



PLANS PANEL (CITY CENTRE)

Meeting to be held in Civic Hall Leeds on
Thursday, 16th September, 2010
at 1.30 pm

MEMBERSHIP

Councillors

G Driver
S Hamilton
G Harper
E Nash
B Selby (Chair)

C Campbell
M Hamilton
J Monaghan

A Carter
G Latty

D Blackburn

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 19th August 2010</p> <p>(minutes attached)</p>	3 - 14
7	City and Hunslet;		<p>APPLICATION 10/01601/FU - VICTORIA GARDENS THE HEADROW LEEDS LS1</p> <p>Further to minute 24 of the Plans Panel City Centre meeting held on 19th August, to consider a report of the Chief Planning Officer providing further information on an application for alterations to public open space</p> <p>(report attached)</p>	15 - 24

Item No	Ward	Item Not Open		Page No
8	City and Hunslet;		<p>APPLICATION 10/02973/RM - 10 WELLINGTON PLACE LEEDS LS1</p> <p>To consider a report of the Chief Planning Officer on an application for a 4/5 storey office building (building 10) – adjacent to Grade II Listed lifting tower (Tower Square)</p> <p>(report attached)</p>	25 - 34
9	City and Hunslet;		<p>APPLICATION 10/02974/RM - 3 WELLINGTON PLACE - (CORNER OF WELLINGTON STREET AND NORTHERN STREET) - LEEDS LS1</p> <p>To consider a report of the Chief Planning Officer on an application for a 6/7 storey office building with basement car park and landscaping at Wellington Place (building 3)</p> <p>(report attached)</p>	35 - 46
10			<p>DATE AND TIME OF NEXT MEETINGS</p> <p>Thursday 14th October 2010 at 1.30pm <u>Friday 12th November 2010 at 1.30pm</u></p>	

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/
8th September 2010

Dear Councillor

PLANS PANEL CITY CENTRE – THURSDAY 16TH SEPTEMBER 2010 AT 1.30PM

Prior to the meeting on Thursday 16th September 2010 there will be a site visit and workshop, and I set out below the details:

Depart Civic Hall Ante Chamber at **9.10am** by bus to Wellington Place to view the sites of the two Reserved Matters applications on the agenda (10/02973/RM and 10/02974/RM).

Return to the Civic Hall for a workshop on the Sweet Street/Meadow Road application (10/00923/OT – land bounded by Sweet Street, Meadow Road, Jack Lane, Bowling Green Terrace and Trent Street LS11 – Outline application for redevelopment of land at Meadow Road for uses within the following classes: B1, D2, C1, C3 (up to 296 residential units) and ancillary A1, A3, A4 and A5 uses including associated works for formation of site access roads. The workshop to run from **10.15am – 12.15pm**.

Following consideration of agenda item 9, there will be a pre-application presentation for Panel Members only on the Eastgate and Harewood Quarter development.

Reports for the workshop and pre-application presentation will be sent to you directly from City Development Department.

Please could you let Daljit Singh know (2478170) if you will be attending the site visit and assemble in the Ante Chamber at **9.00am**.

Yours sincerely

Angela M Bloor
Governance Officer

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Plans Panel (City Centre)

Thursday, 19th August, 2010

PRESENT: Councillor B Selby in the Chair

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

16 Chair's opening remarks

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

17 Mr John Thorp

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

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

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

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

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

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

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

18 Late Items

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

19 Declarations of Interest

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 Apologies for Absence

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

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

21 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 22nd July 2010 be approved

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Officers provided the following responses:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Officers provided the following comments:

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

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

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

RESOLVED -

Application 08/05307/FU

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

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

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

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

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

Application 08/05309/CA

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

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

Plans, graphics and historical images were displayed at the meeting

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

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

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

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

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

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

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

Members commented on the following matters:

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

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

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

Officers, including the Principal Landscape Architect, provided the

following comments:

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

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

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

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

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

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

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

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

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

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

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

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

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

Members commented on the proposals as follows:

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

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

26 Kirkgate

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

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

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

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

27 Date and time of next meeting

Thursday 16th September 2010 at 1.30pm in the Civic Hall, Leeds



Originator: Andrew Windress

Tel: 3951247

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 16th September 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.
 - Maintenance to be carried out in accordance with the submitted schedule.
 - York stone to match existing stone in 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.

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 was brought to the 19th August Plans Panel when a number of issues were raised. These issues are discussed in detail in section 10 below with a response provided.

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 bins, 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.

- 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 carry out the works between January and April 2011.

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 and 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. The Chess Society have also been consulted.
- 5.2 Following the 19th August Panel, officers have discussed Members' comments with the agent and provide further details and a response to each issue raised in section 10 below.

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.

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**

- Issues raised at the 19th August Panel.

10.0 **APPRAISAL**

10.1 **Issues raised at the 19th August Panel.**

10.2 At the 19th August Panel Members commented on the following matters (**in bold**), a response to each issue is provided:

- **That whilst the offer of works to Victoria Gardens was welcomed, there were other areas around the city in more need of attention.** Victoria Gardens is an extremely important Civic space that has not benefited from any refurbishment for a number of years therefore it is considered appropriate to seek improvements to this space. The key consideration for Members is whether the proposals are acceptable, on their merits, for this location.
- **That there should be no change to the name of the gardens.** There will be no change to the name. 'Victoria Gardens' will be etched into two of the existing stone planters at the south east and north west corners of the site.
- **That the improved chess facilities were welcomed but that there was the opportunity for other games to be laid out to appeal to a greater number of people; concerns that the number of large chess boards was being reduced from 3 to 2 and had been re-sited away from their current position in the corner, which was considered to be the appropriate location for them.** In addition to the two large granite and marble chess boards proposed, seven chess boards are to be carved into the existing stone planters, these will be a similar size to a normal sized chess board. As such the ability to play chess at Victoria Gardens will significantly increase following the proposed refurbishment. Currently there are no chess pieces available for the third board therefore it is not in use and there is not the space to store further chess pieces within the library. The agent, Groundwork, have had several discussions regarding a third board with

the Chess Club and with the Libraries Service Delivery Manager. The libraries manager confirmed there is no storage available for more pieces and although the chess club expressed a desire to retain a third board, it is understood that the chess club are happy that the small scale boards will be placed around the site for everyday use. The smaller chess board will also allow for other games such as draughts to be played. It is not considered that games such as hop scotch would be appropriate in this Civic space and would further constrain the budget. The shortage of alternative games would not be a sufficient reason to resist the proposals.

- **Concerns at the proposed removal of the planter adjacent to the chess boards as this acted as a barrier to the loop traffic.** Only a small section of this planter within Victoria Gardens is removed, not any of the planter on the boundary of Victoria Gardens. The removal of part of the stone planter in the north west corner of the site is strongly supported by officers. The planter currently limits clear and direct access into Victoria Gardens through this area therefore the partial removal will increase visibility and permeability into Victoria Gardens.
- **The need for further details to be provided on the proposed benches and street furniture; that there should be a move away from stainless steel seating; that the benches should be comfortable and that replica art deco seats could be considered as a replacement for the original art deco benches which had been removed some years ago.** Further discussions are on going regarding the designs of the seating and bins. A design to reflect the character of the earlier benches is being examined and designs will be presented at Panel.
- **Whether consideration should be given to siting the War Memorial centrally within the site, with mixed views on the appropriateness of this.** The relocation of the War Memorial toward the centre of Victoria Gardens would impact upon the use of Victoria Gardens as an event space. After public consultation Groundwork concluded that the War Memorial should remain in its current position, this is supported by officers.
- **Concern at the loss of the flowering trees along The Headrow and that they provided much needed colour in the area.** As highlighted in the previous panel report the majority of the existing trees along the Calverley Street and Headrow frontages were considered to be of poor vigour with removal being the recommended course of action. As stated below, the proposed trees are highly tolerable of urban conditions and therefore considered appropriate for this location. 2768 bulbs including early flowering snow drops and later flowering crocus will be placed in the stone planters. These species grow particularly well in grass and the bulbs would provide a subtle but significant amount of colour early in the season before the trees come into full leaf. The species of trees chosen create a significant amount of colour in the canopy but also at a later date in the stem as the trees mature. Following consultation with LCC events department Groundwork did not promote other flowering plants in the planters as concern was raised over the damage that will inevitably occur to any plants within this area during day to day activities but particularly during busy events held in Victoria Gardens. The use of intense flowering pot plants within this space could also make it look dated. The above are some of the reasons for specifying the high quality turf whilst the other is the significant impact it will have towards creating a high quality Civic space. Up lighters will illuminate the trees at night and off site tree planting will be provided by Parks and Countryside adjacent to the Civic Hall to replace the flowering trees.

- **The information in the report which stated that the existing trees were not suitable due to the pollution levels and in time, they would need to be replaced.** The previous panel report did not state the existing trees were a particularly unsuitable species for this urban location but did state the proposed London Plane trees had been selected because they had proven to be a hardy species that can thrive in urban environments.
- **The suitability of London Plane trees; their vigorous growth and their need for high level maintenance, particularly due to the manicured form which was being proposed.** As stated above, the London Plane tree are appropriate for this urban environment and can be seen to be thriving elsewhere in the city centre. A maintenance plan has been prepared by Groundwork that can be followed by those maintaining Victoria Gardens. To retain their form the trees need pruning at least once a year, the Chief Recreation Officer has acknowledged this requirement and can accommodate it in the budget for the maintenance of the space.
- **That currently there were 16 trees in the planters; that these would be replaced by 26 trees and that unless their growth was carefully managed, the end result could be a dense hedge which could impact on views of the buildings behind them.** See points above. The maintenance plan will ensure the trees are appropriately pruned. There are wide spaces in between the planters of approximately 9m therefore views of the Civic buildings will be retained. The 2.5m clear stem to the London Plane trees will also permit clear views from street level. The sculptured trees are considered to provide an appropriate artistic setting to the Art Gallery and Henry Moore Institute.
- **That London Plane trees were not evergreen and so for several months of the year would appear as bare branches.** The trees will retain the sculptured form and will still be up light during the winter. The bulbs and high quality grass will provide colour before the trees come into full leaf and the stem to the trees will provide colour as they mature.
- **The need for a maintenance agreement with Recreation Services to ensure the trees would be maintained as shown on the drawings presented to Panel.** A maintenance plan has been submitted and agreed. This plan has been accepted by the Chief Recreation Officer and can be accommodated in the maintenance budget for Victoria Gardens.
- **Whether the shape proposed for the trees was the most suitable.** The 3m x 4m canopy is considered to be of sufficient scale to give the trees prominence and provide shade whilst still maintaining views of the Civic buildings. As stated above, the 2.5m clear stem will ensure views remain from street level whilst the sculptural form is considered appropriate for landscaping in front of the Art Gallery and Henry Moore Institute. Following comments at the August 19th Panel some of the proposed trees on the corners of the site and at the ends of the planters will have further pruning to remove the square edge. In these locations the trees will be chamfered to soften their appearance and continue the 'Art Deco' motif.
- **The need for colour to be included within the scheme in addition to the under planting with bulbs and light treatment.** The issue regarding the colour provided by the scheme has been addressed above.

- **That ideally the area outside the Town Hall would benefit from being included in the proposals, but an acceptance that the funding could not include this area.** The budget could only provide for the refurbishment of Victoria Gardens.
- **That the interest shown by Marks and Spencer to commemorate their beginnings in Leeds was welcomed.** Information panels on the sides of the planters have already been approved under the applications for signage at Victoria Gardens and the Civic buildings (09/04249/LA and 09/04250/LA), comment regarding Mr Marks and Marks and Spencer's success and involvement in the city will be incorporated into the information panels.

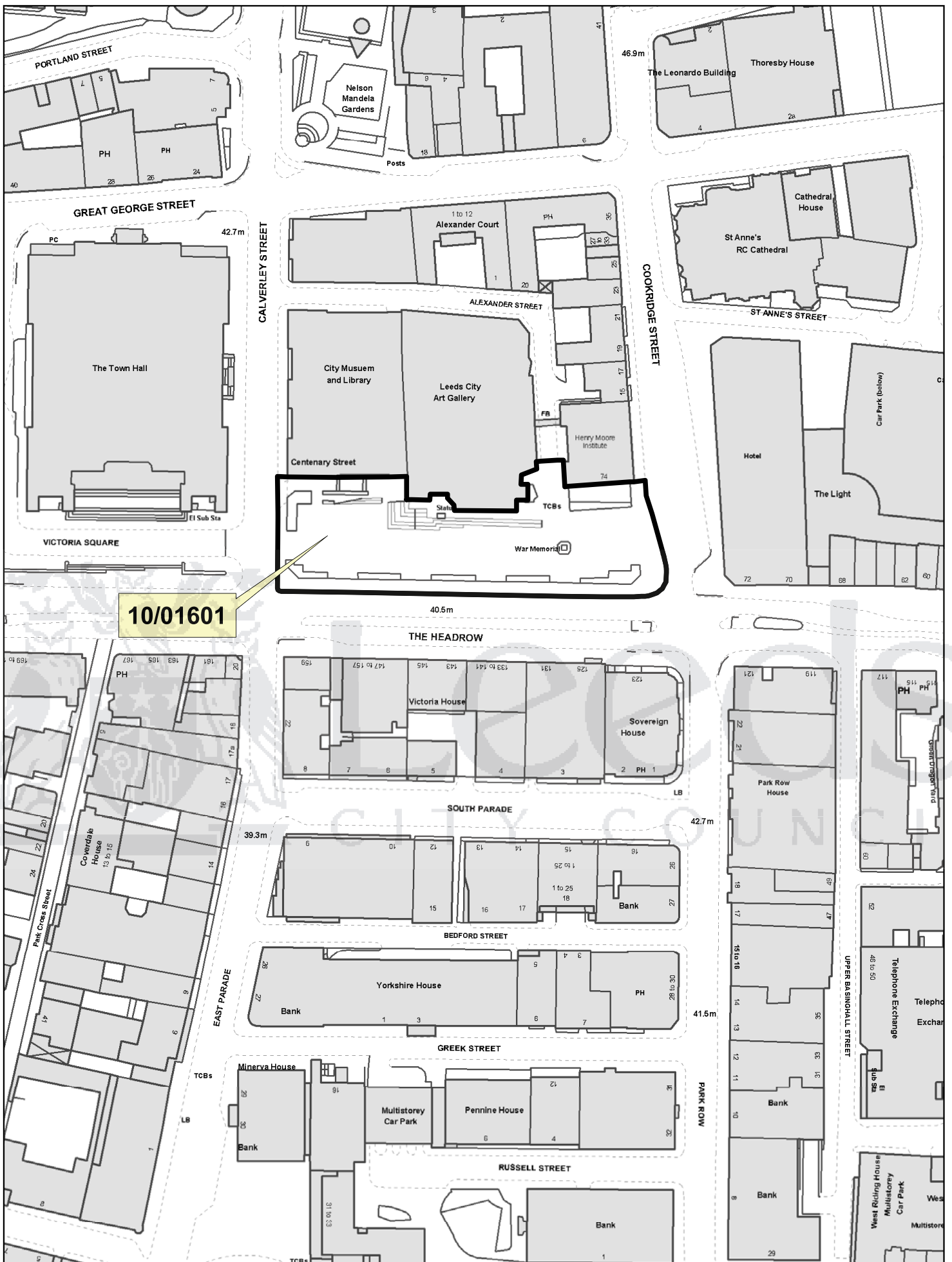
11.0 CONCLUSION

- 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 and provide a sculptural setting to the Art Gallery and Henry Moore Institute. Members are requested to approve the scheme subject to the conditions above.

Background Papers:

Application file 10/01601/FU.

Notice has been served on Leeds City Council



10/01601

CITY CENTRE PANEL



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Originator: Paul Kendall

Tel: 0113 2478196

Report of the Chief Planning Officer

PLANS PANEL CENTRAL

Date: 16th September 2010

Subject: APPLICATION 10/02973/RM/C - 5 Storey office building at Wellington Place (Building 10) – Adjacent Grade II Listed Lifting Tower

APPLICANT

Wellington PI General
Partner Ltd

DATE VALID

28th June 2010

TARGET DATE

27th September 2010

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: GRANT PERMISSION

The site will be subject to compliance with the conditions attached to the outline consent

Reasons for approval: The application is considered to comply with policies BD2, BD5, N12, N13, LD1 GP5, of the UDPR, as well as guidance contained within Supplementary Planning Documents: Sustainable Design and Construction and Central Government advice set out in PPS4, and having regard to all other material considerations, as such the application is recommended for approval:

1.0 INTRODUCTION:

This application is being brought to Panel as it is a significant new building which is part of a much larger development site in the City Centre. The overall site has the benefit of outline planning permission and 2 previous reserved matters applications

have already been approved by Members at Panel on 2009. In addition, the project architects have presented the temporary site works and landscaping proposals to Members to keep them informed of progress and many of these have now been introduced to the site. There is a parallel application for the neighbouring Building 3 (10/02974/RM/C) which is also before Members for determination and therefore reference to this will be made in this report.

2.0 PROPOSAL:

Background - Outline Approval

The outline consent for this site was for the layout of and means of access to the buildings and therefore the matters for consideration as part of this application are the scale of the building, its external appearance/design and landscaping. The outline also has attached to it a range of conditions which will have to be discharged and will therefore control the development of each individual building including the one under consideration here, Building 10.

The outline scheme set a maximum height of development using a design code statement and for this site the maximum height achievable was considered to be 8/9 storeys which related to the heights of the neighbouring building to the north east - Building 3. All of the buildings in the outline scheme have roofs which slope downward toward the centre of the site to allow greater penetration of natural light to the open spaces and pedestrian routes at it's heart.

Building Footprint and Layout

This proposal approximates very closely to the footprint approved as part of the outline scheme and follows the principles set by that scheme in respect of orientation of building lines, most notably in respect of its relationship to the service road to the north, the listed lifting tower to the south and the formation of the northern side of the main central square at the heart of the Wellington Place scheme focused on the lifting tower.

The ground floor is split in to 2 unequal sized units and it is possible, under the outline approval, for these to have uses other than offices. Whilst this cannot be insisted upon there is the ability to provide restaurant and bar uses on the site and the potential to achieve this is certainly not precluded by the proposed design.

The original outline also indicated that the underground vehicular access route would pass directly beneath this building. However, now that the details have been worked through it is clear that this would be both difficult to achieve and impractical and therefore the route has been realigned to avoid passing beneath any of the buildings (this matter is set out in detail as part of the report on Building 3). There is no car parking on this site due to the restricted width which any basement would possess, and therefore its allocation is to be provided beneath subsequent phases of development. At this time the dedicated spaces (16 no. which is 65% of the UDPR maximum) are to be located in the on site multi-storey car park at the western end of Wellington Place.

Scale

This reserved matters application is for a 5 storey office building providing 4,350sqm of office space. The scheme is therefore of a much reduced scale to the approved maximum of 8/9 storeys. However, this means that the feature roof slope down towards the south and the main square now aligns with the height of the lifting tower. Officers consider this to be a more comfortable and more respectful relationship than was originally approved.

The combination of the sloping roof and the splayed ends means that, at the eastern end of the building, the slope is continued from Building 3 to the east and it therefore performs its required function in respect of the overall master plan by providing continuity of form between buildings.

Elevational treatment

At an early point in the design process it was established that this building needed to provide a calm backdrop to the lifting tower rather than compete with it or use its design features and materials as a reference. Therefore, the southern elevation is to be entirely glazed and this will act as a foil to the robust stone structure. A stone surround has been introduced and this will act to frame views of the tower from the south and visually contain the main glazed elevation which itself contains a subtle change in plane around its edge. The glazing will give reflections of the tower's elevations when viewed obliquely.

The glazed façade is broken at the entrance which is set in to a double storey height angled recess, the top of which aligns with the heaviest stone band on the lifting tower. The shorter side of this recess is to be inset with a feature steel wall to act as an entrance marker. This will offer additional synergy between the two buildings and variations in its reflections. The glazing system will be frameless to produce as close to an unfettered reflective surface as possible and the glazing will be a mix of tinted and opaque panels to reduce solar gain to acceptable levels and conceal the building structure.

The roof is a south facing slope which is given over entirely to a green roof which, due to the slope, will be visible, at distance, from ground level. The plant room is contained entirely within the building and this is made possible because of the space created beneath the higher northern side of the roof.

Both of the splayed end elevations and the rear (northern) elevation are of stone with large window openings. The eastern splay will act as a transition between the totally glazed facade of Building 10 and the sloping and more robust stone character of Building 3.

The materials established by the Design Philosophy Document attached to the original outline permission & recent reserved matters applications is therefore maintained across the building as the proposal is for a simple palette of stone and glazing. Window cleaning will be by monopole from the ground given that the building is less than 20m in height.

Public Realm and Landscaping

The major area of public space which sits to the south of this building was included as part of one of the previous reserved matters approvals and the only area which is to be considered as part of this application is the apron of surfacing immediately around the building where it interfaces with the surrounding streets and pedestrian walkways. This will be carried out in matching materials which here will mean granite.

Sustainability

The design has focussed on the following low carbon approaches:

- Minimum 50% glazing to maximise natural daylight (minimise overheating)
- Highly efficient building services systems
- Sustainable Urban Drainage System

The building will also be constructed with the ability to be linked to the site wide energy network when this is eventually constructed as part of a later phase. The submitted sustainability report provides a more detailed commentary on the applicant's approach to the design. As a result of the BREEAM assessment carried out it was determined that a rating of Excellent could be achieved

S106 matters agreed as part of outline permission

As part of the outline scheme the development has an associated S106 agreement which covers

- (i) Public access 24hr to squares, routes, riverside walkway and bridges
- (ii) Provision of low level river bridge
- (iii) Provision of connection to listed viaduct
- (iv) Maintenance of public space
- (v) Affordable housing provision
- (vi) Local employment opportunities
- (vii) Provision of a Travel Plan Co-ordinator and Travel Plan Monitoring Fee
- (viii) £200,000 funding for a metro card scheme
- (ix) Provision of real time bus information system within the development.
- (x) £150,000 Public Transport and Infrastructure contribution.
- (xi) £250,000 off site highways contribution
- (xii) £60,000 contribution towards a 'super bus shelter on Whitehall Rd.

For information, a Framework Travel Plan was approved as part of the outline permission and a condition attached to this requires that a further detailed Travel Plan be submitted prior to the occupation of whichever is the first phase of development. As set out above, the Section 106 already makes provision for a number of Travel Plan and public transport related measures which have already been considered acceptable and are not for consideration as part of this application.

3.0 SITE AND SURROUNDINGS:

The 0.16 Hectare site for 10 Wellington Place is located within the wider Wellington Place layout situated immediately to the north of the GII listed lifting tower which sits at the heart of the development. The Northern Boundary is formed by the rear servicing road for Benson house and the access to the basement car parking for the entire scheme, to the east will be the main pedestrian walkway through to the Northern Street Wellington St junction. To the south will be located the major area of open space centred around the lifting tower and to the west will be a walkway through to the Holiday Inn and the main vehicular junction with Wellington St.

Wellington Place itself is occupied by a number of existing buildings comprising Hotel, Office and Multi Storey Car Park. The character is of mixed architectural styles, with the predominant materials being red brick and glass. The scale of the existing buildings vary from 4 to 7 office floors. Located in close proximity to the application site is the Grade II listed former railway lifting tower, constructed of natural grit-stone laid in a coursing pattern which reflects its industrial use. The lifting tower possesses a visual strength which is unique to Wellington Place and provides one of the few visible clues as to the site's previous railway heritage.

Much of the Wellington Place site is hard surfacing which remains after the demolition of the retail buildings although coloured gravel banks and a large area of grass have now been introduced to break this down. The owner/applicant has also introduced a number of temporary uses (both public and private) in order to encourage the use of the site and these include a 5-a-side football pitch and

allotments. Pedestrian routes proposed within the outline plan have been introduced in a temporary state to encourage movement through the site. The application site itself is occupied by a combination of soft planting, some semi-mature trees and simple paving. The site has a small slope down from the north which is taken up by a small retaining wall.

4.0 RELEVANT PLANNING HISTORY:

The most recent and relevant permission relating to the application site is the outline planning permission ref. no. 06/06824/OT. This was approved in principle by Members at Panel on 1st March 2007 and was subsequently approved in March 2008. This comprised 15 individual buildings containing:

- Use Class B1 (offices) - 162,800m²
- Use Class C3 (residential) - 43,650m² (approx. 700 units)
- Use Class C1 (hotel) - 18,950m²
- Use Class D1 (cultural and community uses) - 4,900m²
- Use Classes A1, A2, A3, A4 and A5 (shops, cafes, bars, restaurants etc.) - 10,930m² [A1 floor space restricted to 1,000m² by condition]
- Basement Car Park - 48,599m² (1,700 spaces)
- Total - 241,230m²

In addition Members have also approved reserved matters applications for the building at the western end of Whitehall Rd fronting the river which also included the details of 'The Beach' open space area (app. ref. 08/01695/RM/C) and at a site mid-way along Whitehall Rd for a 5-10 storey office building (app. ref. 08/04314/RM). To date therefore 2 buildings have received such approvals.

In recognition of the phased approach to the development on the site, the applicant received approval from Members for a number of separate planning applications for temporary works designed to engage the community and announce the arrival of Wellington Place as a scheme whilst the development progresses. The Marketing Suite/City Room has been open for 3 years and the 5-a-side football pitch was completed last year. Landscaping has recently been improved in the area around the listed tower.

5.0 HISTORY OF NEGOTIATIONS:

Officers have been involved in a series of meetings concerning the design of not only this proposal but the neighbouring building to the east, Building 3 Wellington Place. These two buildings are very much seen as related in scale and form and, along with Benson House, would constitute one city block if they were both to be completed. Principle points of discussion have addressed the treatment of the southern elevation which forms the backdrop to the lifting tower.

6.0 PUBLIC/LOCAL RESPONSE:

The proposal was advertised as a major application affecting the setting of a listed building and the character of the conservation area, on site by notice dated 7th July (expiring 28th August) 2010 and in the press by notice dated 22nd July (expiring 12th August) 2010.

A letter of representation has been received from the **Leeds Civic Trust (LCT)** and this relates to both this building and it's neighbour Building 3. This states that while

they welcome the potential restart of development they consider that the scheme “lacks ambition” and is now just “standard developer architecture”. Also believe that the landscaping has now been “dumbed down”. However, go on to make the point that the final quality will depend largely on the finishes of the masonry panels and the fixing of the curtain glazing. They welcome the green features and the long term commitment to the integrated energy system. Conclude by saying that they hope these building go forward as soon as possible but would like to see a little more excitement in the design. Response: The design of this building is intentionally calm for the reasons stated above and the reliance on an entirely glazed façade is something which officers consider is appropriate next to a structure such as the lifting tower which has great strength. The building relates well in terms of form and materials to the design and quality of the other buildings already approved on Wellington Place and will therefore provide the quality requested by LCT.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Environment Agency: No further comments from those attached to the outline.

British Waterways: No comments to make

Yorkshire Water: No objection as in line with previous outline permission FRA

Non-statutory:

Highways: Have advised that 16 spaces need to be provided as part of this proposal but accept that these cannot be permanently provided until the scheme has been completed and therefore their provision in the on-site MSCP is acceptable. The number of trips generated by this proposal does not bring in to force the requirement to carry out any of the off-site highway works agreed as part of the outline. Cycle and motorcycle spaces are to be provided as part of the overall scheme. Travel Plan measures were approved as part of the outline approval.

Main Drainage: The site remains acceptable in respect of it’s ability to deal with surface water run off subject to conditions.

Access: The plans indicate that the access is flat and level.

Contaminated Land: No objection subject to original conditions.

Police Counter Terrorism Unit: Have advised the applicant directly in respect of this aspect of the proposal the points raised largely covering the use of materials and construction techniques to limit flying debris in the event of an explosion.

Street Cleansing: Advise that this aspect has been adequately dealt with.

8.0 PLANNING POLICIES:

UDP Proposal Area Statement 2 identifies the site as a major opportunity for the expansion of the Prime Office Quarter, principally through offices, but with other essential uses, such as major public space, pedestrian linkages, leisure, entertainment and catering uses. Catering and leisure uses are listed as other appropriate uses. The proposed use therefore remains consistent with the site-specific allocation in the adopted Development Plan.

The adopted UDPR sets out guidelines for the development and design of new buildings. Urban Design and Building Design are addressed by policies BD2, N12 and N13 and require that development respects certain fundamentals of urban design. Spaces between buildings are important as they create a series of linked and varied spaces. Movement on foot and on bicycle should be encouraged and new developments should respect the character and scale of buildings and the routes that connect them. Buildings should be of high quality and have regard to the character and appearance of their surroundings.

Government Planning Policy Guidance/Statements – PPS4 Planning for Sustainable Communities advocated the location of office use in defined centres where they enjoy the benefits of good transportation links and access.

9.0 MAIN ISSUES

Accordance with the outline permission
The scale of the proposal
The design quality of building
Access to the building for vehicles and pedestrians
Quality of the landscaping design
Ability to meet sustainability targets

10.0 APPRAISAL

Conformity with Outline Approval

The use of this site primarily as offices but with ancillary ground floor commercial uses has already been established by the outline permission and is acceptable. This building is part of a much larger overall scheme which will be developed over time on a phased basis. There is an overall quantum of floor space for each of the uses proposed and this is set out within this report. As each building attains an approval this 'running total' can be monitored to ensure that the maximum levels are not exceeded and therefore the overall principles of the Transport Statement, to which it is related, are not compromised. In this case, where the quantum of floor space is being reduced from that permitted as part of the outline, it means that the upper limit is less likely to be reached which is a positive factor when considering the impact on the local highway network. The building footprint conforms with the approved outline layout and is therefore acceptable.

Scale

The reduction in overall size and the resultant reduction in height can be accommodated without any detriment to the buildings to be located on the neighbouring sites. Indeed the neighbouring building to the east Building 3 has been designed to relate to this building to form a coherent piece of townscape and continue the architectural language of the remainder of the Wellington Place scheme. It is considered that this application upholds the principles set out in the outline approval and to a certain degree improves upon it by reducing the height of the building to be closer to that of the lifting tower. This scheme also brings the height of the building down to a level closer to the existing building to the west and therefore this relationship is also improved and is acceptable.

Design

This building has been designed to respect its location immediately adjacent the lifting tower and to emphasise it by offering a relatively plain backdrop which offers reflected views. This will provide an impressive northern side to the main square

and this approach was agreed as part of the negotiations with officers and is fully supported. The other elevations revert to the masonry and window design principle of the other buildings approved on this site and this is considered to be the correct treatment to continue the Wellington Place theme and is acceptable.

The sloping green roof will provide an element of colour and will also act as an urban wildlife habitat providing interest both from distant views and from the other buildings within the scheme. It also encloses the plant area which means that the continuous slope of the roof form will not be fettered by the addition of mechanical plant and equipment.

Pedestrian and Vehicular Access

This scheme benefits considerably from the realignment of the basement service road on its northern side and this is supported. The provision of off-site parking in the interim period is acceptable and the number of spaces is also in line with the approved Transport Assessment and will result in a reduction in the overall number which is to be welcomed.

Landscaping and Open Space Area

As described above, the main areas of open space around this building have either been approved, or are set out, as part of other applications and are therefore not for consideration here. The applicant may therefore construct them at a time which is appropriate to the phasing of the buildings, although it is clear that when the building is constructed it will require a certain quality of setting in order to make it attractive to potential occupiers. The materials to be used around the apron of this building are clearly designed to match those of the main scheme, are of high quality and are acceptable.

Sustainability

The achievement of a BREEAM 'excellent' rating is very much welcomed by officers and this simply continues the high level of development which the applicant is intending to roll out across the whole of this site. The inclusion of the green roof will also provide additional habitat at high level and this is supported by officers.

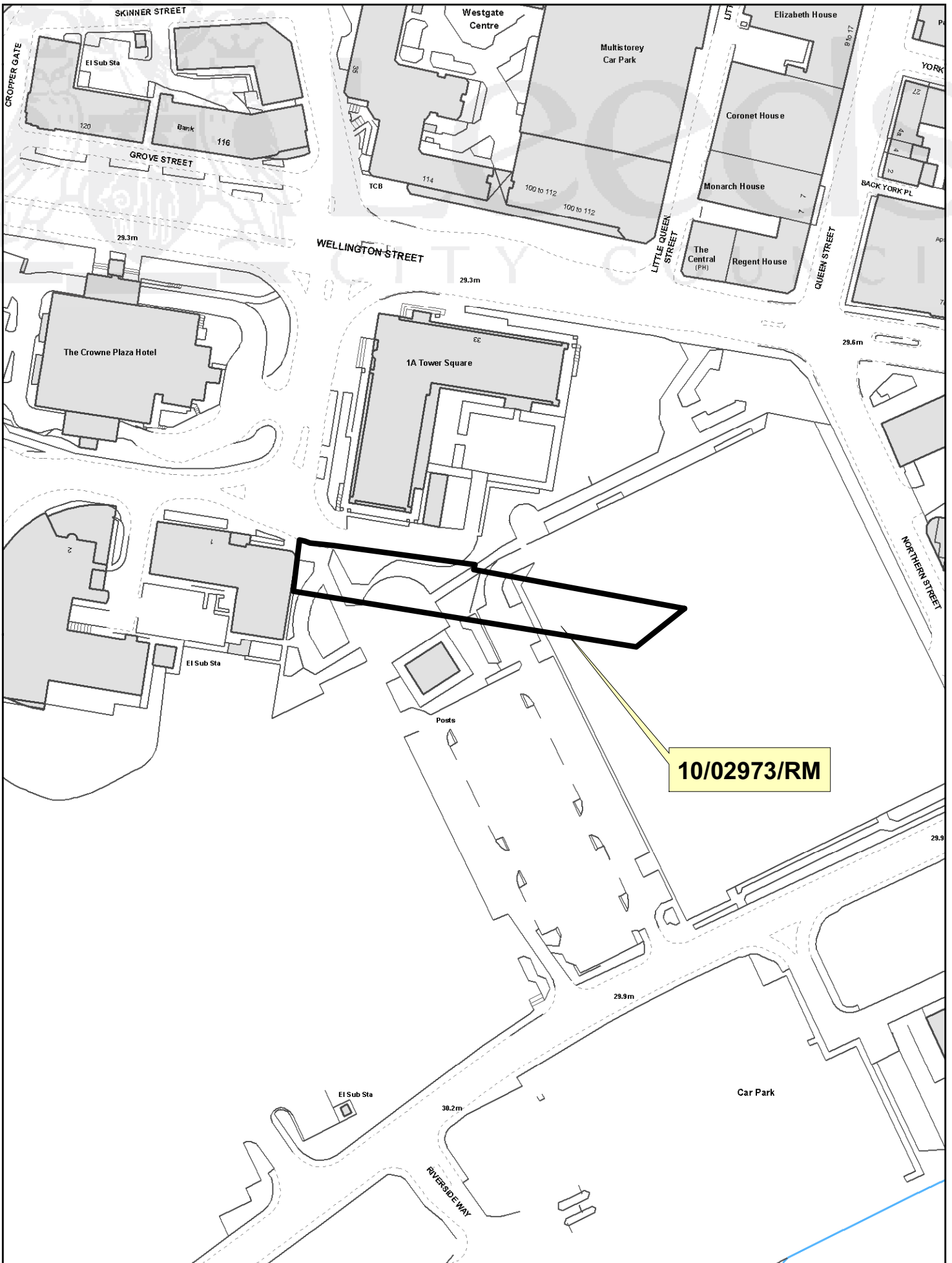
The site will be subject to compliance with the conditions attached to the outline consent

11.0 CONCLUSION

This building creates a successful backdrop to the listed lifting tower and will visually contain the northern side of the main square at the centre of the Wellington Place development. It will be a high quality building and conforms to the objectives of the approved masterplan.

Background Papers:

Original Outline Planning Permission: P/06/06824/OT.
Reserve Matter Application Building 3: 10/02974/RM/C
LCT letter 21st July 2010



CITY CENTRE PANEL



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Originator: Paul Kendall

Tel: 0113 2478196

Report of the Chief Planning Officer

PLANS PANEL CENTRAL

Date: 16th September 2010

Subject: APPLICATION 10/02974/RM/C - 6/7 Storey office building with basement car park and landscaping at Wellington Place (Building 3) – Corner of Wellington St and Northern St

APPLICANT

Wellington Place General
Partner Ltd

DATE VALID

7th July 2010

TARGET DATE

6th October 2010

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:

GRANT PERMISSION subject to the following conditions:

1. Prior to the commencement of development, details to include plans and cross-sections, of the new basement vehicular access and it's method of linking to the underground road system, approved as part of outline permission ref. no. 06/06824/OT, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- (i) The line of the carriageway**
- (ii) The security barrier mechanism**
- (iii) All signing and lining**
- (iv) The lighting of the access route**
- (v) A plan indicating all visibility splays**
- (vi) A plan indicating all forward visibility dimensions.**
- (vii) Details of any kerbs and protective barriers if required**

The access point and linking road shall then be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the provision of a safe vehicular environment which has the capacity to accommodate the necessary volume of vehicle movements.

The site will be subject to compliance with the conditions attached to the outline consent

Reasons for approval: The application is considered to comply with policies BD2, BD5, N12, N13, LD1 GP5, of the UDPR, as well as guidance contained within Supplementary Planning Documents: Sustainable Design and Construction and Central Government advice set out in PPS1, PPS3, PPS4, and having regard to all other material considerations, as such the application is recommended for approval:

1.0 INTRODUCTION:

This application is being brought to Panel as it is a significant new building which is part of a much larger development site in the City Centre. The overall site has the benefit of outline planning permission and 2 previous reserved matters applications have already been approved by Members at Panel in 2009. In addition, the project architects have presented the temporary site works and landscaping proposals to Members to keep them informed of progress and many of these have now been introduced to the site. There is a parallel application for the neighbouring Building 10 (10/02973/RM/C) which is also before Members for determination and therefore reference to this will be made in this report.

2.0 PROPOSAL:

Background - Outline Approval

The outline consent for this site was for the layout of, and means of access to, the buildings and therefore the matters for consideration as part of this application are the scale of the building, its external appearance/design and landscaping. The outline also has attached to it a range of conditions which will have to be discharged and will therefore control the development of each individual building including the one under consideration here, Building 3.

The outline scheme set a maximum height of development using a design code statement and for this site the maximum height achievable was considered to be 15 storeys which related to the taller buildings along Wellington St (West Central – former Royal Mail building and 100 Wellington St, Brunswick Point). All of the buildings in the outline scheme have roofs which slope downward toward the centre of the site to allow greater penetration of natural light to both the open spaces and pedestrian routes at it's heart. The building will provide 13,565 Sqm of office space & 345sqm of A3/A4 use.

Building Footprint

This proposal is within the footprint approved as part of the outline scheme and follows the principles set by that scheme in respect of orientation of building lines, relationship to surrounding streets and the generation of pedestrian routes through the scheme which are focused on existing local landmarks (the listed lifting tower and viaduct) and the prominent corners where the site's primary pedestrian accesses are located. This particular site is located at one of those prominent corners and acts as one side of a funnel which will steer pedestrians in to the heart

of the scheme when approaching from both the north and the east. The fact that the building footprint is slightly smaller than that approved means that the area of public realm to be provided is increased and the funnel effect between the buildings is emphasised and both of these features are an improvement on the approved outline.

Scale

This reserved matters application is for a 5/6 storey office building plus single storey feature parapet which means that the total height is 6/7 storeys. This scheme results in a much reduced scale from the approved maximum but retains the feature roof slope. This scale now relates more to its immediate neighbour, Benson House to the west, than it does the taller buildings in the area. The sloping roof performs its required functions in the street scene, to tie the building in to the surrounding and existing street pattern but then act as a transition between this more regular street pattern and the angular forms of the Wellington Place scheme.

Elevational Treatment

The elevational treatment of the building has developed as a response to its context and the character of the buildings which form part of its immediate setting. This results in a well ordered fenestration pattern with a full height glazed base, a middle which consists of a masonry grid and a parapet which contains the diminishing parapet detail within a traditional attic storey. The masonry grid uses a dominant outer stone framework with a secondary grid of a darker complementary stone which produces the regular fenestration pattern.

The masonry character established by the Design Philosophy Document attached to the original outline permission & recent reserved matters applications is maintained. The design proposes a simple palette of materials, high quality natural stone and glazing which relates to the buildings already approved on the site.

The building addresses the Wellington St frontage and wraps around the prominent north-eastern corner. There is then a visual break at the point where the building folds around the corner before the parapet commences the slope down along its south-eastern elevation. This is an unusual and innovative architectural device and will create a distinctive feature at this important entrance point.

The main entrance to the building is within an angled set-back recess along the south-eastern elevation facing in to the main pedestrian access route and this will provide a focus to this elevation and animate the street. The large areas of glazing will support this move to add life and activity as will the inclusion of the 2 ground-floor commercial units. The entrances to these will produce additional focal points around the perimeter.

The sloping roof form also includes a green terrace at its southern end which will provide interest both from distant views and from the other buildings within the scheme and encloses the plant area which means that the sloping parapet will be the dominant element with none of the plant being visible. Windows will be cleaned from the ground by monopole and if necessary via a platform lift.

Vehicle Servicing and Access

The building proposes a basement car park located beneath its western side which would be accessed discreetly via the existing service road to the south of Benson House. The basement will contain 40 fully accessible spaces in line with the requirements of the approved Transport Assessment which is 65% of the UDPR maximum guideline figure for this core car parking location. There are also 84 cycle

spaces and 11 motorcycle spaces. Members attention is drawn to the fact that the required multi-storey car parking provision required by the UDPR has already been provided on the Wellington Place site and therefore any visitors will be able to utilise this existing facility.

This basement access point also acts as the northern end of the underground route which will run beneath the entire development once completed as approved by the outline permission. The basement access to Building 3 must therefore be extendable in order to allow this link to be created and also has to conform to full highways standards of junction design and forward visibility. Officers are advising the applicant on the design of this route to ensure compliance and a condition will be added to this permission to control the design of the linking road.

Public Realm and Landscaping

The area around the building consists of the new major pedestrian route into the Wellington Place site which runs along the south-eastern side of the building from the Northern St/Wellington St corner as well as the apron of hard surfacing and planting to the north and west of the building and a small area of space which sits above the basement car park access.

The new pedestrian route sits at the convergence of the existing Prime Office Quarter, the City Centre Conservation Area, and the emerging West End Commercial quarter and therefore, the public realm has to perform a unique function. It has to integrate the Wellington Street environment, the future re-development of the Northern St edge and provide an attractive pedestrian route into Wellington Place. It is important to note that the materials palette and design of the landscaping and paving will join into the track-line detail which has already been approved as part of the reserved matters approval for the main square around the lifting tower and this consistency and continuity is considered to be of prime importance in uniting the design and giving Wellington Place its own distinctive character.

The character will take its reference from the industrial heritage through interpretation of the old railway tracks within planting beds and the use of high quality materials including granite flooring and Corten steel. The planting breaks through the paving surface in large rectangular strips to frame views and create seating niches within and around the pedestrian spine. This is termed the 'Green Line Garden' and will create a primary pedestrian entrance between Wellington Place and the city. The scheme also includes for an entrance feature in Corten steel at the Wellington St/Northern St corner.

The Corten features and planting will be lit from the ground to provide an impressive entrance to the site at night. They will also carry visual displays of industrial and railway heritage information. Feature lighting columns will also be integrated to the design. The flooring is cambered to drain off into these planting areas which reduces surface water run off and will naturally sustain the planting in these beds.

Sustainability

The design has focussed on the following low carbon approaches:

- Minimum 50% glazing to maximise natural daylight (minimise overheating)
- Highly efficient building services systems
- Sustainable Urban Drainage System

The building will also be constructed with the ability to be linked to the site wide energy network when this is eventually constructed as part of a later phase. The submitted sustainability report provides a more detailed commentary on the

applicant's approach to the design which includes an element of green roof. As a result of the BREEAM assessment carried out it was determined that a rating of Excellent could be achieved.

S106 matters agreed as part of outline permission

As part of the outline scheme the development has an associated S106 agreement which covers

- (i) Public access 24hr to squares, routes, riverside walkway and bridges
- (ii) Provision of low level river bridge
- (iii) Provision of connection to listed viaduct
- (iv) Maintenance of public space
- (v) Affordable housing provision
- (vi) Local employment opportunities
- (vii) Provision of a Travel Plan Co-ordinator and Travel Plan Monitoring Fee
- (viii) £200,000 funding for a metro card scheme
- (ix) Provision of real time bus information system within the development.
- (x) £150,000 Public Transport and Infrastructure contribution.
- (xi) £250,000 off site highways contribution
- (xii) £60,000 contribution towards a super bus shelter on Whitehall Rd.

For information, a Framework Travel Plan was approved as part of the outline permission and a condition attached to this requires that a further detailed Travel Plan be submitted prior to the occupation of whichever is the first phase of development. As set out above, the Section 106 already makes provision for a number of Travel Plan and public transport related measures which have already been considered acceptable and are not for consideration as part of this application.

3.0 SITE AND SURROUNDINGS:

The 0.55 Hectare site for Building 3 is located within the wider Wellington Place layout situated at the corner of Wellington St and Northern St on the main approach to the city centre from the west. The Southern Boundary is currently a vacant and cleared site and to the west is the neighbouring 'Benson House' office building (completed circa 1990) which is constructed of a mix of brick and masonry detailing with metal balconies.

The historic Primary Office Quarter and City Centre Conservation Area are adjacent to the northern edge of the application site and this area is clearly of high quality containing a number of listed buildings most notably No. 78 Wellington St (Apsley House) which sits diagonally opposite the proposed Building 3. Wellington Street itself comprises a rich and diverse collection of architectural styles. Predominantly masonry in character (terracotta, brick, Yorkshire Sandstone and Limestone) there are few modern interventions notably the 'West Central' Residential Building and Springfield House office building (former coach station site)

Wellington Place itself is occupied by a number of existing buildings comprising Hotel, Office and Multi Storey Car Park. The character is of mixed architectural styles, with the predominant materials being red brick and glass. The scale of the existing buildings vary from 4 to 7 office floors. Located in close proximity to the application site is the Grade II listed former railway lifting tower, constructed of natural grit-stone laid in a coursing pattern which reflects its industrial use. The lifting tower possesses a visual strength which is unique to Wellington Place and provides one of the few visible clues as to the site's previous railway heritage.

Much of the Wellington Place site is hard surfacing which remains after the demolition of the retail buildings although coloured gravel banks and a large area of grass have now been introduced to break this down. The owner/applicant has also introduced a number of temporary uses (both public and private) in order to encourage the use of the site and these include a 5-a-side football pitch and allotments. Pedestrian routes proposed within the outline plan have been introduced in a temporary state to encourage movement through the site. The application site itself is occupied by a combination of soft planting, some mature trees and simple paving. The site is practically level with minor changes in topography.

4.0 RELEVANT PLANNING HISTORY:

The most recent and relevant permission relating to the application site is the outline planning permission ref. no. 06/06824/OT. This was approved in principle by Members at Panel on 1st March 2007 and was subsequently approved in March 2008. This comprised 15 individual buildings containing:

- Use Class B1 (offices) - 162,800m²
- Use Class C3 (residential) - 43,650m² (approx. 700 units)
- Use Class C1 (hotel) - 18,950m²
- Use Class D1 (cultural and community uses) - 4,900m²
- Use Classes A1, A2, A3, A4 and A5 (shops, cafes, bars, restaurants etc. - 10,930m² [A1 floor space restricted to 1,000m² by condition]
- Basement Car Park - 48,599m² (1,700 spaces)
- Total - 241,230m²

In addition Members have also approved reserved matters applications for the building at the western end of Whitehall Rd fronting the river which also included the details of 'The Beach' open space area (app. ref. 08/01695/RM/C) and at a site mid-way along Whitehall Rd for a 5-10 storey office building (app. ref. 08/04314/RM). To date therefore 2 buildings have received such approvals.

In recognition of the phased approach to the development on the site, the applicant received approval from Members for a number of separate planning applications for temporary works designed to engage the community and announce the arrival of Wellington Place as a scheme whilst the development progresses. The Marketing Suite/City Room has been open for 3 years and the 5-a-side football pitch was completed last year. Landscaping has recently been improved in the area around the listed tower.

5.0 HISTORY OF NEGOTIATIONS:

Officers have been involved in a series of meetings concerning the design of not only this proposal but the neighbouring building to the west, Building 10 Wellington Place. These two buildings are very much seen as related in scale and form and, along with Benson House, would constitute one city block if they were both to be completed. Principle points of discussion have addressed the treatment of the Wellington St/ Northern Street corner (both building form and extent of public realm), material palette, the profile and silhouette of the sloped parapet and the refinement of detailing.

6.0 PUBLIC/LOCAL RESPONSE:

The proposal was advertised as a major application affecting the setting of a listed building and the character of the conservation area, on site by notice dated 14 July

(expiring 4th August) 2010 and in the press by notice dated 22nd July (expiring 12th August) 2010.

A letter of representation has been received from the **Leeds Civic Trust (LCT)**. This states that while they welcome the potential restart of development they consider that the scheme “lacks ambition” and is now just “standard developer architecture”. Also believe that the landscaping has now been “dumbed down”. However, they go on to make the point that the final quality will depend largely on the finishes of the masonry panels and the fixing of the curtain glazing. They welcome the green features and the long term commitment to the integrated energy system. Conclude by saying that they hope these building go forward as soon as possible but would like to see a little more excitement in the design. Response: The design of this building has been amended considerably since the initial comments were received and officers now consider that the changes made and the detailing introduced means that the building is of the quality required and relates well to the design and quality of the other buildings already approved on Wellington Place. Materials will be natural stone and therefore the quality requested by LCT will be realised.

A further letter of representation has been received from the resident of a property in Dock St who states that the building is bland, block like and uninspiring, failing to ‘raise the architectural bar’ and is not as good as other developments in comparable cities. Response: As with the LCT response, the design has been amended since these comments were made and officers consider that the building is now of the required quality.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Environment Agency: No further comments from those attached to the outline.

British Waterways: No comments to make

Non-statutory:

Highways: Note the re-location of the basement car park access and the way in which this interfaces with the remainder of the under-ground site access Rd. Car parking numbers are in line with 65% of UDPR maximum as set out in the approved Transport Assessment. The number of trips generated by this proposal does not bring in to force the requirement to carry out any of the off-site highway works agreed as part of the outline. Cycle and motor-cycle spaces are to be provided as part of the scheme. Travel Plan measures were approved as part of the outline approval.

Metro: Note that the outline permission included a £200,000 Metro-card scheme and a super-bus stop contribution and also provision for off site highway works. The site is well served by both bus and rail services.

Main Drainage: The site remains acceptable in respect of it’s ability to deal with surface water run off subject to conditions.

Access: The plans indicate that the parking is correctly provided and that the accesses are all flat and level.

Contaminated Land: No objection subject to original conditions.

Police Counter Terrorism Unit: Have advised the applicant directly in respect of this aspect of the proposal the points raised largely covering the use of materials and construction techniques to limit flying debris in the event of an explosion.

Street Cleansing: Advise that this aspect has been adequately dealt with.

8.0 PLANNING POLICIES:

UDP Proposal Area Statement 2 identifies the site as a major opportunity for the expansion of the Prime Office Quarter, principally through offices, but with other essential uses, such as major public space, pedestrian linkages, leisure, entertainment and catering uses. Catering and leisure uses are listed as other appropriate uses. The proposed use therefore remains consistent with the site-specific allocation in the adopted Development Plan.

The adopted UDPR sets out guidelines for the development and design of new buildings. Urban Design and Building Design are addressed by policies BD2, N12 and N13 and require that development respects certain fundamentals of urban design. Spaces between buildings are important as they create a series of linked and varied spaces. Movement on foot and on bicycle should be encouraged and new developments should respect the character and scale of buildings and the routes that connect them. Buildings should be of high quality and have regard to the character and appearance of their surroundings.

Landscape policy LD1 requires any scheme to respect the scale and form of the adjacent building, provide suitable access, visual interest from street level and surrounding buildings.

Government Planning Policy Guidance/Statements – PPS4 Planning for Sustainable Communities advocates the location of office use in defined centres where they enjoy the benefits of good transportation links and access.

9.0 MAIN ISSUES

Accordance with the outline permission
The scale of the proposal
The design quality of building
Access to the building for vehicles and pedestrians
Quality of the landscaping design
Ability to meet sustainability targets

10.0 APPRAISAL

Conformity with Outline Approval

The use of this site primarily as offices but with ancillary ground floor commercial uses has already been established by the outline permission and is acceptable. This building is part of a much larger overall scheme which will be developed over time on a phased basis. There is an overall quantum of floor space for each of the uses proposed and this is set out within this report. As each building attains an approval this 'running total' can be monitored to ensure that the maximum levels are not exceeded and therefore the overall principles of the Transport Statement, to which it is related, are not compromised. In this case, where the quantum of floor space is being reduced from that permitted as part of the outline, it means that the

upper limit is less likely to be reached which is a positive factor when considering the impact on the local highway network.

The building footprint conforms to the important aspects of the approved outline layout and the reduction in size explained above can be accommodated without any detriment to the buildings to be located on the neighbouring sites. It is considered that this application upholds the principles set out in the outline approval and is therefore acceptable.

Scale

This proposal sits well within its context and relates to the height of both Benson House to the west and the listed Apsley House to the north east. Behind the Wellington St façade the sloping roof line commences the architectural language of the remainder of the Wellington Place scheme and reduces the scale of the development as it approaches the central space area around the lifting tower. This relates well to Building 10 which has a roof line which continues the slope and goes on to respect and relate well to the scale of the listed lifting tower. This is considered to be an improved relationship to that approved at outline stage and is supported by officers.

Design

The way in which the building addresses the Wellington St/ Northern St corner and then 'folds' to commence its slope down to the main square is considered to be a well considered, simple and yet elegant elevational approach to the challenge offered by the approved footprint. It also allows the building to address the Wellington St frontage and relate to the grid of the historic street pattern to the north before taking the dramatic dive off down towards the square around the listed tower.

The layering of the elevations and the order this creates is a subtle but successful feature and the incorporation of the roof slope into a double height attic storey is considered to be particularly successful. The fact that high quality materials are to be used will ensure that the appropriate character will result.

The roofscape will be clean and unfettered and the inclusion of an area of open terrace and green roof will add an element of life, visual interest and natural habitat to the building.

Pedestrian and Vehicular Access

The provision of a basement parking area is in line with the outline approval and the reduction in the number of spaces compared to the outline consent, due to the reduced size of the building, is welcomed, as is the provision of cycle and motorcycle spaces. The method of access to the car park is taken discreetly from the rear service road thus enabling the environment on the other sides of the building to be well landscaped and totally pedestrian dominated. As explained above, the original orientation of the basement route made the construction of Building 10 very difficult and therefore its realignment is positively encouraged. The additional condition attached above will ensure that the method of connection to the remainder of the underground route can be adequately controlled.

Landscaping and Open Space Area

The areas of landscaping described in detail above offer a significant contribution to public amenity space. These have been designed to interface with the areas which have already gained approval and will contribute to providing a real sense of place which is of high quality and totally pedestrian dominated. The references being

made to the railway heritage of the site are also welcomed and will further contribute to the creation of a distinctive character and offer a context to the listed features on the site.

The materials which are proposed to be used are high quality and will complement the use of natural materials on the building itself. The use of ground based lighting will add an exciting dimension at night and the incorporation of natural watering through the use of rainwater run-off is also supported.

Sustainability

The achievement of a BREEAM 'excellent' rating is very much welcomed by officers and this simply continues the high quality of development which the applicant is intending to roll out across the whole of this site. The inclusion of a partly green roof will also provide additional habitat at high level and this along with the new tree planting will contribute to the provision of diverse habitats.

The site will be subject to compliance with the conditions attached to the outline consent

11.0 CONCLUSION

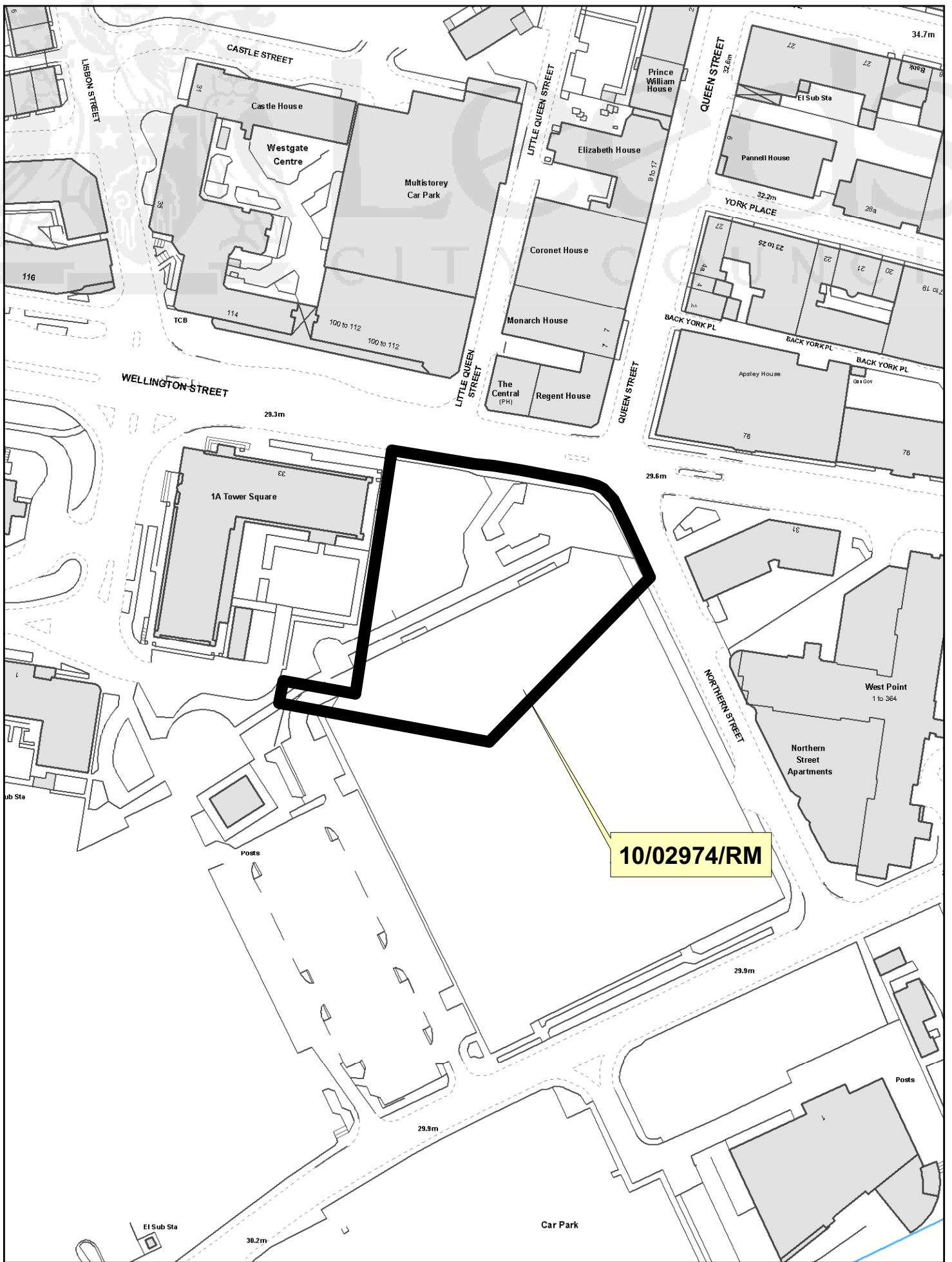
This building successfully ties the new character of Wellington Place to the existing character of the Conservation Area to the north. Both in terms of footprint and elevational treatment it successfully performs the function of creating the transition between the traditional street pattern and buildings to the north and the new pattern of Wellington Place to the south.

Officers consider that this will be a high quality building and an appropriate entrance point to the series of interlinked spaces which will flow through the scheme. It conforms to the objectives of the approved masterplan and will act as a catalyst for the redevelopment of this area of the city.

Background Papers:

Original Outline Planning Permission: P/06/06824/OT.
Reserve Matter Application Building 3: 08/ 01695/RM/C
LCT letter 21st July 2010

Correspondence from Dock St resident: 24th August 2010



CITY CENTRE PANEL



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