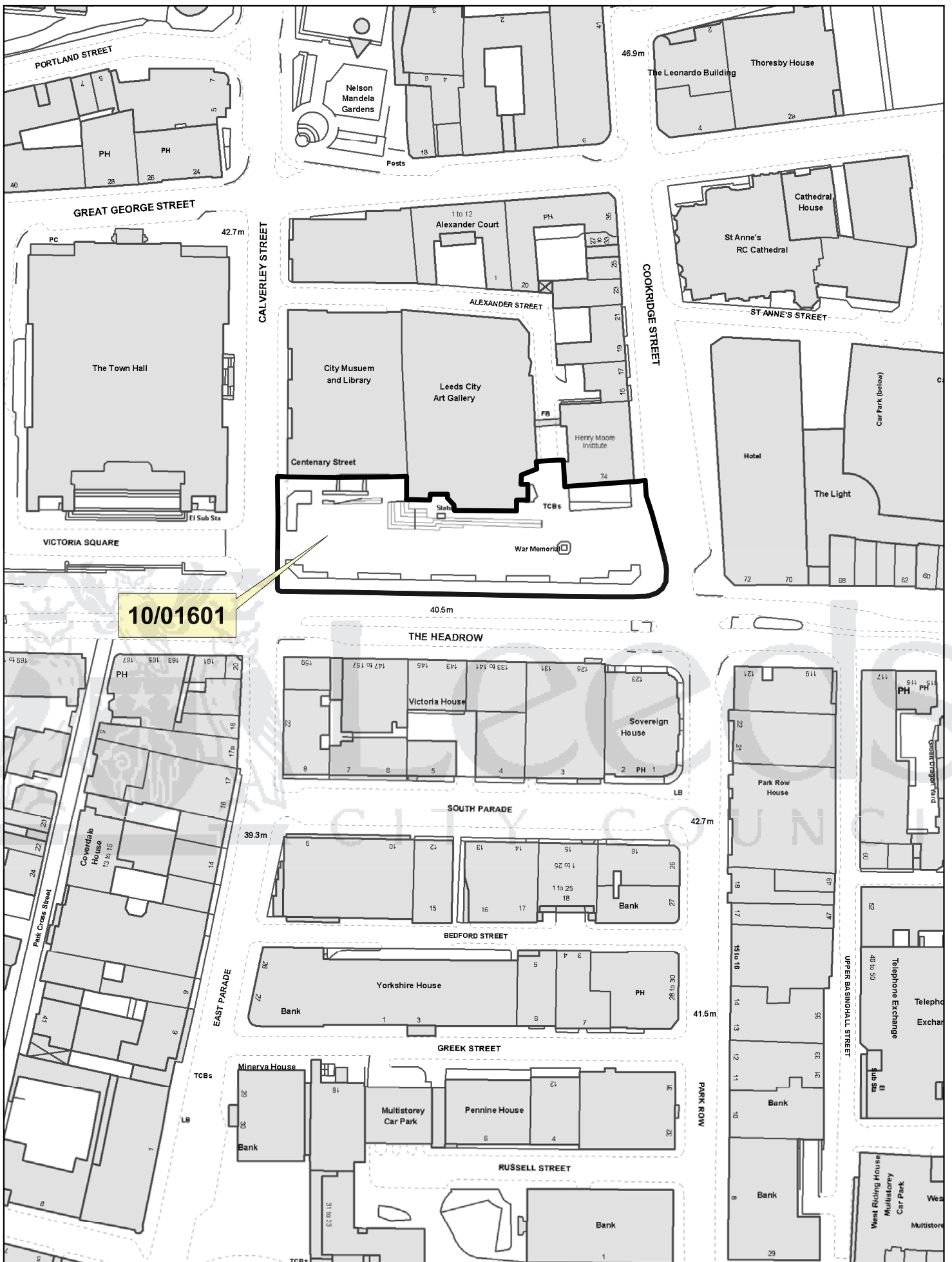
11.0 CONCLUSION

- 11.1 The proposed refurbishment of this important, but tired, Civic space will significantly enhance the surfacing and other fixtures and features within Victoria Gardens to provide an area that can be enjoyed and accessed by all. The removal of the mixed variety of trees will permit the introduction of more trees of a common species and formal appearance and layout to clearly define the space. The proposed refurbishment has a limited time as to when it can be introduced therefore Members are requested to approve the scheme and permit works to be completed prior to the planned events within the space later this year.

Background Papers:

Application file 10/01601/FU.

Notice has been served on Leeds City Council



10/01601

CITY CENTRE PANEL



Originator: Sarah McMahon

Tel: 2478171

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 19 AUGUST 2010

Subject: UPDATE STATEMENT FOR APPLICATIONS 09/03230/FU - Change of use including refurbishment and extensions to 2 church buildings with 2 flats, to form offices and 20 flats and erect a part 4 part 5 storey block comprising office and 31 flats, with car parking, 09/03280/CA – Conservation Area application to demolish the Chantrell House office building, and 09/03397/LI – Listed Building Application for partial demolition and making good of boundary wall, at St Peters Church And Church Buildings, and Chantrell House, Leeds Parish Church, Kirkgate, Leeds, LS2 7DJ.

Electoral Wards Affected:

City & Hunslet

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Members are requested to note the contents of this Update Statement and are invited to comment on the design principles referred to in this statement and to be presented to them at Plans Panel.

1.0 INTRODUCTION:

Members will recall that the proposed scheme has been put before them firstly as a Position Statement on 4 March 2010, and subsequently for determination on 24 June 2010. On both occasions Members made a number of comments which are detailed below in Section 5.0 History of Negotiations.

As a result of Members comments the scheme is now brought back to Members to consider what design principles are considered to be appropriate in respect of the historical context of the site, heights, massing, key views, positions of buildings, relationships of proposed buildings to the Parish Church and other existing buildings, elevational treatments and materials, and connectivity.

2.0 PROPOSAL:

The proposal as has been submitted and previously put before Members is for a redevelopment of the site to provide a mixed use of 51 residential flats (30 x 1-bed, 18 x 2-bed and 3 x 3-bed units) and 445m². of gross office space. This would involve the partial demolition and subsequent refurbishment of and extensions to St Peters Hall and St Peters House to create extended 4 and 5 storey buildings. These would both house office space at ground floor level with residential above. A total of 20 flats are proposed within these two buildings. In addition, it is proposed to demolish the existing 3 storey Chantrell House office block. This would be replaced with a 5 storey block comprising office use to part of the ground floor (fronting The Calls) and 31 flats, with undercroft car parking. To create a flood risk emergency escape route it is also proposed to partially demolish and make good a Grade II listed boundary wall to St Peters (Leeds Parish Church).

3.0 SITE AND SURROUNDINGS:

The site is a City Centre location set within the Riverside Area, as defined by Leeds Unitary Development Plan Review 2006. Three buildings exist on the site, St Peters Hall and St Peters House, which are red brick Victorian/Edwardian 4 storey buildings and Chantrell House a red brick 1980s 3-storey office block. St Peters Hall and House provide limited residential accommodation (2 flats) but for the most part are vacant and in a state of disrepair. The site also includes part of the landscaped church grounds and the parking area accessed off Maude Street to the east of Chantrell House.

The site is within the boundary of the City Centre Conservation Area, adjacent to the Grade I listed St Peters (Leeds Parish Church) and its Grade II boundary wall (to the north). To the south the site fronts onto The Calls and to the east is Maude Street. Both streets are characterised by former warehousing buildings fronting the back edge of the footpath of heights varying around 3 to 5 storeys. Adjacent to the site to the east and also fronting The Calls is the 3 storey residential development, Chantrell Court.

A visual inspection has shown that the site currently provides potential for approximately 23 parking spaces in two parking courts on either side of Chantrell House

4.0 RELEVANT PLANNING HISTORY:

None

5.0 HISTORY OF NEGOTIATIONS:

The proposal was the subject of pre-application discussions between the Developers, their Architects and Local Authority Officers from May 2007 until submission of the planning application in January 2010. These discussions focused on the proposed use of the site for a mix of office and residential uses, the level of affordable housing required, the numbers of car parking spaces, the position of the blocks in relation to other existing and proposed buildings, the height, form and scale of the blocks, details of the elevational design and materials, key views, pedestrian routes and connectivity through the site and links to the wider area, the sustainability credentials of the proposal, and the proposed hard and soft landscaping scheme.

The submitted proposal was presented to Members as a position statement at Plans Panel on 4 March 2010. Members made the following comments:

- That the proposals for Chantrell House were contrived; overdeveloped; block-like; were too high; were too close to the Parish Church and over dominant leading to a loss of amenity to existing residents of Chantrell Court and would be out of character in the area
 - The demolition of a 1980s building with mixed views on the appropriateness of this
 - That the proposals for Chantrell House were not good enough for this high quality site, adjacent to a Grade I listed building
 - Concerns about car parking in the area and the impact of the development on this
 - The flat roof design of the new building; that this prevented the use of roof space and was out of keeping amongst the surrounding pitched roofs
 - The proposals in lieu of the full affordable housing contribution; the need for consistency across the city and concerns that whilst affordable housing was for everyone, Leeds Parish Church was a Christian church in a city which contained diverse beliefs and views

The Head of Planning Services referred to the specific points in the report on which Members' views were sought and noted the following responses from Members:

- That the Panel was supportive of the extent of the demolition and alteration proposed to St Peters Hall and House, with the majority of Members accepting of the demolition of Chantrell House provided that its replacement was superior
 - Relating to the new build elements of the scheme:
 - concerns that the design of the extension to St Peters Hall was not good enough given its setting
 - that the extension to St Peters House did not relate well to the host property and that again the quality of design was not good enough
 - the concerns set out above relating to Chantrell House
 - Regarding the car parking, that concerns had been expressed on this matter
 - Having noted the comments on the affordable housing contribution, The Head of Planning Services stated that rather than viewing this as funding for a church, it was more appropriate to consider this as funding for the upkeep of a Grade I listed building, which was a valid consideration as set out in PPG15.

The proposal was brought back to Plans Panel for determination on 24 June 2010. Members made the following comments:

- the design details of the recesses and the absence of chimneys on Chantrell House
 - the lack of windows on the gable wall of the extension of St Peters Hall
 - that some of the best features would be covered up on St Peters Hall, which albeit some of the window frames were in poor condition, created an important view down The Calls
 - that the extension to St Peters Hall had tried, unsuccessfully, to imitate the adjacent Victorian building and that it was not of a high enough

- quality given its surroundings and proximity to a Grade I Listed church
- that as an entrance into a precinct it was unattractive
 - that although improvements had been made to the scheme it was still not good enough, particularly the blocking off of the view of the Parish Church from Maud Street
 - concerns about the design of Chantrell House; that the parapet should be in stone as opposed to stone and brick; that more glazing could be introduced on the elevations and concerns at the design of this building adjacent to the Parish Church
 - that what was being shown was a comparison with an earlier scheme;
 - that the current scheme should be considered in isolation and the view
 - that this scheme was not good enough
 - that if the intention was to create a cathedral close, the buildings faced the cathedral, whereas Chantrell House did not face the Parish Church
 - that the applicant had taken on board Members' comments and responded but the scheme was not of sufficient quality to approve in this location

The Head of Planning Services stated that Members' views had been noted and that the applicant had a choice to make, but that Officers would need to discuss these matters with the applicant and to submit a further report setting out the results of these negotiations. The Panel was advised that the quantum of development on the site was likely to be reduced and that the report would seek the Panel's views on where there was room for manoeuvre in the scheme. As such the determination of the application was deferred to enable further discussions to be undertaken on the issues raised by Members.

6.0 RELEVANT PLANNING POLICIES:

Development Plan -

Leeds Unitary Development Plan Review 2006

Policy A4 (access for all)

Policy BD2 (design and siting of new buildings)

Policy BD3 (accessibility in new buildings)

Policy BD4 (All mechanical plant)

Policy BD5 (All new buildings)

Policy CC1 (Planning obligations)

Policy CC3 (Maintaining the identity and distinctive character of the city centre)

Policy CC5 (Development in the City Centre Conservation Area)

Policy CC8 (New buildings to respect the spatial character of existing buildings and streets outside the Prestige Development Areas)

Policy CC9 (Maintaining and improving access to existing public spaces)

Policy CC10 (provision of public space)

Policy CC11 (enhanced pedestrian corridors and upgraded streets)

Policy CC12 (New development and new public spaces relating and connecting to the existing street pattern)

Policy CC28 (Development within the Riverside Area)

Policy GP5 (all planning considerations)

Policy GP7 (planning obligations)

Policy H7 (new housing encouraged in City Centre)

Policy N12 (Urban building design)

Policy N13 (Design of all new buildings)

Policy N18A (Level of contribution of building to be demolished in a conservation area)

Policy N18B (Requirement for detailed plans for redevelopment of buildings to be demolished in conservation area)
Policy N19 (New buildings and extensions within or adjacent to a conservation area)
Policy N23 (Space around new buildings)
Policy N29 (sites of archaeological importance and requirements for investigation)
Policy N51 (design of new development should where possible enhance existing wildlife habitats and provide new areas for wildlife)
Policy T5 (Provision to cyclists)
Policy T24 (Parking provision)

Government Planning Policy Guidance/Statements

Planning Policy Statement 1 (PPS1) – Delivering sustainable development
Planning Policy Statement 3 (PPS3) – Housing
Planning Policy Statement 4 (PPS4) - Planning for Sustainable Economic Growth.
Planning Policy Statement 5 (PPS5) – Planning for the Historic Environment
Planning Policy Guidance 24 (PPG24) – Planning and Noise
Planning Policy Statement 25 (PPG25) – Development and Flood Risk

Relevant Supplementary Guidance

Leeds – City Centre Urban Design Strategy (CCUDS): Improving Our Streets, Spaces and Buildings (urban design principles based on the distinctive qualities of Leeds City Centre).

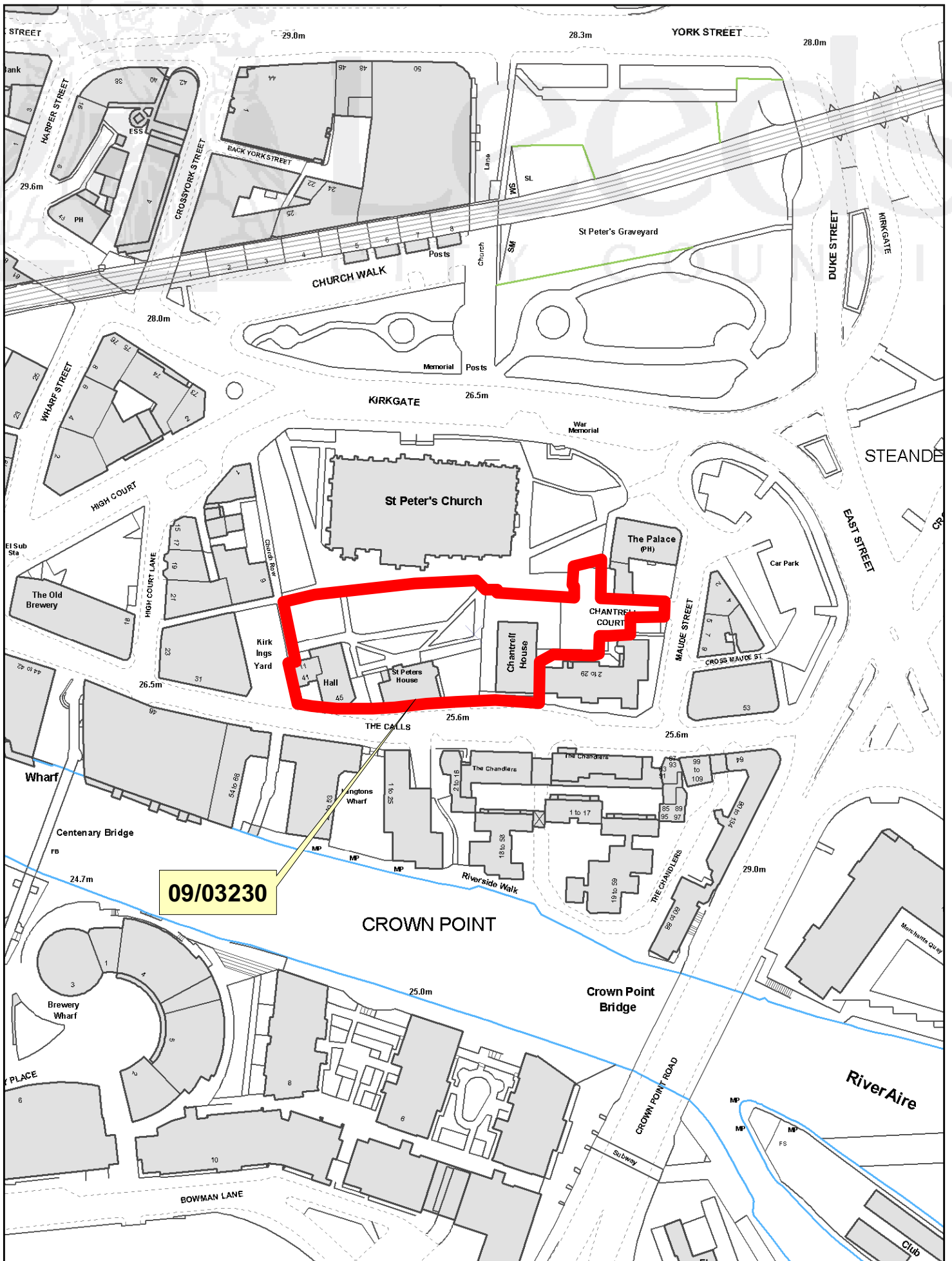
7.0 ISSUES

The proposal is now brought back to Plans Panel for Members to reconsider the key design principles for the development. As such matters for Member's consideration include the following:

1. How the proposal sits within and relates to the historical context of the site, with particular consideration of the relationship to the Grade I Listed Leeds Parish Church (St Peters).
2. What would be considered to be acceptable heights for the proposed buildings?
3. What would be considered to be acceptable in terms of the scale, massing and positioning of the proposed buildings?
4. Where the key views are located around and through the site and the level of views to be retained.
5. What elevational treatments and materials would be appropriate for the proposed buildings?
6. How connectivity is achieved across and through the site

Background Papers:

Planning application 09/03280/CA
Planning application 09/03397/LI
Planning application 09/03230/FU.



09/03230

CITY CENTRE PANEL

Scale 1/1500

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