



PLANS PANEL (CITY CENTRE)

**Meeting to be held in Civic Hall Leeds on
Friday, 12th November, 2010
at 1.30 pm**

Please note the revised date of this meeting

MEMBERSHIP

Councillors

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

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			LATE ITEMS To identify items which have been admitted to the agenda by the Chair for consideration (The special circumstances shall be specified in the minutes)	
4			DECLARATIONS OF INTEREST 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	
5			APOLOGIES FOR ABSENCE	
6			MINUTES To approve the minutes of the Plans Panel City Centre meeting held on 14 th October 2010 (minutes attached)	9 - 16
7	City and Hunslet; Hyde Park and Woodhouse;		APPLICATION 10/04022/RM - SITE BOUNDED BY CLAY PIT LANE, THE INNER RING ROAD, WADE LANE, JACOB STREET AND BRUNSWICK TERRACE LS2 Further to minute 75 of the Plans Panel City Centre meeting held on 22 nd March 2010 where Panel approved the Outline application for an arena, to consider a report of the Chief Planning Officer seeking approval for the Reserved Matters application (report attached)	17 - 50

Item No	Ward	Item Not Open		Page No
8	City and Hunslet; Hyde Park and Woodhouse;		<p>APPLICATION 10/03773/LA - MULTI-STOREY CAR PARK - WOODHOUSE LANE LS2</p> <p>To consider a report of the Chief Planning Officer on an application for alterations and extensions to the Woodhouse Lane Multi-Storey Car Park</p> <p>(report attached)</p>	51 - 60
9	City and Hunslet;		<p>APPLICATIONS 09/03230/FU/09/03280/CA/0903397/LI - ST PETER'S CHURCH AND CHURCH BUILDINGS AND CHANTRELL HOUSE LEEDS PARISH CHURCH KIRKGATE LS2</p> <p>Further to minute 43 of the Plans Panel City Centre meeting held on 14th October 2010 where Panel approved in principle the applications for change of use including refurbishment and extensions to 2 church buildings with 2 flats, to form offices and 16 flats and erection a 5 storey block comprising office and 21 flats with car parking, together with Conservation Area application to demolish office and Listed Building application for alterations for replacement gate in boundary wall; to consider a report of the Chief Planning Officer providing information on detailed design issues previously raised by Members</p> <p>(report attached)</p>	61 - 64

Item No	Ward	Item Not Open		Page No
10	City and Hunslet;		<p>APPEAL DECISIONS - VARIOUS SITES IN AND ADJACENT TO HOLBECK URBAN VILLAGE - RETENTION OF UNAUTHORISED TEMPORARY LONG STAY COMMUTER CAR PARKING</p> <p>To consider a report of the Chief Planning Officer setting out appeal decisions in respect of unauthorised temporary long stay commuter car parking at the following sites in Leeds 11:</p> <p>Land at Water Lane/Globe Road Land north of Globe Road Land bounded by Ingram Row and Sweet Street Land at Ingram Street and Manor Road Land at Sweet Street Land south of Water Lane Former Warehouse site Sweet Street and Trent Street</p> <p>(report attached)</p>	65 - 70
11			<p>DATE AND TIME OF NEXT MEETINGS</p> <p>Thursday 9th December 2010 at 1.30pm <u>Wednesday 12th January 2011 at 1.30pm</u></p>	

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To:
Plans Panel City Centre Members
and appropriate Ward Members

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

Contact: Angela Bloor
Tel: 0113 247 4754
Fax: 0113 395 1599
angela.bloor@leeds.gov.uk
Your reference:
Our reference: ccpp/sitevisit/
4th November 2010

Dear Councillor

PLANS PANEL CITY CENTRE – FRIDAY 12TH NOVEMBER 2010

Prior to the meeting on Friday 12th November 2010 there will be site visits, and I set out below the details:

Depart the Civic Hall at 10.00am to go by bus to Bingley Street LS3 to view the site of the pre-application presentation, followed by a visit to Leeds Parish Church in respect of the applications at St Peter's Church, Church Buildings and Chantrell House Kirkgate LS2 and then finally to the Leeds Arena site, Clay Pit Lane for 11.00am, returning to the Civic Hall on foot.

Please could you let Daljit Singh know (2478170) if you will be attending the site visits and assemble in the Ante Chamber at 9.55am.

Following agenda item 10 there will be a pre-application presentation, relating to proposals for a mixed use development up to 10 storeys (A1,A3, B1 use) and associated parking at 6 Bingley Street LS3 and I attach the report to this letter.

Yours sincerely

Angela M Bloor
Governance Officer

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Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12 November 2010

Subject: PRE-APPLICATION – Proposal for mixed use development up to 10 storeys (A1, A3, B1 use) and associated parking at 6 Bingley Street Leeds LS3 1LX

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: This report is brought to Panel for information. The Developer will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION:

This site has had a number of years of pre-application discussion, initially for a student housing scheme with ground floor restaurant, and in more recent years, an office scheme with ground floor restaurant and small retail unit. An application was submitted in 2009, which was subsequently refused under delegated powers on design and highways grounds. The submission of an acceptable indicative parking and vehicle circulation within the site, transport assessment, travel plan and section 106 agreement in line with adopted policy would resolve the highways concerns. The reason for refusal on urban design grounds was as follows:

“The application proposal, by reason of its proposed level of floorspace and its indicative layout and siting, scale and massing, and resultant density and bulk, is considered to be an overdevelopment of the site detrimental to the character and visual amenity of the streetscene and the surrounding area. The overdominant height and massing would result in inadequate levels of daylight and sunlight, privacy, outlook, and spatial standards, detrimental to the amenities of nearby residents and the pedestrian environment. The proposal is therefore contrary to advice in Planning Policy Statement 1: Delivering Sustainable Development, Policies GP5, BD2, BD5, CC3, N12 and N13 of the Unitary Development Plan Review 2006, and adopted Supplementary Planning Guidance in the form of the Leeds City Centre Urban Design Strategy (September 2000).”

The proposals are presented to Panel to allow Members to comment on the evolving scheme and raise any issues, particularly in relation addressing the above reason for refusal, prior to the intended submission of an outline application later in the year.

2.0 SITE AND SURROUNDINGS:

The application site currently consists of a three storey pitched roof brick and render Maxi's restaurant, with surface car parking to the south and east. The restaurant is some 3-4 metres lower than Bingley Street at its junction with Cavendish Street at the north western corner of the site. At the rear of the restaurant is a single storey lean-to up against the retaining wall, this appears to be in use as additional storage and kitchens. To the north is a two storey red-brick public house The Highland, which has residential use at its upper floor, and features 5 south facing windows, approximately 15 metres from the northern boundary of the application site.

The section of Cavendish Street at this point is part tarmac and part cobble, and is blocked by the gates of the BT depot which closes off this part of the street. The BT building is a part 5/part 6 storey brick building which sits above and behind a retaining wall some 3 metres above the car park of the Maxi's restaurant. A fence runs along the site boundary behind an overgrown area above the retaining wall.

To the west lies the former RSPCA site, now a cleared site. This site has full planning permission for a part 6/7/8/9 storey student housing block, which Plans Panel agreed in September 2008 (ref. 08/02061/FU). This site was the subject of an appeal against a larger proposal for student housing, which was dismissed by a Planning Inspector on the grounds of its overdominant bulk and height. To the south of this lies a flooring warehouse at 84 Kirkstall Road, which has outline planning permission for a part 8/9/10/11 storey mixed use office/hotel/residential/bar/ restaurant scheme (ref. 06/02359/OT)

To the south of the site lies the part one/part two storey Napoleons Casino building in beige brick with mansard roof.

To the east lies the Grahams bathroom warehouse and associated car park. This consists of a two storey brick and metal clad warehouse and showroom. It is served from the same access road as Maxis, and is separated by a metal fence along the boundary with the restaurant car park.

The surrounding area is characterised by student housing, offices, and leisure uses. The area was mainly commercial and industrial in character, however recent developments have increased the mix of uses and facilities in the area, which lies unallocated within the designated City Centre and for car parking standards purposes the Fringe Commuter Parking Control Area. The site also lies within the area covered by informal supplementary planning guidance, the Kirkstall Road Renaissance Area Planning Framework 2007.

3.0 HISTORY OF NEGOTIATIONS

- 3.1 Pre-application discussions have been on-going at this site since 2005, culminating in the 2009 outline planning application (ref. 09/02339/OT). The refused scheme was a part 8, part 9 storey office building with a proposed height of approximately 28 metres above Cavendish Street. It included ground floor retail and restaurant, with two levels of car parking above the restaurant use. The layout of the building was 'L-shaped', with the higher part of the block parallel to Cavendish Street at 8

storeys, and a sloping projecting wing along Bingley Street, which would reach a height of 7 storeys. The layout allowed for a public space in the south-eastern corner of the site. Officers considered that the overall height of the block was excessive, and that the bulk of the projecting wing was too wide. It was also considered that the chamfered corner to Cavendish Street would benefit from being wider and more generous to give relief to surrounding existing and permitted buildings and the pedestrian environment.

- 3.2 Following the refusal of the 2009 application, the developer's architect has been in contact with officers to discuss how the previous reasons for refusal can be addressed, in particular layout and height (see below). However, officers still have concerns about the proposed scale and form of the building. It is considered that the building should be significantly lower, to protect the amenities of the surrounding area.

4.0 PROPOSAL

The proposal will show how the floorspace may stack up in three-dimensional form. The proposal will be in outline only and will not include details of appearance or landscaping. The revised proposal consists of a part 8, part 9, part 10 storey block, with ground floor retail unit, restaurant, two floors of parking, and offices above. The wing parallel to Cavendish Street has been reconfigured to step from 9 storeys in front of The Highland pub, up to 10 storeys in front of the BT building (approximately 27m and 31m high respectively when measured on Cavendish Street).

The other change from the previous refusal relates to the southern projecting wing towards Kirkstall Road which has been reduced in width by approximately 5m from the fourth storey upwards.

An area of public open space is located at the south eastern corner of the site. This could be added to if neighbouring sites were to come forward for redevelopment at any time in the future.

As before the car parking for the block would be accessed from Cavendish Street, with servicing for the restaurant from the public space. Two levels of car parking (accessed at grade from Cavendish Street) at first and second floor would provide 58 car parking spaces. Highways matters will be subject to LCC Highways and the Highways Agency's comments, as lack of an adequate transport assessment, travel plan and monitoring provision, and the lack of a provision toward public transport infrastructure were also reasons for the refusal of the previous application.

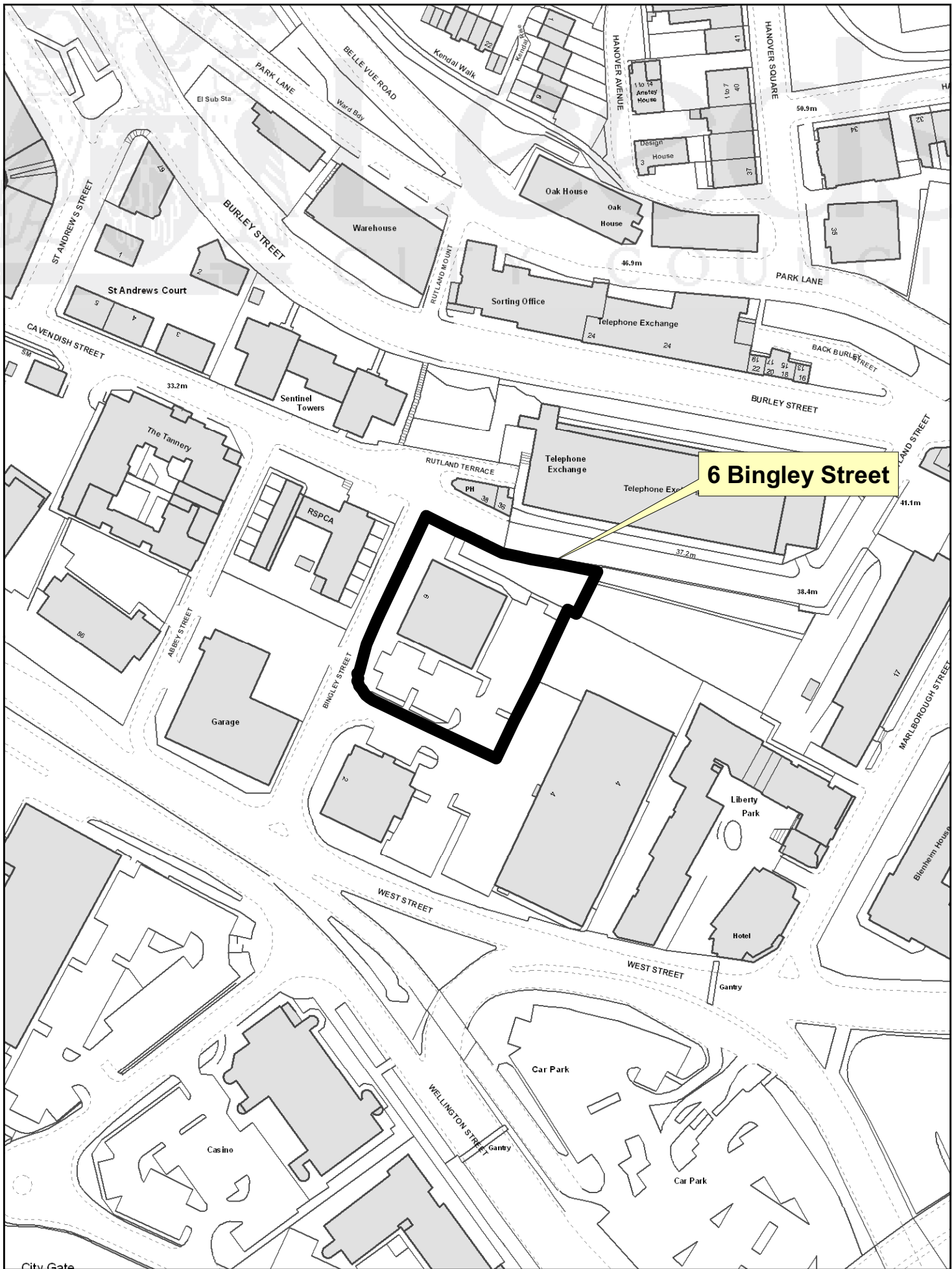
5.0 ISSUES

Members are asked to consider the following matters in particular :

- i. Is the proposed layout acceptable?
- ii. Is the proposed height and massing acceptable, in relation to the context of the surrounding area and existing buildings?
- iii. Is the depth/angle of the chamfered corner to Cavendish Street generous enough given proximity to neighbouring existing and permitted buildings?
- iv. Do the proposals support policy aspirations for an enhanced north-south pedestrian route between Burley Street and Kirkstall Road?

Background Papers:

Previous application file 09/02339/OT



CITY CENTRE PANEL

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Plans Panel (City Centre)

Thursday, 14th October, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
M Coulson, G Driver, C Fox, R Grahame,
M Hamilton, J Monaghan and N Taggart

36 Chairs Opening Remarks

The Chair welcomed all present to the meeting and invited officers and Members of the Panel to briefly introduce themselves. Mr J Thorp, the Civic Architect for the City, attended the meeting and introduced colleagues from the Design Services Team.

37 Late Items

No formal late items of business were added to the agenda; however Members were in receipt of a copy of a late letter of representation from English Heritage relating to the St Peters Church applications. This had been submitted after the despatch of the agenda for the meeting. The Chair agreed that the representation would be taken into account during consideration of the applications (minute 43 refers)

38 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

Councillor B Selby – Applications 09/03230/FU; 09/03280/CA & 09/03397/LI St Peters Church – declared a personal interest as a member of English Heritage which had commented on the proposals (minute 43 refers)

Councillor Colin Campbell - Applications 09/03230/FU; 09/03280/CA & 09/03397/LI St Peters Church – declared a personal interest as a member of English Heritage which had commented on the proposals (minute 43 refers)

Councillor J Monaghan – Application 08/054440/FU Globe Road/ Water Lane and Applications 09/03230/FU; 09/03280/CA & 09/03397/LI St Peters Church – declared a personal interest in both items as a member of Leeds Civic Trust which had made comments on the proposals (minutes 42 and 43 refer respectively)

Councillor C Fox - Application 08/054440/FU Globe Road/ Water Lane – declared a personal interest as a local authority appointed member of West Yorkshire Integrated Transport Authority as METRO had commented on the proposals (minute 42 refers)

Councillor M Coulson - Application 08/054440/FU Globe Road/ Water Lane – declared a personal interest as a local authority appointed member of West

Yorkshire Integrated Transport Authority as METRO had commented on the proposals although he stated he had not attended any meetings where the proposals had been discussed. (minute 42 refers)

39 Apologies for Absence

Apologies for absence were received from Councillors S Hamilton, G Latty and Nash. The Chair welcomed Councillors Coulson, Fox and R Grahame respectively as substitute members for this meeting

40 Minutes

RESOLVED – That the minutes of the Plans Panel City Centre meeting held on 16th September 2010 be approved as a correct record

41 Matters Arising

White Cloth Hall (minute 31)

Mr J Thorp, Civic Architect for the City, provided an update on the current situation regarding the first White Cloth Hall, Kirkgate. Slides showing recent scale of the collapse and necessary demolition works were displayed along with a slide showing the painting of Kirkgate by L Grimshaw dated 1895 for context.

Mr Thorp explained the collapse had revealed the speculative aspects of the colonnade feature to White Cloth Hall, the Victorian cellars and views through to the Corn Exchange from Kirkgate. He reported that the site owner had agreed to remove the Victorian infill from the cellars in order for an archaeological dig to be undertaken to see if any remnants of the mediaeval Hospitium believed to have been on this site could be found. Furthermore the owner had confirmed a willingness to adopt a vehicle to progress the restoration of the White Cloth Hall in conjunction with guardians such as LCC or English Heritage and a working party had been established to progress restoration works and address comments of English Heritage. Mr Thorp reported that the Executive Member with responsibility for Development & Regeneration had visited the site and had been briefed. Councillor Nash as the Heritage Champion would be briefed shortly.

Members reiterated their previous request that a letter be sent to the Executive Member for Development & Regeneration setting out the Panel's earlier comments regarding the importance of the White Cloth Hall to the City and their discussions on the possibility of LCC purchasing the building and the whole row

Toronto Square

The Head of Planning Services presented information on the recent court ruling on the legal claim involving the "right to light" brought by M Heaney against Highgrove and their development of 2 floors of office accommodation to Toronto Square. The Court had ruled that one third of the new build required demolition. This ruling highlighted what rights were available under Common and Civil Law. It was noted that Highgrove had appealed the outcome, however if the judgement was upheld, Highgrove would need to

make a planning application for the demolition works which would require Panel approval.

Members discussed the implications for LCC as permission had been granted by Panel and works completed in 2009. Officers responded that LCC would strongly resist being implicated in any future action, as there was an acceptable distance of 22m between the new build and the affected property owned by M Heaney. However the case did serve as a warning to prospective developers to review any historical covenants attached to land they proposed to develop.

(Councillor Hamilton withdrew from the meeting for a short while prior to the consideration of the next item)

42 Application 08/054440/FU - Globe Road/Water Lane Holbeck LS11

Further to minute 14 of the Plans Panel City Centre meeting held 22nd July 2010, when Members deferred determination of the application, the Chief Planning Officer submitted a report setting out the response from the applicant to the issues raised by the Panel.

Plans, architects drawings and photographs of the site were displayed at the meeting along with slides showing the earlier scheme for reference. Samples of the brick and zinc materials proposed for the scheme were also available for Members to view. Officers highlighted the revisions to the scheme including

- the relocation of the reception area/main entrance
- removal of the “active” element from the streetscene
- relocation of the solar panels
- the views from street level of the plant room were now obscured by parapets although the plant room may still be visible from further away
- removal of the copper elements from the scheme. Zinc or brick had replaced some of the features previously indicated as copper.
- a uniform window design had been introduced to the south elevations to provided a strong vertical feel with recessed windows

Officers reported that 75% of the ground floor elevation would be glazed to provide activity and interest at ground level. The simplicity of the elevations and the use of glazing/brick/stone would reflect the historic buildings in the locality. This development was intended to be a subtle addition to the streetscene in order to respect the prominence of the Italianate Towers on Tower Works.

Slides of 3D computer graphics showing the relationship of the new build adjacent to existing buildings were displayed with a slide showing the views retained to the Giotto Tower.

Officers highlighted the sustainability measures proposed with the application which would ensure the scheme met the BREEAM excellent standard. Officers also addressed parking issues as the developers had originally

intended to develop this plot (5) and Plot 4B adjacent simultaneously with parking for this site underneath Plot 4B. Plot 5 was now to be developed as a stand alone site with no car parking. However officers stated their belief that this site could be sustained without dedicated car parking due to its proximity to the city centre and various public transport links.

Members acknowledged this was an awkward site to develop and commented that the revisions to the scheme addressed the issues they had previously raised. The Panel briefly discussed:

- Ground floor lighting to enhance the building to be conditioned
- The criteria by which the service units and plant had been relocated to minimise impact and having regard to the English Heritage comments to retain the views to the Italianate Tower

RESOLVED – That the application be approved in principle and final approval be deferred and delegated to the Chief Planning Officer subject to the specified conditions contained within the report and following the completion of a Section 106 Agreement to cover the following matters:

- Public transport contribution of £119,276.
- Holbeck Urban Village (HUV) public realm contribution of £322,050.
- Travel Plan with monitoring fee of £2,500.
- 24 hour public access along the north-south pedestrian route and access between 0700-2300 hours along the Hol Beck walkway.
- Off site highway works (the closure of redundant vehicular access points, introduction of a service/drop off lay-by and Traffic Regulation Order (TRO contribution).
 - Restriction of period of stay in the hotel to be no more than 3 months and for the hotel to remain as one planning unit to ensure the hotel does not revert to a residential use that would be liable to affordable housing obligations.
 - Commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service that seeks to employ local people in both pre and post construction phases.
 - £600 monitoring fee for each of the public transport and HUV contributions and off site highway works.

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.

43 Applications 09/03230/FU/0903280/CA/0903397/LI - St Peter's Church and Church Buildings and Chantrell House Leeds Parish Church Kirkgate LS2

Further to minute 25 of the Panel meeting held on 19th August 2010 when Members received a position statement on the progress of the applications, the Chief Planning Officer submitted a further report on the proposed mixed use development at St Peter's Church and Church Buildings and Chantrell House.

Plans; architects drawings; elevations and photographs of the site were displayed at the meeting along with graphics showing 3D modelling of the

proposed development in situ. An historical photograph showing the former school building on the site was also displayed

The report set out the history of the applications and included an outline of the developers' response to the matters discussed by the Panel previously.

Officers highlighted the key matters to consider as

Views –

- Views through the site to St Peters Church had been retained through the redesign of the overall site layout

St Peters Hall –

- the dark brick banding now wrapped around the new build and included the gable end and copper cladding to the staircore
- this provided interest to the elevations and mirrored the brickwork pattern on the retained St Peters Hall
- the realigning of the new build now revealed and reinstated a window to the side elevation of the existing St Peters Hall
- The proposed new build would remove two “lean to” type extensions which would reveal more of the existing building. The old additions had masked some of the architectural features of St Peters Hall and had partially blocked the window to the side elevation.

St Peters House

- Incorporation of blank windows to the side/rear provided relief and interest to that elevation
- Officers updated the Panel on further discussions held with the developers on whether glazing could be introduced to this elevation
- There was a suggestion that, as the bathrooms were indicated on the internal plan in the middle of this elevation, obscure glazed windows could be introduced
- Officers also wished to consider further the merits of introducing small windows to the kitchen and/or living room areas to either side of the bathroom on this elevation. This would require further discussion and submission of details.

Chantrell House

- 5 storeys were now proposed although this new build had a smaller footprint than the original proposal and did not dogleg to the rear of the site
- This block included the affordable housing provision
- The design suggested a strong rhythm to the build with 2 gables to the Calls elevations, and 4 to each side elevation

Overall

- the reduction in the overall scale of the proposals has resulted in a total of 37 flats (down from 52 originally)
- the roof forms, gables and heights, tied in with the existing heights of buildings in the locality
- the massing of the development echoed the built form of the former historical warehousing use of the locality
- the materials proposed included copper and brick with stone sills/coping and slate for the roofs with the possibility of zinc for the roof on the new build element.

Officers reported receipt of two letters of representation received from Leeds Civic Trust and English Heritage. The letters were tabled at the meeting as their contents were received too late for inclusion within the report on the agenda.

Mr J Thorp, the Civic Architect for the City, addressed the comments objecting to the scheme made by English Heritage which he felt arose from the developers seeking to strike a balance between the comments made throughout the planning process by the Civic Trust, English Heritage and Members of Plans Panel City Centre. It was noted that English Heritage had previously supported the scheme. Mr Thorp suggested the English Heritage comments concentrated on architectural refinements which could be addressed through the remainder of the planning process through the submission of 1:20 plans, cross sections and profiling.

(Councillor D Blackburn withdrew from the meeting for a short while at this point)

Members discussed the following in detail:

- Clarified the date of the English Heritage letter
- How the development enhanced the views of the churchyard. Officers responded that St Peter's House now provided a splayed gable end which presented an "opening out" view of the churchyard and a better view of the church tower.

St Peters Hall –

- Members reiterated their previous concerns that details to the side elevation of St Peter's Hall would be lost. Officers responded the need for a certain quantum of development to provide for the upkeep of St Peters Church informed the design of the extension and overall development
- Members regarded the Hall as an asset to the street scene and sought assurance that the extension would relate to the Hall in sufficient detail.
- Some Members felt the details of the new build did not replicate the detail of the historic Hall. Officers responded that the "lean-to" buildings currently obscured the lower levels and half of the windows. Mr Thorp stated that the extension with the banding and gables would provide a link to; and engage with, the nineteenth century buildings on site but ultimately even with the extension, much more of the Hall was revealed

St Peter's House –

- concern that the side elevation would represent a blank façade without the window detail Officers responded that further investigation on any proposals for glazing for "return windows" for the sitting/living room area would be needed.
- It was felt the plinth was a more challenging feature, but more details of this were required

The Panel welcomed the revisions made to the scheme and made the following comments:

- expressed support for the proposals for Chantrell House
- remained concerned about the treatment of St Peter's Hall as Members felt they could not fully appreciate which features had been lost and which would be retained

- regarded the relationship of the buildings to St Peter's graveyard as being of utmost importance and that it would be beneficial to see how people currently used that space
- the visual display did not provide enough detail on which to make a decision today
- some Members wished to undertake a site visit to understand the proposals, particularly for St Peter's Hall

Members reiterated their view that St Peter's Hall and St Peter's House were important buildings within the streetscene and as such it was very important to better understand the impact of the proposed extensions on the existing buildings. Members noted that not all the detail had been submitted. The Panel further noted the officer recommendation to defer and delegate approval to the Chief Planning Officer, subject to a Section 106, which could take some months to complete and would facilitate time for the details to be submitted and for a site visit to be undertaken.

RESOLVED -

a) That the applications be approved in principle, and be deferred and delegated to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate), the completion of preliminary archaeological investigation works on site, and following completing of a Section 106 Agreement to cover the following matters:

- on site affordable housing provision
 - an agreement to undertake a list of repair and maintenance works to St Peter's (Leeds Parish Church) within an agreed period,
 - agreement to publicly accessible areas,
 - a contribution of £4100.00 to a car club,
 - employment and training opportunities for local people,
- and the provision of two replacement trees within the site or the churchyard.

In the 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.

b) that a further report be brought to the next Panel meeting presenting the details on the following matters over which Members expressed some concern

- The proposed detailing to the St Peter's House western elevation
- Impact on the existing western gable and the detailing of the extension to St Peter's Hall

c) Members also requested a site visit be undertaken prior to the next Panel meeting to provide an explanation of the matters detailed in b) above

44 Any Other Business

a) Eastgate/Harewood Quarter

Members noted the request to provide the Area Planning Manager with dates in January 2011 when they would be available to attend a site visit to the development completed in Leicester by the same applicants

b) Unauthorised car parks

Members noted that a verbal update on unauthorised car parks within the city centre would be provided to the next Panel meeting

45 Date and time of next meeting

RESOLVED – To note the date and time of the next meeting as Friday 12th November 2010 at 1.30 pm



Originator: Tim Hart

Tel: 3952083

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12th NOVEMBER 2010

Subject: RESERVED MATTERS DETAILS FOR LEEDS ARENA AT SITE BOUNDED BY CLAY PIT LANE / INNER RING ROAD / WADE LANE / JACOB STREET / BRUNSWICK TERRACE, LEEDS (10/04022/RM).

Electoral Wards Affected:

City and Hunslet, Hyde Park and Woodhouse

☐ No

Ward Members consulted

Specific Implications For:

Equality and Diversity

☒ Y

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION: Grant permission subject to the conditions identified at Appendix 1 of this report and any others which the Chief Planning Officer might consider appropriate.

1.0 INTRODUCTION

- 1.1 Outline planning permission for the arena was granted on 26th March 2010 (reference 09/04815/OT). The permission included detailed approval of the access arrangements including accessibility to, and within the site, for vehicles, cyclists and pedestrians. The scale and location of the building was defined by a series of parameter drawings, supported by a visual impact assessment. The maximum capacity, floorspace and noise criteria for the arena was also identified.
- 1.2 The emerging approach to the detailed design of the building was reviewed at a Plans Panel workshop led by the Civic Architect on 29th April 2010. The pre-application proposals for the arena building and public realm were presented to Plans Panel on 19th August 2010 in conjunction with a period of public consultation.
- 1.3 This Reserved Matters submission seeks approval for the detailed scale and appearance of the building, the site layout and landscaping proposals. Following the

completion of a programme of initial enabling works it is intended to commence construction during February 2011. Construction is planned for a two year period allowing opening late 2012/ early 2013.

2.0 SITE AND SURROUNDINGS

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

3.0 PROPOSALS

- 3.1 The application provides full details of site layout, scale and appearance of the arena building and detailed proposals for the landscaping of the site. The application also provides details of a wind tunnel assessment and details of the strategy to provide 10% of the energy supply for the development from renewable or low carbon energy sources in accordance with the outline planning permission. Full details of the conditions attached to the outline planning permission are attached at Appendix 3 for information.

3.2 DESIGN BACKGROUND

- 3.2.1 The Reserved Matters application is supported by an updated Design and Access Statement which builds on the principles and parameters identified at outline stage. The building design is informed by the principles and lessons learnt from more than 1000 public entertainment facilities that Populous has designed around the world.

3.3 THE ARENA BUILDING – INTERNAL LAYOUT

- 3.3.1 The arena would be a multi purpose, entertainment focused, facility. The arena facilities are carefully and distinctly arranged to ensure smooth operation of the venue. Consequently, front of house public areas (including entrances, concourse areas and seating) are clearly separated from back of house production, administration and service areas.
- 3.3.2 The diversity of activities and occupancy levels requires a flexible design which can be easily implemented to meet the changing demands. A contemporary and innovative layout is proposed to heighten customer experience. The proposed auditorium design is fan shaped which has a number of advantages:
- A reduced maximum focal length.
 - No redundant seating behind the stage.
 - Every seat directly faces the performance area.
 - Improved acoustic performance.
- 3.3.3 The arena has 12,372 seats with the ability to retract seats to create a maximum capacity of 13,500. The lower bowl would accommodate approximately 7000 seats with 15 rows of retractable seating able to form a large standing area when retracted. The upper bowl would contain around 5300 seats. 24 executive suites with an average capacity for 12 guests are also provided. In the fully seated mode with 110 DDA seats and 110 helper seats the capacity is reduced. The DDA seats are distributed throughout the bowl. Each executive suite can also accommodate disabled spectators and helpers. The facility is flexibly designed to be able to accommodate a range of events from music and family entertainment to sporting events. Configurations for different events are achieved by a series of roof hung partitioning curtains which control the size of the enclosure specific to each type and size of event.
- 3.3.4 The majority of visitors would enter the arena through the main entrance doors. There is no need for turnstiles. Access to the upper levels is gained via staircases and escalators. A stewarded lift provides assistance for disabled visitors to access the upper floors. The main entrance is supplemented by external stairs up to the main concourse level (02) situated on both sides of the building. VIPs (suite holders and premier club members) enter via a dedicated VIP lobby. Access to the suites at level 3 is via a private managed lift.
- 3.3.5 Wide concourses are designed to safely accommodate pedestrian flows. In addition to the restaurant areas on level 1, food, beverage and retail outlets are distributed widely throughout the public concourses. There are public toilets throughout the venue in addition to a changing places toilet at entrance level.
- 3.3.6 Discrete accesses for staff and performers are provided off Brunswick Terrace. The back of house facilities includes office space, staff rooms and meeting rooms. Dressing rooms would be contained in a separate access controlled zone close to the stage access points. The backstage area also includes a crew kitchen and dining area, a press room, first aid facilities, a workshop and warehouse area.
- 3.3.7 All goods will be delivered to the warehouse or main enclosed service yard from the service road to the east (Inner Ring Road) side of the building. The service yard

would provide secure, direct access to the arena floor enabling loading and unloading of three articulated goods vehicles simultaneously.

3.4 THE ARENA BUILDING – SCALE AND EXTERNAL DESIGN

3.4.1 In addition to the internal benefits of the fan design described at 3.3.2 the arrangement also maximises the potential of the site by:

- Ensuring a more compact building.
- Reinforcing and enhancing pedestrian circulation routes through the site.
- Making the best use of the topography of the site.
- Orientating the building for service access from Wade Lane.

3.4.2 As described above the arena comprises two main areas – the bowl and the service areas. The western edge of the building forms the main entrance with the seating flowing down from the western edge. The eastern side forms the rear of the arena, including the stage and service yard. The scale of the building reduces from west to east reflecting the natural change in levels.

3.4.3 At level 0 the bowl has a maximum east-west length of 92m and a maximum north-south width of 120m. Allowing for the varying site levels the maximum height of the building is approximately 40m. To the rear, the service area has a maximum length of 42m and a maximum width of 90m. The service yard is a maximum of 10.3m in height.

3.4.4 The external form of the building is a direct expression of the interior fan shape of the bowl. A hierarchy of elevations has been developed in response to the building's immediate context and internal function. At the same time, the Design and Access Statement recognises the quality of each elevation has been developed in line with the project budget.

3.4.5 The main façade acts as the principal focal point for the arena. The lens that overlooks the piazza has been developed to reflect the rich diversity of event goers. The complex façade comprises a series of layers built upon the structural grid. The mesh allows the opportunity for this facet of the building to be either back or externally lit. The detailed lighting strategy will be brought forward as a separate submission to discharge details of the outline permission (condition 9).

3.4.6 The positioning of the hexagonal windows produces an organic quality. Glimpses in and out of the building will be possible through some of these windows. The main façade's built in tracery elements act as louvres and as an integrated gutter system. This element of the façade is also critical to the changing daytime appearance as the sun position casts a changing shadow.

3.4.7 The southern elevation of the building abuts Brunswick Terrace. The presence of the administrative and event backstage areas is reflected by doorways and fenestration which would help to activate the elevation at the lower, plinth level. The side of the arena bowl rises over these functional areas.

3.4.8 The service yard tapers towards the eastern end of the site. The maximum height of the yard is 10.3m including the parapet. The fully enclosed service yard would have a green roof. Mechanical plant providing ventilation and cooling is elevated over the

service yard to the rear of the stage. The equipment is largely concealed behind a louvred screen which may provide future opportunities for signage. Signage proposals will form the subject of a separate application.

- 3.4.9 The north-eastern elevation of the building incorporates the primary servicing facilities. The main service yard doors front the access road. A secondary service area, servicing the food and retail concessions, is located to the west of the service yard. The remainder of the elevation reflects the arrangement on Brunswick Terrace where the main arena bowl sits over the plinth albeit on this elevation there is less animation.

3.5 THE ARENA BUILDING – EXTERNAL MATERIALS

- 3.5.1 Standard building materials and systems have been selected to control cost. However, it is intended to utilise the materials in an interesting way such as using a standard curtain walling system rotated 45 degrees. The module of the glazing and building components has been optimised to reduce waste.

- 3.5.2 The basic external material components are:

- Blockwork plinth
- Polyester powder coated tracery
- Tinted glazing
- Curtain walling
- Mesh
- Liquid plastic arena bowl and roof
- Green sedum roof to service yard

The building structure and key elements will have a lifespan of 60 years. The envelope will have a base guarantee of 25 years. The building is designed to allow clear access to enable a simple cleaning strategy.

- 3.5.3 Although many of the submitted images largely depict a green range of colours the final colour scheme, which is likely to be horizontally graded, will be determined following sample review (proposed condition 5). The colour will need to respond to the scale, design and context of the building. The colour choice will also need to have the ability to accommodate the application of different lighting conditions and colours on the main facade.

- 3.5.4 The building has been designed with the incorporation of future naming rights and signage in mind. Such details will form the subject of a separate, future, application.

3.6 LANDSCAPE DESIGN

- 3.6.1 Whitelaw Turkington have sought to produce a landscape design that complements the building envelope whilst delivering the operational and technical requirements. The principal considerations have included movement patterns; the provision of clear and distinctive edges; the formation of a hierarchy of spaces responding both to event and non-event times; the definition of distinctive approaches; and the need to include counter-terrorism strategies.

- 3.6.2 A simple spatial arrangement has been devised in order to provide a legible public realm around the site. There are four main components:
- Piazza arrival space to the front of the main entrance
 - Development plots
 - Service road access route
 - Brunswick Terrace
- 3.6.3 The piazza is intended to be a large open space creating a suitable setting for the arena. There will be distinctive seating, lighting and landscape elements. A line of Norway Maple trees would be introduced to the north and south of the piazza creating continuity from existing tree planting in Brunswick Terrace alongside Yorkshire Bank. A DDA compliant route will be provided from the taxi drop off and disabled persons parking area. Sheltered seating and gathering spaces are identified towards Brunswick Terrace.
- 3.6.4 Work on the Clay Pit Lane crossing is ongoing. The crossing is being designed to enable large numbers of pedestrians to cross the carriageway in a single movement to improve accessibility and safety. The crossing will be of a high quality design, avoiding the need for barriers where possible and, if practical, will create an attractive extension to the arena piazza. Details of the crossing will be submitted towards the end of the year.
- 3.6.5 The development plots will retain existing trees where possible. Native wildflower and clipped lawns would create a soft space in the southern plot. Coppice tree planting is included in both the northern and southern plots. Raised walls would create areas for informal seating as well as providing a defence against vehicles attempting to entry from Clay Pit Lane.
- 3.6.6 The service road corridor incorporates disabled persons parking and a pedestrian route linking Clay Pit Lane with Wade Lane. Ground based oak tree planting would create a green edge to the site improving the pedestrian environment and softening views of the arena from the Inner Ring Road. Beyond the turning head at the northern end a wide pedestrian area would create a gateway into the site from Clay Pit Lane.
- 3.6.7 The central segment of Brunswick Terrace, alongside the arena would be pedestrianised to accommodate increased pedestrian flows and to improve the current environment. Disabled person's minibus parking is identified towards the eastern end of this space. An area between the service yard and Opal 3 would be reserved for occasional outside broadcast vehicle parking. At the time of drafting this report discussion regarding the provision of appropriate landscaping in this area was ongoing.
- 3.6.8 Man-made concrete block paving is proposed for all pedestrian areas. A variation in colour and unit size would create a distinctive ground plane across the piazza. Pre-cast concrete steps are proposed allowing for simple installation. Concrete walls would incorporate anti-skate elements. Bollards are used extensively around the site to prevent unauthorised vehicular access to public areas.

3.7 ENERGY STATEMENT

- 3.7.1 Condition 59 of the outline planning permission included a requirement that details of the measures to ensure that at least 10 per cent of the energy supply of the development comes from renewable or low carbon energy sources are included in the Reserved Matters submission.
- 3.7.2 The application is accompanied by a Low Zero Carbon report which sets out the technologies which were explored; solar PV, biomass boilers and air source heat pumps. The document identifies the cost of the photo-voltaic option being outside the current affordability of the project. The use of biomass boilers would create issues regarding fuel storage and delivery, and boiler flue emissions.
- 3.7.3 Air source heat pumps have been identified as the most suitable solution to deliver at least 10 per cent of the energy supply. The pumps extract heat from the outside air and via a heat exchanger warm air or water is passed into the building's heating system. The equipment will be an integral part of the mechanical and electrical programme of works and will be fully operational when the building is first used. Provision will also be made to enable the arena to connect to the proposed Civic Quarter district heating scheme.

3.8 WIND

- 3.8.1 A desk top study at outline application stage identified some potentially, occasional, windy areas around the site. Consequently, the outline permission required further analysis at detailed design stage (condition 15).
- 3.8.2 A wind tunnel model was constructed and tested. Measurements were taken around the existing site and around the arena. It was noted that some areas of the site close to Opal 3 are already windy at certain times of the year. The construction of the arena will provide shelter in this area.
- 3.8.3 The arena development will not significantly change the wind conditions in the majority of other locations from those that currently exist. Two areas, near the taxi drop off and by the entrance doors could, however, experience high wind speeds.
- 3.8.4 Additional trees in the northern development plot and a row of trees in the pedestrian space would reduce wind speeds to an acceptable level near the taxi drop off. These trees are shown on the latest landscape drawings.
- 3.8.5 The design of main entrance has been adapted to provide:
- A 3m projecting main portal around the entrance area.
 - Smaller portals around groups of doors.
 - Outward opening doors.

With the inclusion of the identified mitigation measures it is likely that the wind conditions will be suitable for the proposed activities.

4.0 POLICY

- 4.1 The outline planning permission included a detailed review of relevant national and local planning policies and supplementary guidance. Since approval of the outline

planning permission the Regional Spatial Strategy has been revoked. Appendix 2 briefly reviews relevant policies primarily relating to design and landscaping.

5.0 STATUTORY CONSULTATIONS

Highways (21.10.10)

The access road details are acceptable in principle and will be controlled through the detailed design process as the road is to be adopted. The minimum headroom shown on the access road drawing is acceptable. An area of highway on Brunswick Terrace will need to be stopped up. Oversailing licenses will be required on both the access road and Brunswick Terrace. There are no objections to the proposal.

Leeds Bradford Airport (23.9.10)

No objections, although requirements regarding any construction cranes and lighting of the building.

Natural England (29.9.10)

No additional comments to make.

Yorkshire Forward (23.9.10)

No comments to make at this stage.

6.0 NON STATUTORY CONSULTATIONS

Access (20.9.10)

The general layout and design is acceptable.

Environmental Protection Team (30.9.10)

No objection to the reserved matters subject to the original conditions applying.

Flood Risk Management (27.9.10)

Original conditions continue to apply.

Leeds Civic Trust (28.9.10)

The design is a step beyond other arenas that have been built around the country and the building is one which LCT are pleased to support. LCT also welcomes the proposed sustainable construction and operation activities.

The greatest concern relates to the potential for building on the development plots as the arena needs the scale of the whole space in front of it. Other concerns relate to the longevity and maintenance of the proposed building materials; the need for acoustic and lighting containment to reduce disturbance to local residents; the potential to cover over part of the Inner Ring Road neighbouring the site and to reduce the extent of Clay Pit Lane open to vehicles; the need to design pedestrian

links properly; and concerns regarding general dropping off/picking up and coach parking facilities.

Leeds District Architectural Liaison (23.9.10)

Crime prevention has been adequately considered. Internal and external CCTV and means to make the public realm unattractive to skate boarders should be considered.

CABE (7.10.10)

CABE are very encouraged by the development of the designs for the arena and new public square. The entrance is legible and the articulation of the main façade and strategy for changing its appearance is well considered. Secondary elevations would benefit from additional care, especially at lower levels. The success of the development is dependent upon detailed design and choice of materials.

The landscape design is simple and robust and works well with the geometry of the building. Distinctly contrasting paving strips are needed to ensure that the patterning reads strongly. Running the paving into the building foyer would reinforce the concept of the integrated public space both within and outside the building.

CABE remain critical of the lack of coordinated proposals for the development plots and are concerned that the developments could obscure the entrance. Finally, CABE suggest that more work is needed to develop the strategy for pedestrian and vehicular connection to the arena.

Yorkshire Water (14.9.10)

No comments on the reserved matters details. Conditions attached to the outline permission still apply.

7.0 PUBLIC RESPONSE

Site notices were erected around the site on 17th September 2010 and the proposals were advertised in Leeds Weekly News on 30th September 2010.

One letter of representation has been received objecting to the traffic problems and impact on highways; to the detrimental economic impact due to congestion; due to the distance from public transport infrastructure; and due to the failure to site the arena to the south of the city where there would be more regenerative impact.

Response : The issues raised by the objector were thoroughly examined as part of the outline planning application. The beneficial impact of the arena's proposed location in rebalancing and stimulating investment and regeneration on the northern edge of the city centre, together with the wider economic benefits, were recognised. Additionally, the outline application included a detailed transport assessment. The utilisation of existing city centre car parks, together with the green travel plan and public transport improvements demonstrated an acceptable approach to transport issues.

8.0 MAIN ISSUES

8.1 The principal issues for consideration of the Reserved Matters submission are:

- Scale of the building
- Appearance of the building
- Site layout and landscaping
- Energy and wind
- Diversity and equality

9.0 APPRAISAL

9.1 Overview

9.1.1 Outline planning permission to construct the arena at Clay Pit Lane was granted in March 2010. In granting outline permission detailed approval of the highway and access arrangements, including parking and servicing proposals, was given. The broad site layout and scale of the building were also established, subject to identified parameters. Consequently, the Reserved Matters to be considered primarily relate to the detailed appearance of the building and landscaping proposals. The outline permission also required further assessment of wind and energy generation at Reserved Matters stage.

9.2 Scale of the building

9.2.1 As noted, the parameters of the building were identified at outline stage. It was accepted that the potential maximum scale of the building would be subsumed into the cityscape. At a more local scale it was considered that a suitable relationship with Brunswick Terrace and Jacob Street would be ensured. Particular consideration was given at outline stage to the juxtaposition with Opal 3 student accommodation and it was concluded that the relationship was acceptable.

9.2.2 Detailed design work has taken account of the agreed parameters and the overall scale of the building largely accords with the position at outline stage. Key building dimensions are identified at section 3.4 above. Consequently, the scale and impact which has been confirmed by further studies remains acceptable.

9.2.3 Following the development of detailed design work the maximum parameters have been exceeded in the following locations:

- The balcony over Brunswick Terrace which provides pedestrian access to the main concourse extends a maximum of 873mm further than the maximum parameters.
- Part of the service yard projects 2300mm further towards the service road than anticipated at outline stage to accommodate the internal manoeuvring of vehicles.

Given the overall mass of the building it is not considered that these minor exceedances result in a material impact on its scale or its neighbours.

9.3 Appearance

- 9.3.1 Plans Panel has seen the emerging design of the building at presentations in April and August this year. In particular, Members will recall that the external form of the building is a direct expression of the interior fan shape of the arena bowl. The supporting plinth is expressed separately towards the rear. A hierarchy of elevations has been developed in response to both the internal function and the building's context.
- 9.3.2 Special attention has been paid to the main façade which will be animated by the dramatic lens. The main entrance portal and visible vertical circulation (stairways and escalators) will further animate this distinctive elevation. Additionally, the ground floor restaurant and club lounge located either side of the main entrance will add to the active frontage.
- 9.3.3 The side and rear elevations of the building contain far less articulation than the main façade. This is to be expected of secondary elevations albeit, given their location and surrounding uses, their appearance remains important. Lower plinth levels of the Brunswick Terrace elevation are activated by the windows and doorways of the administrative and event backstage areas and the balcony above. The detailing in this area will be critical to the quality of environment created and to an extent it is unfortunate that it has been determined that concrete blockwork, rather than a natural facing material, is to be used at plinth level. The southern side of the arena bowl will be clearly visible in views above and between buildings from Merrion Way such that the choice of colour for the cladding material is particularly important here.
- 9.3.4 The tapering service yard is to be fully enclosed thereby removing potentially unsightly functions of the building from public view. The utilisation of a green roof is applauded given the benefits to biodiversity and also views from accommodation within the Opal 3 tower. Similarly, the screening of the mechanical plant is a suitable response to a potentially unsightly element of the building.
- 9.3.5 The elevation fronting the Inner Ring Road incorporates the primary servicing facilities including the main service yard doors and a secondary service area. The remainder of the elevation largely reflects the arrangement on Brunswick Terrace albeit there is less animation on this elevation given the absence of administrative functions.
- 9.3.6 The proposed range of facing materials is referred to at section 3.5 above. Ultimately, the success of the appearance of the building will be dependent upon the detailed design, the choice of appropriate materials and the quality of construction. Value engineering of external materials should be avoided. Hopefully, it will have been possible to have viewed samples of some of the proposed materials on site today.

9.4 Site layout and landscaping

- 9.4.1 At outline stage it was recognised that the location of the building responds well to the change in levels across the site and to the position of the servicing facilities. The arrangement enables the area of public realm on the west side of the building to maximise benefits from natural light and ventilation. Similarly, the layout relates well to primary pedestrian routes to the arena. The piazza and new footpath alongside

the service road create and significantly improve pedestrian routes. The extent and general arrangement of the public realm was considered acceptable.

- 9.4.2 Detailed landscape design is described at section 3.6 above. Spaces created are clear and legible. In particular, the piazza will create a suitable setting for the main façade to the arena. This space will also enable fluid pedestrian movement in and out of the arena and be suitable for use by others when the arena is not in use. Additional tree planting will replace trees to be removed on Elmwood Road and will reinforce the existing planting on Brunswick Terrace leading to Merrion Way.
- 9.4.3 The route alongside the Inner Ring Road successfully combines a number of challenges whilst creating a positive edge to the site. The pedestrianisation of part of Brunswick Terrace abutting the arena will help to support pedestrian movement in this area and allow for improved surface treatment. It is important that this space remains free of avoidable street furniture. The use of the space between the building and Jacob Street for the occasional parking of outside broadcast vehicles limits soft landscaping in this area. However, the quality of the environment needs to be mitigated and officers will report proposals to the meeting.
- 9.4.4 The development plots adjacent to Clay Pit Lane are to be used to serve a number of functions on a temporary basis. Existing trees will be retained and supplemented in the northern plot to filter wind. Wildflower and lawned areas in the southern plot create a soft area for people to spill onto. Raised walls will provide informal seating whilst preventing unauthorised vehicular access from Clay Pit Lane.

9.5 Energy and wind

- 9.5.1 The utilisation of air source heat pumps will ensure that at least 10 per cent of the energy supply of the development comes from renewable or low carbon energy sources as required at outline stage. The arena has been designed so that it will also be able to link in to any future district heat network planned for the civic quarter. Other sustainable credentials of the development, such as details of the rainwater harvesting system, will be submitted to discharge condition 58 attached to the outline planning permission.
- 9.5.2 The Reserved Matters submission included a wind tunnel assessment to supplement the desk study carried out at outline stage. As referred to at section 3.8 it was found that the building would benefit some existing areas whereas mitigation was required in localised areas to the north-west corner of the building. The building design and landscaping proposals have been adjusted to take account of these potentially windy areas. As a result, the development should have acceptable wind conditions for the proposed uses.

9.6 Diversity and Equality

- 9.6.1 The Council has a general duty under s.71 of the Race Relations Act 1976 to have regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups. The Equality Act 2010 requires public bodies to have due regard to eliminate discrimination and to advance equality of opportunity. Unitary Development Plan Review policies SA8, N12, T6 and A4 require the design of safe and secure environments for all sections of the community, including consideration of access arrangements. Policy R5

indicates that opportunities will be sought to secure appropriate employment and training associated with construction and operation of the development.

- 9.6.2 The city centre location ensures that the arena is sited so as to be accessible as possible to all sections of society. Detailed consideration of parking provision for disabled persons was undertaken as part of the outline planning application. These elements are retained in the detailed design. The disabled minibuss parking has been relocated onto Brunswick Terrace to ensure that 10 disabled people's car parking spaces can be delivered alongside the access road.
- 9.6.3 A simple level's strategy has been devised around the building that ties in with the site's topography. As a result, each main pedestrian approach has DDA compliant access.
- 9.6.4 The building itself has DDA compliant routes throughout. Stairs are supplemented by escalators and a dedicated disabled access lift. 110 DDA viewing spaces and helper spaces are deliverable depending upon event mode. Additionally, there is a gold standard Changing Places toilet at entrance level.
- 9.6.5 A primary objective of the development is to deliver significant economic and social benefits to the city. To ensure that the benefits are shared by some of the most disadvantaged people and communities within the city the outline planning permission required that a employment and training strategy including these measure should be implemented (condition 62). The Council will work with the preferred contractor (when appointed) to encourage the involvement of the third sector and specialist employment organisations to seek to secure apprenticeships for people from groups who may traditionally be excluded from such opportunities. As well as providing over 50 construction jobs at the peak of the building work, BAM committed to achieve a range of social and economic benefits including:
- 110 local construction jobs safeguarded.
 - 60 new apprenticeships.
 - Employment opportunities for local residents through JobCentre Plus or equivalent schemes, with 20 per cent targeted at residents of Wards nearest the site.
 - 48 people week's equivalent of work experience for 16-17 year olds.
 - 96 people week's equivalent of work experience for 18+ year olds.
 - Safeguarding 30 existing apprenticeship positions.

Once complete, it is predicted that the arena will attract at least 1 million visitors per annum to the city, providing in the region of 330 new, full time equivalent job opportunities, and will benefit the city's economy in excess of £25m per annum. It is also anticipated that the development will act as a catalyst for regeneration and investment in this quarter of the city.

9.7 Conclusion

- 9.7.1 The Reserved Matters reflect the detailed design work which has taken place within the constraints imposed by the outline planning permission and taking into account views of stakeholders expressed throughout the process. The main façade of the building, in particular, will be a valuable addition to the cityscape. Furthermore, the landscape design will complement the building and radically improve the existing

environment at a key gateway into the city. Questions remain regarding the future of the development plots and their impact upon the arena development. However, the sites will be the subject of future applications which will come to Plans Panel in due course. In the interim the areas will benefit from high quality landscaping.

- 9.7.2 The arena is a key project which would accord with the City Council's community strategy "Vision for Leeds 2004 to 2020". The scheme is also central in the delivery of key priorities set out within the Leeds Strategic Plan 2008-2011 and remains on track to be open at the end of 2012/early 2013.

10.0 Recommendation

- 10.1 Members are asked to approve the application subject to the conditions and reasons set out in Appendix 1.

Background papers:

Application files 09/04815/OT, 10/02935/FU, 10/9/00187/MOD

Certificate of ownership:

Signed by the agent on behalf of Leeds City Council

APPENDIX 1 – SUGGESTED CONDITIONS AND REASONS FOR APPROVAL

1 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

2 The development shall be carried out in accordance with the conditions imposed under Outline Planning permission 09/04815/OT dated 26th March 2010.

To ensure the development is carried out in accordance with the conditions attached to the outline permission.

3 All facilities within and around the arena shall be designed in accordance with British Standard BS8300:2009 or the current best guidance criteria. The facilities shall be provided prior to first use of the arena and shall include a changing places toilet and 110 wheelchair accessible viewing points. Any dropped kerbs shall be designed in accordance with DETR guidance "Guidance on the use of Tactile Paving Surfaces". The facilities shall thereafter be retained unless otherwise approved in writing by the Local Planning Authority.

In order to provide appropriate access and facilities for disabled people.

4 Prior to construction in the relevant part of the site full details of the following features shall be submitted to and approved in writing by the Local Planning Authority:-

- (i) 1:20 scale drawings of typical material junctions and typical changes in building plane
- (ii) 1:20 scale section drawings of doors and fenestration and balcony details within the main façade and building plinth

The works shall be carried out in accordance with the details thereby approved unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

5 Further to condition 10 attached to outline planning permission prior to the construction of the external facing materials to the building a study of the colouration of the building, reviewing a range of options, shall be submitted to and approved in writing by the Local Planning Authority. The building works shall be completed in accordance with the details thereby agreed and shall thereafter be maintained.

In the interests of visual amenity.

6 Prior to the installation of vehicular doors to the service yard full details of their form appearance and means of operation shall be submitted to and approved in writing by the Local Planning Authority. The doors shall be installed in accordance with the details thereby agreed.

In the interests of visual amenity.

7 Prior to its installation details of the proposed vehicular barrier alongside the Inner Ring Road should be submitted to and approved in writing by the Local Planning Authority.

The barrier shall be installed in accordance with the details thereby approved prior to first use of the access road.

In the interests of visual amenity and highway safety.

8 All glazing should be laminated on the inner leaf to EN ISO 12543 standards. The glazing should be fixed into a blast resistant retention system to BS 6206 Class B or BS EN 12600 Class 2 (B) 2 standard unless otherwise agreed in writing by the Local Planning Authority.

In the interests of public safety.

9 All bollards shall be to PAS68/PAS 69 standards unless otherwise agreed in writing by the Local Planning Authority.

In the interests of public safety.

10 Prior to the substantial completion of the arena development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. Maintenance shall commence when the landscape scheme is completed and shall be carried out in accordance with the approved schedule.

To ensure maintenance of the completed landscape scheme.

Informatives to include:

A stopping up order and oversailing license will be required.
The access road will need to be designed and constructed to adoptable standards

Reasons for granting consent

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application, the Environmental Statement, and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of the Leeds Unitary Development Plan Review 2006 (UDPR).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

- (a) The development is in accordance with the Development Plan as a whole together with other material planning guidance.
- (b) The arena would entail an efficient use of land brownfield land which currently detracts from the wider area. The development would bring forward a building accessible to all members of the community and would deliver an area of high quality public realm and improve the permeability of the site.
- (c) The development would bring forward a high quality building at a key gateway into the city.

- (d) The development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

The above represents a summary of the reasons why the City Council approved the Reserved Matters submission 10/04022/RM for the development.

APPENDIX 2 – PLANNING POLICY

1 The Development Plan

- 1.1 The Development Plan for the purposes of the proposal comprises the Unitary Development Plan (Review 2006). Section 38(6) of the Planning and Compulsory Purchase Act 2004 states “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

Unitary Development Plan Review

- 1.1.1 Strategic Aim SA1 encourages the highest possible quality of environment throughout the District, including initiating the renewal and restoration of areas of poor environment.
- 1.1.2 General Policy GP5 identifies the need to resolve detailed planning considerations, to promote energy conservation and the prevention of crime. Proposals should also have regard to any framework for the area.
- 1.1.3 Environment policies
- N12 identifies fundamental priorities for urban design.
 - N13 indicates that the design of all new buildings should be of a high quality. Good contemporary design will be welcomed.
 - N23 states that space around new development should be designed to provide a visually attractive setting for the development and, where appropriate, contribute to informal public recreation.
- 1.1.4 Access for All
- A4 requires the design of safe and secure environments, including consideration of access arrangements, public space, servicing and maintenance, materials and lighting.
- 1.1.5 City Centre policies seek to encourage a more vibrant, high quality environment within the city centre
- CC4 encourages development at gateway sites to reflect the importance of their location through scale and design quality.
 - CC12 indicates that new public spaces must integrate with the existing pattern of streets
 - CC13 requires that spaces should be imaginatively designed and complement their location.
- 1.1.6 UDPR Appendices
- Policies within the appendices typically elaborate policies in the main document.
- BD2 New buildings should complement and, where possible, enhance existing vistas, skylines and landmarks.

- BD3 Buildings open to the public will be required to provide suitable access for disabled people.
- BD4 Plant, pipework, other mechanical equipment and fire escape stairs should normally be contained within the envelope of the building. Service and deliver areas to be screened as far as possible.
- BD5 New buildings should be designed to give consideration to their own amenity and that of their surroundings.

LD1 sets out requirements for landscape schemes.

1.2 Supplementary Planning Guidance, other guidance and emerging policy

1.2.1 SPG 14 Leeds City Centre Urban Design Strategy (September 2000)

The proposed development falls within the North Street / Clay Pit Lane area (Study Area 6) of the design guide. Relevant key aspirations are highlighted as follows:

- Improve pedestrian links within the area and to/from other areas
- Enhance gateway images
- Improve existing spaces
- Encourage more active frontages
- Improve boundary treatments

1.2.2 The draft Sustainable Design and Construction Supplementary Planning Document advises how development in Leeds can result in reduced greenhouse gas emissions; better adaptation to climate change; reduced overall impact on the environment; and inclusive development for all users.

1.2.3 City Centre Area Action Plan (Preferred Options 2007)

The preparation of a City Centre Area Action Plan (CCAAP) is considered essential to tackle a series of development, regeneration and urban renaissance issues. However, as adoption of the CCAAP is some way off presently it can only be accorded limited weight. The key elements relevant to the Reserved Matters include the following:

- That new building needs to address climate change by incorporating appropriate waste storage, renewable energy and sustainable design technology (PO-22/23).
- Promoting provision of public space as part of major new development (PO-25).
- Ensuring new development is easily accessible to all (PO-28).

1.2.4 Elmwood Road – Brunswick Terrace Planning and Development Brief (2005)

The brief outlines general development principles which should be addressed in any planning application.

1.3 National planning guidance

1.3.1 Planning Policy Statement (PPS) 1 : Delivering Sustainable Development (January 2005)

PPS1 places a strong emphasis on the importance of sustainable development and encourages a positive approach to planning and development. The PPS recognises the need to protect and enhance the quality, character and amenity value of urban areas. The PPS places particular emphasis on the importance of high quality inclusive design which is seen as a key element in achieving sustainable development and community involvement which is one of the principles of sustainable development.

1.3.2 Supplement to PPS1 : Planning and Climate Change (December 2007)

The supplement sets out the Government's objectives to tackle climate change. New development should:

- Comply with policies for decentralised energy supply and for sustainable buildings;
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption, and overall minimise carbon dioxide emissions;
- Deliver a high quality local environment;
- Provide appropriate public and private space;
- Give priority to the use of sustainable drainage systems;
- Provide for sustainable waste management.

1.5.9 Planning Policy Statement 22 : Renewable Energy (August 2004)

The PPS highlights the need to consider the opportunity for incorporating renewable energy projects in all new developments. Positive planning which facilitates such development would help to contribute towards all four elements of the Government's sustainable development strategy.

Planning Policy Statement (PPS) 4: Planning for Sustainable Economic Growth (December 2009); PPG13: Transport (March 2001); Planning Policy Guidance 24: Planning and Noise (October 1994); and PPG25: Development and Flood Risk (December 2006) were reviewed as part of the outline planning application.

APPENDIX 3 - CONDITIONS ATTACHED TO THE OUTLINE PLANNING
PERMISSION 09/04815/OT

- 1) Approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority, in writing before the development is commenced.

Layout
Scale
Appearance
Landscaping

Plans and particulars of the reserved matters shall be submitted utilising a planning application form and shall be carried out as approved.

Because the application is in outline only and as only outline details have been submitted of the reserved matters, they are reserved for subsequent approval by the Local Planning Authority.

- 2) Application for approval of all reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be agreed.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3) The Reserved Matters details submitted pursuant to this permission shall be in accordance with the Environmental Statement (November 2009), and reflect the principles identified within the Design and Access Statement (November 2009).

In order to define the permission as the development is the subject of an Environmental Impact Assessment and any deviation may have an impact which has not been assessed by that process and in order to secure satisfactory development in accordance with the agreed principles and objectives.

- 4) The arena shall have a maximum attendance of 13,500 patrons.

In the interests of traffic convenience and pedestrian safety and in accordance with the submitted Transport Assessment.

- 5) The concourse restaurants shall have a maximum net floor area of 900 square metres.

In accordance with the application details and so as not to prejudice the vitality and viability of the Prime Shopping Quarter.

- 6) Other than for the concourse restaurants referred to at Condition 5 above the ancillary restaurants, bars and retail concessions within the arena building shall only open on arena event days unless otherwise agreed in writing by the Local Planning Authority.

To control the extent of retail floorspace within the building in order to protect the vitality and viability of the Prime Shopping Quarter in accordance with Unitary Development Plan Review policies S1 and CC21 and PPS4 Planning for Sustainable Economic Growth.

- 7) The event level standing floor area shall not exceed 1500 square metres unless otherwise agreed in writing by the Local Planning Authority.

To ensure the arena function is complementary to Harrogate conference facility in accordance with Regional Spatial Strategy policy LCR1(A7) and Unitary Development Plan Review policy LT5.

- 8) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule unless provided for in any subsequent conditions attached to this permission.

For the avoidance of doubt and in the interests of proper planning.

- 9) No building operations shall be commenced until a scheme of external lighting for the building and public realm has been submitted to and approved in writing by the Local Planning Authority. Any external lighting should be designed so as not to cause a distraction to pilots, users of nearby highways and in such a way that the source of light is not directly visible from nearby residential properties. The lighting shall be provided in accordance with the approved scheme prior to first use of the arena.

In the interests of visual and residential amenity and highway and aviation safety.

- 10) No building operations shall be commenced until details and samples of all external finishes, including glazing and surfacing materials, have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity.

- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that Order, with or without modification, no structures, extensions, satellite antenna, cleaning cradles or plant of any sort (including structures or plant in connection with any use of telecommunications systems), are to be erected externally on any roof or walls of the buildings without the prior written consent of the Local Planning Authority.

In order to safeguard the visual amenity of the area.

- 12) Development shall not commence until a Phase I Desk Study has been submitted to, and approved in writing by, the Local Planning Authority and:

(a) Where the approved Phase I Desk Study indicates that intrusive investigation is necessary, development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority,

(b) Where remediation measures are shown to be necessary in the Phase I/Phase II Reports and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

- 13) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

- 14) Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Reports shall be submitted to the Local Planning Authority in accordance with the approved programme. The arena shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

- 15) The Reserved Matters submission shall include a wind tunnel assessment, including details of mitigation measures where necessary. The development shall be carried out in accordance with the approved details.

In order to supplement findings of the Wind Microclimate Desk Study produced with regard to outline parameters for the scheme and in accordance with Policy GP5 of the Leeds Unitary Development Plan Review.

- 16) a) All existing trees shown on the approved plans to be retained shall be fully safeguarded during the course of the site works and building operations in accordance with the provisions of British Standard 5837:2005 (Trees in relation to Construction), or with the particulars specified in the approved plans and specifications.

b) No development shall commence until all trees to be protected have been protected in accordance with the approved details, or in the absence of such details, in accordance with BS 5837:2005, and the Local Planning Authority has been notified and has approved the protection measures in writing.

c) The protective measures shall be maintained during the course of the site works, and no equipment, machinery or materials shall be stored or fires burnt within any area protected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made including the provision of any underground services, without the prior written consent of the Local Planning Authority.

d) The protective measures shall be retained in position until all equipment, machinery or materials have been removed from the site and the site has been occupied, unless otherwise agreed in writing by the Local Planning Authority.

To ensure the protection and preservation of trees, shrubs, hedges and other natural features during construction works.

- 17) In this condition 'retained tree' means an existing tree which is to be retained as shown on the approved plans and particulars. This condition shall have effect until the expiration of five years from the date the development is occupied/brought into use.

a) No retained tree shall be removed, uprooted or destroyed nor shall any retained tree be pruned, topped or lopped or suffer root severance other than in accordance with the approved plans and particulars without the written approval of the Local Planning Authority. Any pruning, topping or lopping approved shall be carried out in accordance with British Standard 3998 (Recommendations for Tree Works) and in accordance with the actions recommended in any tree survey approved by this permission or agreed in writing by the Local Planning Authority.

b) If any retained tree is removed without the prior written consent of the Local Planning Authority, uprooted or destroyed or dies the Local Planning Authority shall be notified. Another tree/hedge/bush shall be planted at the same place and that tree/hedge/bush shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

To ensure the continuity of amenity afforded by existing trees and vegetation and to protect existing trees from damage during site preparation and construction works in the interest of general amenity.

- 18) Any tree removal should take place outside the bird breeding season or after being checked by a suitably qualified ecologist for signs of bird breeding activity.

In order to protect wild birds during the breeding season.

- 19) No building operation, including delivery of building materials, shall take place before 0700 hours on weekdays and 0800 hours on Saturdays or after 1900 hours on weekdays and 1300 hours on Saturdays, with no operation on Sundays or Bank Holidays unless agreed in advance by the Local Planning Authority.

In the interests of amenity.

- 20) No development shall take place until the details of measures to minimise the impacts of construction have been submitted and approved in writing by the Local Planning Authority. The measures shall form a Code of Construction Practice and shall include details of construction traffic management, including vehicular routes, contractor's parking and wheel washing facilities; details of the location of storage of plant, materials and contractors cabins; measures to control noise and dust within the site

and on roads and haul routes; temporary boundary treatment; and a waste strategy during construction. Activities must be carried out in accordance with the requirements of any agreed Code of Construction Practice, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

- 21) Prior to first use of the arena that part of the site shown to be used by vehicles, on the approved plans, shall be laid out, drained, surfaced and sealed, as approved, and that area shall not thereafter be used for any other purpose other than the vehicle related use approved.

In the interests of the free and safe use of the highway.

- 22) Prior to first use of the arena a detailed Venue Management Strategy for the use and operation of the arena shall be submitted to and approved in writing by the Local Planning Authority. The Venue Management Strategy shall include details of the management of pedestrian movements outside the arena before and following events. The operation of the arena shall be in strict accordance with the details approved under this condition unless otherwise agreed in writing by the Local Planning Authority.

To ensure the safe operation of the arena and in the interests of amenity.

- 23) Prior to first use of the arena a Security and Counter Terrorism Strategy shall be submitted and approved in writing by the Local Planning Authority. The approved measures shall be implemented in accordance with an agreed programme and thereafter maintained.

In the interests of safety and security and PPS1 Delivering Sustainable Development.

- 24) Prior to first use of the arena, a scheme detailing the method of storage and disposal of litter and waste materials (including recycling facilities) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details for how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented prior to commencement of arena events and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling.

- 25) The hours of delivery to and from the concourse restaurant and ancillary bar and retail facilities, together with loading and unloading within those uses shall be restricted to 0700 hours to 2230 hours Monday to Saturday with no such operations taking place on Sundays and Bank Holidays.

In the interests of amenity.

- 26) The on and off-site highway works and measures identified on Jacobs Access drawing AX/T&D/001 P12 shall be completed prior to the first opening of the arena to the public and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

In the interests of accessibility and management of the highway.

- 27) Prior to the first use of the arena, a strategy for pedestrian accessibility and direction to the arena shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall identify improvements required to routes and footpaths and additional signage required to direct arena visitors from key public transport facilities, coach and taxi ranks, and public car parks, including Leeds Railway Station, Leeds Bus and Coach Stations, and the Woodhouse Lane multi-storey car park. The scheme shall be implemented before the first opening of the arena to the public.

To aid pedestrian connectivity to the City Centre and encourage the use of sustainable travel methods.

- 28) Prior to the commencement of the development a scheme for the static signage, variable message signage and electronic 'free text' signage to direct and inform vehicles regarding arena events, preferred routes and parking availability should be submitted and approved in writing by the Local Planning Authority. The scheme thereby approved shall be implemented before the first opening of the arena to the public.

In the interests of accessibility and management of the highway.

- 29) Prior to the commencement of the development a scheme for the review of on-street parking and the amendment of traffic regulation orders necessary to protect residential areas from overspill parking from the arena shall be submitted and approved in writing by the Local Planning Authority. The measures shall be implemented before the first opening of the arena to the public. The adequacy of the measures should be monitored over a 24 month period following the first opening of the arena to the public. Results of the monitoring should be submitted to the Local Planning Authority at 6 monthly intervals within 1 month of their completion. Should the Local Planning Authority consider that additional or revised orders are necessary measures should be taken to secure these as soon as is reasonably practical.

In the interests of residential amenity and highway safety.

- 30) Prior to the commencement of the development a traffic signal plan to accommodate the traffic and pedestrian movements at the beginning and end of events across the highway network shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented before the first opening of the arena to the public.

In the interests of highway management.

- 31) Prior to the commencement of the development a scheme for the management of vehicles going into and out of Woodhouse Lane multi-storey car park during arena events shall be submitted to and approved in writing by the Local Planning Authority. The measures thereby agreed shall be implemented before the first opening of the arena to the public.

In the interests of highway management.

- 32) Prior to the commencement of the development details of cycle parking, showers and lockers for staff and cycle parking for arena visitors shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include a minimum of 14 covered cycle lockers for staff and a minimum of 40 covered cycle stands for visitors. The facilities thereby approved shall be provided before first opening of the arena to the public and thereafter maintained.

In the interests of sustainable travel.

- 33) Prior to the commencement of development the Arup Travel Plan dated 25th February 2010 (Version E) shall be implemented and shall not be varied without the prior written approval of the Local Planning Authority.

In the interests of sustainable travel and in reducing the traffic impact of the development on the road network.

- 34) Prior to the commencement of development a scheme identifying proposals for the independent monitoring of the success of the Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be delivered in accordance with the details thereby agreed prior to first use of the arena.

In the interests of sustainable travel and to accord with the draft Travel Plan SPD.

- 35) Prior to first use of the arena details of an off-site location for the layover of coaches and for the holding of heavy goods vehicles shall be submitted to and approved in writing by the Local Planning Authority. The facility shall be available for use by coaches and HGV's at all times unless otherwise agreed in writing by the Local Planning Authority.

In the interests of highway management and residential amenity.

- 36) Prior to first use of the arena the following improvements shall be made to public transport infrastructure:

Wade Lane inbound (11139) - bus shelter and Real time screen.

Wade Lane outbound (10917) - Real time installed in existing bus shelter with DDA kerb.

Woodhouse Lane outbound (10915) - Real time installed in existing bus shelter.

Woodhouse Lane outbound (10913) - Real time installed in existing bus shelter.

Clay Pit Lane inbound (27767) - Relocated DDA compliant bus stop.

The provision of a live bus information screen within the arena building.

In the interests of sustainable travel.

- 37) Prior to the commencement of development a scheme for improvements to public transport infrastructure in accordance with the Public Transport Improvements and Developer Contributions SPD shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be delivered in accordance with the details thereby agreed prior to first use of the arena.

To ensure provision of public transport infrastructure in the interests of sustainable travel and in accordance with the Public Transport Improvements and Developer Contributions SPD.

- 38) A traffic management plan shall be submitted to and agreed in writing by the Local Planning Authority prior to the first arena event exceeding 3750 attendees taking place during the hours of 0900-1800 on a weekday. The traffic management plan shall be implemented in accordance with the approved details.

Due to the weekday capacity of existing car parks and in the interests of traffic management.

- 39) Public access to the access road for vehicles and adjacent route next to the Inner Ring Road for pedestrians shall be maintained 24 hours a day, 365 days a year unless otherwise agreed in writing by the Local Planning Authority.

In the interests of pedestrian connectivity and accessibility.

- 40) The Reserved Matters submission shall include full details of both hard and soft landscape works. These details shall include (a) proposed finished levels around the site; (b) means of enclosure including walls and fences, (c) disabled persons car parking layouts; (d) other vehicle and pedestrian access and circulation areas including the proposed pedestrian crossing across Clay Pit Lane adjacent to the site; (e) hard surfacing areas, including the piazza, footways, steps and ramps; (f) minor artifacts and structures (eg bicycle storage facilities, street furniture including seating and planters, tree grille details, refuse bins or other storage units, directional signs, lighting etc.).

Soft landscape works shall include plan and cross-sectional details at 1:10 of (g) planting plans; (h) written specifications (including cultivation and other operations associated with plant and grass establishment); (i) specification and compaction of 'urban treesoil', fertilisers and additives; (j) where green walls/roofs are proposed details of their irrigation and maintenance; (k) means of passive ingress of surface water, air and of irrigation during establishment; (l) details of tree pits under parking spaces; (m) schedules of plants noting species, planting sizes and proposed numbers/densities which shall be no less than 35cm stem girth; (n) means of anchoring rootballs; (o) details of protection from vehicle impact; (p) existing trees to be retained; and (q) implementation programme.

The landscape details shall include all areas of the site and surroundings which shall form the public realm and immediate pedestrian access to the arena including that part of Brunswick Terrace to be pedestrianised and the Clay Pit Lane frontage to the site together with proposals for the landscaping of the areas identified within the blue line shown on drawing B05850AY/AR/050.0007 PL3 unless otherwise agreed in writing by the Local Planning Authority.

To ensure the provision of amenity afforded by appropriate landscape design.

- 41) Hard and soft landscaping works shall be carried out in accordance with the approved details. The hard landscape works shall be completed prior to the occupation of any part of the development. The soft landscape works shall be completed by no later than the end of the planting season following the substantial completion of the development. The landscape works shall be implemented to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

To ensure the provision, establishment and maintenance to a reasonable standard of landscaping in accordance with the approved proposals.

- 42) If, within a period of five years from the planting of any trees or plants, those trees or plants or any trees or plants planted in replacement for them is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to a variation.

To ensure the maintenance of a healthy landscape scheme.

- 43) Prior to the commencement of development a biodiversity enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be based on the recommendations in section 3 of the Ecological Baseline Assessment dated 4 August 2009 and the agreed plan shall thereafter be implemented.

To maintain and enhance biodiversity.

- 44) Prior to the commencement of development a public realm strategy for the maintenance and cleaning of the public realm shall be submitted to and approved in writing by the Local Planning Authority. The public realm shall be accessible at all times to members of the public and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

To ensure the provision and future maintenance of the public realm.

- 45) The L_{Aeq} of the entertainment noise shall not exceed 10dB below the representative background noise level L_{A90} (without entertainment noise), and the L_{Aeq} of the entertainment noise will be at least 3dB below the background noise level L_{A90} (without entertainment noise) in octaves between 63 and 125Hz. The noise level shall be determined at the façade of the nearest noise sensitive premises.

In the interests of amenity.

- 46) The rating level of the noise emitted from each of the non entertainment sources (e.g. plant and machinery, and the service yard) shall not exceed 5dB below the existing background noise level (L_{A90}). The noise level shall be determined at the nearest noise sensitive premises, with the measurements and assessment made in accordance with BS4142:1997.

In the interests of amenity.

- 47) Within 3 months of completion of the development a noise survey shall be undertaken to show compliance with conditions 45 and 46. The survey locations and methodology shall be agreed in writing by the Local Planning Authority in advance of the survey being undertaken and shall be representative of the noise sensitive receptors adjacent to the development. The results of the survey shall be provided to the Local Planning Authority within 4 weeks of the survey being carried out. In the event of failure to demonstrate compliance with any imposed noise conditions, measures necessary to comply with the relevant conditions shall be undertaken and a

further noise survey shall subsequently be submitted to the Local Planning Authority to confirm that the noise control requirements are fulfilled.

To ensure compliance with noise conditions in the interests of amenity.

- 48) There shall be no use of external loud speakers for any purpose other than in emergency situations unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

- 49) All entrance/exit doors to the arena, which may compromise the acoustic integrity of the premises, shall be kept closed throughout the duration of event performances.

In the interests of amenity.

- 50) No development shall take place until details of the treatment of emissions to atmosphere, resulting from any processes, plant or activity, including the method of treatment and height, position and manner of discharges, are submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works approved in accordance with this condition have been completed. Such works shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

- 51) The use shall not be brought into operation until a grease trap has been provided on the drainage outlets from the food preparation areas. The grease trap shall be retained at all times thereafter.

To ensure the removal of grease from waste effluent in the interests of general amenity.

- 52) The site shall be developed with separate systems of drainage for foul and surface water on and off site.

To ensure that a separate system of drainage is provided and to ensure that the site can be properly drained without flooding.

- 53) No development shall take place until details of the proposed means of disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The surface water disposal proposals shall include a feasibility study into the use of infiltration drainage methods.

In compliance with PPS25 and the Council's sustainable drainage policy and to ensure that the site can be properly drained without flooding.

- 54) An assessment of the need for petrol/oil interceptors designed to intercept all surface water from areas to be used by vehicles and any other areas potentially to be subject to contamination shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any required interceptors shall be provided before the development is brought into use and they shall thereafter be maintained.

To prevent pollution of the watercourses and to protect the environment.

- 55) Surface water from the development shall be subject to balancing of flows to achieve a minimum 30% reduction of the existing peak flow rates from the site.

To ensure compliance with the Council's minimum development control standards for flood risk.

- 56) Details of on-site storage for additional run-off from storm events up to the 1 in 100 year + climate change shall be submitted to and approved in writing by the Local Planning Authority and installed before first use of the development.

To ensure compliance with PPS25 and with the Council's minimum development control standards for flood risk.

- 57) There shall be no discharge of surface water from the development prior to the completion of the approved surface water drainage works and no building shall be occupied prior to completion of the approved foul drainage works.

To ensure that the site is properly drained.

- 58) Prior to the commencement of development a revised Sustainability Statement shall be submitted and approved in writing by the Local Planning Authority clearly indicating the details of the measures that will be delivered in the development to deliver the sustainability and sustainable construction aspects of the development. The development shall be carried out in accordance with the approved revised Sustainability Statement.

In the interests of sustainable development and to accord with the details of the planning application and with Policy GP11 of the Council's Unitary Development Plan Review.

- 59) At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 1. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

In the interest of sustainable development and to accord with the Regional Spatial Strategy Policy ENV 5 and the climate change supplement of PPS1.

- 60) Prior to the occupation of the development a post-construction review statement shall be submitted by the applicant and approved in writing by the Local Planning Authority.

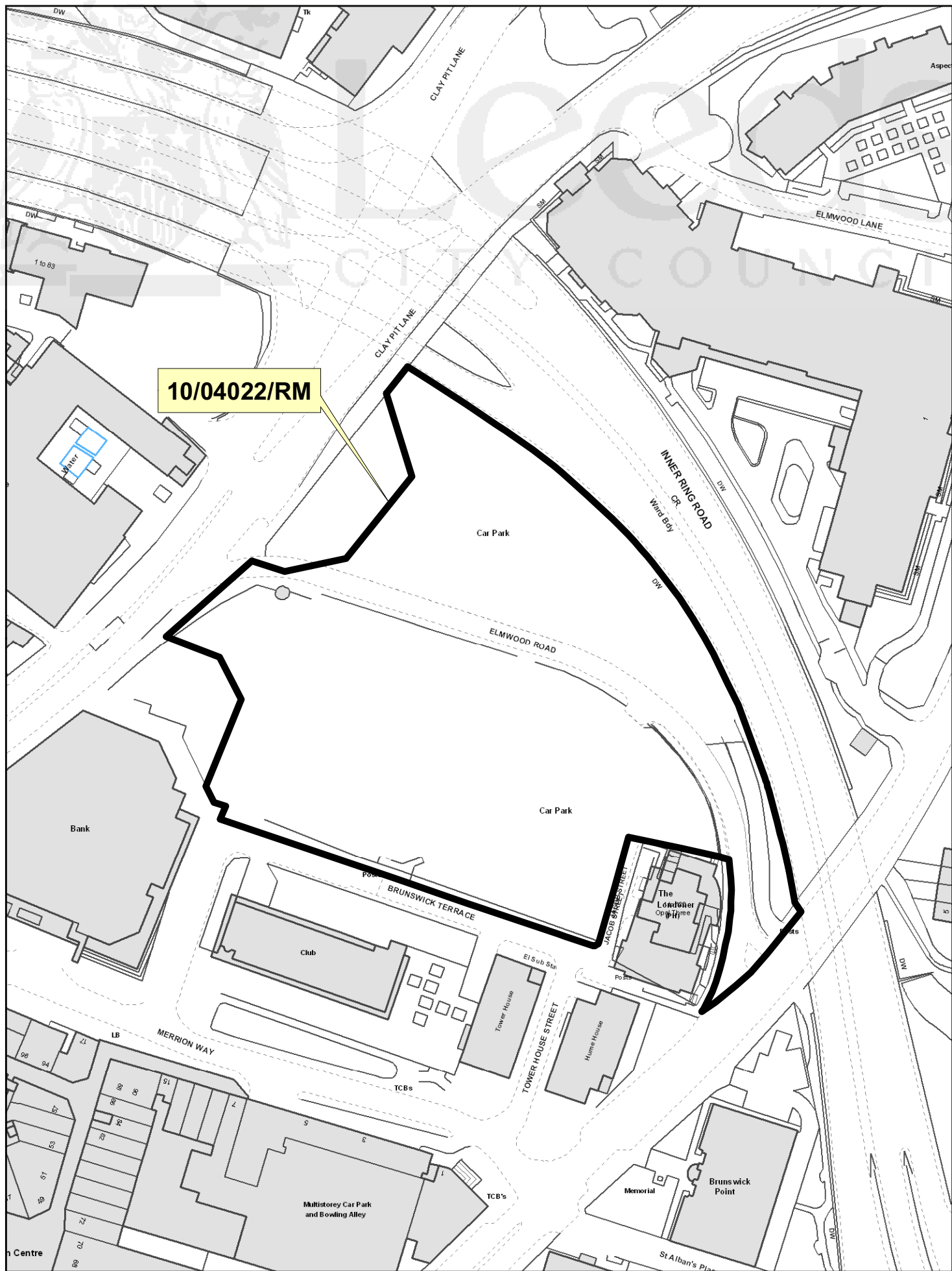
In the interests of sustainable development and in order to accord with Policy GP11 of the Council's Unitary Development Plan.

- 61) Prior to the first use of the development details shall be submitted to and approved in writing by the Local Planning Authority of the measures taken to ensure that the quality of a television or other telecommunications services in the immediate area are not adversely affected by the proposals.

In order to safeguard the amenities of nearby occupiers.

- 62) Prior to the commencement of development an employment and training strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of measures to ensure provision for the training of local people and employment of local people in the construction and operation of the arena. The strategy shall be implemented prior to the commencement of development.

To secure appropriate training and employment opportunities in accordance with Unitary Development Plan Review Policy R5.



CITY CENTRE PANEL

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Originator: Tim Hart

Tel: 3952083

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12th NOVEMBER 2010

Subject: ALTERATIONS AND EXTENSIONS, WOODHOUSE LANE MULTI STOREY CAR PARK, LEEDS (10/03773/LA).

Electoral Wards Affected:

City and Hunslet, Hyde Park and Woodhouse

☐ No

Ward Members consulted

Specific Implications For:

Equality and Diversity

☒ Y

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION: Grant permission subject to the conditions identified at Appendix 1 of this report and any others which the Chief Planning Officer might consider appropriate.

1.0 INTRODUCTION

- 1.1 Members will be aware that the arena development does not provide new parking facilities other than spaces for disabled people. As such, the agreed parking strategy for the arena is based upon the utilisation of existing city centre car parks. Woodhouse Lane multi-storey car park (WLMSCP) would be the main arena car park. This application is brought to Plans Panel due to the relationship with the arena development and due to the public familiarity with the existing building.
- 1.2 The proposed improvement and maintenance works are necessary to increase the life of the building by a further 25 years and also to safely accommodate the intensive vehicle and pedestrian movements at the beginning and end of arena events.
- 1.3 In order to complete both the improvement and maintenance works prior to the opening of the arena work is scheduled to start on site in April 2011. Although the

phasing of the works have yet to be determined the car park will remain operational during the works, albeit to a reduced extent.

2.0 SITE AND SURROUNDINGS

- 2.1 WLMSCP was constructed between 1968-1970. The building comprises 18 levels accessed by internal ramps ascending half a storey at a time. It has a current capacity of 1276 spaces. The building is constructed in concrete with dark grey ribbed cladding panels. Cobbled stair towers are situated on the southern, western and northern elevations. Three lifts on the west elevation provide pedestrian access to odd-numbered car park levels from access points on level 1 and 5. There are vehicular entrances at levels 1 and 7, and vehicular exits at levels 1, 7, 8 and 12 (via an external ramp).
- 2.2 Woodhouse Lane to the west of the car park rises towards the north. WLMSCP was constructed in the Inner Ring Road cutting and the northern end of the building spans over the Inner Ring Road. The building is surrounded by major highway infrastructure. Student accommodation is located to the north, including the new Broadcasting Tower. Leeds Met City Campus is situated to the west beyond the Dry Dock public house. Buildings to the south are primarily in educational use or used for student accommodation. Queen Square Conservation Area is situated beyond Queen Square Court to the south.

3.0 PROPOSALS

- 3.1 It is proposed to remove the existing stair tower on the southern elevation. It would be replaced by a larger access core in a similar location incorporating stairs and two lifts. One of the lifts would stop at even-numbered floors and one would stop at odd-numbered levels. The core would be clad in grey brickwork with powder-coated aluminium framed glazing panels.
- 3.2 A pedestrian bridge would span from level 3 over the existing level 1 vehicular entry/egress point in order to improve pedestrian safety. A ramp or staircase would take pedestrians down to ground level immediately north of the existing subway. Pedestrians would not be able to access level 1 of the new core. Pedestrians would be discouraged from using the existing route to level 1 beneath the vehicular bridge by a combination of physical barriers, signage and additional planting on the southern side of the bridge.
- 3.3 An extension to the external exit ramp on level 12 is proposed to ease traffic manoeuvres in this location. Unlike the existing ramp the ramp extension will be self-supporting. The level 8 exit will be closed to remove conflict with vehicles leaving from level 12.
- 3.4 The existing car park has been studied and anticipated vehicle movements carefully modelled. Within the car park the existing entry barrier system will be replaced by a pay and display system to prevent long queues forming within the car park at the end of events. The CCTV system will be upgraded.
- 3.5 12 disabled persons car parking spaces will be marked out to replace the existing 4. Additionally, pedestrian routes in the car park will be painted. External signage will form the subject of a separate application.

4.0 POLICY

4.1 Unitary Development Plan (Review) 2006

- SA8 To ensure that all sections of the community have safe and easy access to facilities by maintaining and enhancing provision in appropriate locations.
- GP5 Development proposals should resolve detailed planning considerations including access and design and should avoid danger to health or life, highway congestion and should maximise highway safety.
- N12 Identifies fundamental priorities for urban design, including the need to take account of the needs of people with disabilities and restricted mobility.
- N13 Design of all new buildings needs to be of a high quality.
- T2 New development should not materially add to problems of safety, environment or efficiency on the highway network.
- T5 Satisfactory safe and secure access and provision for pedestrians will be required in new development.
- T6 Requires satisfactory access and provision for disabled people and those with mobility problems.
- A4 Requires the design of safe and secure environments, including consideration of access arrangements.

Objective vii of the city centre chapter is to improve safe and secure access for all to and within the city centre.

- BD2 The design of new buildings should complement and, where possible, enhance existing skylines and landmarks.
- BD3 All new buildings open to the public should provide suitable access for disabled people.
- BD4 All mechanical plant, lifts and other equipment should normally be contained within the envelope of the building.
- BD6 All alterations should respect the scale, form, detailing and materials of the existing building.

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Guidance note 13 - Transport

5.0 STATUTORY CONSULTATIONS

Highways (28.10.10)

Arup have submitted a report which assesses the aisle capacity of the car park. Aisles and exists will be over-capacity at capacity arena events leading to some queuing. However, some queuing is to be expected at these infrequent events. During typical arena events one aisle is expected to be over-capacity. This issue should be considered as part of the car park management strategy that needs to be submitted to discharge condition 31 of the outline arena planning permission to ensure users are not discouraged from using the car park.

A full signage scheme is required for pedestrians and car drivers.

(Condition 27 of the outline arena application requires the submission of proposals for pedestrian accessibility and direction to the arena, including the improvement of routes and the erection of signage, including from WLMSCP).

6.0 NON STATUTORY CONSULTATIONS

6.1 Access (22.10.10)

The external ramp and stair, dropped kerbs and tactile paving will comply with the latest guidance. Due to restricted headroom the addition of a pedestrian ramp on level 1 adjacent to the vehicular access point would cause problems for some people.

The level of disabled persons parking provision is far higher than existing and the spaces are designed in accordance with the latest guidance. If possible, level access should be provided from the parking areas to new lift core. If this is not achievable an automatic door on level 7 would be a solution.

The proposed plans represent a significant improvement on the existing arrangements in terms of access for disabled people.

Response: The level 1 pedestrian ramp will be designed to minimise access concerns taking advantage of existing changes of level. An automatic door is provided on level 7.

7.0 PUBLIC RESPONSE

Site notices were erected around the site on 17th September 2010 and the proposals were advertised in Leeds Weekly News on 30th September 2010. No representations have been received.

8.0 MAIN ISSUES

8.1 The principal issues to be considered are:

- Impact on visual amenity
- The parking strategy
- Access and equality issues
- Conclusion

9.0 APPRAISAL

9.1 Impact on visual amenity

9.1.1 The car park is a significant sized structure, visible from a number of directions, and viewed by a large number of people on a daily basis. The existing neutral grey structure is relatively unobtrusive for a building of this size. The proposed external alterations are limited to the south end of the building and utilise materials and colours which respect the character of the building. In particular, the new stair and lift core is a disciplined and contextual intervention on the southern elevation. The proposed pedestrian ramp is tucked away alongside existing ramps and bridges and would not have a significant visual impact. The extension to the vehicular ramp on the eastern elevation is simply designed to respect the existing building.

9.2 The parking strategy

- 9.2.1 The proposed works are largely dictated by the need to safely accommodate the intensive vehicle and pedestrian movements at the beginning and end of arena events. The replacement of the barrier system with a pay and display arrangement, although not requiring planning permission, will ensure that traffic is free to enter and leave the car park swiftly at the beginning and end of events thereby reducing potential congestion on the highway network. Similarly, customers will be more likely to use the car park in future if long delays within the car park are avoided. A limited amount of queuing within the car park is predicted during capacity arena events and this should be considered further when the car park management strategy is submitted in response to condition 31 of the outline arena planning permission.
- 9.2.2 Footpath improvements and signage to and from the car park is required as a condition of the outline arena planning permission. The proposed changes to the operation of the car park will necessitate new pedestrian and vehicular signage throughout the building.

9.3 Access and equality issues

- 9.3.1 The Council has a general duty under s71 of the Race Relations Act 1976 to have regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups. The Equality Act 2010 requires public bodies to have due regard to eliminate discrimination and to advance equality of opportunity. Unitary Development Plan Review policies SA8, N12, T6 and A4 requires the design of safe and secure environments for all sections of the community, including consideration of access arrangements.
- 9.3.2 Although disabled persons parking provision within WLMSCP did not count towards the overall disabled persons parking provision for the arena the current proposals include the laying out of an additional 12 spaces within the car park. The spaces are designed in accordance with the latest guidance and are located in accessible and visible locations on level 1 and level 7.
- 9.3.3 The provision of a new lift tower at the southern end of the building providing access to every floor is a significant benefit to access in the building. The new external bridge and ramp removes the existing conflict between pedestrians and vehicles at level 1 and accords with the latest guidance.
- 9.3.4 Improvements to routes between the car park and the arena will be delivered in response to the requirements of the outline permission rather than the current application for alterations to the car park.

9.4 Conclusion

- 9.4.1 The Strategic Plan sets out the city's key priorities. These include:
- to facilitate the delivery of major cultural schemes of international importance
 - to facilitate the delivery of major developments in the city centre to enhance the economy and support local employment
 - to improve the quality and sustainability of the built and natural environment

- 9.4.2 It is apparent that the proposed enhancements to WLMSCP are necessary to facilitate the delivery of the arena and the development therefore helps in the delivery of the Strategic Plan. At the same time, the works have been designed to be sensitive to the character and appearance of the existing structure. Further, the scheme provides significant improvements on the existing access arrangements especially for disabled people. The proposal accords with the Development Plan and is therefore recommended for approval.

10.0 RECOMMENDATION

- 10.1 Members are asked to approve the application subject to the conditions and reasons set out in Appendix 1.

Background papers:

Application file 10/03773/LA

Certificate of ownership:

Signed by the agent on behalf of Leeds City Council

APPENDIX 1 – SUGGESTED CONDITIONS AND REASONS FOR APPROVAL

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

3 Details and samples of all external facing and surfacing materials, including to the proposed level 1 pedestrian barrier, shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant element of development being commenced. The development shall be constructed in accordance with the details thereby approved.

In the interests of visual amenity.

4 Any necessary making good of the existing external structure shall be carried out to match exactly that existing in terms of colour, texture, profile, dimension and scale.

In the interests of visual amenity.

5 No development shall take place until a plan showing satisfactory details of provision to be made for the storage, parking, loading and unloading of contractors' plant, equipment and materials, and the parking of vehicles of the workforce, within the site, have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided for the duration of site works.

In the interests of the free and safe use of the highway.

6 No works, including demolition, shall begin at the site until full details of the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved, have been submitted for the approval in writing of the Local Planning Authority. The methods thereby approved shall be implemented at the commencement of work on site, and shall be thereafter be retained and employed until completion of works on site.

To ensure that mud is not deposited on the road.

7 a) All existing trees, shrubs, hedges and other natural features shown on the approved plans to be retained shall be fully safeguarded during the course of the site works and building operations in accordance with the provisions of British Standard 5837:2005 (Trees in relation to Construction), or with the particulars specified in the approved plans and specifications.

b) No development shall commence until all trees, shrubs or features to be protected have been protected in accordance with the approved details, or in the absence of such details, in accordance with BS 5837:2005, and the Local Planning Authority has been notified and has approved the protection measures in writing.

c) The protective measures shall be maintained during the course of the site works, and no equipment, machinery or materials shall be stored or fires burnt within any area protected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made including the provision of any underground services, without the prior written consent of the Local Planning Authority.

d) The protective measures shall be retained in position until all equipment, machinery or materials have been removed from the site and the site has been occupied, unless otherwise agreed in writing by the Local Planning Authority.

To ensure the protection and preservation of trees, shrubs, hedges and other natural features during construction works.

8 Prior to first operation of the car park on a pay and display basis full details of soft landscape works to the south of the level 1 access shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape details shall include (a) proposed finished levels and/or contours works (b) planting plans, (c) written specifications (including cultivation and other operations associated with plant and grass establishment), (d) schedules of plants noting species, planting sizes and proposed numbers/densities, and (e) implementation programme.

To ensure the provision of amenity afforded by appropriate landscape design.

9 The soft landscape works shall be completed by no later than the end of the planting season following the substantial completion of the development. The landscape works shall be implemented to a reasonable, standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

To ensure the provision, establishment and maintenance to a reasonable standard of landscaping in accordance with the approved proposals.

10 In this condition 'retained tree/hedge/bush' means an existing tree or other vegetation which is to be retained as shown on the approved plans and particulars. This condition shall have effect until the expiration of five years from the date the development is occupied/brought into use.

a) No retained tree/hedge/bush shall be removed, uprooted or destroyed nor shall any retained tree be pruned, topped or lopped or suffer root severance other than in accordance with the approved plans and particulars without the written approval of the Local Planning Authority. Any pruning, topping or lopping approved shall be carried out in accordance with British Standard 3998 (Recommendations for Tree Works) and in accordance with the actions recommended in any tree survey approved by this permission or agreed in writing by the Local Planning Authority.

b) If any retained tree/hedge/bush is removed without the prior written consent of the Local Planning Authority, uprooted or destroyed or dies the Local Planning Authority shall be notified. Another tree/hedge/bush shall be planted at the same place and that tree/hedge/bush shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

To ensure the continuity of amenity afforded by existing trees and vegetation and to protect existing trees from damage during site preparation and construction works in the interest of general amenity.

11 No lighting fitment shall be installed on the site in such a way that the source of light is a hazard to users of adjoining or nearby highways.

In order to safeguard the free and safe flow of vehicular traffic.

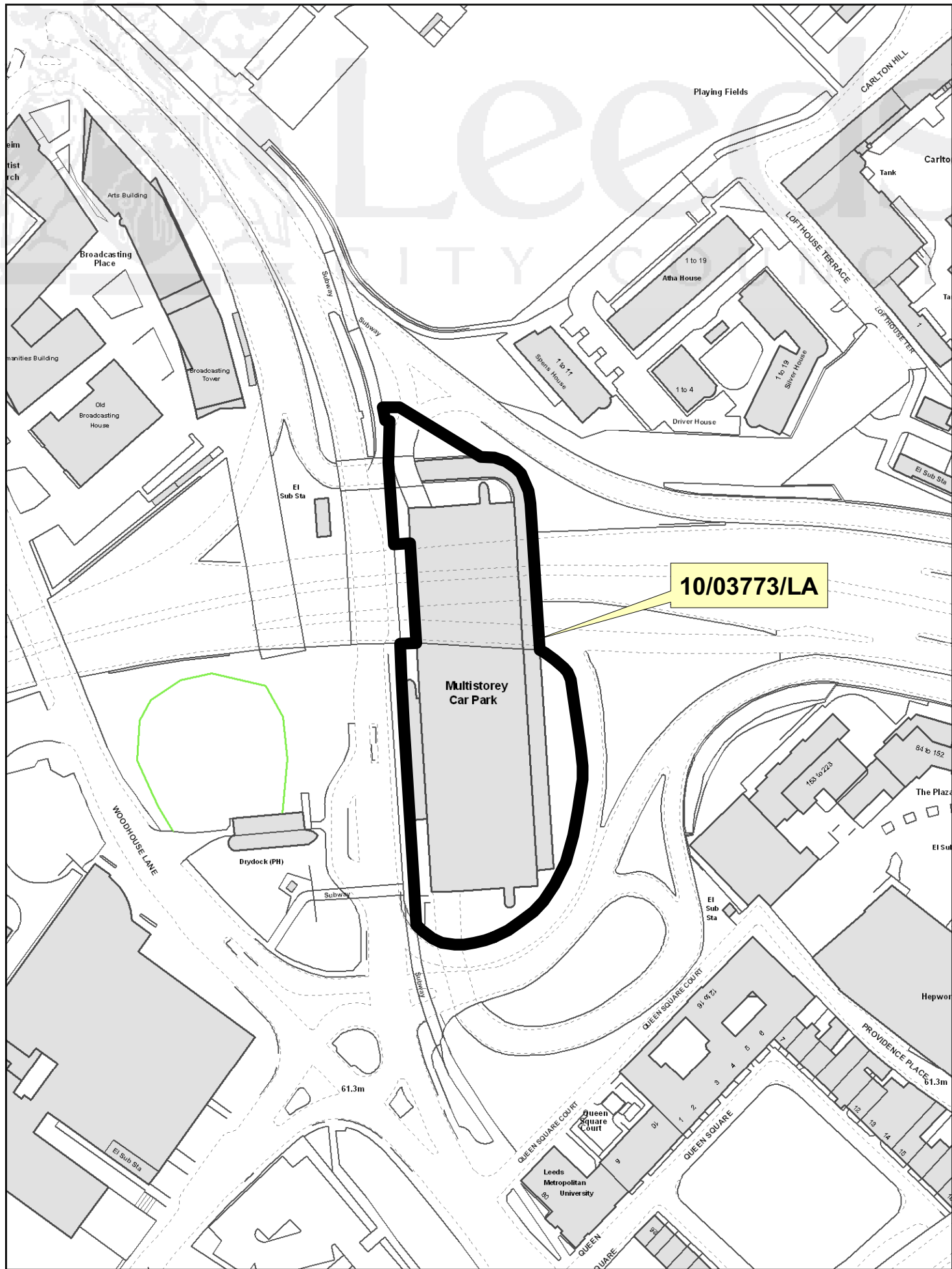
12 Prior to first operation of the car park on a pay and display basis the disabled parking facilities, including an automatic door on level 7 from the parking area into the southern lobby, and the external ramp and steps from level 3, shall be provided in accordance with standards in BS8300:2009. All dropped kerbs shall be as shown in DETR Guidance – Guidance on the use of Tactile Paving Surfaces. The facilities shall thereafter be retained unless otherwise approved in writing by the Local Planning Authority.

In order to provide appropriate access for disabled people.

13 Prior to first operation of the car park on a pay and display basis details of directional signage for pedestrians and car drivers in and around the car park, and a timetable for its installation shall be submitted to and approved in writing by the Local Planning Authority. The directional signage shall be installed in accordance with the approved details

In the interests of pedestrian convenience and highway safety.

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application, the Environmental Statement, and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of the Leeds Unitary Development Plan Review 2006 (UDPR).



CITY CENTRE PANEL

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Originator: Sarah McMahon

Tel: 2478171

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12 NOVEMBER 2010

Subject: APPLICATIONS 09/03230/FU - Change of use including refurbishment and extensions to 2 church buildings with 2 flats, to form offices and 16 flats and erect a 5 storey block comprising office and 21 flats, with car parking.

09/03280/CA – Conservation Area application to demolish office.

09/03397/LI – Listed Building Application for alterations for replacement gate in boundary wall, at St Peters Church And Church Buildings, and Chantrell House, Leeds Parish Church, Kirkgate, Leeds, LS2 7DJ.

APPLICANT

DATE VALID

TARGET DATE

Yelcon Ltd - S Holman

6 January 2010

7 April 2010

Electoral Wards Affected:

City & Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION:

Members are requested to note the contents of this Briefing Note and are invited to comment on the design elements referred to in this note and to be presented to them at Plans Panel and at the site visit.

1.0 INTRODUCTION:

Members will recall that the proposed scheme has been put before them firstly as a Position Statement on 4 March 2010, and then for determination on 24 June 2010. Subsequently the proposal was brought back to Members as a Briefing Note to consider design principles on 19 August 2010, and again for determination on 14 October 2010.

At Plans Panel on 14 October 2010 Members resolved -

a) That the applications be approved in principle, and be deferred and delegated to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate), the completion of preliminary archaeological investigation works on site, and following completing of a Section 106 Agreement to cover the following matters:

- on site affordable housing provision
 - an agreement to undertake a list of repair and maintenance works to St Peters (Leeds Parish Church) within an agreed period,
 - agreement to publicly accessible areas,
 - a contribution of £4100.00 to a car club,
 - employment and training opportunities for local people,
- and the provision of two replacement trees within the site or the churchyard.

In the 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.

b) that a further report be brought to the next Panel meeting presenting the details on the following matters over which Members expressed some concern

- The proposed detailing to the St Peters House western elevation
- Impact on the existing western gable and the detailing of the extension to St Peters Hall

c) Members also requested a site visit be undertaken prior to the next Panel meeting to provide an explanation of the matters detailed in b) above.

The proposal is therefore brought back before Members to consider the responses to these matters of design detail which will be presented at the site visit and the subsequent Plans Panel meeting.

2.0 PROPOSAL:

The proposal is to change the use of the site to a mixed use of residential flats (2 studios, 14 x 1-bed, 15 x 2-bed and 6 x 3-bed units) and 566 metres² of gross office space. This would involve the partial demolition and subsequent refurbishment of and extensions to St Peters Hall and St Peters House to create extended 5 and 4 storey buildings. These would both house office space at ground floor level with residential above. A total of 16 flats are proposed within these two buildings. In addition, it is proposed to demolish the existing 3 storey Chantrell House office block. This would be replaced with a 5 storey block comprising office use to part of the ground floor (fronting The Calls) and 21 flats, with car parking. To create a flood risk emergency escape route it is also proposed to replace an existing gate in the Grade II listed boundary wall to St Peters (Leeds Parish Church).

A visual inspection has shown that the site currently provides potential for approximately 24 parking spaces in two parking courts on either side of Chantrell House. The proposal would result in a total of 24 car parking spaces on site being retained.

3.0 SITE AND SURROUNDINGS:

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

church grounds and the parking area accessed off Maude Street to the east of Chantrell House.

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

4.0 RELEVANT PLANNING HISTORY:

None

5.0 MAIN ISSUES

1. Design Details for the Extension to St Peters Hall
2. Design Details for the Extension to St Peters House

6.0 APPRAISAL

1. Design Details for the Extension to St Peters Hall

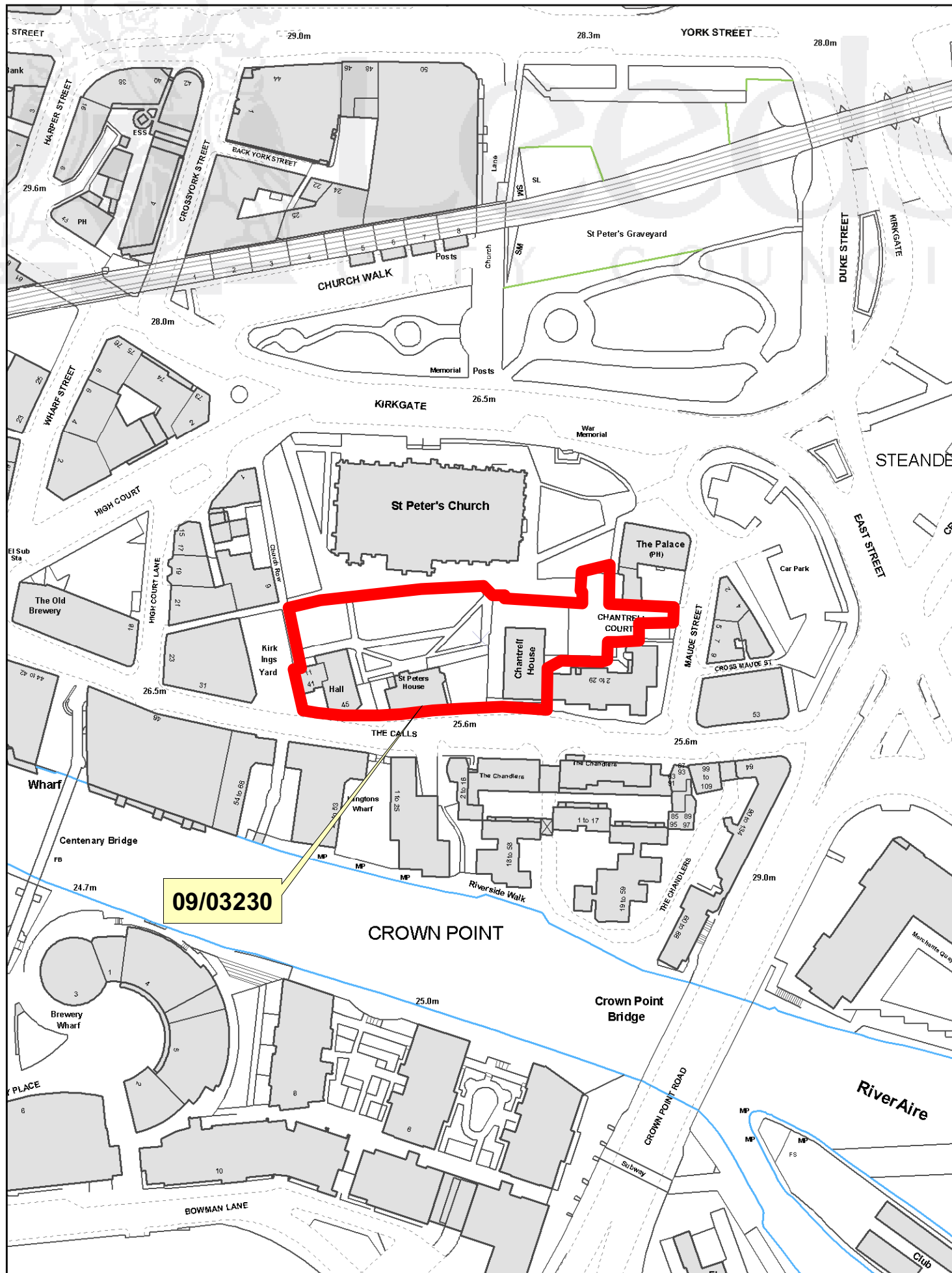
The proposal is brought back to Plans Panel to allow Member to consider the details of how the extension relates to the existing building. In particular, details of what is to be lost and/or concealed of the existing host building will be explored. To this end detailed before and after elevations and sections of the St Peters Hall will be presented, showing the existing elevations, the existing lean-to and the windows concealed by it and windows that will be revealed by the proposed scheme. In addition, details of where and how dark brick banding will be used on the extension will be put forward for consideration.

2. Design Details for the Extension to St Peters House

The proposal is also brought back to Plans Panel to allow Member to consider what can be done in terms of design details to activate the west facing elevation of St Peters House. It is the case that there is a distance constraint with the proposed extension of St Peters House being a minimum of approximately 5.5 metres from existing windows in the east side elevation of St Peters Hall. As such it is not possible to include clear glazed windows in the extensions west facing elevations, and all proposed windows would therefore be obscure glazed. The windows whilst obscurely glazed to the west face of the proposal, would echo the style, design and materials of the other proposed windows on other elevations of the extension.

Background Papers:

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



CITY CENTRE PANEL

Scale 1/1500



Originator: C. Briggs

Tel: 0113 2224409

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12 NOVEMBER 2010

Subject: APPEAL DECISIONS – VARIOUS SITES IN AND ADJACENT TO HOLBECK URBAN VILLAGE – RETENTION OF UNAUTHORISED TEMPORARY LONG STAY COMMUTER CAR PARKING.

Electoral Wards Affected:

City & Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

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Appeal Sites:

1. Enforcement ref E/08/01491/UCU3 Appeal against the Council's issue of an Enforcement Notice by Holbeck Estates Ltd (Acting by its receivers) Site at Land At Water Lane/Globe Road, Holbeck, Leeds LS11 5QG
2. Enforcement ref E/08/00065/NCP3 Appeal against the Council's issue of an Enforcement Notice by Holbeck Estates Ltd (Acting by its receivers) Site at Land North Of Globe Road, Holbeck, Leeds LS11 5QG
3. Enforcement ref 08/01492/UCU3 Appeal against the Council's issue of an Enforcement Notice by Ingram Row Ltd. at land bounded by Ingram Row & Sweet Street, Leeds LS11 9DB
4. Planning ref 09/04057/FU Appeal against refusal of planning permission by Ingram Row Ltd. at land bounded by Ingram Row & Sweet Street, Leeds LS11 9DB
5. Planning ref 09/04037/FU Appeal against refusal of planning permission by Ingram Row Ltd. at land at Ingram Street and Manor Road LS11 9AU
6. Enforcement ref 06/01037/NCP3 Appeal against the Council's issue of an Enforcement Notice by Ingram Row Ltd. at land at Ingram Street and Manor Road LS11 9AU

7. Enforcement ref 06/01082/UWF Appeal against the Council's issue of an Enforcement Notice by Montpellier Estates at Land at Sweet Street, Leeds LS11 9BY
8. Enforcement ref ENF/1545/05/20 Appeal against the Council's issue of an Enforcement Notice by St Pauls Street Investments Limited at land south of Water Lane, Leeds LS11 5BZ
9. Enforcement ref ENF/1548/05/20 Appeal against the Council's issue of an Enforcement Notice by Mrs. D. J. Morris at Former Warehouse Site, Sweet Street and Trent Street, Holbeck, Leeds LS11 9DB

Please see attached plan showing location of appeal sites numbered 1-9 above.

1.0 KEY ISSUES

The Inspector identified the principal issue in the determination of the cases as being whether the use of the land as temporary long stay commuter car parking is acceptable in relation to policies concerning commuter parking, sustainable transport choices and highway congestion.

The second issue is the effect of the use on the regeneration of the area.

In relation to appeals 1, 2 and 8 a third issue was the impact of the use and its boundary treatments on the character and appearance of the Holbeck Conservation Area and the setting of nearby listed buildings.

2.0 SUMMARY OF COMMENT

The appeals related to the retention of use of the sites as long stay commuter car parks. The majority of the appeal sites are located in the Holbeck Urban Village area, with two sites lying just outside to the south of Sweet Street. The sites all lie within the UDP Fringe City Centre Commuter Parking Control Area.

On the issue of temporary long stay commuter car parking in relation to policies concerning commuter parking, sustainable transport choices and highway congestion, the Inspector concluded that the use would not be acceptable, and would be contrary to UDP Policies T28, T24A, CCP2(ii), the national Climate Change Supplement to Planning Policy Statement 1, national Planning Policy Guidance 13 Transport, and the West Yorkshire Local Transport Plan. He stated, with reference to the 3 criteria in policy CCP2(ii) that the sites were readily accessible by public transport, that there was no evidence of on-street car parking problems in the area (which is patrolled by traffic wardens), and that the proposal was contrary to transport strategy objectives.

The Inspector noted that the provision of relatively low cost parking in this location was likely to encourage rather than discourage the use of the private car. Even though this would be for a temporary period (these cases have been present for some 5-9 years already), this impact would be significant enough to establish a habit of private car use, discourage people from shifting to more sustainable forms of travel, increase greenhouse gas emissions, and affect the viability of future park and ride schemes.

The Inspector also noted that whilst specific evidence was not put forward to contest whether the appeal proposals would increase traffic congestion or not, this was likely to be the case.

In conclusion, the Inspector stated that the use of the appeal sites for long stay commuter car parking would not be acceptable having regard to policies concerning commuter parking, sustainable transport choices and highway congestion. However, he noted that the Council's policies did not seek to restrict short stay parking provided it could be monitored and controlled to ensure it remained short stay.

Appeal sites north of Globe Road and at Globe Road/Water Lane lie within the setting of the Grade II* listed Tower Works and Grade II listed Globe Iron Foundry, and lie partially within the Holbeck Conservation Area. The Inspector concluded that whilst the wire fence boundary treatment along the northern side of Globe Road was harmful, the other boundary treatments were not, and therefore that a condition to provide enhanced boundary treatment including planting would be appropriate.

The appeal site at Land South of Water Lane lies within the Holbeck Conservation Area and the setting of the Grade II listed Midland Junction Foundry. The Inspector concluded that the fencing was unprepossessing, and that enhanced boundary treatments could easily outweigh any temporary visual harm caused by the car parking.

The Inspector concluded that the use of the sites for long stay car parking was unlikely to hinder the regeneration of the Holbeck Urban Village area, with reference to UDP Policy CC31A (Holbeck Urban Village Strategic Housing and Mixed Use Site) and the Holbeck Urban Village Revised Planning Framework 2006. He stated that the desirability of securing some active use for the sites would not justify long stay car parking contrary to UDP Policy CCP2(ii).

2.0 **DECISION**

Appeals 1 & 2 (Globe Road/Water Lane and Land North of Globe Road), 3, 4, 5, 6 (Ingram Row sites – 2 planning and 2 enforcement appeals) were allowed by letter dated 27 October 2010, subject to conditions to ensure short stay car parking only at the sites. The Inspector stated that there was no material change of use between long and short stay parking, and that the sites had previously had temporary approvals for short stay parking. The Inspector corrected the notices to be Enforcement Notices to cite breaches of condition, then quashed them. He then set out a number of conditions to restrict the car parks as short stay only. In summary, the conditions consist of:

- Temporary permission for 18 months from date of decision
- The car parks shall not open between 0630am and 0930am Monday to Friday
- Within 2 months of date of decision, details of enhanced boundary treatments shall be submitted to and approved in writing by the Local Planning Authority, with a timetable for its implementation and management
- Within 2 months, a tariff structure shall be operated which includes a charge of £25 for over 5 hours parking
- Within 1 month, details of signage to clearly inform customers that the car park is short stay only shall be submitted to and approved by the Local Planning Authority, and erected within a further 1 month.

The wording of conditions regarding short stay car parking were discussed at the Informal Hearings, and the appellants agreed that whilst it was not their preferred use for the sites, a short stay car parking approval would be better than no approved temporary use.

Appeals 7 (Land at Sweet Street), 8 (Land South of Water Lane) , and 9 (Sweet Street and Trent Street) were dismissed by letter dated 27 October 2010 and enforcement notices upheld, with 2 months to comply. In the cases of appeals 7 and 8, both appellants sought only the retention of long stay car parking under ground (a) deemed planning permission, and did not offer in their written statements to comply with conditions for short stay parking as with the aforementioned Informal Hearings. In the case of appeal 9, the appellant only sought a longer period of time to comply, they did not seek a deemed planning application for approval of the use through the appeal process.

In all 9 appeal cases, the Inspector agreed with the Council that the use of the land as long stay commuter car parking must cease.

3.0 IMPLICATIONS FOR COUNCIL

The appeal decisions will assist in meeting the objectives of the City's transport strategy through the UDP and the West Yorkshire Local Transport Plan to reduce the number of long stay commuter car parking spaces in the City Centre, to discourage reliance on the private car, reduce morning peak time congestion, promote more sustainable travel choices, reduce the contribution to climate change of car-based travel in the City, and help to make potential public transport improvements such as Park and Ride, NGT, Quality Bus Corridors, and the Station Southern Access more viable. National planning policy through PPG13 states that local authorities should use parking policies to promote sustainable transport choices and reduce reliance on the car for work and other journeys. National planning policy through the Climate Change Supplement to PPS1 states that climate change considerations be integrated into all spatial planning concerns.

The Council will need to monitor the 9.30am start time and the maximum 5 hour stays for vehicles. The Council will also need to monitor the signage changes and enhanced boundary treatment.

In the interests of maintaining consistency, and to continue to positively implement the Transport Strategy, action on other unauthorised car parking in and around the City Centre will need to be pursued on a similar basis.

Current and future planning applications for temporary car parking on vacant sites will need to be dealt with in a consistent manner, following the Council's and the Inspector's rationale and conditions to restrict such operations to short stay parking only (commencing after 9.30am with a 5 hour maximum stay), in line with local and national policies.

Background Papers

See file references on front page of report under heading Appeal Sites

HOLBECK CAR PARKS PLANNING AND ENFORCEMENT APPEALS

CANAL WHARF CA

Insp. - App/ N4720/C/10/2126534
Enf Ref - 08/00065/NCP3

2 - 08/00065/NCP3

Insp. - App/ N4720/C/10/2126532
Enf Ref - 08/01491/UCU3

1 - 08/01491/UCU3

Insp. - App/ N4720/C/10/2126656
ENF/1545/05/20

8 - ENF/1545/05/20

5 + 6 - 06/01037/NCP3
- 09/04037/FU

Insp. - App/ N4720/A/10/2125970
Planning Ref - 09/04037/FU

Insp. - App/ N4720/C/10/2126365
Enf Ref - 06/01037/NCP3

Insp. - App/ N4720/C/10/2126361
Enf Ref - 08/01492/UCU3

3 + 4 - 08/01492/UCU3
- 09/04057/FU

Insp. - App/ N4720/A/10/2125961
Planning Ref - 09/04057/FU

Insp. - App/ N4720/C/10/2126664
Enf Ref - 06/01082/UWF3

9 - ENF/1548/05/20

ENF/1548/05/20

HOLBECK C.A

Key

Listed Buildings

I

II

II*

Conservation Areas

Enforcement Sites

Holbeck Urban Village

City Centre Core Parking Area

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