



PLANS PANEL (CITY CENTRE)

Meeting to be held in Civic Hall Leeds on
Wednesday, 12th January, 2011
at 1.30 pm

MEMBERSHIP

Councillors

G Driver
S Hamilton
E Nash

C Campbell
M Hamilton
J Monaghan

G Latty
P Wadsworth

D Blackburn

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			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF INTEREST</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the Plans Panel City Centre meeting held on 9th December 2010</p> <p>(minutes attached)</p>	9 - 14
7	Burmantofts and Richmond Hill;		<p>APPLICATION 10/03179/EXT - FORMER BELLOWS ENGINEERING SITE EAST STREET LS9</p> <p>Further to minute 61 of the Plans Panel City Centre meeting held on 11th October 2007, to consider a report of the Chief Planning Officer on an application for an extension of time for planning application 07/04987/FU – multi-level development up to 13 storeys comprising 147 flats and gymnasium with surface and covered car parking</p> <p>(report attached)</p>	15 - 38

Item No	Ward	Item Not Open		Page No
8	City and Hunslet;		<p>APPLICATION 10/04813/FU - 21 QUEEN STREET LS1</p> <p>To consider a report of the Chief Planning Officer on an application for alterations and addition of new fourth and fifth floors to offices</p> <p>(report attached)</p>	39 - 48
9			<p>DATE AND TIME OF NEXT MEETING</p> <p>10th February 2011 at 1.30pm</p>	

To:
Plans Panel City Centre Members
and appropriate Ward Members

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

Contact: Angela Bloor
Tel: 0113 247 4754
Fax: 0113 395 1599
angela.bloor@leeds.gov.uk
Your reference:
Our reference: ccpp/sitevisit/
4th January 2011

Dear Councillor

PLANS PANEL CITY CENTRE – WEDNESDAY 12TH JANUARY 2011

Prior to the meeting on Wednesday 12th January 2011 there will be site visits, and I set out below the details:

Depart Civic Hall Ante Chamber at 10.00am to go by bus to Former Bellows engineering site East Street (10/03179/EXT) and then to 21 Queen Street LS1 – (10/04813/FU) returning approximately 12.00 noon.

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 9 there will be a pre-application presentation in respect of the Trinity West scheme and proposals for a rooftop extension and I attach a copy of the report to this letter.

Yours sincerely

Angela M Bloor
Governance Officer

This page is intentionally left blank



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12 JANUARY 2011

Subject: PRE-APPLICATION PREAPP/10/00948 - Pre-application presentation for roof top addition to the Trinity West (Leeds Shopping Plaza) retail centre to form additional retail space.

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 scheme is brought to Plans 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:

1.1 Members will be aware that the Trinity retail development has now commenced on site. This scheme has evolved positively since the original approval was granted and this has resulted in a series of amending applications which members have been closely involved with. During the marketing process a potential tenant has requested that an extension be added to the roof of Trinity West (Leeds Shopping Plaza) to allow them the amount of floor space they require to create a large anchor store. Officers have been working alongside the project architects to ensure that this extension results in an improved overall scheme and it is considered that the proposal has now progressed to the point where Members need to be made aware of these changes and asked for their views on the key issues.

2.0 History:

2.1 Planning Permission for the main Trinity scheme (Trinity East) was granted in 2004 and a Compulsory Purchase Order to assemble the site for redevelopment was made by Leeds City Council in 2005. This was confirmed by the Secretary of State in November 2006 following a Public Inquiry. In 2007, Trinity West and Trinity East

became a comprehensive redevelopment site in the control of Trinity Quarter Developments Ltd - TQDL.

- 2.2 The Partnership has completed site clearance in relation to Trinity East. The Local Planning Authority has now discharged all planning conditions attached to the 2004 permission which were required to enable those site clearance works to commence. A Section 73 planning application was approved in January of 2008 to vary conditions on the original scheme to allow the development to be phased.
- 2.3 Subsequent to this alterations to the scheme for the reconfiguration of shop units and realignment of shop fronts at all levels, changes to internal vertical circulation, elevational improvements and realignment of building frontages, design changes to the roof and replacement of proposed office element with a leisure component, landscaping and associated works, were submitted under planning application ref. no. 08/05281/FU and approved in December 2008.
- 2.4 In parallel, detailed proposals for Trinity West including build-outs on Albion St and a redevelopment of the bridge were approved by Members in July 2009 (app. ref. no. 09/01742/FU).
- 2.5 Further amendments to the overall scheme were subsequently approved in May 2010 for a roof top extension on Trinity East to house a staff welfare area (app. ref. no. 10/000631/FU), and in November 2010 for the infilling of the Boar Lane undercroft with retail space (app. ref. no 10/01831/FU).
- 2.6 In addition amendments to the design of the Bank Street frontages and layout were also approved in November 2010 (app. ref. no. 10/03390/FU and 10/03391/FU), and a high quality rooftop restaurant to the north of the Holy Trinity Church was also granted consent in the same month (app. ref. no. 10/02636/FU).

3.0 Site and surroundings:

- 3.1 This proposal relates to the former Leeds Shopping Plaza now referred to as Trinity West which is a retail centre bounded by Boar Lane, Albion St, Bond St and Lower Basinghall St. It consists of 3 levels of retailing within a single building clad in Yorkstone and brown brick with shop fronts at ground floor level. There is a service yard contained within the basement which means that all servicing occurs off-street. To the south are the 4/5 storey buildings on Boar Lane most of which are Grade II listed and within the City Centre Conservation Area. To the west on the opposite side of Upper Basinghall St is the Park Plaza hotel which is a silver clad tower and podium building next to the Grade II* listed Mill Hill Chapel. To the east on the opposite side of Albion St is the 4 storey retail unit containing Wilkinsons store and on the Boar Lane corner is the Grade II listed 58 Boar Lane.

4.0 Brief policy background:

- 4.1 The site is set within the Prime Shopping Quarter, as defined by the UDPR 2006, and has Primary Shopping Frontages on Boar Lane, Albion St (north of the northern bridge) and Bond St.
- 4.2 Policy CC21 states that shopping development will be supported as the principal use within the Prime Shopping Quarter and this principal is upheld by the principal use quarters policy CC27.
- 4.3 The City Centre Conservation Area boundary runs along Upper Basinghall St, Boar Lane and part of Albion St with Trinity West excluded from the area.

4.4 Central Government advice is contained in the following documents:
PPS1 Planning for Sustainable Development - advises that development should create sustainable, livable, mixed communities with good access to jobs, and retail facilities. In order for retail developments to be considered sustainable, they should be focused in existing centres.

PPS4 Planning for Sustainable Economic Growth – recommends that planning Authorities are positive towards proposals for economic development and support proposals which promote the vitality and viability of town centres.

PPG 13 Transport – promotes jobs, shopping and economic activity close to existing public transport nodes to promote sustainable transport choices.

5.0 Proposals:

5.1 This proposal relates to the roof level of the southern half of Trinity West. At the moment the roof is characterized by the sporadic distribution of plant, single storey offices and corridor enclosures. There is also a change in roof levels, with the south-eastern corner being approximately 1.5m lower than the remainder of the roof. The applicant wishes to construct a new retail level on this southern roof area. The height of the new structure varies between 4.5m and 6m, and the total floorspace to be provided is 2,500 sqm.

5.2 The extension can be broadly split in to 4 sections, working from the western elevation, anti-clockwise around the building to the eastern elevation:

1. The western elevation facing out over Mill Hill Chapel where the elevational treatment will be translucent 'reglit' vertical glazed panels set just back from the current building elevation which is of yorkstone.
2. The south-western corner at the Boar Lane/Lower Basinghall St junction which is above the approved saw-tooth metal cladding system. This would again be of reglit and set back 2m from the building line. (Here the approved elevational treatment at the lower levels would be increased in height by 0.5m in order to reduce the amount of the new floor level visible above it).
3. The south-eastern corner above the Boar Lane/Albion St junction which is 1.5m lower than the remainder of the roof. This would have a more traditional transparent glazing system, containing shop displays, and be set 3m back from the building line, again to reduce it's visual impact when seen from street level. This sits above existing yorkstone and a new glazed extension.
4. The eastern elevation facing out over Albion St which would again be of reglit but set 2m back from the building line and sits above yorkstone and metal cladding panels.

5.3 The junctions between 1 & 2 and 3 & 4 are at points where there are two existing feature yorkstone service towers and this creates convenient points at which to terminate the treatment to avoid this extension becoming an over-dominant and monotonous feature. The junction between 2 & 3 is marked by the fact that the building has to negotiate the 1.5m height differential, it sets back by an additional 1m and the elevational treatment changes from the reglit to the traditional glazing pattern. This juxtaposition will be clearly identified in the presentation by the project architects.

- 5.4 The architects have worked to try and reduce as much as possible the eaves treatment of the new flat roof. This achieves the objectives of reducing as much as possible the mass of the extension, helping it to blend into its background and also prevent visual conflict between it and the ribbon feature which is to remain the dominant element.
- 5.5 The architect will present cross-sections taken on all 3 elevations to indicate how the proposal relates in height to the buildings opposite. However, officers would point out at this stage that it is of a height which means that it is almost totally masked by the roof of Mill Hill Chapel and therefore will have very little impact on the view of the Chapel from all but the south western corner of City Sq (the 8 storeys of Exchange House already forming the back-drop to the church from this point in any case).
- 5.6 In respect of air handling equipment, there is a requirement for an existing unit to be relocated within the western side of the new extension and also a requirement for one plant area on the top of the new extension to accommodate the air handling units for the new floor space. This will be screened by the reglit panel system and is located in an area of the roof where it will not be visible from the surrounding streets and even from many elevated points on the surrounding buildings. A small service core and lift room will also be required at this level and again this will be clad in Reglit and benefit from restricted view points.
- 5.7 On the western elevation is the existing entrance to Trinity West. This is currently clad in mirror glass and presents a poor visual appearance in the street and to City Sq. In the past Members have sought assurances that this entrance would be remodeled but this has been by no means a priority and therefore certainty has not existed over the carrying out of this improvement. However, this proposal means that this entrance would have to be reconfigured and the intention is to increase it in height to the full, 4 storey height of the proposed building and frame it with an extension of the ribbon motif used for the rest of the development.
- 5.8 The proposal is of a size which will require that financial contributions be made to public transport and associated infrastructure. It is also the case that retail additions to buildings fronting Albion St have made financial contributions to the laying out of enhanced public realm to complement the treatment which has been undertaken in a majority of the other pedestrianised areas of the city centre. Officers will enter in to negotiations with the applicant to ensure that the contributions secured as part of this proposal are reasonable in scale and proportionate to the development proposed.

6.0 Summary:

- 6.1 The proposed extension is considered to complement the currently approved scheme and enhance it rather than dilute it or reduce it's quality. Government advice is to make the best use of land by intensifying the floor space on the land available in existing centres, and as the uses being proposed here are clearly appropriate, the revisions are considered to be in line with that advice. It is clear that if this increase in floorspace is to be carried out then it would be best to undertake this now before the works to the elevations are undertaken so that disruption to the retail centre and the surrounding highway network can be kept to a minimum.
- 6.2 Officers would also ask Members to decide whether, given the tight timescales under which delivery of this revision is to be made, that once an application is

received, they are prepared to allow this scheme to be determined under delegated powers, provided the proposal does not vary significantly from that which is presented to them at this Panel.

7.0 Issues:

The key issues Members are asked to comment on are the acceptability of the following:

1. The impact on the elevations particularly when assessed from the street level
2. The use of the different glazing systems to lighten the mass
3. The visibility of the extension from City Sq and it's relationship to Mill Hill Chapel
4. The treatment of the new Lower Basinghall St entrance
5. The determination of the proposals under delegated powers

8.0 Background papers:

Planning Application 20/149/03/FU
Planning Application 20/497/05/FU
Planning Application 07/06793/FU
Planning Application 08/05500/FU
Planning Application 08/05201/FU
Planning Application 08/05203/FU
Planning Application 08/05500/FU
Planning Application 08/05648/FU
Planning Application 08/00734/FU
Planning Application 09/01742/FU
Planning Application 10/01831/FU
Planning Application 10/00631/FU
Planning Application 10/03390/FU
Planning Application 10/03391/FU
Planning Application 10/02636/FU



Plans Panel (City Centre)

Thursday, 9th December, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
M Coulson, G Driver, S Hamilton, G Latty,
J Monaghan and E Nash

56 Chair's opening remarks

The Chair welcomed everyone to the meeting, particularly Councillor Wadsworth who had recently been appointed to Plans Panel City Centre and Councillor Coulson who was substituting. Members and Officers were then asked to introduce themselves

The Chair also informed the Panel that the Chief Planning Officer, Mr Crabtree, was currently in hospital and it was agreed that a letter from the Panel be sent wishing him a speedy recovery

57 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:

Applications 07/07/468/FU and 07/07469/LI – Alf Cooke Printworks Hunslet Road LS10

Councillors Selby, Nash and Campbell declared personal interests through being members of English Heritage which had commented on the scheme (minute 61 refers)

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the scheme (minute 61 refers)

Application 10/04135/RM – Former Doncaster Works Whitehall Road – Councillor Latty declared a personal interest as a British Waterways License holder as British Waterways had been consulted on the application (minute 62 refers)

58 Apologies for Absence

Apologies for absence were received from Councillor Martin Hamilton and Councillor Taggart who was substituted for by Councillor Coulson

59 Minutes

RESOLVED – That the minutes of the Plans Panel City Centre meeting held on 12th November be approved

60 Matters arising

Draft minutes to be approved at the meeting
to be held on Wednesday, 12th January, 2011

The Head of Planning Services who attended the meeting informed the Panel on the latest position regarding the Regional Spatial Strategy (RSS)

Members were informed that there had been a successful challenge by a developer to the Secretary of State's revocation of the RSS. However the Government had affirmed its intention to introduce legislation to abolish the RSS and the Government's Chief Planning Officer had written to Local Planning Authorities advising them of this and that the intention to abolish the RSS was a material planning consideration

This letter had now been challenged and an injunction was in place which meant that the weight to be given to the Government's Chief Planning Officer's letter is now in question and is a matter for Local Planning Authorities to determine

In respect of the two applications before Members, the Head of Planning Services stated he was of the view that the RSS was not critical to either of these applications

61 Application 07/07468/FU and 07/07469/LI - Change of use involving refurbishment and part demolition of printing works to offices and erection of 12 office units in eight 3 storey blocks with ancillary cafe/restaurant, car parking and public realm and Listed Building application for conversion to offices including refurbishment and part demolition of printing works - Alf Cooke Printworks Hunslet Road LS10

Plans, photographs, graphics and samples of proposed materials were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for the redevelopment, including some demolition and some new building at the prestigious Grade 2 Listed former Alf Cooke Printworks on Hunslet Road LS10, close to the city centre. A pre-application presentation had been made to Panel on 16th August 2007 (minute 34 refers)

Members were informed that the proposals would see the retention of the two main print halls and the mill building, with conversion of these elements to offices together with eight 3 storey office buildings, divided into 12 units; 114 car parking spaces, some being undercroft parking; 15 spaces being provided for people with disabilities and both permanent and temporary landscaping being provided

The development would be constructed over 3 phases, the first phase being demolition works, phase two seeing the construction of some new building, some of the car parking and landscaping and the final phase providing the remaining buildings, car parking and tree planting, with hornbeams being considered as the species of trees to be provided

As part of the flood risk assessment it would be necessary to raise the floor level of the existing mill building which would result in some masking of the bottom tread of the spiral stair case and of the base of the columns

A new pedestrian crossing would be provided on Hunslet Road

Public art would be incorporated into the scheme, with this reflecting the history of the building possibly through the use of a folded paper motif, including a piece of artwork to be sited close to the Hunslet Road frontage

Officers recommended to Panel approval of the applications as the scheme would result in the redevelopment of a brownfield site and would preserve and re-

use a unique Listed Building whilst providing new employment opportunities close to the city centre and the provision of new public open space

Members commented on the following matters:

- whether the Listed Building would be made weathertight in the first phase
- the highway implications of the development in view of the busy junction running close to the site and the proximity of Crown Point Retail Park which generated a significant amount of traffic
- pedestrian access; that the footpath along the front of the site was narrow and was further limited by the pedestrian guard rails sited there
- the need for the clock on the corner of the Listed Building to be maintained in working order
- concerns that some of the buildings turned their backs towards Hunslet and in doing so created a barrier of ordinariness
- the view that the quality and stature of the main building would be improved if the proposed adjacent L-block building was one storey lower
- that the cast-iron street nameplate sited on Hunslet Road be retained
- the provision of public art; whether this was being driven by the applicant; mixed views about the appropriateness of public art; that if this was to be provided, the need for it to complement rather than dominate the building; that details should be provided to Panel of the proposals; that the developer should be left to engage artists to design suitable public art and some concerns at the proposed steel structure to the Hunslet Road frontage
- that the openness of the site and the provision of green spaces were welcomed
- the possibility of re-using some of the cast-iron pillars sited in the extension which was to be demolished to replace some of the later additions to the supports in the main hall
- concerns that a single species of tree was being proposed and that a variety of species was more appropriate, with mixed views on this as a single species could provide a balanced effect
- the need to take account of the fact that the site was in a flood risk area and that trees requiring an arid environment were not suitable
- that whilst a pastiche of the original building was not required, the design of the former printworks had not been as well echoed in the proposed adjacent L-block building as it could have been, particularly the details to the windows
- the possibility of using clear material to raise the floor level to the column bases in order to preserve views of the bases
- concerns about the noise levels as the office space would be open plan
- that the cream paint on the rear of the building be removed
- that the pedestrian access on the southern end of the site at Neal Place which was currently overgrown should be opened up
- that the L-shaped building adjacent to the ornate Listed Building appeared plain by comparison and that some further detailing should be considered for this block

- the S106 contribution should be used towards improvements at Hunslet Library

Officers provided the following responses:

- that included in the first phase would be works to make the Listed Building weathertight
- that the impact of the scheme had been fully considered and the view was that the highway network could accommodate the traffic flowing from the development. Furthermore, the bulk of activity would be from Monday – Friday as office use was being proposed, so this would have limited impact on the peak week-end traffic to the Crown Point Retail Park
- that a pedestrian crossing would be delivered in the second phase and whilst a wider footpath had been considered, this was not possible due to the need to provide for 2 lanes of traffic. In terms of pedestrian guardrails, Members' comments could be taken on board when considering the design of minimum width railings
- that the approach taken had been to create modern background buildings which would respect the setting of the Listed Building and would not compete with the height, scale and detailing of the historic building
- the quality of the proposed buildings would be maintained through the design of features such as window, eaves and entrance details and the use of sympathetic materials which would be controlled by condition
- the eaves line of the Listed Building had been used as a guide to the maximum height of the proposed buildings in order to ensure that they remain subordinate within the setting of the Listed Building whilst delivering a viable quantum of development
- the proposed windows to the L-block building reflected the rhythm of the windows to the listed mill although in a modern design
- that the details of the proposed public art were only illustrative at this stage but did appear to be over-dominant as shown on the Hunslet Road frontage and that this would be reconsidered under the conditions to be attached to the approval
- regarding the re-use of the cast iron pillars, this would be raised with the applicant although there could be structural reasons which prohibited their re-use other than as decorative artwork features
- the re-use of the cast iron street name plate, the refurbishment of the clock and treatment of the column bases would be raised with the applicant and controlled by appropriate conditions on the listed building consent
- that Neal Place would be opened up as part of the final phase and would create potential for enhanced links to the adjacent site if this was ever to be considered for redevelopment
- that the proposed layout of the buildings would provide enhanced connections through the site and was not considered to turn its 'back' towards Hunslet to the south
- that the proposed hornbeam tree species had been agreed with the Council's landscape officer and was considered suitable for this relatively harsh city centre environment

- that open plan office space was an established part of modern day office working practices and was not considered to provide an unduly noisy or unsuitable working environment
- that it would not be reasonable to seek S106 contributions for Hunslet Library as the development would not directly impact upon it

Members continued to discuss the appropriateness of the provision of public art

RESOLVED –

i) Application 07/07468/FU

To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer subject to the conditions set out in the submitted report (and any others which he might consider appropriate) and following completion of a Section 106 Agreement to cover the following matters:

- contribution to public transport improvements £137,453.20, split equally prior to commencement of phases 2 and 3
- travel plan implementation and monitoring fee £7140, split equally prior to commencement of phases 2 and 3
- public access throughout the site 7am-7pm Monday to Sunday in accordance with the phasing plan
- employment and training opportunities for local people
- management fee £2400 payable within one month from the date of completion of the S106 Agreement

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

Application 07/07469/LI

To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer, subject to the specified conditions in the submitted report (and any others which he might consider appropriate)

- ii) That details of the proposed public art be provided to Plans Panel for information

62 Application 10/04135/RM - Reserved matters application for the erection of one 8 storey office building with basement car park and rooftop plant room - Former Doncaster Works Whitehall Road Leeds

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

Officers presented the report which sought approval for a Reserved Matters application for an office development at the former Doncaster Works on Whitehall Road LS1. The outline application for a major mixed use development had been approved in principle by Plans Panel City Centre at its meeting held on 26th April 2007 (minute 153 refers), with final approval being deferred and delegated to the Chief Planning Officer

The outline approval had included 5 office buildings on the site. The first building had been completed some time ago, with the proposals before Members being for a similar building

The siting, access and scale had been agreed in the outline application, however there was one minor change in siting, with a slight clockwise realignment required to this block

Underground car parking comprising 83 car parking spaces, 9 disabled spaces, motor cycle and bicycle spaces together with showers and lockers would be provided

The landscaping proposals would mirror those in the first phase with Yorkstone and tarmac being used for the hard landscaping and trees and raised planters for the soft landscaping

In response to a question relating to Section 106 money, Officers stated that S106 contributions on this development had been agreed at the outline application stage

RESOLVED – To approve the application in principle and defer and delegate final approval to the Chief Planning Officer subject to the conditions set out in the submitted report

63 Appeal decision - West Point Wellington Street LS1

The Panel considered a report of the Chief Planning Officer on a recent appeal decision and an application for costs for a retrospective application for alterations to form a bed-sit flat to the level 14 stairwell to a residential block at West Point Wellington Street LS1

The Central Area Planning Manager presented the report and stated that in 2008 a micro flat, with a floor space of approximately 13 sqm, had been created at level 14 at West Point but that the LPA had only received the retrospective application this year which had been refused on the grounds of lack of internal amenity space

The applicant had appealed against this decision and had submitted a request for costs

The Inspector dismissed the appeal and costs application in a letter dated 9th November 2010

In terms of implications for the Council, the decision indicated that the potential for the internal use of space and the amenity it provided was an important planning consideration

The decision also raised the issue of whether minimum space standards should be adopted by the Council

Members discussed the appeal decision and raised the following points:

- whether the Council had made a cross application for costs
- whether the issue of minimum space standards should be considered

The Head of Planning Services stated that an application for costs had not been made by the Authority as there were no standards relating to space and that some form of guidance on this would be helpful

RESOLVED - To note the report and the comments now made and to request that minimum space standards be considered, with a report on this being brought back to the next appropriate Joint Plans Panel meeting

64 Date and time of next meeting

Wednesday 12th January 2011 at 1.30pm in the Civic Hall, Leeds



Originator: Sarah McMahon

Tel: 2478171

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12 JANUARY 2010

Subject: Extension of time for planning application 07/04987/FU (Multi level development up to 13 storeys comprising 147 flats and gymnasium, with surface and covered car parking) at Former Bellows Engineering Site, East Street, Leeds – planning reference 10/03179/EXT.

APPLICANT	DATE VALID	TARGET DATE
Barratt Leeds	9 July 2010	8 October 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:

Defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate), the submission of an acceptable revised Travel Plan and following completion of a Deed Of Variation of the original Section 106 Agreement to cover the following additional matters:

Original 2005 Section 106 – Affordable Housing provision, provision of public space, contribution towards off site highways works including realignment of pedestrian crossings.

2007 Deed of Variation – Affordable Housing provision

Current Deed of Variation - a public transport infrastructure improvements contribution of £13.661.00, a Green Travel Plan monitoring and evaluation fee of £2735.00, a Traffic Regulations Order sum of £23,240.00, and a car club trial contribution of £3200.00.

In the circumstances where the Deed of Variation of 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.

Conditions for 10/03179/EXT

1. Time Limit (5 years)
2. Detailed 1:20 scale working drawings shall be submitted including cross sections 1) new doorways, 2) new windows 3) eaves and soffit detail and 4) the external treatment and materials.
3. Samples of all external walling and roofing materials.
4. Samples panel of all external finishing materials.
5. Samples of all surfacing materials.
6. Boundary treatments to be approved.
7. Hard and soft landscaping details.
8. Landscaping implementation.
9. Landscaping maintenance.
10. Waste storage and disposal details, including recycling.
11. No refuse containers to be stored outside the building.
12. No external storage of plant/materials/products.
13. Extraction and ventilation details incorporating a filter.
14. Details of flue pipes.
15. Installation and operation of air conditioning.
16. Hours of delivery to be restricted to 0800-1800 Mon-Sat. No Sundays and Bank Holidays
17. Hours of construction works restricted to 0800-1800 Mon-Fri and 0900-1300 Sat. No Sundays or Bank Holidays.
18. Details of car parking layout to be submitted and agreed.
19. Details of provision of pedestrian access ramp to be submitted and agreed.
20. Details of long and short stay cycle parking spaces to be submitted and agreed.
21. Lighting details.
22. Separate systems for drainage of foul and surface water on and off site.
23. No piped discharge of surface water from the development prior to completion of approved surface water drainage works.
24. No occupation or use of the building prior to completion of approved foul drainage works.
25. Use of interceptors for surface water from vehicle parking and hardstanding areas.
26. Details of sound insulation for flats to protect against road noise and noise from gymnasium.
27. Condition Report Unexpected Contamination.
28. Dust suppression measures during construction.
29. Submission of detailed scheme comprising (i) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit), (ii) a Site Waste Management Plan for the construction stage, (iii) a waste management plan for the buildings occupation and (iv) a BREEAM and Code for Sustainable Homes assessment.
30. Submission of details of agreed ground levels
31. Plans to be approved
32. Details of CCTV to be submitted

The following are non standard conditions which can be found in full in the Appendix 1 – 1, 18, 19, 26, 29, 30 and 33.

Reasons for approval: The application is considered to comply with policies A4, BD2, BD3, BD5, GP5, GP7, H7, CC9, CC10, CC11, N12, N13, N19, N23, SA8, T1, T2, TD2 and T24 of the UDP Review, as well as guidance contained within Leeds – City Centre Urban Design Strategy (CCUDS): Improving Our Streets, Spaces and

Buildings (urban design principles based on the distinctive qualities of Leeds City Centre), Draft Supplementary Planning Document 'Travel Plans', Supplementary Planning Document 'Public Transport Improvements and Developer Contributions', Tall Buildings Design Guide, the Yorkshire and Humber Regional Spatial Strategy 2008, PPS1, PPS3, PPS4, PPS5 and PPG24, and having regard to all other material considerations, as such the application is recommended for approval.

1.0 INTRODUCTION:

- 1.1 The application is brought to Plans Panel to allow Members to consider whether the application to extend the time for implementing the existing planning permission for the scheme is acceptable. The submitted application seeks to extend the time limit for implementation for a further five years.
- 1.2 The local Ward Member requested that the proposal be reported to Plans Panel and a site visit be undertaken by Members, following comments he had received from local residents of Bouverie Court, and a subsequent resident's meeting attended by the Ward Member and two Local Planning Authority Officers. The resident's comments expressed are detailed in Section 6.2 below.
- 1.3 The ability to extend the time limit for implementing existing planning permissions was brought into force on 1 October 2009 via an amendment to the Town and Country Planning (General Development Procedure) (England) Order 1995. As outlined in accompanying guidance published by the Department for Communities and Local Government (DCLG) 'Greater Flexibility for Planning Permissions guidance (November 2009)' this measure was introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve. Only one extension of time application is permitted for any approved application.
- 1.4 The development proposed in any extension of time application will by definition have been judged to be acceptable in principle at an earlier date. While these applications should, of course, be determined in accordance with the requirements of s.38(6) of the Planning and Compulsory Purchase Act 2004, namely that the application should be determined in accordance with the development plan unless material planning considerations indicate otherwise, LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations which may have changed since the original grant of permission.
- 1.5 Approval was granted for 3 building blocks comprising a total of 206 residential units with 138 parking spaces in 2005 (see Section 4.0 planning history). Construction is complete on the two blocks to the north of the plot, and these are occupied. Consent was granted, under planning reference 07/04987/FU on 25 October 2007, for a multi level development up to 13 storeys comprising 147 flats and gymnasium, with surface and covered car parking which amended the southern block only (which was originally approved for 106 flats). This block remains to be implemented and would be positioned adjacent to East Street.

2.0 PROPOSAL:

- 2.1 All components of the scheme are exactly the same as the original application. As such the proposal, known as Echo City 2 (or as Block A), is for a multi level development up to 13 storeys which would house 147 flats, a lower ground floor level gymnasium and surface and basement car parking. The flats will comprise 92

one bedroom units, 54 two bedroom units, and 1 three bedroomed unit. The parking would provide 120 car spaces, including 12 spaces for disabled persons, and 147 cycle parking spaces

- 2.2 To reflect the changes in policy and in the area since the original approval in October 2007, the following documents have been updated and submitted with the current application for the extension of time.

Transport Assessment
Travel Plan

3.0 SITE AND SURROUNDINGS:

- 3.1 The site lies between East Street, Ellerby Road, Ellerby Lane and St Saviours Church, a Grade I Listed Building, and the Grade II Listed former Sunday School. This location is the site of the former Bellows Engineering Works and was cleared sometime ago to allow construction to commence on the previously approved scheme, Echo City 1. This first part of the Echo City development is complete and occupied with the buildings being named Bouverie Court. There is a hoarding positioned around the site of the current proposal's planned location.
- 3.2 The surrounding area has a broad mix of uses including residential, commercial and industrial. In respect of topography the site slopes dramatically down from Ellerby Road to East Street. The site lies adjacent to, but outside of, the eastern boundary of the Eastern Riverside Conservation Area. The site is close to but outside the boundary of the City Centre as defined by Leeds Unitary Development Plan Review 2006.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Planning approval was given for a multi level development comprising 206 flats in 3 blocks with 138 car parking spaces on 18 October 2005 (planning reference 20/437/04/FU). This is for the development of the entire site and part of the development, Echo City 1 (known as Bouverie Court) has been constructed and is occupied.
- 4.2 Planning approval was given for a multi level development up to 13 storeys comprising 147 flats and gymnasium, with surface and covered car parking on 25 October 2007 (planning reference 07/04987/FU). This is the subject of the current extension of time application.
- 4.3 Planning approval for the Echo Central development on the adjacent site was given for an outline application for new access and erection of offices and hotel/offices/residential on 21 February 2005 (planning reference 20/93/04/OT).
- 4.4 Subsequent Reserved Matters applications were granted for the Echo Central development on the adjacent site was given for a multi level development up to 15 storeys comprising 163 flats with car parking on 10 January 2006 (planning reference 20/487/05/RM), and a 9 storeys block comprising of 122 apartments with basement car parking on 18 January 2007 (planning reference 06/03516/RM). The north-western part of the Echo Central development has been constructed immediately adjacent to the site and is occupied.
- 4.5 A reserved matters application for the south eastern corner of the Echo Central development was granted consent for a 7 storey office building with ground floor car

parking on 15 October 2007 (planning reference 07/04524/FU). This part of the Echo Central development has yet to be constructed. An application for an extension of time has been submitted, which is yet to be determined (planning reference 10/04525/EXT).

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The original consent for Echo City 2 (Block A) was subject to extensive pre-application discussion from October 2006 onwards between the Developer and Officers. This resulted in the scheme being presented to Members at pre-application stage on both 1 February and 26 April 2007.
- 5.2 A resident's meeting was held by the Bouverie Court Residents Group on 4 August 2010 which was attended by the Ward Member and two Local Planning Authority Officers. A request came from the Ward Member and local residents for Members to visit the site on the day of the Plans Panel meeting to allow them to understand the extent of development and occupation. The resident's concerns expressed are detailed in their letters submitted and detailed below in Section 6.2

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was publicised via a Site Notice posted on 21 July 2010 expiring on 11 August 2010 for a Proposed Major Development Which Affects the Setting of a Listed Building and the Character of a Conservation Area, and in the Leeds Weekly news edition printed the week of 7 August 2010.
- 6.2 11 letters of objection have been received from residents of Bouverie Court (the built part of this development scheme) detailing the following points:
1. That the drawings submitted do not reflect the information provided in the Developer's marketing material
 2. That there are serious parking issues on the site and in the surrounding area and further provision of on site car parking is needed
 3. That landscaping for the first built phase of the development has not been completed
 4. That the boundary fencing and railings are substandard and faulty including security gates that do not lock
 5. That the hoarding produces an unattractive vista of detriment to the amenity of existing residents
 6. That CCTV are poorly sited and need to be reconsidered
 7. That there are issues of maintenance and build quality of the existing constructed first phase of the development including missing bricks in elevations, missing lighting from publicly accessible areas, demountable bollards that do not work correctly, rust on balconies, exposed pipework and ducting, exposed cables and wires, no designed access to roof spaces, non installation of promised residents cages for storage, poor signage around the site, building materials left on site, vent covers lost and not replaced, cracked paving and subsidence, rusty hoarding anchor points left in landscaped areas and car park, worn stairwell carpets, missing rubber seals on external doors and windows, lack of drains in bin store areas, damp on internal walls of some ground floor properties and no fire safety system in the bin store rooms.
 8. That the promised on site Gym has not been brought forward
 9. That property values have been affected by the state of the development
 10. That resident's feel that they are living on a building site due to the un-developed hoarded off part of the site

11. That if consent is granted then there should be sanctions and conditions and a time limit.

Response:

1. Whilst resident's frustration with this matter is understood this is not a material planning consideration and the drawings submitted for the planning application are the scheme intended by the Developer. The matter of the marketing material is to be dealt with separately by the Developer.

2. The current proposal would provide 120 surface and basement car parking spaces, as well as 147 cycle parking spaces, in addition to the existing spaces already on site. There is also requirement under the S106 for a contribution towards Traffic Regulation Orders within an 800 metre area around the site, to address wider on street parking issues.

3. The Developer has advised that the missing trees along the inside of the northern perimeter, that would complete the landscaping scheme for the first phase, are to be planted as soon as weather conditions permit. In addition one uprooted tree adjacent to the entrance bollards will be replaced.

4. The Developer has been undertaking a programme of repair and replacement of the boundary railings. Quotations have been obtained by the Management Company (Adair Paxton) for full replacement of the security gates, including their locking and closing mechanisms.

5. The hoarding has been painted to improve its appearance and Laurel bushes have been planted along its length to provide a more attractive vista.

6. The Developer is in discussions with the Bouverie Court Residents Group with regard to reconsidering the existing CCTV provision. In addition, there will be a condition applied to the extension of time application for the provision of CCTV with the Echo City 2 block.

7. Whilst resident's frustrations with these matter is understood this is not a material planning consideration and these issues are maintenance and build quality issues for the Developer to address. As such the Developer and site Management Company have an ongoing programme of works to address these matters. The Developer has advised that to date matters that have been addressed are the missing bricks in elevations, exposed cables and wires, additional signage around the site, building materials left on site are now moved behind the hoarding, lost vent covers have been replaced and rusty hoarding anchor points have been removed from landscaped areas. Other matters still await the attention of the Developer and/or the Management Company.

8. The gym forms part of the Echo City 2 portion of the wider Echo City development. Approval of the extension of time application would allow the gym to come forward as part of the development.

9. Whilst resident's frustration with this matter is understood this is not a material planning consideration and as such can not be addressed as part of the extension of time application.

10. The hoarding is required to prevent access to the cleared but unsafe area of the site where Echo City 2 is to be constructed. As such the hoarding is a necessity to ensure safety of residents and other users of the wider site. As stated above efforts have been made to improve the appearance of the hoarding via painting and planting.

11. Any approval would carry conditions as listed above on this report including a condition defining a timescale for the consent.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

British Waterways: State that they have no comments to make.

7.2 **Non-statutory:**

Public Transport Officer: States that the proposal would result in the requirement for a financial contribution of £13.661.00.

Response: This matter will be addressed via the Section 106 Legal Agreement.

Highways: State that there is a requirement for a Transport Assessment and a Travel Plan to be submitted.

Response: these documents have been submitted and the Transport Assessment is considered to be acceptable. The revised Travel Plan is being reviewed by the TravelWise Team and this matter can be reported on verbally to Members at Plans Panel.

Metro: State that they have no comments to make.

8.0 **PLANNING POLICIES:**

Development Plan -

Leeds Unitary Development Plan Review 2006

Policy A4 (Access for all)

Policy BD2 (Design and siting of new buildings)

Policy BD3 (Accessibility in new buildings)

Policy BD5 (All new buildings)

Policy GP5 (All planning considerations)

Policy GP7 (Planning obligations)

Policy H4(unidentified residential development sites in the main and smaller urban areas)

Policy H11 (affordable housing)

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

Policy CC10 (Provision of public space)

Policy CC11 (Enhanced pedestrian corridors and upgraded streets)

Policy N13 (Design of all new buildings)

Policy N19 (New buildings and extensions within or adjacent to a conservation area)

Policy N23 (Space around new buildings)

Policy SA8 (Strategic aim to provide safe and easy access for all)

Policy T24 (Parking provision)

Regional Spatial Strategy

ENV9 (Historic Environment)

ENV5 (Energy – efficiency and renewable energies)

H1 (Provision and distribution Housing)

H4 (The Provision of Affordable Housing)

H5 (Housing mix)

T2 (Parking policy)

Government Planning Policy Guidance/Statements

Planning Policy Statement 1 (PPS1) – Delivering sustainable development

Planning Policy Statement 3 (PPS3) – Housing

Planning Policy Statement 4 (PPS4) - Planning for Sustainable Economic Growth

Planning Policy Statement 5 (PPS5) – Planning for the Historic Environment

Planning Policy Guidance 24 (PPG24) – Planning and Noise

Relevant Supplementary Guidance

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

Draft Supplementary Planning Document ‘Travel Plans’ (May 2007)

Supplementary Planning Document ‘Public Transport Improvements and Developer Contributions’ (adopted August 2008)

Tall Buildings Design Guide (adopted April 2010)

9.0 MAIN ISSUES

1. Extension of Time Applications
2. Unchanged policy and material considerations since the original consent
3. Changes in policy and other material considerations since the original consent
4. Conditions and section 106 obligations

10.0 APPRAISAL

10.1 1. Extension of Time Applications

The ability to extend the time limit for implementing planning permissions was introduced on 1 October 2009 via an amendment to the Town and Country Planning (General Development Procedure) (England) Order 1995. This change was introduced to allow developers greater flexibility in delivering already approved schemes during the economic downturn.

It is only possible to apply to extend a planning permission if the permission is extant on 1 October 2009, if the permission is still extant when the extension of time application is submitted, and if the development has not already commenced. The scheme meets the eligibility criteria.

As the scheme has been approved before, the principle of this development has been established. However, the current application to extend the time limit for implementation must be considered against current policy guidance and other material considerations which may have changed since the original grant of permission.

This application seeks to extend the time limit for a previously approved scheme, which has not changed. However, since the original decision there have been some changes in policy and some minor changes in material considerations. These are discussed below and were considered by the updated planning documents submitted by the applicant.

10.2 2. Unchanged policy and material considerations since the original consent

The vast majority of policies and material considerations have not changed since the original grant of consent. The detailed assessment of these policies and material considerations is set out in the original panel report (planning reference 07/04987/FU) and is considered to be appropriate to the determination of the current application (for reference, the original panel report from Plans Panel of 11 October 2007 is attached at Appendix 2).

10.3 3. Changes in policy and other material considerations since the original consent

Although most national and local policies remain unchanged, there have been some material amendments with the addition of some Supplementary Planning

Documents (SPDs) and updating the of some national planning guidance documents, since the original application was granted consent. These changes are discussed below.

10.3.1 Regional Spatial Strategy

The significant change to the development plan has been the adoption of the Regional Spatial Strategy (RSS) for Yorkshire and Humber in May 2008 as a replacement to the earlier RSS. The vision of the RSS is to create a world-class region, where the economic, environmental and social well-being of all people is advancing more rapidly and more sustainably than its competitors. Particular emphasis is placed on the Leeds City Region.

The development will complete a planned housing scheme, will be of high quality design, appropriate to the site and respectful of the character of the surrounding area. As such the proposed scheme is considered to accord with the aims and objectives of RSS policy.

10.3.2 Draft Supplementary Planning Document 'Travel Plans' (May 2007)

The Travel Plan SPD draft was published in May 2007 and has yet to be adopted. However, this draft document has been subject to extensive consultation and is in practical use on planning applications. It therefore carries a degree of weight in the appraisal of planning proposals. As such the Applicant was required to submit a revised Travel Plan to take account of any changes on site or in the vicinity since consent was originally granted back in October 2007 on planning application 07/04987/FU. In addition, there is a requirement for a Travel Plan monitoring and evaluation fee of £2735.00 from the Applicant, which will be addressed via a S106 legal agreement.

A Travel Plan for the scheme is currently in draft and being considered by the Local Planning Authority. This Travel Plan covers the following areas: the existing conditions on site, objectives and scope for walking, cycling, motorcycling, home deliveries, public transport, personalized travel planning, communication and implementation, and city car club usage. The Travel Plan also identifies a Travel Plan Co-ordinator as well as defining overall targets and goals to encourage residents to use more sustainable modes of transport.

10.3.3 Supplementary Planning Document 5 'Public Transport Improvements and Developer Contributions' (SPD5)

This document was formally adopted in August 2008. Due to the length of time since the granting of consent for planning application 07/04987/FU an amended up to date Transport Assessment has been submitted. As such, in line with adopted SPD5, there is a requirement for a public transport infrastructure improvements contribution of £13,661.00. This matter will be addressed via the S106 legal agreement.

10.3.4 Tall Buildings Design Guide

This SPD was adopted in April 2010 and provides guidance as to where tall buildings should and should not be built. The document highlights the importance of urban design and seeks to protect the best elements already established within the city. This SPD provides further guidance regarding tall buildings but flows from,

and accords with, UDPR policy considered at the time of the original application that sets a number of urban design principles.

The site is close to but outside the area defined in the document for consideration. The site is adjacent to two recently constructed residential blocks and as such would form part of a city centre edge cluster. No key views or zones of exclusion would be adversely impacted by the addition of the development. As such the proposed building is considered to be consistent with the guidance in the adopted SPD.

10.3.5 National Planning Guidance

Planning and Climate Change (Supplement to PPS1)

This PPS on climate change supplements PPS1 and was introduced in December 2007. The document sets out how Planning should contribute to reducing emissions and stabilising climate. Planning authorities should use planning conditions or obligations to secure the provision and longer-term management and maintenance of those aspects of a development required to ensure compliance with the policies in this PPS.

The consented scheme states that the development have aspirations to meet national recognized sustainability targets. As with the previous approval, the addition of a planning condition that requires the scheme to incorporate a number of sustainability measures including BREEAM or Code for Sustainable Homes targets and will ensure the scheme is delivered in accordance with the PPS1 supplement.

10.3.6 PPS3 Housing

This PPS was published in June 2010 replacing Planning Policy Guidance 3 : Housing. This policy document seeks to ensure high quality housing that is well-designed and built to a high standard, a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural, a sufficient quantity of housing taking into account need and demand and seeking to improve choice, that housing developments is in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure and a flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.

No changes in the design, numbers or mix of the housing units are proposed as part of the extension of time submission. The proposal remains for a well designed and appropriate mix of flats in an edge of city centre location, with good access to jobs and services. In addition, the requirement for 6 affordable housing units identified on the previous consent remains valid and unchanged and will be addressed via the Section106 detailed in Section 10.4. The proposal also remains a reuse of previously developed land and as such makes effective and efficient use of available land.

10.3.7 PPS4 'Planning for Sustainable Economic Growth'

This PPS was introduced in December 2009 and consolidates national planning guidance on economic, retail and town centre development which were covered by the previous PPG4: Industrial, Commercial Development and Small Firms (November 1992) and PPS6: Planning for Town Centres (April 2006). PPS4

applies to all planning applications for economic development and seeks to achieve sustainable economic growth via policies that identify appropriate main town centre uses.

There are no material or local policy changes that would alter this view. The principle use, housing, is not viewed as a type of use restricted to town centres by PSS4 and as such remains appropriate for this location. The gymnasium is small scale (approximate floor area of 102 metres²), is ancillary to the principle use and is to be for the use of the residents of the Echo City development. As such the principle of this use would not compromise the policy approach of PPS4.

10.3.8 PPS5: Planning for the Historic Environment

This PPS was introduced in March 2010 and replaces Planning Policy Guidance Note 15 (PPG15) 'Planning and the Historic Environment' and PPG16 'Archaeology and Planning'. The policies in this PPS seek to meet the Government's aim that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations.

The proposed scheme and original consent considered all heritage assets (these being the Grade II Listed former Sunday School and to the north west of the site of the Grade I Listed St Saviours Church), the location and type of these assets influenced the layout, form and scale of the development, and the conditions and planning obligations within the S106. As before, the scheme is considered to deliver significant overall benefits to the area and a building of a contemporary yet respectful design to the setting of the listed buildings. Therefore the current application is considered compliant with PPS5 guidance.

10.3.9 Other material changes

Significant material changes relevant to this application have been the laying out of an area of temporary car parking on part of the site which should be soft landscaped, and the increase in on street car parking that has occurred in the surrounding area.

The temporary car parking area to the north of the hoarding has come into being due to the fact that the part of the parking allocation for residents of Bouverie Court is to come forward within the scheme for Block A (Echo City 2). Officers have asked that the hoarding be moved back as far as possible and that the edge be soft landscaped to enhance the appearance of the site. A series of Laurel bushes has been planted along part of the edge of the hoarding but the said hoarding has not been moved.

The on street parking situation is partly due to the occupation of the other recently constructed Echo residential blocks, as well as being due in part to the fact that some of the car parking spaces for existing residents of the first phase of the Echo City site, would be in this block that is currently under consideration on the extension of time application. This increase in on street car parking is resulting in a number of traffic and parking related difficulties in the surrounding area which require a response. As such there is a requirement for the Applicant to contribute to the cost of creating Traffic Regulation Orders around the site and this matter will be addressed via the Section 106 Legal Agreement as detailed below.

It should also be noted that Echo City 1 (Bouverie Court) is complete and occupied. This part of the overall scheme was completed at the time of the previous consent

(planning reference 07/04987/FU) and as such residential amenity for existing occupiers and the proximity and scale of the development in relation to Bouverie Court was considered as part of the original appraisal of the scheme.

10.4 4. Conditions and section 106 obligations

10.4.1 All relevant conditions from the previous outline consent will be applied to the extension of time application. A condition will be added to address CCTV requirements in response to concerns from local residents. A list of these conditions can be found above with non standard conditions being detailed in Appendix 1.

10.4.2 The applicant has requested a longer consent than the standard 3 year time limit. It is considered that due to the economic downturn a longer consent would improve the prospects of delivering the development, bearing in mind that there is no further opportunities for extending the permission in the future. This therefore is considered reasonable.

10.4.3 The proposal would result in the requirement for a Deed of Variation to the original Section 106 Legal Agreement which carries forward the requirements from the consented application 07/04987/FU but also introduces the following additional requirements:

Original 2005 Section 106 –

- Affordable Housing provision
- Provision of public space
- Contribution towards off site highways works including realignment of pedestrian crossings

2007 Deed of Variation -

- Affordable housing provision

Current Deed of Variation:

- A contribution of £23,240 towards traffic regulations orders in an 800 metre area around the site
- A contribution of 13, 661.00 towards public transport improvements
- A contribution of 2,735.00 towards monitoring and evaluation of a Travel Plan
- A contribution towards a car club trial of £3,200.00

As part of Central Government's move to streamlining the planning obligation process it has introduced the Community Infrastructure Levy Regulations 2010. This came in to force on April 6th and requires that all matters to be resolved by a Section 106 planning obligation have to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

'122(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

- (a) necessary to make the development acceptable in planning terms,
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

These 5 above noted requirements have been considered against the current tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

With regard to the affordable housing provision as with the previous consent (07/04987/FU) the provision is for 6 units, this being 15% of the additional 41 units proposed for Building A. This was agreed on the previous application and would add to the provision of 4 units in the built blocks in Echo City 1.

11.0 CONCLUSION

This extension of time application results from the recent changes in legislation that allows the time limits of extant permissions to be extended during the economic downturn. National planning guidance provides that a positive and constructive approach should be adopted to applications such as the current application which improve the prospect of sustainable development being taken forward quickly.

However, a new planning consent would be granted and changes in policy and other material considerations since the original approval, have been examined. The proposed development has not changed since the original consent in October 2007

The updated supporting documents submitted with the application have fully considered the changes in policy and the proposed development is considered acceptable following detailed consideration against all up to date development plan policies and national guidance. A grant of consent will allow the Applicant to progress the development and therefore continue the regeneration of the East Street area. For the reasons outlined above it is requested that members agree to the extension of time application.

Background Papers:

Echo City

Planning application 20/437/05/FU

Planning application 07/0497/FU

Planning application 10/03179/EXT

Echo Central

Planning application 20/93/04/OT

Planning application 20/487/05/RM

Planning application 06/03516/RM

Planning application 07/04524/FU

Planning application 10/04525/EXT

APPENDIX I

Planning Application 10/03179/EXT Non Standard Conditions

1. The development hereby permitted shall be begun before the expiration of five 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.

18. No phase of the development shall be occupied or brought into use until that part of the site shown to be used by vehicles, on the approved plans, and required for the particular phase of development concerned has been 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.

19. The development shall not be occupied until details of a pedestrian access ramp to the public open space to the north of the development to allow disabled access have been submitted to and approved in writing by the Local Planning Authority. This access ramp shall be retained and maintained thereafter

In the interests of disabled people.

26. No development shall take place until details of a sound insulation scheme designed to protect the amenity of occupants of the proposed residential development from noise emitted from nearby industrial premises and road traffic has been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the works have been completed, and as such any noise insulation shall be retained thereafter.

In the interests of residential amenity.

29. Prior to the commencement of development a detailed scheme comprising (i) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit), (ii) a Site Waste Management Plan for the construction stage, (iii) a waste management plan for the buildings occupation and (iv) a BREEAM and or Code for Sustainable Homes assessment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme; and

(a) Prior to the occupation of each phase of the development a post-construction review statement for that phase shall be submitted by the applicant and approved in writing by the Local Planning Authority

(b) The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements

(c) The development shall aim to achieve Level 4, as a minimum of the Code for Sustainable Homes.

In the interests of amenity and to promote the use of recycled material and the

implementation of sustainability measures.

30. No development shall commence until details of agreed ground levels for Block A have been submitted to and approved in writing by the Local Planning Authority. These details shall make reference to the appropriate Ordnance Survey Data for the site.

To ensure that existing ground levels are retained and in the interests of amenity.

33. Prior to the development commencing, a CCTV scheme shall be submitted in writing for approval by the Local Planning Authority. Details shall include the location, orientation, type of camera, type and location of recording equipment, monitoring equipment and protocols regarding the monitoring of the system. The scheme shall be implemented in accordance with the approved details prior to the use commencing of use, and retained thereafter for the lifetime of the development.

In the interests of amenity.

APPENDIX 2

PLANS PANEL (CITY CENTRE) 11 OCTOBER 2007

REPORT OF THE CHIEF PLANNING OFFICER

WARD: Burmantofts & Richmond Hill **Application:** 07/04987/FU
Address: Former Bellows Engineering **Applicant:** Barratt Leeds
Site, East Street, Leeds
Date 14 August 2007 **Target Date:** 13 November 2007
Valid:

Proposal: Multi level development up to 13 storeys comprising 147 flats and gymnasium, with surface and covered car parking

RECOMMENDATION:

Members are recommended to approve this application in principle and defer and delegate the final decision to the Chief Planning Officer subject to specified conditions outlined below (and such other conditions as he may consider appropriate): including conditions to ensure completion of a variation of the Section 106 Agreement to cover contributions to affordable housing. Together with such ancillary clauses as the Chief Legal Officer shall consider appropriate

1. Time Limit.
2. Detailed 1:20 scale working drawings shall be submitted including cross sections 1) new doorways, 2) new windows 3) eaves and soffit detail and 4) the external treatment and materials.
3. Samples of all external finishing materials.
4. Samples panel of all external finishing materials.
5. Samples of all surfacing materials.
6. Boundary treatments to be approved.
7. Hard and soft landscaping details.
8. Landscaping implementation.
9. Landscaping maintenance.
10. Waste storage and disposal details, including recycling.
11. No refuse containers to be stored outside the building.
12. No external storage of plant/materials/products.
13. Extraction and ventilation details incorporating a filter.
14. Details of flue pipes.
15. Installation and operation of air conditioning.
16. Provision of a grease trap.
17. Hours of delivery to be restricted to 0800-1800 Mon-Sat. No Sundays and Bank Holidays
18. Hours of construction works restricted to 0800-1800 Mon-Fri and 0900-1300 Sat. No Sundays or Bank Holidays.

19. Details of car parking layout to be submitted and agreed.
20. Details of provision and layout of disabled car parking to be submitted and agreed.
21. Details of long and short stay cycle parking spaces to be submitted and agreed.
22. Details of a Green Travel Plan to be submitted and approved.
23. Lighting details.
24. Separate systems for drainage of foul and surface water on and off site.
25. No piped discharge of surface water from the development prior to completion of approved surface water drainage works.
26. No occupation or use of the building prior to completion of approved foul drainage works.
27. Use of interceptors for surface water from vehicle parking and hardstanding areas.
28. Details of sound insulation for flats to protect against road noise and noise from gymnasium.
29. Condition Report Unexpected Contamination.
30. Dust suppression measures during construction.
31. Submission of detailed scheme comprising (i) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit), (ii) a Site Waste Management Plan for the construction stage, (iii) a waste management plan for the buildings occupation and (iv) a BREEAM and Ecohomes assessment.

Introduction and site description:

Approval was granted for 3 building blocks comprising a total of 206 residential units in 2004 (see planning history). Construction is well underway on site on the blocks to the north of the plot. The current proposal is to amend the southern block only which was originally approved for 106 flats. This block is positioned adjacent to East Street.

The site lies between East Street, Ellerby Road, Ellerby Lane and St Saviours Church, a Grade I Listed Building, and the Grade II Listed former Sunday School. This location is the site of the former Bellows Engineering Works and was cleared sometime ago to allow construction to commence on the previously approved scheme.

The surrounding area has a broad mix of uses including residential, commercial and industrial. In respect of topography the site slopes dramatically down from Ellerby Road to East Street. The site lies adjacent to the eastern boundary of the Eastern Riverside Conservation Area.

Proposal:

The revised proposal is for a multi level development up to 13 storeys comprising 147 flats and gymnasium, with surface and covered car parking. The scheme differs from the previously approved development (20/437/04/FU) in respect of an increase in maximum height from the previously approved 9 storeys to 13 storeys and provision of an additional 41 flats. In addition, whilst the position of the block remains similar to the previous approval, its appearance and form is different, with a simpler palette of materials, cleaner elevations and more ordered fenestration patterns.

The amended proposal would be for a revised Block A, housing 147 flats, a basement level gymnasium and surface and basement car parking. The flats will comprise 92 one bedroom units, 54 two bedroom units, and 1 three bed roomed unit.

The following document has been submitted in support of this proposal and these are:

A Design and Access Statement.

Relevant Planning History:

Planning approval was given for a multi level development comprising 206 flats in 3 blocks with 138 car parking spaces on 18 October 2005, under planning reference 20/437/05/FU. This is for the development of the entire site.

History of Negotiations:

The proposal has been submitted following ongoing discussions and design workshops, between the Developer, their Architects and Council Officers, since October 2006. The height and mass of the building were discussed in detail, along with the proposed palette of materials. The resulting pre-application proposal was presented to Members, for information, on 1 February 2007 and 26 April 2007. The Minutes are attached for information.

Statutory Consultations:

British Waterways: No response received.

Highways: State that they have no objections in principle, subject to details of the layout of the car and cycle parking being resolved.

Response: These matters will be controlled by the appropriate conditions.

Non Statutory Consultations:

Public Transport Officer: Initially state that the proposal would result the requirement for a financial contribution of £37,112.00 towards public transport infrastructure improvements. Subsequently the matter was reassessed by the Public Transport Officer. Due to the existing consent (20/4370/05/FU) and S106 agreement, and the fact that the number of addition residential units (41) is below the threshold for contribution, it is no longer consider appropriate to apply a financial contribution to public transport infrastructure improvements.

Public/Local Responses:

None.

Planning Policies:

National Guidance

Planning Policy Statement (PPS1): Delivering sustainable development.

Planning Policy Guidance 3 (PPG3): Housing.

Planning Policy Statement 6 (PPS6): Planning for town centres.

Planning Policy Guidance 15 (PPG15): Planning and the Historic Environment.

Planning Policy Guidance 24: Planning and noise.

Local Policy – Leeds Unitary Development Plan

Policy SA8: Strategic aim to provide safe and easy access for all.

Policy A4 (Access for all).

Policy GP5 (All planning considerations).

Policy GP7 (Planning obligations).

Policy BD2 (Design and siting of new buildings).
Policy BD3 (Accessibility in new buildings).
Policy BD5 (All new buildings).
Policy H7 (New housing).
Policy CC9 (Maintaining and improving access to existing public spaces).
Policy CC10 (Provision of public space).
Policy CC11 (Enhanced pedestrian corridors and upgraded streets).
Policy N19 (New buildings and extensions within or adjacent to a conservation area).
Policy N23 (Space around new buildings).
Policy T28 (Long stay commuter car parking).

Supplementary Planning Documents

Leeds – City Centre Urban Design Strategy (CCUDS): Improving Our Streets, Spaces and Buildings (urban design principles based on the distinctive qualities of Leeds City Centre).
Supplementary Planning Guidance 3 – SPG3 (Affordable Housing).

MAIN ISSUES

1. Impact of the proposal on the character and appearance of the site, the street, and the adjacent Conservation Area.
2. Landscaping.
3. Affordable Housing.
4. Sustainable Development.
5. Conclusion.

APPRAISAL

1. Impact of the proposal on the character and appearance of the site, the street, and the adjacent Conservation Area

The architecture of the block and its proposed materials palette aim to allow the block to sit comfortably within its surroundings, unifying the site with the different characters of the surrounding area.

The block steps down where it is sited adjacent to the Grade II Listed former Sunday School and to the south west of the Grade I Listed St Saviours Church. As such the development retains views of the church across the site and respects the scale and heights of the two listed buildings. The development steps up towards its eastern end where its maximum height of 13 storeys sits comfortably with the Echo Central development buildings.

In terms of visual appearance this block has been designed to create a calm background to the gateway buildings of the Echo Central's 3 buildings, whilst complimenting the sensitive character and visual amenity of the adjacent Listed Buildings. The palette of materials will use smooth red multi bricks with dark mortar, powder coated aluminium framing to windows and sliding doors, steel balconies and handrails, and a dark grey single ply membrane with powder coated aluminium trims to the roof. As such the materials and fenestration will be calm and subtle, bringing a contemporary yet respectful, simplicity of form to the development.

2. Landscaping

The public realm space and landscaping strategy remain an important aspect of this development, and are carried forward from the originally approved scheme. As such the aim is to minimise the visual impact of the surface car park through use of climber planting and raised planters carefully placed to screen views of the car park area. Defined pedestrian routes lead into the elevated triangular green space to the north of Block A, with the use of high quality mid-grey paving, which will also create a linked route through to St Saviours Church, adjacent to the site. A variety of trees, shrubs and grasses will be used across the landscaped areas of the site to create a cohesive soft landscaped scheme highlighted by subtle lighting features.

3. Affordable Housing

The current amendment to the original scheme would result in an increase in the number of residential units from 106 to 147 in Block A. As such there would be an additional 41 residential units. Negotiations on the original scheme resulted in there being an agreed 4 affordable housing units out of the total 206 residential units approved. Due to the improved scheme being brought forward by this current revised version of Block A, in terms of its architecture, it has been agreed to apply the affordable housing policy requirement to the additional 41 residential units only. As a result there will be an additional 6 affordable units provided on this site. This would be addressed by a variation of the existing Section 106 Agreement signed and sealed under planning application 20/437/04/FU.

4. Sustainable Development

The revised scheme has been designed with a level of sustainability in mind, such that there is an aspiration to include the following design features:

- Use of natural and replenishable materials;
- Enhanced thermal insulation to the building envelope to reduce energy requirements;
- High performance glazing systems;
- Recycling of rainwater for reuse in WC flushing;
- Lower water usage to be encouraged by provision of a sprinkler tap; and
- Recycling facilities.

To assist and encourage the developer in these aspirations a condition will be applied to the decision requiring the submission of a detailed scheme comprising (i) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit), (ii) a Site Waste Management Plan for the construction stage, (iii) a waste management plan for the buildings occupation and (iv) a BREEAM and Ecohomes assessment.

5. Conclusion:

The proposal is considered to remain a high quality scheme, appropriate to the site and respectful of the character of the surrounding area. As a result Officers consider the scheme to be acceptable for the location, and Members are requested to note the above report and agree the officer recommendation.

Background Papers:

Application file for 07/04987/FU.

Pre-application for proposed revised design and height to Block A of residential scheme at Block A Echo City 2 East Street Ellerby Lane and Ellerby Road Leeds - Amendment to approved application 20/437/04/FU.

Minutes: Date 1 February 2007

Members received a report from the Chief Planning Officer setting out proposed revisions to Block A of a previously approved residential scheme and received a presentation on the proposals on behalf of the applicant.

Plans, graphics, photographs and comparative details of the two schemes were displayed at the meeting. Members had seen the site earlier in the day as part of a site visit to proposed and approved developments along the East St Corridor.

The Panel was advised that the site lay within the Burmantofts and Richmond Hill Ward, and not as stated in the submitted report.

Members were advised that the previous scheme for Block A for a residential block with low rise at the rear and high rise to the front, in a range of palettes and materials was now considered too busy, and that the revised proposals sought to provide a more simplified scheme, using brick and with the building form changing to a more curved structure from the approved rectilinear form.

Whilst the revised proposals were three storeys higher than the current consent, the scheme remained subservient to the Echo Central properties and was felt to be a bridging element between the low rise element of the approved scheme now on site and the Echo Central development.

Whilst Members welcomed revisions to the previously consented scheme, concerns were raised in respect of the following matters:

- That any proposals should not detract from the former Sunday School building.
- The need for better pedestrian connections in the area.
- The relationship between the low and high rise and whether this additional height would be detrimental to the low rise element.
- Greater detail of the car parking area and how this would be Softened.
- The need for greater detail of the colours of brick to be used and how this related to the colours already being used in the Echo Central development.
- Whether the proposed reconfiguration impacted on the landscaping proposals.

The Civic Architect, Mr Thorp, informed Members that a study was underway to consider how more crossings could be generated within this area and how they could be related to river banks and bridges. He echoed Members' comments in welcoming a rethink of this part of the proposals and queried the success of extending curved architecture into the more regular adjacent area.

The Chief Planning Officer highlighted the importance of St Saviour's Church and suggested that more work was needed to properly consider the views through in relation to this site.

RESOLVED:

- (i) To note the report, the presentation and the comments now made.
- (ii) That a workshop be set up for officers to look at the issues raised with the developers prior to a formal application being made.

Presentation of pre application for proposed revised design and height to Block A Echo City 2 East Street Ellerby Lane and Ellerby Road LS9 - Amendment to approved application 20/437/04/FU

Minutes: Date 26 April 2007

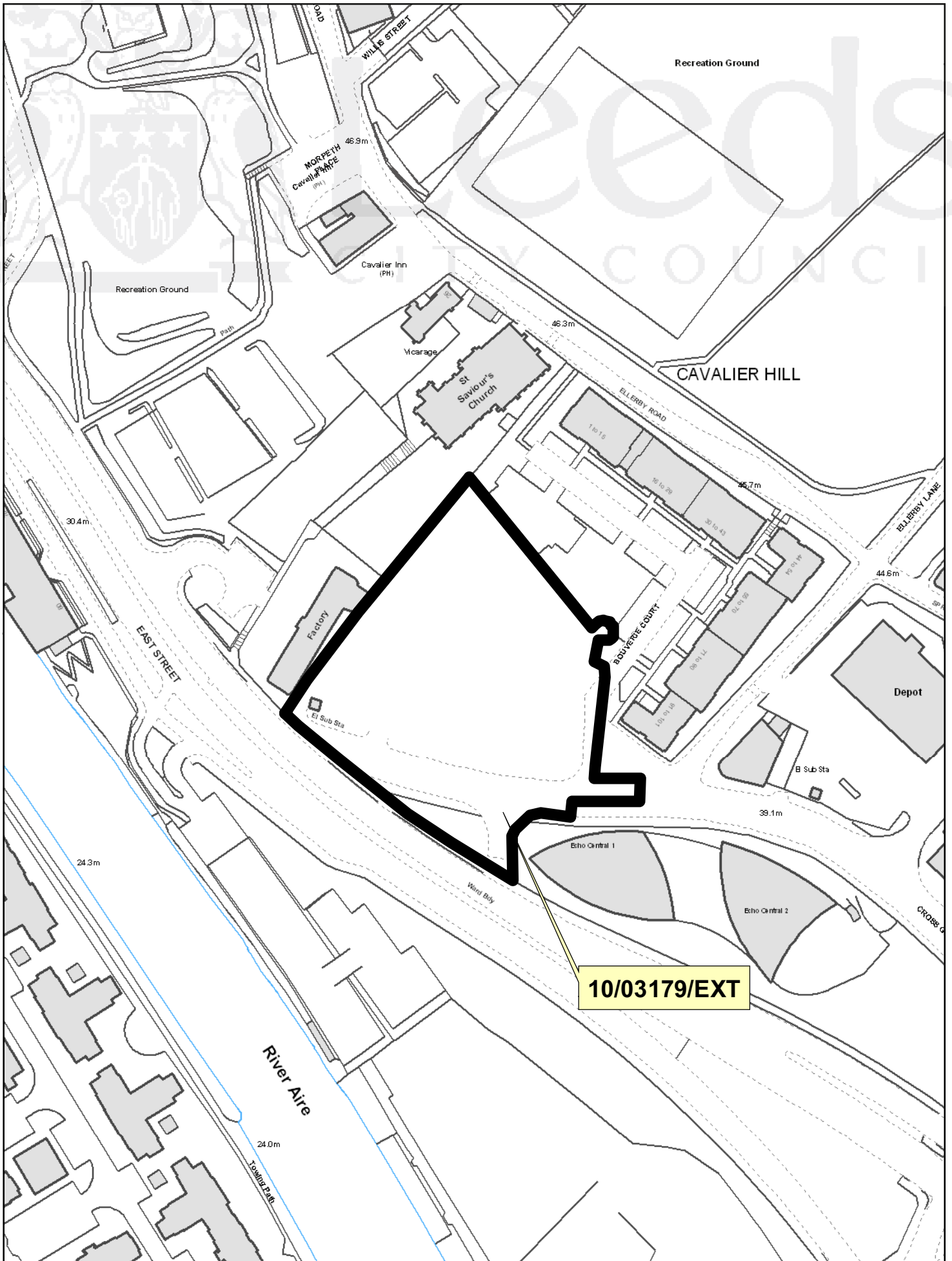
Further to minute 109 of the meeting held on 1st February 2007, Members received a report by the Chief Planning Officer and a further presentation on behalf of the applicants on the proposed revisions to the scheme.

The Panel was informed that the comments made at the previous presentation had been useful and had prompted the design of block A to be amended and inverted to create a courtyard space. There would now be stepped massing and blocks A and B were no longer overlooking. It was considered that through these amendments that Echo City 2 now related better to Echo City 1, and that by bringing in the vehicular access further to the east it enabled the public plaza on the front of the scheme to be solely for pedestrian use.

Although the scheme was larger than the original permission, the form was now more simplified and the concerns raised in relation to the visual impact on the former Sunday School building (to the west) had been addressed with the 5 storey element now being lower.

Concerns were raised about the lack of detail given for the elevation which faces towards the city and it was felt that more consideration would need to be given to address this concern.

RESOLVED: To note the report, the presentation and the comments now made.



CITY CENTRE PANEL

This page is intentionally left blank



Originator: Tim Hart
Tel: 3952083

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12th JANUARY 2011

Subject: Application 10/04813/FU - Alterations and fourth and fifth floor extension to offices, 21 Queen Street, Leeds 1

APPLICANT	DATE VALID	TARGET DATE
Arianda Property Holdings Ltd	22 October 2010	21 January 2011

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:

DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions (and any others which he might consider appropriate) and the completion of a Section 106 agreement, to include the following obligations; travel plan and monitoring fee £3120; management and accessibility to public areas; employment and training initiatives, management fee. In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.

Application 10/04813/FU Conditions

- 1 3 Year Time Limit
- 2 Notification of Commencement
- 3 1:20 details.
- 4 Details and sample panel of all external facing and surfacing materials, including glass manifestations.
- 5 Plant screen to be no more than 1800mm high.
- 6 Details of contractor's storage and parking.

- 7 Details of methods to control dirt, dust and noise during construction.
- 8 Cycle, motorcycle and disabled person's parking to be provided.
- 9 Showers, lockers and changing facilities to be provided.
- 10 Details of hard and soft landscaping including external lighting.
- 11 Implementation of landscaping scheme.
- 12 Details of method, storage and disposal of refuse.
- 13 BREEAM "Very Good" to be achieved.
- 14 Development to be in accordance with approved plans.

Reasons for approval:

The application is considered to comply with policies GP5, GP7, GP11, GP12, N12, N13, N19, T2, T5, T6, A4, CC3, BD4, BD5 and BD6 of the UDP Review; RSS policies , YH7, E2, E3 and ENV5 as well as guidance contained within PPS1, PPS4, PPS5 and PPG13 and having regard to all other material considerations the application is recommended for approval.

1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel due to the innovative approach to the addition of two floors to the roof of the building which is in close proximity to the city centre conservation area.
- 1.2 The proposal was considered in accordance with the pre-application advice charter for major developments. As part of this process the emerging scheme was considered by the Design Review Panel which supported the approach to the extension of the building.

2.0 SITE AND SURROUNDINGS

- 2.1 The four storey building was constructed in 1983. Although conceived in two parts, with two separate entrances, plant rooms and cores, externally the building appears as a single form. Hard red engineering brick with bull nose specials create elegant 4 storey arches along both the Queen Street and Little Queen Street elevations. Deeply recessed brown glazing and panelling emphasise the 3 dimensional arrangement of the elevations. The entrance canopies and plant room screens disrupt the strong form.
- 2.2 The red brickwork is used for the planters which form the boundary to the surface car parking area to the rear. The car park is in two parts; the larger car park to the north is in a separate ownership and use and does not form part of the application. There is an area of open land directly to the north of the building containing trees and overgrown vegetation. A footpath linking Queen Street and Little Queen Street runs immediately north of this area alongside the boundary to 25 Queen Street.
- 2.3 The property is located in a visible location at the junction of Queen Street and Park Place. Queen Street acts a general transition zone between the Georgian streets to the east, which are located in the conservation area, and the typically larger scale development to the west side. The architecture of much of the nearby building stock is of little merit. The former International Swimming Pool to the west of Little Queen Street was demolished earlier this year and the site is cleared with no current proposals for development. The area is otherwise predominantly in office use.

3.0 PROPOSAL

- 3.1 The applicant's brief was to breathe new life into what is considered a strong but tired aesthetic; to provide contemporary Grade A office accommodation with improved environmental efficiency; and to make the building DDA compliant.
- 3.2 The proposals involve the addition of two storeys of office accommodation over the existing third floor of the building creating 1432sqm. of additional floorspace. The fourth floor would be recessed 1.1m behind the existing red brick elevations to front and rear. A stainless steel handrail would sit in front of the double glazed curtain walling.
- 3.3 The fifth floor would appear to "float" above the fourth. Glazing would be aligned with the brickwork of the original building. It would be supported by aluminium cased columns extending from brickwork between the arches below. The fifth floor would have curved ends forming a lozenge form that would be reinforced by casing and trim. Plant and 30 square metres of photovoltaic panels will be added to the roof of the extension behind a 1800mm high screen.
- 3.4 The existing entrance canopies and plant screens would be removed. A single entrance would be retained opposite Park Place. The entrance would have level access and be fitted with electrically operated bi-parting sliding doors. The original dark brown tinted glazing used throughout the building would be replaced with neutral glazing matching that on the proposed extension.
- 3.5 The reconfiguration of the entrance and removal of the plant screen above would lead to the removal of one of the existing arches. A new vertical glazed plane would extend from ground level up to the new fifth floor. Glazing in this area and in the neighbouring arch would have a subtle manifestation applied to screen the stairtower and toilets immediately to the rear. The same treatment would be applied to the arch head to the south where the removal of the plant screen would reveal the concrete building structure.
- 3.6 The existing 16 car parking spaces are to be retained. 1 of the car parking spaces is to be marked out for disabled persons use. An electric car charging point and two motorcycle spaces will be provided within the car park. 10 secure, covered cycle parking spaces would be provided beneath a shelter to the rear of the building. 6 Sheffield stands would be installed directly to the north of the building. These facilities will be supported by showers and changing facilities on every floor of the building.
- 3.7 A new substation is required with direct access from the street. The substation would be located in the southwest corner of the car park, replacing part of the existing planter. New tree planting is proposed to replace existing overgrown vegetation in the space north of the building. Existing hedges will also be trimmed back. New York stone paving will be introduced to the front, side and rear of the building.

4.0 PLANNING HISTORY

81/20/407 4 storey office block with 42 car parking spaces and landscaping to vacant site. Approved 17.6.82

06/07641/FU 7 storey office block with 2 level basement car park. The proposed, unimplemented, development covered both the existing building and car parks and much of the open space to the north. Approved 22.3.07 PREAPP/10/00636 Pre-application discussion regarding evolution of the design and including consideration at Design Review Panel which supported the approach.

5.0 PUBLIC/LOCAL RESPONSE

- 5.1 Site notices were erected on 12th November 2010 and the application was advertised in the Leeds Weekly News on 18th November 2010. No representations have been received.

6.0 CONSULTATIONS RESPONSES

Statutory:

- 6.1 Highways (15.11.10) – no objection in principle subject to conditions regarding the provision of motorcycle spaces, cycling facilities, contractor’s facilities and cleaning of the highway; and revisions to the position of the vehicular barrier and the entrance arrangements.
- 6.2 Yorkshire Water (5.11.10) – no comment.

Non-statutory

- 6.3 Transport Policy (17.12.10) – The revised travel plan is acceptable.
- 6.4 Access (15.12.10) – no objections.
- 6.5 Public Rights of Way (9.11.10) – no objection.
- 6.6 Flood risk management (22.11.10) – no objections.
- 6.7 Environmental Protection Team (5.11.10) – no adverse comments.

7.0 PLANNING POLICY

Regional Spatial Strategy:

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

YH7 Location of development

This identifies the need for a sequential approach giving first priority to the re-use of previously developed land and buildings and making effective use of existing transport infrastructure and capacity.

E2 Town centres and major facilities

- B Development, environmental enhancements and accessibility improvements should take place to create a distinctive, attractive and vibrant sense of place and identity for each centre.

E3 Land and premises for economic development.

Plans and investment decisions should make use of appropriately located previously developed land.

ENV 5 Maximise improvements to energy efficiency and increases in renewable energy capacity.

7.2 Leeds Unitary Development Plan (Review 2006)

The site is located in the Prime Office Quarter as defined by the Leeds City Council Unitary Development Plan Review 2006.

7.2.1 Relevant policies include:

- GP5 All planning considerations to be resolved
GP7 Planning obligations
GP11 & 12 Sustainable Design
BD4 Mechanical plant should be contained within the building
BD5 Ensure a satisfactory level of amenity for occupants and surroundings.
BD6 All extensions and alterations should respect the scale and form of the host building
N12 Fundamental priorities for urban form
N13 Requires all new buildings to be of high quality and have regard to character and appearance of surroundings
N19 All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area
CC3 The identity and distinctive character of the city centre will be maintained by:
a) Protecting the building fabric and style
b) Encouraging good innovative design, and
c) Upgrading the environment where necessary.
T2 Development shall be; a) served adequately by existing or programmed highways or by improvements to the highway network; and b) Adequately served by public transport c) Adequate cycle facilities.
T5 Satisfactory provision for pedestrians and cyclists.
T6 Satisfactory access and provision for disabled people and other people with mobility problems will be required within highway and paving schemes, and within new development.
A4 Development and refurbishment proposals should be designed to secure a safe and secure environment, including proper consideration of access arrangements.
SA9, SP8: Promote development of City Centre role and status

7.3 Supplementary Planning Guidance

City Centre Urban Design Strategy September 2000 seeks to reinforce the positive qualities of character areas, re-establish urban grain, provide enclosure to streets, create visual interest, encourage excellent design, improve pedestrian connections,

develop a mixture of land uses, promote active frontages and promote sustainable development.

7.4 National Planning Guidance

PPS1 Delivering Sustainable Development and Climate Change Supplement
PPS4 Planning for Sustainable Economic Growth
PPS5 Planning and the Historic Environment
PPG13 Transport

8.0 **MAIN ISSUES**

- (i) Principle of the development
- (ii) Design
- (iii) Landscape and public realm
- (iv) Impact on neighbours
- (v) Transport
- (vi) Diversity and equality
- (vii) Sustainability
- (viii) Section 106

9.0 **APPRAISAL**

9.1 Principle of the development

- 9.1.1 The property is located within the Prime Office Quarter within the defined city centre boundary. The proposals therefore accord with UDP policy CC27 and guidance contained within PPS4. Additional office space in this location also supports strategic aims within the UDP and the RSS regarding the development of the city centre. The principle of development is therefore acceptable.

9.2 Design

- 9.2.1 The previously approved proposals (reference 06/07641/FU) entailed demolition of the existing building and its replacement with a significantly larger building than now proposed and would have had a greater visual impact on the neighbouring conservation area. The current proposals for the two additional floors developed from a series of design studies and better respect the scale of neighbouring buildings. The final design floats the top, fifth, floor over the existing building, utilising the strong form of the arches as a base. The intervening fourth floor is recessed to respect the parapet line of the existing building and to emphasise the floating nature of the fifth floor.
- 9.2.2 The curved ends to the fifth floor respond to the arched form of the base. The curves have the same radius as the brick arches thereby respecting the proportions of the existing structure. A slim frame helps to define the “lozenge” form and also provides access for window cleaning. A series of vertical coloured panels are incorporated at fifth floor to reflect the rhythm of the brick arches.
- 9.2.3 The fifth floor is positioned eccentrically to the existing building, overhanging the building at the northern end. The positioning helps to express the lozenge form and to visually terminate the building.

9.2.4 Several solutions have been employed to reduce the impact of the plant area above the fifth floor of the building including:

- the use of floor by floor air intake and extract removing the need for large external air handling units on the roof
- setting down the plant room area from general roof level
- locating the plant area 4 metres back from the roof edge
- screening the plant and photovoltaic panels behind a screen a maximum of 1800mm high

As a result, the uppermost edge of the plant screen only comes into view when at a distance of 45 metres from the building, and only the top 1 metre of the screen is visible when close to the junction of Park Place and Central Street. Whilst the need for the addition of the roof top plant is unfortunate, and the plant screen would be visible in longer distance views, it is accepted that its impact would not unacceptably affect the design integrity of the building.

9.2.5 The combination of the existing cores into a single main core and the provision of a single entrance creates a more efficient and flexible building. The reconfiguration of the entrance and the associated removal of the existing plant screens provides the opportunity to visually tie the new floors into the existing structure. This is achieved through the insertion of a new vertical glazing plane, framed in the same material as the lozenge, extending from ground level up to the fifth floor.

9.2.6 As noted, the building is visible and has an impact upon the setting of the neighbouring conservation area. The proposed alterations and rooftop extensions design would breathe new life into the building and help to add visual interest to the Queen Street/Park Place streetscene, responding to both the architecture of the original building and also the scale of its neighbours. Consequently, the proposals would not adversely affect the character or appearance of the conservation area.

9.2.7 In conclusion, it is considered that the proposed development is an appropriate response to the retention and extension of the building.

9.3 Landscape and public realm

9.3.1 The area to the north of the building has experienced anti-social behaviour, in part, due to a lack of maintenance. The removal of existing planting and its replacement with new hard landscaping and tree planting will create a more open and safe environment. The trees will provide vertical structure and greenery to the space. New York stone paving will improve the setting of the building.

9.3.2 Vegetation in the planters to the rear will be managed leading to the reduction in hedge height and the removal of some trees. The proposed substation in the corner of the car park will be designed to reflect the existing refuse store and although undesirable is necessary and would have limited impact.

9.3.3 The potential introduction of a route through the building was discussed at pre-application stage. However, given the impact upon the building layout, the separate ownership of the larger car park, and the presence of existing routes to the north and south of the building, this was not considered viable and was not pursued.

9.4 Impact on neighbours

9.4.1 Elizabeth House to the south of the premises is a 4-5 storey building with a similar alignment to Queen Street but with a wing projecting back to Little Queen Street. A gable end to the roof of Elizabeth House presents a blank end to the building such that the proposed extension would have a negligible impact upon that premises. Windows in the rear of the roof extension would have a similar relationship with the projecting wing to Elizabeth House as existing windows at lower level.

9.4.2 At the northern end the proposed extension would project towards 25 Queen Street. However, whilst some additional overlooking would arise a separation of 8 metres is maintained which is adequate for office functions. Similarly, the mass of the extension, although to the south of 25 Queen Street, would not have an unacceptable impact upon daylight and working conditions. It should also be noted that the earlier approval of a 7 storey building would have had a far greater impact than the current proposals.

9.5 Transport

9.5.1 The application was accompanied by a Transport Statement and a Travel Plan for the whole building. Whereas an additional 1432sq.m. of floorspace is intended no additional car parking is proposed. Car parking provision for the building as a whole would be 10 below the maximum supported by UDP guidelines. The area is subject to extensive on-street parking controls. Consequently, it is not considered that the development would give rise to any adverse impact on traffic conditions.

9.5.2 The site is located within an accessible location within the city centre. A sustainable approach to travel is promoted through the introduction of long and short stay cycle parking spaces, together with showers and changing facilities. Other Travel Plan measures include motorcycle parking, a travel notice board and the identification of a Travel Plan coordinator to manage the process. Implementation of the Travel Plan will deliver benefits not just for the extension but for the entire building.

9.5.3 The development, involving an appropriate city centre use, would through the implementation of the travel plan and promotion of sustainable transport modes deliver a minor beneficial impact on traffic movement.

9.6 Diversity and equality

9.6.1 The extended building will be fully DDA compliant. The new lifts would have centre opening doors and be fully DDA compliant. One of the lifts would be specified for disabled evacuation in the case of fire. Each floor would have a fully accessible WC and the second floor would have a combined fully accessible WC and shower. The proposed disabled persons car parking space would have suitable access to the entrance on Queen Street.

9.7 Sustainability

9.7.1 The site is located in a highly sustainable city centre location and would help to make more efficient use of the land. The scheme also involves the following sustainable measures:

- Reuse of the existing building structure
- Upgrades to the building fabric and mechanical and engineering equipment will result in a dramatic reduction in energy use.
- Water reduction devices.

- Waste recycling at construction and operation phases.
- An electric car charging point and cycle storage facilities will be provided within the car park.
- The provision of 30 square metres of photovoltaic cells on the roof. A wall display indicating the sustainable energy production of the building would be provided in the entrance foyer.

9.7.2 A “Very Good” BREEAM rating is currently expected. Studies are ongoing to assess the possibility of achieving “Excellent”.

9.8 Section 106

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

- Travel Plan with monitoring fee of £3120.
- Standard employment and training initiatives.
- Management and accessibility to public areas.
- £600 monitoring fee for clauses that require administration / management / monitoring.

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

10.0 CONCLUSION

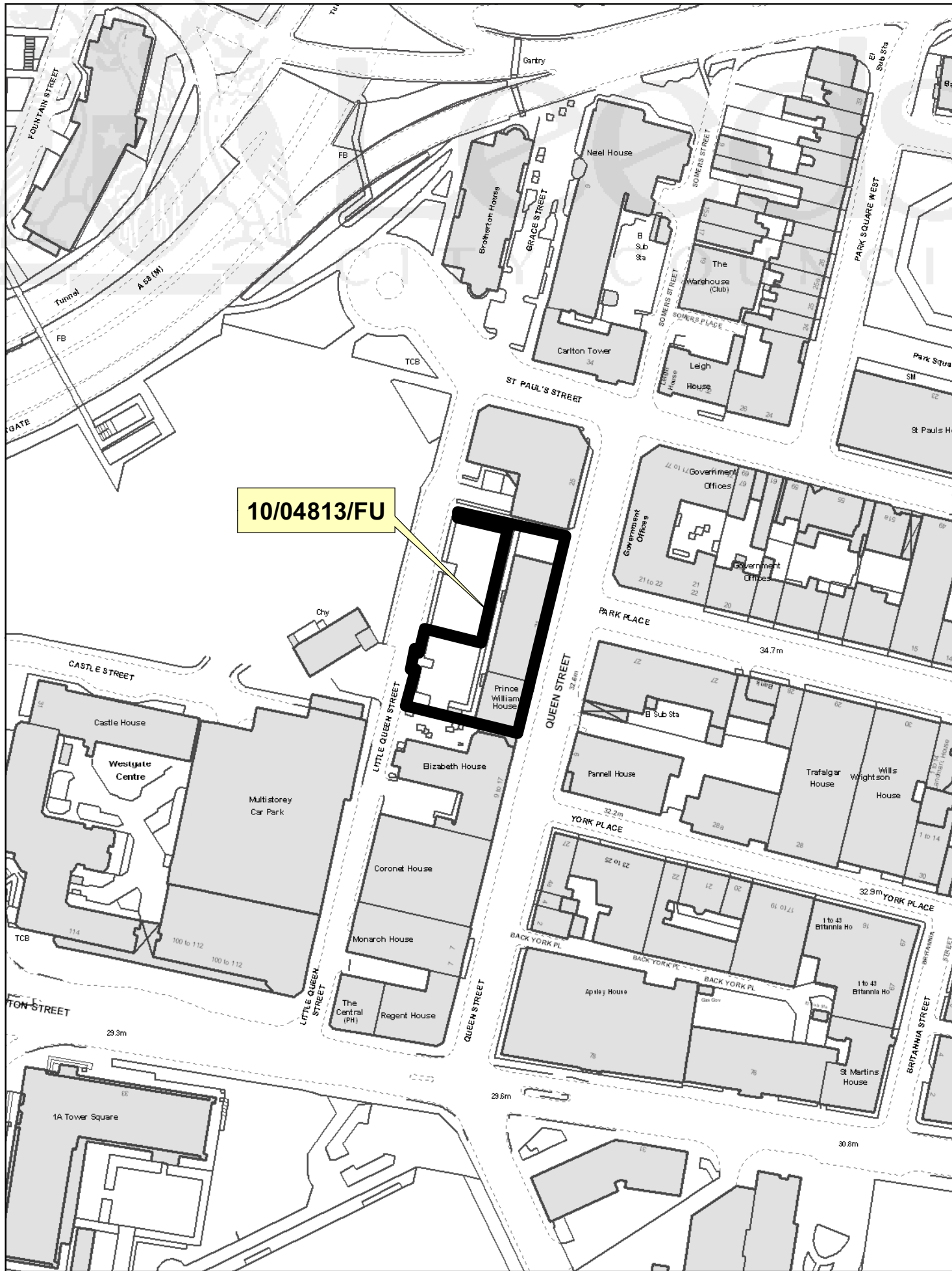
10.1 The proposed design of the rooftop extension responds innovatively to the original strong form of the building rather than adopting the standard approach of adding a series of lightweight boxes. The design is supported by the Design Review Panel, including the Civic Architect. Ultimately, the success of the extension will be dependent upon the detailed design and quality of construction. At the same time, the refurbishment proposals and alterations will enliven the building and add interest to the streetscene and the neighbouring conservation area. The alterations and future management arrangements will result in a building which is far more sustainable than the existing premises. At the same time proposed hard and soft landscaping works will deliver a safer and higher quality environment thereby also promoting pedestrian movement around the site. As a result the application is recommended for approval subject to appropriate conditions and the completion of a Section 106 agreement.

Background Papers:

Application File - 10/04813/FU

Historic Files – 81/20/407, 06/07641/FU

Certificate of ownership – signed on behalf of applicants.



10/04813/FU

CITY CENTRE PANEL