

#### PLANS PANEL (CITY CENTRE)

Meeting to be held in Civic Hall Leeds on Thursday, 10th March, 2011 at 1.30 pm

#### **MEMBERSHIP**

A Castle

**G** Latty

#### Councillors

C Campbell G Driver M Hamilton S Hamilton E Nash

N Taggart

J Monaghan B Selby (Chair)

D Blackburn

Agenda compiled by: **Governance Services** Civic Hall

**Angela Bloor** 247 4754

#### AGENDA

Item No	Ward	Item Not Open		Page No
1			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS	
			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)	
			(*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)	
2			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC	
			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.	
			2 To consider whether or not to accept the officers recommendation in respect of the above information.	
			3 If so, to formally pass the following resolution:-	
			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:-	

Item No	Ward	Item Not Open		Page No
3			LATE ITEMS	
			To identify items which have been admitted to the agenda by the Chair for consideration	
			(The special circumstances shall be specified in the minutes)	
4			DECLARATIONS OF INTEREST	
			To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct	
5			APOLOGIES FOR ABSENCE	
6			MINUTES	3 - 8
			To approve the minutes of the Plans Panel City Centre meeting held on 10 <sup>th</sup> February 2011	
			(report attached)	
7	City and Hunslet;		APPLICATION 10/04022/RM - SITE BOUNDED BY CLAY PIT LANE, THE INNER RING ROAD, WADE LANE, JACOB STREET AND BRUNSWICK TERRACE LS2	9 - 14
			Further to minute 51 of the Plans Panel City Centre meeting held on 12 <sup>th</sup> November 2010 where Panel considered reserved matters in respect of the Arena development, to consider a report of the Chief Planning Officer on an application for a pedestrian crossing across Clay Pit Lane adjacent to the Leeds Arena site	
			(report attached)	

Item No	Ward	Item Not Open		Page No
8	City and Hunslet;		APPLICATION 10/04792/FU - 62-64 NORTH STREET SHEEPSCAR LS2	15 - 26
			To consider a report of the Chief Planning Officer on an application for a change of use of vacant building to church (Use Class D1)	
			(report attached)	
9	City and Hunslet;		DRAFT PLANNING STATEMENT - SOVEREIGN STREET LS1	27 - 48
			To consider a report of the Chief Planning Officer and presentation by Officers on a draft Planning Statement setting out development potential and design principles for new buildings, streets, connections and green open space in the heart of Leeds City Centre close to the riverside and railway station	
			(report attached)	
10			DATE AND TIME OF NEXT MEETING	
			Thursday 7 <sup>th</sup> April 2011 at 1.30pm	



To: Plans Panel City Centre Members and appropriate Ward Members **Chief Executive's Department** 

Governance Services 4<sup>th</sup> 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/

2<sup>nd</sup> March 2011

**Dear Councillor** 

#### PLANS PANEL CITY CENTRE - THURSDAY 10<sup>TH</sup> MARCH 2011

Prior to the meeting on Thursday 10<sup>th</sup> March 2011 there will be a site visit, and I set out below the details:

Depart Civic Hall Ante Chamber at 10.00am to walk to North Street to view site of application 10/04792/FU – 62-64 North Street returning approximately at 11.15am.

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

At the conclusion of the formal meeting, there will be a pre-application presentation for members of the Panel only. Details of this will be circulated directly to panel members by the Central Area Planning Manager.

Yours sincerely

Angela M Bloor Governance Officer



General enquiries : 0113 222 4444 Page 1 This page is intentionally left blank

#### Plans Panel (City Centre)

#### Thursday, 10th February, 2011

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

Councillors D Blackburn, C Campbell, G Driver, Mrs R Feldman, M Hamilton, S Hamilton, G Latty, J Monaghan and

E Nash

#### 72 Chair's opening remarks

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

#### 73 Declarations of Interest

The following Members declared 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

Applications 10/05607/FU/10/05608/FU and 10/0509/LI – The Majestic City Square LS1:

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

Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage which had been consulted on the application (minute 77 refers)

Application 10/05541/FU – Leeds Metropolitan University City Campus – Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the application (minute 78 refers)

#### 74 Apologies for Absence

Apologies for absence were received from Councillor Castle who was substituted for by Councillor Ruth Feldman

#### 75 Minutes

**RESOLVED** - That the minutes of the Plans Panel City Centre meeting held on 12<sup>th</sup> January 2011 be approved

#### 76 Matters arising

The Head of Planning Services updated Members on the following matters: Southern entrance at Leeds Railway Station

The Secretary of State for Transport had agreed to the provision of the southern entrance to the railway station at Leeds, with £12.4m of DfT funding being provided towards the total cost of approximately £14.4m

#### **Leeds Flood Alleviation Scheme**

Reference was made to recent media reports regarding the future of the flood defence scheme for Leeds and a fact sheet was tabled for Members' information. It was disappointing that the scheme had been put on hold by DEFRA but further discussions were to take place with the Secretary of State and other funding options were being investigated

77 Applications 10/05607/FU, 10/05608/FU and 10/05609/LI - Change of use of basement bar to live music venue with ancillary bar, restaurant, nightclub use; change of use of ground floor and upper levels from nightclub to bar, restaurant and a range of assembly and leisure uses with associated external and internal alterations in association with the changes of use including new window openings - Majestic - City Square LS1

Plans, photographs, drawings and graphics 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 change of use, alterations and refurbishment of the prestigious Grade II Listed Building known as the Majestic which was situated in City Square

Members were informed that the proposed uses could also include uses within the D2 class, ie gym, exhibition space or cinema

The proposed works were outlined for Members which included:

- new windows along Quebec Street and Wellington Street to create greater activity and enlarged openings to windows to upper floors
- new glass doors to main entrances and creation of a new entrance on Quebec Street
- refurbishment of the Marmo faience facades
- reintroduced art panels at ground floor level and reinstatement of the original glazing bar patterns to windows fronting City Square
- new service entrance on Wellington Street with any necessary extensions to TROs relating to use of the nearby on-street loading bay by the proposed development being funded by the applicant
- opening up of roof terrace for public use
- slate screening of the rooftop plant
- reinstatement of the proscenium arch
- reinstatement of the external statuary
- internal paint scheme which would be consistent with the 1921 building and would help reinstate the detail to the decorative plaster work

Receipt of two further representations were reported these being from WYAAS, requesting recording after the soft strip out and prior to internal alterations, with a condition to this effect being added, and from the Victorian Society who had commented, although the period of the building was outside their remit. They were supportive in principle but had made some detailed comments which were reported to Panel

Members commented on the following matters:

- the proposed statues and whether the style of these could be related to the Alfred Drury statues of maidens which were situated in City Square
- that the statues should be of a style close to the originals
- disabled toilet facilities and whether these would be provided on each level
- that the sympathetic reinstatement of this historic building was welcomed as was the fact that it would be reopened to the public
- that the signage should be of a style in keeping with the 1920s
- that the applicant should be encouraged to retain the name of the building as 'The Majestic' and for it to be spelled correctly
- the street lamps outside the building; that these were not sympathetic to it and that Conservation Area lamps might be more appropriate in this location

Officers provided the following responses:

- that archive footage had been examined with a view to replicating the original statues, with this detail being controlled by condition
- that a condition requiring the provision of disabled toilet facilities on each public level would be added to the permission

Members voiced their support for the scheme and expressed the hope that work on it would commence as soon as possible

**RESOLVED** - 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, additional conditions relating to archaeological recording of the interior of the building following the initial strip out and provision of disabled toilet facilities on each public level and any others which in the opinion of the Chief Planning Officer are required

## 78 Application 10/05541/FU - Proposed student accommodation, retail unit and landscaping at Leeds Metropolitan University City Campus - Calverley Street, Willow Terrace Road and Woodhouse Lane LS1

Plans, drawings, photographs and graphics were displayed at the meeting Officers presented the report which sought permission for the major regeneration of part of the Leeds Metropolitan University city campus site, these being blocks F, G and H, which would provide student residential accommodation comprosing 568 bedrooms; a new retail unit; public square with enhanced pedestrian connectivity across the site and the enhancement of existing greenspace

A pre-application presentation on the proposals had been made to Members on 14<sup>th</sup> October 2010 and a site visit had taken place. Details of the issues raised in that presentation were included in the submitted report

The proposals would see the removal of some of the existing buildings on the site, the retention, cleaning and repairing of the remaining buildings with some recladding in glass reinforced concrete at ground level to blocks F and H1

The landscaping proposals would include a new tree-lined pedestrian route from Woodhouse Lane into the site and the provision of a public space to be known as Campus Square which would be on the site of block G which would be demolished. Whilst some limited loss of trees would be necessary to provide accessibility, there would be re-provision of 32 new trees across the site

Members were informed that the site was in a highly accessible location and that walking and cycling would be promoted as the means of transport. The level of car parking would be rationalised, this being from 73 spaces to 44 spaces

Officers were of the view that the proposals addressed the challenges posed by the site, particularly the changes in levels; that the scheme would provide new and refurbished buildings, new and enhanced greenspace together with improved connectivity and therefore recommended approval of the application to Panel

Members commented on the following matters:

- whether the proposals before Members represented the long-term vision for the site
- whether the Section 106 money could be used to fund the free city bus which could lose funding due to the necessary cutbacks in expenditure by the Authority
- the amount of greenspace being provided with concerns being raised that it might not be sufficient for the numbers wishing to use the area
- the status in the UDPR (2006) of the area of greenspace outside the boundary of the site
- the proximity of the Inner Ring Road to the site and the need to be satisfied that people were protected from unacceptable levels of pollution, especially when using the open area
- that additional planting to screen the Inner Ring Road was required
- that consideration should be given to having sedum roofs on the buildings
- that the route into the site from the south on Woodhouse Lane was well used and that the desire line should be formalised with a path
- the reduction in car parking and where the parking would be displaced to

Officers provided the following responses:

- that the developer retained long-term aspirations for the site
- that public transport contributions were set aside for major transport works such as the southern entrance to the railway station; that there was a list of schemes which did not include funding the free city bus service as this scheme already existed
- that the scheme provided an extensive amount of greenspace compared to many other student residential developments, including a significant new public area
- that the green area beyond the site boundary was designated as protected greenspace in the UDPR (2006)
- that the issue of air quality had been considered and that Environmental Health Officers had undertaken an assessment which concluded that there were no further requirements to introduce additional measures into the buildings to improve air quality. The Head of Planning Services stated there would be less buildings on the site with different uses and lower numbers of cars which should help with issues relating to air quality/pollution levels
- regarding access to the site from the south, there already existed a narrow path and this would be looked at to see if opportunities existed for its enhancement

In respect of levels of car parking provision, Members were informed

that the reduced number of spaces from 73 to 44 would be restricted for use to staff and residents on the city campus only. However, some additional parking, ie 40 spaces – had been agreed for LMU staff use in the Rosebowl car park

Concerns were raised at this arrangement which was viewed as amounting to a net loss of car parking spaces; that the original agreement for the Rosebowl car park was that it would provide public, short stay parking; that an agreement had been reached to vary this without Members being informed; that the scheme lent itself by the differing uses, to lower levels of car parking and with that, the hope there would be fewer car parking permits, but this was not the case as re-provision was being offered and £26,000 was being sought towards pay and display parking

Reference was also made to the extant permission for a hotel on Portland Crescent – currently the site of 'D' car park - and when that scheme came forward, it would lead to further pressure on car parking space in the area

The Panel's Highways representative stated that people were being encouraged not to use their cars for work and that where restrictions on parking were being introduced it could, and did lead to people reconsidering whether they still wished to use their car for the daily commute

The Central Area Planning Manager stated that the matter of car parking provision for LMU in the Rosebowl was not linked to this application and that whilst the intention had been for the Rosebowl to be for short stay parking, it was being under-utilised

In terms of the contribution towards pay and display parking, this was to compensate the Council for lost revenue from the loss of pay and display space which was needed for the creation of a loading bay

The Panel considered how to proceed

A suggestion for further information to be reported back on the car parking issues was not supported

**RESOLVED** - To approve the application in principle and defer and delegate final approval to the Chief Planning Officer for approval subject to the conditions set out in the submitted report (and any others which he might consider appropriate) and the completion of a Section 106 agreement, to include the following obligations:

- public transport contribution £29780
- travel plan and monitoring fee £2625
- management and accessibility to public areas
- protection of a landing point for Inner Ring Road bridge
- contribution of £26,000 towards loss of pay and display parking space on Calverley Street
- employment and training initiatives
- occupation of residential accommodation by full time students only
- Section 106 management fee

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

#### 79 Date and time of next meeting

Thursday 10<sup>th</sup> March 2011 at 1.30pm in the Civic Hall, Leeds

## Agenda Item 7



Originator: Tim Hart

Tel: 3952083

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 10<sup>th</sup> MARCH 2011

Subject: NEW PEDESTRIAN CROSSING ADJACENT TO LEEDS ARENA, CLAY PIT

LANE, LEEDS. REFERENCE 11/00755/RM

**APPLICANT**Leeds City Council

DATE VALID

TARGET DATE

22<sup>nd</sup> February 2011

19<sup>th</sup> April 2011

Electoral Wards Affected:	Specific Implications For:
City and Hunslet	Equality and Diversity
No Ward Members consulted	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 subject to no new issues being raised prior to the expiry of the statutory notification period.

#### Conditions

1 Development to be in accordance with approved plans.

#### Reasons for approval:

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

- (a) The proposal is in accordance with the Development Plan as a whole together with other material planning guidance.
- (b) The proposal would improve pedestrian accessibility across Clay Pit Lane for both existing users and those going to and from the arena.
- (c) The development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

#### 1.0 INTRODUCTION

1.1 Outline planning permission for Leeds Arena was granted in March 2010 (09/04815/OT). Reserved Matters details of the scale and appearance of the building, the site layout and the principal landscaping details were agreed by Plans Panel on 12<sup>th</sup> November 2011 (10/04022/RM). Members were advised that work was ongoing on the design of the Clay Pit Lane pedestrian crossing and that details of the proposals would be reported to Plans Panel. This application provides details of the crossing.

#### 2.0 SITE AND SURROUNDINGS

- 2.1 The arena site is located on the northern edge of the city centre. The public entrance into the arena will be on the west elevation of the building accessed from a wide piazza area laid out between the building and Clay Pit Lane which flanks the western boundary of the site.
- 2.2 Clay Pit Lane consists of two outbound and inbound lanes adjacent to the site. An existing staggered pedestrian crossing is located at the southwest corner of the arena site north of the junction of Providence Place with Clay Pit Lane. Given that Woodhouse Lane multi-storey car park, one of the main arena car parks, is situated to the north-west of the site there will be significant pedestrian movements across Clay Pit Lane to and from the arena.
- 2.3 To the north of the site Little London contains significant areas of housing. There are limited opportunities to cross Clay Pit Lane towards the city centre such that the existing crossing is well used by these residents.

#### 3.0 PROPOSALS

- 3.1 Following investigation of the opportunities and constraints this application seeks approval of the pedestrian crossing arrangements pursuant to condition 40 of the outline planning permission.
- 3.2 The proposed crossing is located in a similar position to that existing, immediately north of the junction of Providence Place and Clay Pit Lane to the front of Hepworth House. The crossing would be 10 metres wide, the maximum permitted by the Secretary of State. The outbound carriageway width will be reduced by approximately 1.5 metres enabling both the central reservation and the northern footway outside Hepworth House to be widened. Green granite chippings are proposed in the carriageway surfacing to help define the crossing. Perfecta paving is to be provided throughout the Clay Pit Lane corridor between Merrion Way and the northern edge of the arena site.
- 3.3 The crossing would technically be two coordinated crossings, operating in such a way that for the majority of people it will perform like a single, straight, crossing. No guard rails are required.

- 3.3.1 When in "arena exit mode" the arena side of the crossing will change to green man and run for up to 60 seconds. 3 seconds later the outbound crossing will change to green man, also for up to 60 seconds allowing progression across Clay Pit Lane without needing to wait in the central reserve. The traffic phase will be run for as short a time as possible, probably 10 seconds for a late evening finish. Similarly, when pedestrians are arriving for an event the crossing timings will be adjusted to give favourable pedestrian access.
- 3.3.2 The timings will be pre-programmed according to the size of arena event. Urban Traffic Control will fine-tune the crossing timings when the arena is operating to ensure the best possible service for pedestrians.
- 3.3.3 When the arena is not operating the pedestrian crossing will have timings similar to other crossings. The signals will only change when there is pedestrian demand.

#### 4.0 PLANNING HISTORY

09/04815/OT Outline planning permission was granted on 26<sup>th</sup> March 2010. The permission included a condition (40d) which required details, including the proposed pedestrian crossing across Clay Pit Lane to be agreed.

10/04022/RM Reserved Matters details of the scale and appearance of the building, the site layout and the principal landscaping details were agreed by Plans Panel on 12<sup>th</sup> November 2011.

#### 5.0 CONSULTATIONS

#### 5.1 Statutory

LCC Highways (1.3.11) No objection.

#### 6.0 PUBLIC/LOCAL RESPONSE

6.1 Site notices advertising the application were erected on Clay Pit Lane on 1<sup>st</sup> March 2011. Any representations received will be reported verbally to Panel. The statutory advertising period expires on 22<sup>nd</sup> March 2011.

#### 7.0 POLICY

- 7.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Regional Spatial Strategy (May 2008) and the Unitary Development Plan Review 2006 (UDPR). A detailed analysis of the policy regime was included in the outline planning application and only key policies are referred to below.
- 7.2 The Regional Transport Strategy forms part of the RSS. Policy T5 states that access to all main destinations should be improved. Access for all groups in society should be enhanced (B1).

#### 7.3 Unitary Development Plan Review (UDPR)

General Policy GP5 identifies the need to resolve detailed planning considerations, including access and the need to maximise highway safety.

Policy T2 seeks highway improvements.

A4 requires the design of safe and secure environments, including consideration of access arrangements

#### 7.4 National Policy

PPS1 Delivering Sustainable Development (January 2005) PPG13 Transport (March 2001)

#### 8.0 KEY ISSUES

- 1. Principle of the proposal
- 2. Design considerations
- 3. Impacts of the crossing location

#### 9.0 APPRAISAL

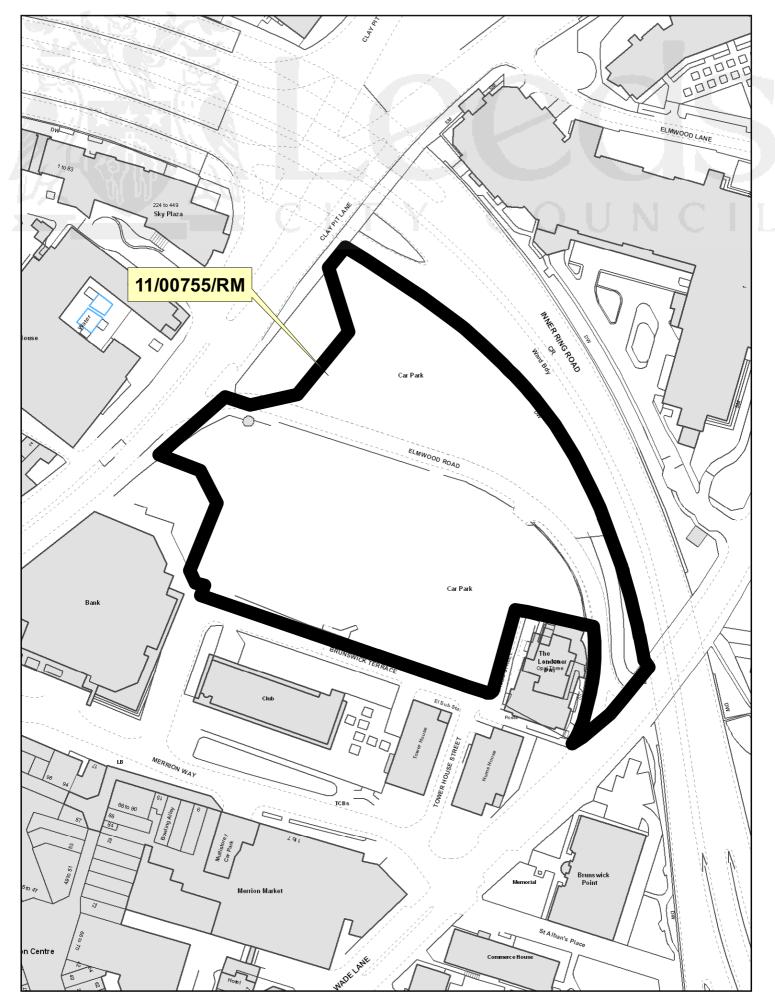
- 9.1 Principle of the proposal
- 9.1.1 It has always been the intention of the arena development that the existing Clay Pit Lane crossing adjacent to the site is enhanced in order to both accommodate increased pedestrian movement and also to improve the quality of the environment. Consequently, the potential for a "supercrossing", involving a wide, unstaggered, single phase pedestrian crossing, uncluttered by guardrailing has been thoroughly investigated.
- 9.1.2 The proposed scheme brings forward an enhanced crossing designed to facilitate large pedestrian flows to and from the arena and also responding to the requirements of existing pedestrian users going to and from the city centre. The scheme therefore accords both with the development plan and the objectives identified in the outline planning application.
- 9.2 Design considerations
- 9.2.1 The broad location of the pedestrian crossing was identified on earlier drawings directly opposite the arena entrance. However, such a position is not achievable for the following reasons:
  - A considerable length of guardrail would be required on the north-western side of the crossing.
  - Due to changes in levels extensive vertical reshaping of both carriageways, including remodelling of the drainage system and likely movement of services, would be required.
  - Tactile flags and poles would be located in close proximity to the entrance to Hepworth House.
- 9.2.2 The proposed crossing is on the desire line for pedestrians approaching the arena from the north west, in particular from Woodhouse Lane multi-storey car park which will be one of the main arena car parks. Its location removes the need for guardrails. It also provides a near level crossing route to assist less mobile users cross Clay Pit Lane.
- 9.2.3 The crossing needs to cater for all pedestrians, not solely arena customers. The proposed crossing, in a similar location to that existing, facilitates movement to and from the city centre to communities to the north. For the same reasons identified at

- 9.2.1 above it is not viable to move the crossing further north or to angle the crossing.
- 9.3 Impacts of the crossing location
- 9.3.1 As noted, the position of the crossing is largely dictated by desire lines and differences in levels between the two carriageways, together with economic considerations. The position is such that the crossing would abut the identified southern "development plot" on the arena frontage. Provision of the development plot in the previously identified format would make use of the crossing more difficult as it would impede natural desire lines for all users.
- 9.3.2 Taking account of desire lines it is likely that the southern development plot will be reduced in size to accommodate the crossing position. In doing so, views of the arena from Queen Square and Providence Place will be revealed. Given the reduced dimensions of the plot it is now likely to accommodate a low (single or two storey) building.
- 9.3.3 Largely due to the changes to the southern development plot an increase in the size of the northern development plot is envisaged to create a viable footplate for future development. However, the overall extent of open space within the piazza will be enlarged as a result of the changes. Ultimately, the definitive layout of the development plots will, of course, be subject to planning applications.
- 9.4 Conclusion
- 9.4.1 The existing staggered crossing incorporates extensive lengths of guardrail and detracts from the appearance of the Clay Pit Lane corridor at a key gateway to the city centre. The new crossing has been carefully designed to accommodate significant pedestrian movements likely to be attracted by arena events together with improving crossing conditions for existing users. Concurrently, footpath widths will be increased and paving conditions improved. Guardrailing will no longer be required. As a result, the proposed scheme will enhance the existing condition of this part of Clay Pit Lane whilst being complementary to the significant public realm improvements within the arena site.

#### **Background Papers:**

Application files 09/04815/OT, 10/04022/RM

Certificate of ownership: notice signed on behalf of Leeds City Council



## **CITY CENTRE PANEL**

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## Agenda Item 8



Originator: Andrew Windress

Tel: 3951247

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 10<sup>th</sup> March 2011

Subject: APPLICATION 10/04792/FU - CHANGE OF USE OF VACANT BUILDING TO

CHURCH (USE CLASS D1) AT 62-64 NORTH STREET, LEEDS, LS2, 7PN

**APPLICANT DATE VALID TARGET DATE** 13/12/10 7/2/11

UCKG Help Centre – Ms A

**Electoral Wards Affected:** 

Faria

**Specific Implications For: Equality and Diversity** Community Cohesion

Narrowing the Gap

City & Hunslet

No

Ward Members consulted (referred to in report)

#### RECOMMENDATION: REFUSE for the following reason;

The Local Planning Authority considers the proposed change of use to a D1, church, would result in an unacceptable impact on the amenities of the occupiers of nearby premises, particularly the residents in Merchants house. The applicant has not sufficiently demonstrated there will be no adverse impact from structural borne noise transference whilst the hours of use and potential number of people visiting the premises could adversely impact upon the general amenity of the area. For the reasons outlined above the application is considered contrary to policy GP5 of the Leeds Unitary Development Plan (Review 2006).

#### 1.0 INTRODUCTION:

1.1 This application seeks full planning permission for the change of use of 62-64 North Street from A1 to D1, church. The application has received a significant number of letters of support and objection, including objection letters from Hilary Benn MP and Cllr Monaghan, a resident in the flats above the application premises. Due to the level of public interest, the application is reported to Panel for determination.

#### 2.0 PROPOSAL:

- 2.1 Full planning permission is sought for the change of use of the vacant 62-64 North Street. The application site comprises of the ground and basement floors of two former retail units fronting North Street and the ground floor of the former warehouse building behind. A change of use is proposed from the former A1 use to a D1, church, use. There are no external alterations proposed.
- 2.2 Access is provided through the two units fronting North Street and into the large congregation space to the rear. One of the units, no.62 will incorporate a small book shop whilst number 64 will incorporate a font and ancillary café. The basements to numbers 62 and 64 would provide toilet and storage facilities, another font and an office.
- 2.3 The congregation space will accommodate an alter and seating for around 176 people, another office plus classroom and prep room. There will also be a sound system serving this space.
- 2.4 The proposed hours of opening are 0630-2230 during which times there will be a pastor present to assist any visitors. There are normally four services a day with the main service on a Sunday morning. Services are informal and interactive, the congregation are encouraged to say their prayers out loud. It is understood the congregation currently stands at around 80 people. Outside the normal opening hours a pastor will be present to answer any phone calls from the congregation and to provide additional security, visitors to the premises will not be permitted. The venue may also host some large (perhaps national/international) events as instructed by the churches headquarters.
- 2.5 The applicant, the United Church of the Kingdom of God (UCKG) is a Pentecostal church formed in 1977 in Brazil and active in 176 countries. There are UCKG churches and church groups in various parts of London and throughout the UK. The UCKG currently operate from a temporary base in Malmarc House, 116 Dewsbury Road, a listed building that formerly operated as a library and police station.
- 2.6 The application is supported by the following documents:
  - Design and Access Statement.
  - Travel Statement.
  - Travel Plan.
  - Noise Impact Assessment.
  - Noise Management Plan.

#### 3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to the ground and basement levels of units 62 and 64 North Street plus the former warehouse building at the rear. The premises are part of a large three storey building that incorporates a row of commercial units at ground floor fronting North Street with former warehouse facilities behind and residential flats to the upper two floors and roof space.
- The site is located within the City Centre boundary and the frontage to North Street is designated as an 'other protected frontage'. The Unitary Development Plan (Review 2006) (UDPR) identifies North Street as an important pedestrian corridor and it forms part of the strategic highway network.

- 3.3 The floors above the application premises (two floors plus roof space) have been converted to residential flats, known as Merchants House. The communal entrance to the flats is immediately adjacent to the entrance to no.64. Half of the flats have a basement parking space accessed from Brunswick Row.
- 3.4 There are further residential properties around the site plus other commercial premises, Lovell Park public open space and a public car park. The surrounding streets provide on-street metered parking.
- 3.5 The commercial units fronting North Street are primarily in retail use but also include the Reliance bar and Hansas restaurant. Numbers 62 and 64, the application premises, have been empty for approximately one year.

#### 4.0 RELEVANT PLANNING HISTORY:

4.1 None.

#### 5.0 HISTORY OF NEGOTIATIONS:

5.1 There were no pre-application discussions. The issues regarding noise have been discussed with the applicant whilst the application has been under consideration.

#### 6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Site Notices were erected around the site on 17/12/10 and 5/1/11. However, on both occasions these were removed after a short time therefore a letter was sent to the Chair of the North Street Residents Association for circulation. The case officer also attended a public meeting with the residents and local businesses on 17/1/11.
- 6.2 57 letters of support have been received from members of the HCKG congregation. 53 are from Leeds addresses with 4 from elsewhere within Yorkshire. The letters highlight the positive influence the church has had on their lives and identifies the application site as being a much more accessible location than their existing temporary premises on Dewsbury Road. The letters state the UCKG church will provide significant benefits to the local community and city of Leeds through their charitable activities and support.
- 6.3 31 letters of objection have been received. This includes letters from Hilary Benn MP, 2 of the commercial units on North Street (the Reliance and Mountain Intelligence Ltd), 23 residents of Merchants House, 2 residents of other properties nearby and 2 letters from residents elsewhere in Leeds.
- The concerns raised are summarised as follows (responses are provided briefly in *italics* or in greater detail within the appraisal section below):
  - Use: The use is not appropriate for a residential area.
  - Economic impact: The loss of two retail units along this parade would have a detrimental impact on the viability of the parade. The loss of retail units further down North Street has already had a negative impact on this part of the city centre. When the Arena and Eastgate developments are operating North Street would be an attractive retail destination. These small, affordable units are essential to providing an appropriate mix of unit size in the city centre.

- Amenity: The long hours of opening, potential attendance of 176 people, use of amplified music and people gathering outside will significantly impact upon the amenity of residents. This is exemplified by the building construction not originally including sound proofing and residents stating they already suffer from noise/vibration disturbance from the existing commercial units and between flats, which has already been reported to Environmental Health. Sound proofing introduced at the Reliance is not sufficient. Residents of nearby properties also believe they will be adversely affected by the noise generated. There has not been a proper noise survey carried out as testing has not taken place in the flats above the application premises. There is no air conditioning in the flats so windows would be open in the summer permitting greater noise transference. If the church operated 24hours a day this would be made even worse.
- Parking: Parking is limited in the area and residents, their guests and the existing commercial units often struggle to find spaces. This could result in visitors to the commercial units choosing to shop elsewhere. The area is already identified as overspill parking for the arena and parking is particularly problematic on Sunday mornings during the Salvation Army services.
- Safety: The entrance to the church is immediately adjacent to the entrance to the flats and could create problems. There have been issues regarding the security of the building in the past and the increase in people around the entrance to the flats could exacerbate this problem. Have the Police been consulted? Response: The amenity impact of the proximity of the entrance to the church is discussed in the appraisal section. The Police Architectural Liaison Officer has been consulted and states there have been no reported incidents at the churches current premises but that there is the potential for noise disturbance that may create some conflict between residents and congregants. It is considered that the introduction of a church into the application premises would not unduly increase the potential for security and safety problems within the area. This is a mixed use area within the City Centre and significant numbers of people already pass the site throughout the day. The popularity of the area with passing vehicles and pedestrians is considered to largely assist with safety through natural surveillance.
- Nature of the applicant: Some of the objectors also raise concerns regarding the controversy surrounding the legality of the operations of the church and concerns about its congregation as many of the letters of support highlight attendance by former drug users and people suffering from mental health issues. Objectors believe this could lead to an increase in social problems in the area and highlight that many of the letters of support do not come from the local community but from other areas of Leeds and Yorkshire. Response: Issues regarding amenity, safety and general social issues are discussed in the appraisal section. The church is open to anyone and seeks to improve peoples lives; this is substantiated by the letters of support. The planning application is for the change of use to a church and the associated operational issues are being considered in this report. However, no comment can be made on the alleged illegal activities of the church. The applicant would be required to operate within the law as covered by other, non-planning, legislation.
- Lack of fire exits: Egress is only possible from the front of the building, this does not seem sufficient for a significant number of people. <u>Response</u>: This issue would be covered by the Building Regulations.

- Application description: The description of the application relating to a 'vacant building' is inaccurate; the remainder of the building is occupied. <u>Response</u>: The application premises are vacant, it is accepted by all concerned that the remainder of the building is occupied.
- Alternative locations: There are more suitable locations within the city centre but away from residential properties. <u>Response</u>: The application must be determined as submitted. As discussed in the appraisal section, there is no in principle objection to a proposed church in this part of the City Centre.
- Environmental issues: There is no provision for waste storage and smoking. Response: There is sufficient space within the building to store waste and the applicant has stated waste would be collected by private contractor on an agreed day. The issue of people congregating outside the premises is discussed in the appraisal section below.
- Loss in value of property: The proposal could reduce the value of the residential properties. <u>Response</u>: The courts have established that the potential impact of a development on property values is not a material planning consideration.

#### 7.0 CONSULTATIONS RESPONSES:

- 7.1 Non-statutory.
- 7.2 Access: As there are no physical alterations, no objection.
- 7.3 Highways: The single yellow line waiting restriction on North Street should be able to accommodate all deliveries. A refuse bin area should be identified. The staff parking demand should be similar to the previous demand when the retail units were open. However, the proposal will create an additional demand from congregants (currently around 80 but with a capacity of around 176). Similar uses generate around 50% car use. The peak use of the proposal is expected to be outside of the peak generated by the other commercial units in the area therefore the parking need of the congregation can be accommodated in the existing pay and display bays onstreet and in the adjacent car park. Response: The applicant has confirmed bin storage will be provided within the building, it is considered there is ample space for the necessary storage. Parking is discussed in more detail in the appraisal section.
- 7.4 Neighbourhoods and Housing: Objection. The hours of opening and potential numbers of visitors could give rise to significant disturbance to the residential flats above. Noise mitigation measures (suspended ceilings etc) could reduce the impact of airborne noise into the flats above but may not be sufficient to address the structural transmission of noise from foot stomping etc. Response: This issue is covered in more detail in the appraisal section below.
- 7.5 NGT/Public transport: The development falls below the threshold for a public transport contribution.
- 7.6 Police Architectural Liaison Officer: Without significant noise remediation there could be conflicts between residents and the church. If the application is to be approved, consideration should be given to a 12 month temporary permission.
- 7.7 Transport Policy (Travel Wise): The development falls below the threshold for seeking a travel plan. However, the voluntary travel plan submitted is accepted and further advice can be provided.

#### 8.0 PLANNING POLICIES:

- 8.1 Regional Spatial Strategy (RSS): 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. There are no RSS policies of particular relevance, all issues are covered by the UDPR policies identified below.
- 8.2 UDPR Designation: The North Street frontage is identified as an 'other protected frontage' and as a pedestrian route to be improved. North Street forms part of the Strategic highway Network.

#### **Relevant UDPR Policies:**

**GP5**: Proposals should resolve detailed planning considerations including amenity, danger to health or life.

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

SA8: Promotes 'access for all'.

**SA9, SP8**: Promote development of City Centre role and status.

CC11: Seeks the enhancement of pedestrian corridors.

CC22: Refers to shopping frontages.

**SF1A:** Changes of use from A1 within shopping frontages must maintain a ground floor window display, maintain the general appearance of the frontage and maintain or establish access to the upper floors where applicable.

**SF6:** Within 'other protected frontages' proposals for change of use from retail to A2 or A3 may be acceptable where the proportion of the retail frontage remains sufficient to retain the retail function.

8.3 National Planning Guidance:

PPS1 General Policies and Principles.

PPS4 Planning for Sustainable Economic Growth.

PPG13 Transport.

PPG24 Planning and Noise.

#### 9.0 MAIN ISSUES

- 1. Principle of use within the City Centre and location within, and viability of, the 'other protected frontage'.
- 2. General amenity.
- 3. Parking.
- 4. Equality.

#### 10.0 APPRAISAL

10.1 <u>Principle of use within the City Centre and location within, and viability of, the 'other protected frontage'.</u>

- The application premises are located within a part residential, part commercial area of the City Centre. There is no in principle policy objection to the location of a D1, church, use in this area.
- 10.3 The commercial units from numbers 54-78 North Street, from Trafalgar Street to Lower Brunswick Street, are designated as an 'other protected frontage'. Within the City Centre there are four types of designated shopping frontage that provide a hierarchy for the City Centre's retail function. The primary frontages are located in the core parts of the City Centre shopping area and seek a minimum of 80% A1 retail occupation, the secondary frontages surround the core area and primary frontages and seek 50% retail occupation, whilst designated fringe frontages are located outside the Prime Shopping Quarter but on its fringe and provide a greater mix of retail and non-retail uses. The other protected frontages (54-78 North Street and 162-182 Woodhouse Lane) lie outside the Prime Shopping Quarter and its fringes and generally form a small group of shops providing a valuable local service. Under policy SF6 the UDPR aims to retain these groups of shops but allow for additional complimentary retail uses provided the retail content remains sufficient to retain the retail function of the parade.
- 10.4 Policy SF6 specifically refers to alternative uses to retail as being A2 (financial and professional) or the former A3 uses (now split into A3 restaurants, A4 drinking establishments and A5 hot food take aways). However, the clear hierarchy of the frontages and the general aims and objectives of the policy highlight that additional complementary non-retail uses will be permitted and it is considered a D1 church could be considered acceptable in principle within this frontage for the reasons outlined below.
- The two units at 62 and 64 North Street have been empty for approximately a year. Whereas this would normally be considered a significant period of time, in the current economic climate this is given less weight but still considered a material consideration. A new occupier in these units, including the proposed church, would attract additional visitors to the area and therefore potentially improve the viability of the parade.
- 10.6 The existing retail occupation of the parade (including the application premises) is at 68%. The 32% non-retail occupation is taken by the Reliance pub, Hansas restaurant and the entrance to the residential units. The proposed change of use would increase the non-retail to 46.67% and therefore decrease the retail occupation to 53.33%. This is not considered to be a significant change and a retail occupation of 53.33% is over the 50% sought in the Secondary Shopping Frontages surrounding the retail core. It is considered A1 occupation of 53.33% is sufficient to sustain the retail function of this other protected frontage.
- 10.7 For the reasons outlined above the principle of the loss of two retails units and introduction of a D1 use is considered acceptable.
- 10.8 General amenity.
- 10.9 The application proposes to create a church with a seating capacity of around 176 and ancillary café and book shop uses. The premises will provide a number of approximately one hour services during the opening hours of 0630-2230 with the main service on a Sunday lasting around an hour and a half. In addition to the services, associated meetings, training and youth work will take place. A sound system will aid the Pastor giving the service. There may also be larger events organised by the UCKG headquarters.

- 10.10 The applicant has submitted a Noise Impact assessment and Noise Management Plan. The noise impact assessment took measurements at a Sunday service at the churches existing premises when around 50-60 people were present. It also explores the existing construction of the building and proposes measures to reduce noise transference. Sound testing from within the flats above has not taken place. The separating floor construction is believed to consist of timber floor boards, separating timber joists and plasterboard ceiling; there is no ceiling cavity. The walls are constructed in brick thought to be 200mm thick with wider supporting columns. Neither the walls or ceiling are in perfect condition and there are a number of gaps and other imperfections.
- 10.11 In order to achieve the Sound Reduction Indices (SRI) agreed with the Environmental Health Officer (EHO) it is proposed to repair the existing ceiling and introduce an additional timber joist system with new ceiling and insulation. In order to control flanking noise, walls will be repaired, lined with plasterboard on timber battens and insulated. All gaps between the new floors and ceiling will be filled with acoustic mastic. Central support columns and pipes will be boxed in. In addition, a noise limiter will be installed to the proposed sound system to control low frequency noise. A secondary glazing system is proposed to be installed to prevent noise transference through the windows.
- 10.12 Provided the mitigation measures highlighted above can be introduced and on the basis of the speculative assessment of the existing noise levels in the upper floor flats, the EHO agrees with the applicant's noise consultant that airborne noise transference can be controlled to an acceptable level. The applicant has committed to monitor noise emitting from the premises on a 3 month basis and these recordings could influence further mitigation if necessary.
- 10.13 Whereas the mitigation measures identified above are considered sufficient to prevent unacceptable airborne noise transference, it is considered there is no guarantee that these measures will be sufficient to prevent the possibility of the structural transmission of noise from foot stomping etc from within the premises. The Acoustic Consultant believes the integral mass of the existing structure will prevent structural borne transmission but also proposes to install a floating floor with insulation to further alleviate concerns. It is accepted that these measures identified should reduce the potential for the structural transmission of noise. However, without detailed sound tests from within the flats above it cannot be confirmed that this will definitely solve the problem. The EHO considers this to be an important issue and recommends refusal on the lack of evidence to confirm that structural transmission of noise can be reduced to an acceptable level.
- 10.14 If the application was to be approved the EHO strongly recommends a sound test from within the flats be carried out when the works are complete.
- 10.15 A Noise Management Plan submitted with the application aims to demonstrate how the UCKG aim to control noise created outside the premises in addition to that from within the building. The management plan gives authority to the Pastor to control people and intends to keep a log of any unacceptable incidents. The plan states congregants will be reminded to keep noise levels down when entering and leaving the premises and to find a place away from the entrance to smoke. Whereas the applicant has stated their commitment to keeping noise levels generated by visitors to an acceptable level, this is very difficult to control and enforce. The potential for around 176 visitors would make managing the comings and goings of the congregation extremely difficult. Due to the potential number of congregants and

hours of use it is considered that there could be an unacceptable impact on the amenity of the residents of the flats above, other residents nearby and occupiers of the commercial premises. This is exacerbated by the proximity of the entrance door to the flats of Merchants House being immediately adjacent to the entrance to unit 64. Whereas the hours of use of 0630-2230 are largely within the more sociable hours of 0700-2300 identified in PPG24 'Planning and Noise', there is the potential for regular disturbance across this whole time period that would have a significant and unacceptable impact on the amenity of nearby residents.

#### 10.16 <u>Parking.</u>

- 10.17 The site does not provide any dedicated parking but there are pay and displays bays on the streets surrounding the site and there is a public car park to the rear of the site. Similar uses generate around 50% car use therefore around 88 cars may be expected to visit if the church was operating around capacity, or 40 cars in respect of the current size of the congregation. Information provided by the applicant regarding car use at other sites across the country highlight peak car use on a Sunday morning and weekday evenings at 1930. A similar peak usage at this site would see the demand for car parking by the UCKG outside the peak demand for parking by the existing business premises in the area. Whereas it is accepted that only half of those residents in Merchants House have allocated parking and there is a demand from other residential properties nearby, it is considered that the parking demand of the UCKG could be met by the existing on-street bays and adjacent car park. There are sufficient on-street parking controls to ensure there would be no adverse highway or public safety issues generated by the increase in demand in the area and Highways Officers believe a highway objection would be difficult to justify.
- 10.18 In the applicant's Travel Plan, submitted voluntarily, they have identified an ambition to encourage non-car modes of transport. Both the applicant and the congregation in their letters of support state the proposed location in the City Centre makes the site much more accessible by public transport. The site is served by buses along North Street and other nearby routes and is within close proximity of the bus station and walking distance of the train station.

#### 10.19 Equality

- The Council has a general duty under s.71 of the Race Relations Act 1976 to have regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups. The Equality Act 2010 requires public bodies to have due regard to eliminate discrimination and to advance equality of opportunity, this is evident in UDPR policy SA8.
- 10.21 Although the church is open to everyone and intends to provide benefit to the local and wider community, it is also accepted that the church appears to currently represent a distinct Christian group and would provide a new, more accessible, meeting space for this group. However, as stated above, the proposal raises a number of amenity concerns that are considered to outweigh the potential benefits of the proposal.

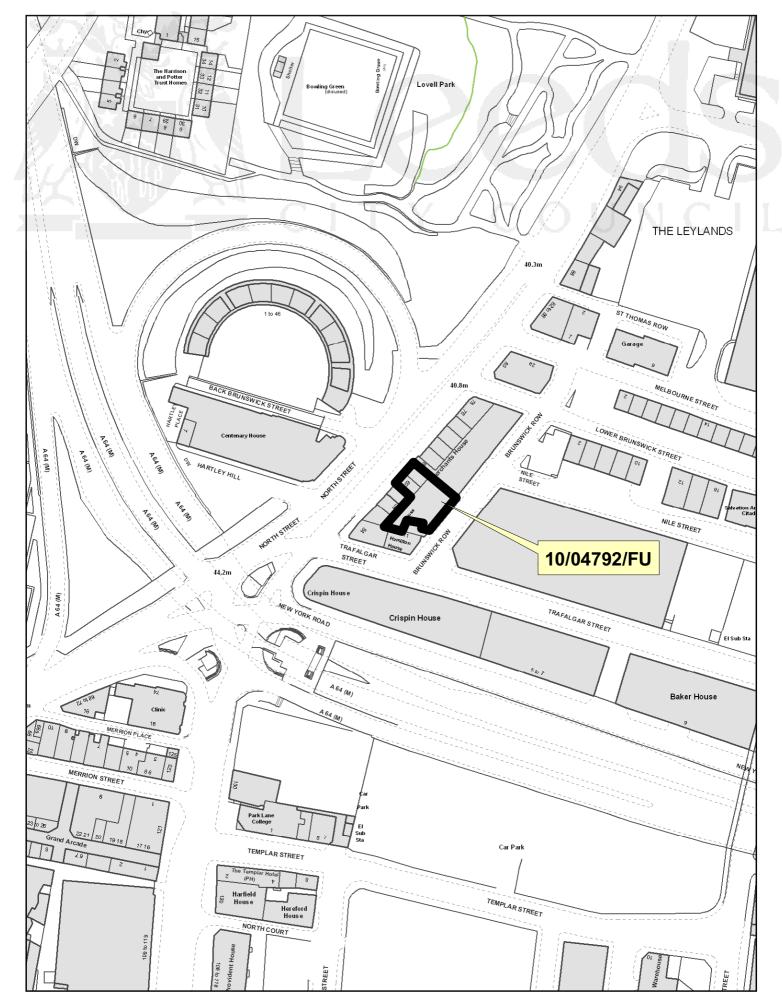
#### 11.0 CONCLUSION

11.1 The UCKG currently operates from a site on Dewsbury Road and is seeking to relocate to a more central location. The site at 62-64 North Street would provide with a more central and accessible location. The site does not raise specific

highway safety concerns and mitigation measures could limit the airborne noise transference to the flats above. However, the proposed mitigation measures are not guaranteed to overcome concerns relating to the structural transmission of noise and the impact on the amenities of the local community from the general comings and goings of what would be significant numbers of people. As such it is considered that this is not an appropriate building for the proposed use therefore the application is recommended for refusal.

#### **Background Papers:**

Application file 10/04792/FU. Notice has been served on Wasdon (Leeds) Ltd, Carlton House, St James's Square, London, SW1y 4JH.



## CITY CENTRE PANEL

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## Agenda Item 9



Originator: C. Briggs

Tel: 0113 2224409

#### Report of the Chief Planning Officer

#### PLANS PANEL CITY CENTRE

Date: 10 March 2011

Subject: Sovereign Street Draft Planning Statement February 2011 – Officer

presentation for information only.

Electoral Wards Affected:	Specific Implications For:
City and Hunslet	Equality and Diversity
x Ward Members consulted (referred to in report)	Community Cohesion  Narrowing the Gap

#### **RECOMMENDATION:**

Presentation of Draft Planning Statement for information only – Members are requested to note and comment on the draft document.

#### 1.0 INTRODUCTION:

1.1 The Sovereign Street site, identified in the attached Draft Planning Statement, represents a high profile development opportunity in the City Centre that has the potential to contribute to the economic prosperity and well-being of Leeds. Following the cancellation of the previous development proposal in July 2008, the future of the site was considered by the Council's Executive Board on 13 February 2009 and 21 July 2010. It was resolved that the site has the potential to integrate the first component of high quality City Centre greenspace that could respond to the aspirations identified at the Leeds City Centre Vision Conference 2008. A draft Planning Statement has been prepared in response to the resolution of Executive Board. This sets out development potential and design principles for new buildings, streets, connections and green open space, in order to form a distinctive place at the heart of Leeds City Centre, close to the railway station and the riverside.

Colour copies of the draft Sovereign Street Planning Statement can be obtained from the Clerk, or alternatively on the Council's website <a href="www.leeds.gov.uk">www.leeds.gov.uk</a> - search for "Sovereign Street".

#### 2.0 Summary of the document

2.1 The aspiration for new high quality City Centre greenspace gained momentum following the City Centre Vision Conference 2008. The site at Sovereign Street was considered by Executive Board in July 2010 as a potential site to deliver a new City Centre greenspace. This Draft Planning Statement has been prepared to help develop new proposals to reflect this changed context.

#### 2.2 Uses

The draft Planning Statement follows guidance set out in the Unitary Development Plan (UDP) Riverside Area Statement Area 21 Sovereign Street, that the site should be principally developed for office use, with scope for ancillary retail, food and drink and leisure uses. Hotel and residential uses would also be acceptable in the Riverside Area. Under Policy CC28, a mix of complementary city centre uses which would serve to ensure life and vitality throughout the day is promoted. Public car parking for shoppers and visitors, to support the vitality and viability of the office, prime shopping and riverside quarters of the City Centre, would also be encouraged by UDP Proposal Area Statement 21.

- 2.3 Urban design including green public space and pedestrian connections
  - (a) The Sovereign Street site offers an opportunity of distinctive buildings and open space. The Planning Statement sets out a series of urban design and landscape objectives that build on national policy, best practice, adopted UDP policy, and supplementary guidance, to give site specific aims and aspirations for any new buildings or greenspace.
  - (b) UDP Riverside Area Proposal Area Statement 21 highlights the need for north-south pedestrian routes through the site, with a central public space, and a prestige office frontage visible from Neville Street. The proposal for greenspace is complementary to addressing the flood risk issues identified below and recognises that an intensive redevelopment on the scale of the previous Criterion Place proposal is now no longer a practical proposition. UDP Policy LT3 supports the provision of new leisure attractions and facilities in the City Centre. High quality greenspace will also help to promote high profile, distinctive and vibrant development proposals which will help to strengthen Leeds' position as the regional capital. UDP Policy CC10 states that development sites over 0.5ha shall contribute at least 20% public space. The draft Planning Statement proposes over 40% site area (approx.) to be secured as publicly accessible space, in addition to pedestrian or servicing connections between and around building plots.
  - (c) UDP Riverside Area Proposal Area Statement 21 also states that pedestrian linkages from the riverside to the Prime Shopping Quarter should be improved via the provision of an additional pedestrian link across the river. In order to ensure that any greenspace developed at Sovereign Street enhances connectivity south of the River Aire, it is proposed to explore the potential to provide a pedestrian/cycle footbridge across the River Aire. There are two possible routes for the bridge which are identified in the Statement. The first is on the site of the Concordia Bridge a new bridge previously considered by the Council in connection with the former Supertram scheme, located east of Sovereign House. The other is located further west between Sovereign House and Victoria Mill/Brasserie Blanc. In either case further feasibility works are required to establish the optimum location for a pedestrian/cycle bridge that would connect to the City Centre

Park proposal on the South Bank. The success of a chain of well-connected greenspace starting at Sovereign Street, crossing the River Aire, and continuing on the South Bank, depends on the provision of a new pedestrian/cycle connection at this location. The objectives of this Planning Statement and the draft Leeds South Bank Planning Statement both rely on an improvement in connections between the traditional prime office and shopping quarters to the north, and a future sustainable business and residential community on the South Bank (part of the Aire Valley Urban Eco-Settlement).

(d) Indicative building plots A, B, and C have been identified in the draft Planning Statement. These have been sited in order to balance objectives to enhance the key views into the site from the Conservation Area in the east, from Neville Street in the west, take account of existing and potential future pedestrian connections from east to west and north to south, and the requirement to deliver and maintain a significant viable greenspace and pedestrian/cycle improvements to connect to the South Bank. The Planning Statement highlights the importance of achieving architectural and landscape design coherence between all three buildings and the greenspace, including special regard to the design of taller elements of the site (potentially Plot B).

#### 2.4 Highways

The Movement section of the draft Planning Statement advises the following:

- (a) Servicing from Pitt Row or existing Swinegate service road to be improved to a shared pedestrian/vehicle space.
- (b) Taxi drop off would be best located from Pitt Row
- (c) Car parking provision would be at the Core standard in association with proposed uses. Any public car parking under current policy would be short-medium stay shopper/visitor only (i.e. to support the viability and vitality of the prime shopping, office and riverside quarters, but to deter these spaces being taken up earlier in the day by long stay commuters).
- (d) Enhancements to public transport would be required by Supplementary Planning Document (SPD) 5 Public Transport Improvements and Developer Contributions and provided through a Section 106 agreement, in addition to local accessibility improvements requested by Metro
- (e) A Travel Plan would be required, including monitoring and measures such as car club spaces and trial provision to be provided by a Section 106 agreement
- (f) A Transport Assessment would be required for each development proposal, in accordance with Department for Transport advice.
- 2.5 Flood risk is an important consideration in the redevelopment of this site.

  Development proposals would need to be accompanied by flood risk assessments, and where relevant, a Planning Policy Statement (PPS) 25 sequential test. It is not intended to pre-empt that formal process through this informal document, and detailed advice would be given at pre-application stage to interested parties, in the interests of the conciseness of the Planning Statement, and in order to take account of changes over time in available data from the Environment Agency.

#### 2.6 Sustainability

(a) Executive Board resolved that the site should be an exemplar in sustainable development.

- (b) The draft South Bank Planning Statement (which relates to nearby sites to the south of the river as part of the Aire Valley Urban Eco-Settlement) states that new commercial buildings shall achieve at least BREEAM Excellent, or equivalent, and it is proposed to match this requirement at the Sovereign Street site, given the complementary nature of the two sites in aiming to deliver a well connected chain of high quality greenspace together with highly sustainable buildings.
- (c) The Planning Statement also states that development should integrate building and greenspace design in order to adapt to the challenges of flood risk and climate change, and implement other sustainability measures in relation to energy, biodiversity, and waste management.

#### 3.0 Conclusion

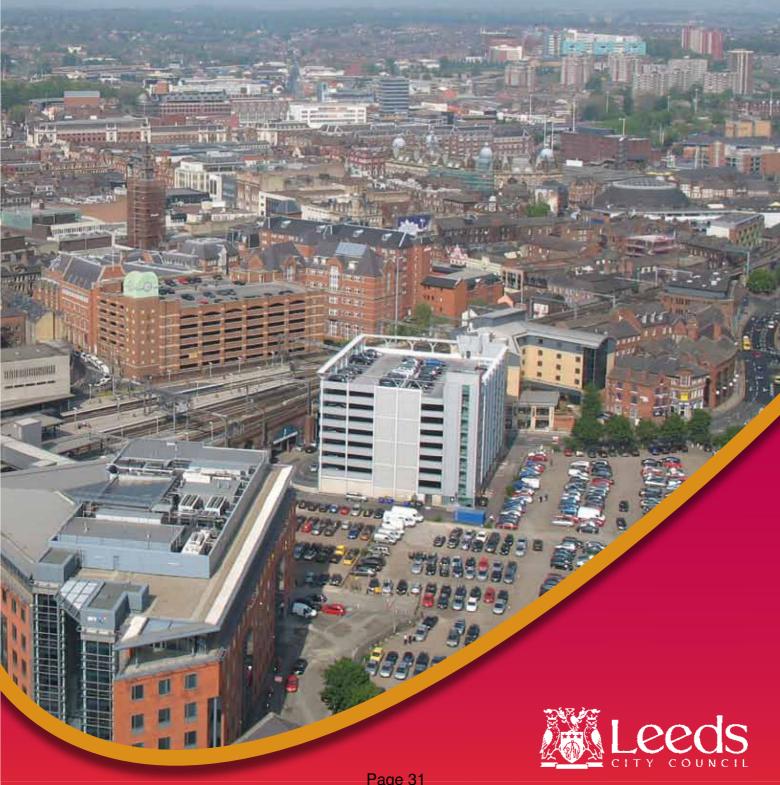
- 3.1 Sovereign Street is a high profile site in the ownership of the City Council that has the potential to be transformed into a high quality development that will make a significant contribution the life and vibrancy of the city. This would include the provision of new quality greenspace in the City Centre which would help to address the need identified in the City Centre Vision Conference 2008, and link into the South Bank and Aire Valley Urban Eco-Settlement proposals. It is therefore considered appropriate to prepare a Planning Statement that will guide its redevelopment, and promote the potential to incorporate high quality greenspace and a viable mixed use development.
- The Council has sought to engage stakeholders, including local residents, businesses, interest groups and appropriate statutory agencies simultaneously, over a period of four weeks until the close of the consultation period at 5pm on 18 March 2011. The draft document would then be reviewed in the light of the consultation findings.
- 3.3 Members are requested to comment on the content of the draft Planning Statement during consultation process, with a view to its final version being adopted by Planning Board under delegated powers as non-statutory planning guidance for development management purposes.

#### **Background Papers:**

Sovereign Street Draft Planning Statement February 2011

# Sovereign Street Draft Planning Statement

February 2011



If you do not speak English and need help in understanding this document, please phone: (0113) 247 8092 and state the name of your language. We will then put you on hold while we contact an interpreter. This is a free service and we can assist with 100+ languages.

We can also provide this document in audio or Braille on request.

#### (Bengali):-

যদি আপনি ইংরেজীতে কথা বলতে না পারেন এবং এই দলিলটি বুঝতে পারার জন্য সাহায়্যের দরকার হয়, তাহলে দয়া করে 0113 247 8092 এই নম্বরে ফোন করে আপনার ভাষাটির নাম বলুন। আমরা তখন আপনাকে লাইনে থাকতে বলে কোন দোভাষীর (ইন্টারপ্রিটার) সাথে যোগাযোগ করব।

#### (Chinese):-

凡不懂英語又須協助解釋這份資料者,請致電 0113 247 8092 並說明本身所需語言的名稱。當我們聯絡傳譯員時,請勿掛 斷電話。

#### (Hindi):-

यदि आप इंग्लिश नहीं बोलते हैं और इस दस्तावेज को समझने में आपको मदद की जरूरत है, तो कृपया 0113 247 8092 पर फ़ोन करें और अपनी भाषा का नाम बताएँ। तब हम आपको होल्ड पर रखेंगे (आपको फ़ोन पर कुछ देर के लिए इंतजार करना होगा) और उस दौरान हम किसी इंटरप्रिटर (दुभाषिए) से संपर्क करेंगे।

#### (Punjabi):-

ਅਗਰ ਤੁਸੀਂ ਅੰਗਰੇਜ਼ੀ ਨਹੀਂ ਬੋਲਦੇ ਅਤੇ ਇਹ ਲੇਖ ਪੱਤਰ ਸਮਝਣ ਲਈ ਤੁਹਾਨੂੰ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰ ਕੇ 0113 247 8092 ਟੈਲੀਫ਼ੂਨ ਕਰੋਂ ਅਤੇ ਅਪਣੀ ਭਾਸ਼ਾ ਦਾ ਨਾਮ ਦੱਸੋ. ਅਸੀਂ ਤੁਹਾਨੂੰ ਟੈਲੀਫ਼ੂਨ 'ਤੇ ਹੀ ਰਹਿਣ ਲਈ ਕਹਾਂ ਗੇ, ਜਦ ਤਕ ਅਸੀਂ ਦੁਭਾਸ਼ੀਏ (Interpreter) ਨਾਲ ਸੰਪਰਕ ਬਣਾਵਾਂ ਗੇ.

#### (Urdu):-

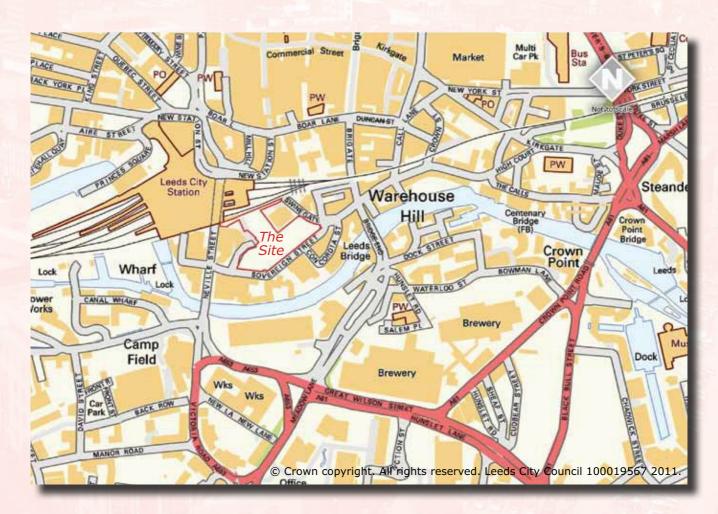
اگرآ پانگریزی نبیں بولتے ہیں اورآ پ کو بید ستاویر بیجھنے کیلئے مدو کی ضرورت ہے تو براہ مہر پانی اس نمبر 8092 247 0113 پرفون کریں اور ہمیں اپنی زبان کا نام بتا کیں۔اس کے بعد ہم آپ کولائن پرہی انتظار کرنے کیلئے کہیں گے اورخود تر جمان (انٹر پریٹر) سے رابطہ کریں گے۔

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## 1. Introduction

- 1.1 This brief sets out the development principles and options for the redevelopment of land to the north of Sovereign Street and south of the adjacent railway arches as identified on the Location Plan. The site presents an opportunity for a high quality development containing a mix of complementary land uses and public space which will add life and variety to this area, as well as scope to improve links within the City Centre, particularly to the south of the river.
- 1.2 The Sovereign Street Planning Statement aims to set the context for the forthcoming vision of a 21st Century City Centre greenspace within the development site. This Planning Statement does not aim to outline the design criteria for the greenspace itself, as this would be addressed as part of a later phase of the development process. The Planning Statement provides the basic development principles for this site and should be related to the indicative layout, and the indicative site perspective. These are for guidance only and are intended to demonstrate broad development options.





Pedestrian Links

## 2. Context

**2.1** The site extends to 1.16 hectares (2.86 acres) and is predominantly level except for a strip in front of the railway arches to the north, which is at a lower level. The site lies within the UDP-designated Riverside Area (Proposal Area 21). It is currently a surface car park, with some boundary tree planting to Sovereign Street and a low boundary fence. At the north east corner of the site is a metal clad multi-storey car park with ground floor restaurant use. At the north west corner is an early 2000s office building. To the west lies Granary Wharf and Holbeck Urban Village, with the proposed Station Southern Access located above the River Aire with connections from the east and west. To the south of Sovereign Street a number of Victorian mill buildings, including the Grade II listed 4 The Embankment, and more recent infill developments of a complementary scale, provide enclosure to the street and to the river behind. To the east lies the City Centre Conservation Area, where its boundary cuts across Swinegate. Further south lies the River Aire, with potential for bridge connection to the South Bank and the future City Centre Park, which would in turn facilitate onward connections eastwards to Clarence Dock, and southwards into existing residential communities.



▲ Site as existing from Swinegate



▲ Site as existing from Neville Street

# 3. Potential

#### 3.1 Uses

The area covered by this Statement lies within the designated City Centre. Therefore, the town centre uses as identified by Planning Policy Statement 4 and the Leeds Unitary Development Plan Review 2006 would be supported. The primary objective in the Riverside Area (Policy CC28) is to secure a mix of complementary uses which will create activity and vitality. The following uses would be encouraged at Sovereign Street:

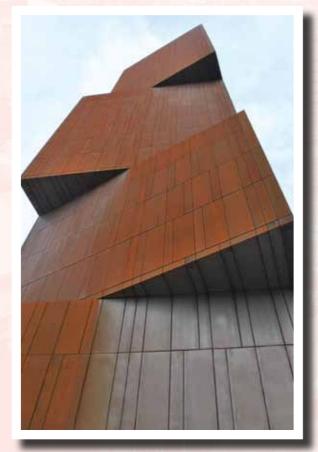
- Offices
- Hotels
- Residentia
- Cafés, restaurants, bars, leisure, entertainment and cultural uses.
- Shopper/visitor car parking

This site provides an opportunity to create an innovative development of exceptional design which makes a visual statement, whilst enhancing and respecting the distinctive character of the Riverside Area. It also affords the potential to consolidate City Centre uses by overcoming the physical and visual barrier of the railway line, by opening up new pedestrian routes linking the Office and Retail Quarters to the north with the Riverside Area and beyond to the South Bank, Clarence Dock and Holbeck Urban Village.

#### 3.2 Form and Design

The Sovereign Street development site offers an opportunity for buildings, streets and open spaces to form over time, as a distinctive 'place' at the heart of Leeds City Centre. The urban design aims and aspirations for this site are summarised below:

- To provide a meaningful public greenspace with ground floor active uses surrounding it.
- To facilitate pedestrian permeability across the site and link into a network of routes and spaces extending to the riverside, canal, Holbeck Urban Village, South Bank (including the proposed City Centre Park) and beyond.
- To maximise the use of the railway arches and create a pedestrian zone of walkways, cafes, restaurants etc.
- To improve the 'sense of street' of Sovereign Street.
- To improve the urban form at the junction of Sovereign Street and Swinegate.



▲ Internationally recognised Broadcasting Place

Given the importance of the site, a high quality, innovative design will be required. The massing and configuration of individual buildings or elements of larger structures will require careful consideration and should be addressed through high quality design solutions. Any development must relate to the existing multi storey car park and maximise the potential of the railway arches to provide activity and connectivity.

The location of buildings should create a well defined townscape where buildings line streets, walkways and other spaces to provide spatial definition and a sense of enclosure. These spaces should be designed with the pedestrian in mind, to create a safe environment with interesting and active frontages, as illustrated on the plan on pages 8-9.

A key factor shaping the form and design of any development must be pedestrian

permeability. This site will be an integral part of an inter-connected network of pedestrian routes and spaces extending across the City Centre and beyond. These spaces will provide visual as well as physical linkages, especially from the river, to the arches and beyond, as illustrated on the Pedestrian Links Plan on page 2.

The buildings fronting Sovereign Street should be of a similar height as the existing buildings to the south. However, there is potential for taller buildings around the existing multi storey car park in the interior of the site, with a focal element of around 15 storeys. Guidance on taller buildings is contained in the Leeds Tall Buildings Design Guide and the Leeds City Centre Urban Design Strategy. The erection of buildings, particularly tall buildings, changes a site's microclimate. It is therefore essential that the types of environment created are considered in detail during the site planning stage, including the effect on the arches. It is expected that development proposals will be supported by information gathered during modelling trials. The potentially taller element of the trio of proposed buildings should be 'grounded' in such a way that it meets and defines the spaces around it in a positive manner.



▲ Granary Wharf

The nearby Granary Wharf development around the Canal Basin and adjacent to the railway station and viaducts offers a recent precedent for three buildings to be expressed with individual characters, whilst having complementary qualities, which in turn generate a singular sense of place. The scheme is also unified by a carefully considered continuity, in a distinctive landscape scheme. The aspiration for the Sovereign Street site is to follow a similar set of basic principles, but to discover an architectural and landscape

language which is both adaptable to a phased process of development, and will define a character that is special to this location.

## 3.3 Green Space and Public Realm



Musée du Quai Branly, Paris

The provision of green infrastructure at Sovereign Street will enhance the City Centre's commercial offer and enhance its credentials as a liveable place, by supporting local employment, community development, environmental resilience and social gain. There will be significant economic, environmental and social advantages for the City Centre as a whole in ensuring the delivery of new City Centre greenspace. It



▲ Leeds' award winning entry at the 2009 Chelsea Flower Show

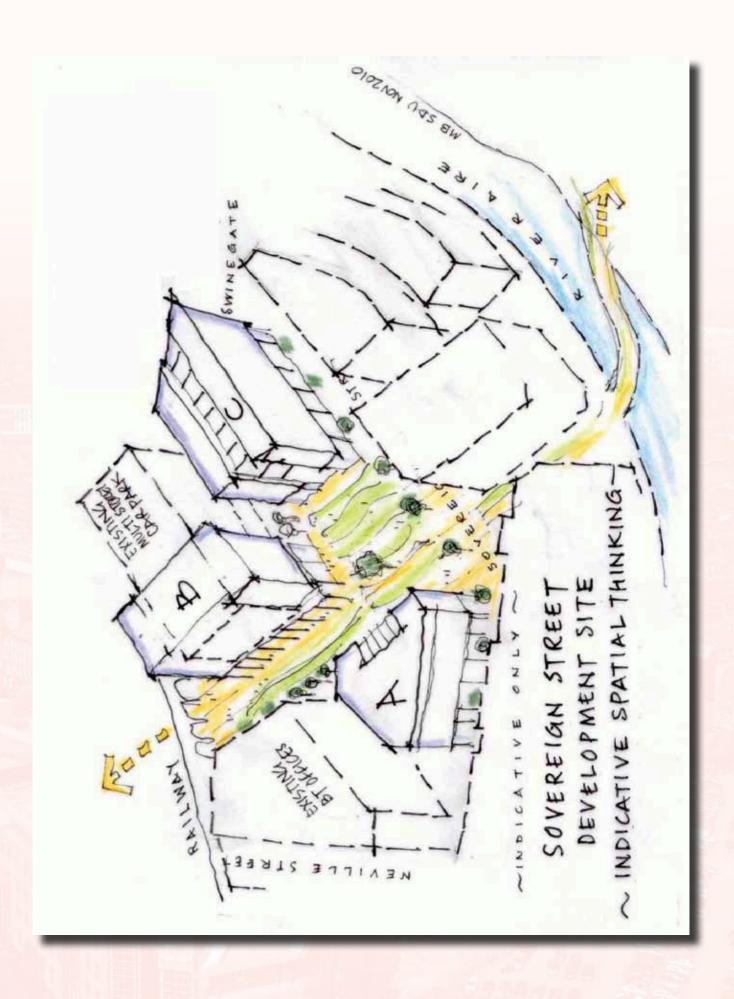


will act as a catalyst for attracting and sustaining regeneration and connectivity.

Principally the aim to deliver a new greenspace for the City Centre will:

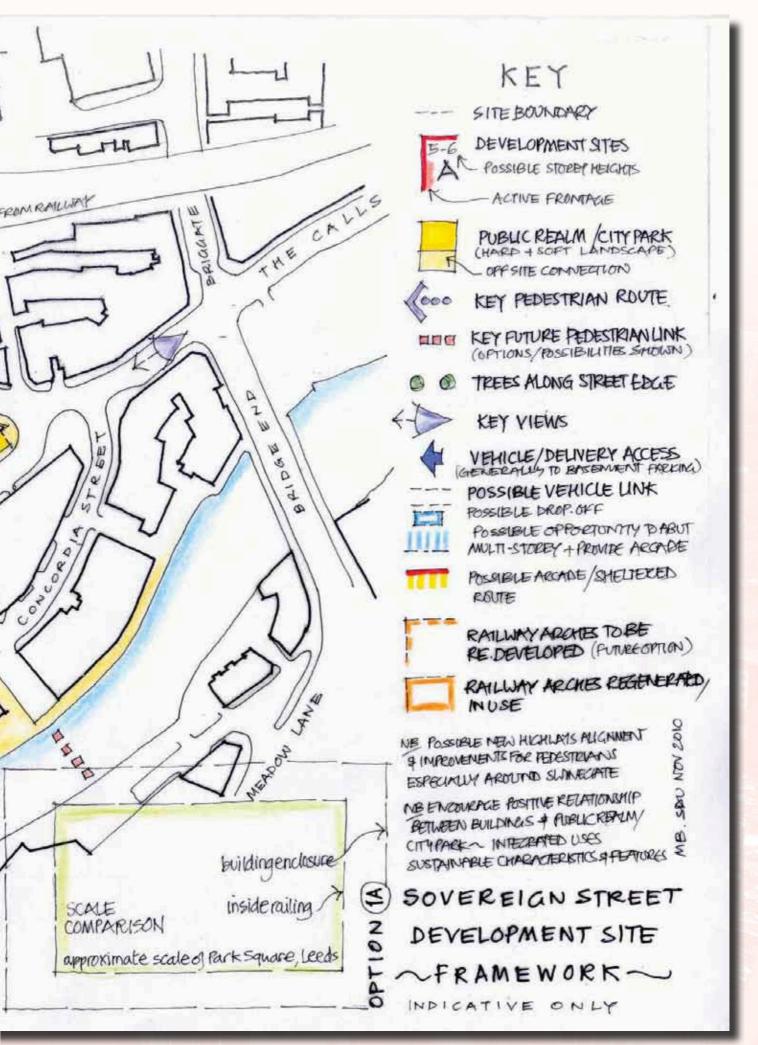
- Reach a size of approximately 0.5 - 0.6 Ha (around 40% - 50% site area) when phased over time in order to be a meaningful green public space;
- Be an accessible, safe and secure space with improved connectivity within the City Centre for pedestrians and cyclists;
- Give a high quality environment which balances the passive and active recreational needs of day visitors, office workers and City Centre residents;
- Attract and facilitate the delivery of new commercial developments with a design character that helps to frame the new greenspace, and also support its financial viability;
- Enhance the reputation of Leeds and the City Centre as a liveable environment with high quality design standards;
- Add to the critical mass of the City Centre's attractions as destination in its own right;
- Create opportunities for public art and cultural attractions;
- Create opportunities for biodiversity enhancement;
- Be designed with sustainability, climate change and flood alleviation in mind, e.g. incorporating surface run-off in greenspace design;
- Connect with the potential redevelopment of Leeds South Bank, thus improving connectivity, particularly between the north and south banks of the River Aire;
- Spur regeneration and enhance employment opportunities in the City Centre.

Brindley Place, Birmingham





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The delivery of the greenspace will be dependent upon commercial interest in the types and mix of land uses proposed at each of the three plots, namely the timing of planning application submission, approval, construction and occupation; the phasing of any on-site or commuted sum provision via planning obligations attached to new development at this site; and the implementation of public sector initiatives (at this stage, Leeds City Council).

UDP Policy CC10 recognises the importance of landscape and open space within the City Centre and the Sovereign Street site is specifically identified in the UDP as a site for proposed open space. Therefore it is expected that the requirements of this policy will be fully met (Proposed Area 21). This space should be safe, attractive and accessible to all, and an integral part of any development.

The Indicative Development Site Framework (page 8-9) promotes the concept of an open air public space extending north - south across the site which would provide a physical and visual focus as well as linkages.

#### 3.4 Movement



▲ NGT trolley buses

Guidelines on maximum parking requirements for new developments are contained in Appendices 9A and 9B of the UDP. However, the Council expects the level of parking provision to be considerably lower than that indicated in these guidelines in light of the excellent access to local, regional and national public transport routes. The site is in very close proximity to Leeds Station and within easy walking distance of the Bus Station.

The site will benefit from the proposed Station Southern Access, via Dark Neville Street, or by pedestrian bridge off Little Neville Street.

There are also various stops for local buses located on the neighbouring streets and the proposed New Generation Transport (NGT) network will pass along Swinegate and Boar Lane to City Square. The existing multistorey and NCP car parks off Swinegate offer parking space for visitors and shoppers.

Operational parking required for Plot A should be accessed from Pitt Row. Plots B and C should be accessed from the existing shared vehicular/ pedestrian route south of the multi-storey car park off Swinegate, which should be widened. Taxi drop-off for the site shall be from Pitt Row.

Safe and secure parking facilities for cycles and motorcycles should be provided to encourage the use of sustainable transport modes, along with shower and locker facilities in any new building.

Travel Plans for each plot will be required at planning application stage. These will set out the sustainable travel options available in order to reduce reliance on the private car and lead to an increased use of more sustainable travel patterns such as walking, cycling, motorcycles, car share, pool cars and car clubs. Monitoring and procedures for meeting travel plan targets will be set out in any Section 106 agreement in accordance with the Travel Plans SPD.

For each phase, a Transport Assessment will be required in accordance with DfT guidance March 2007 'Guidance on Transport Matters'.

Servicing should be taken from Pitt Row for Plot A, and from a shared pedestrian/vehicle space south of the existing multi-storey car park off Swinegate for Plots B and C. Access to the arches for deliveries and servicing must also be maintained. Any provision of a hotel must accommodate taxi drop-off facilities in close proximity to its main entrance, for example off Pitt Row if a hotel were to occupy Plot B.

Contributions to strategic public transport improvements to be provided by Section 106 Agreement will be required under adopted Supplementary Planning Document (SPD) 5. Local public transport improvements may also be required in addition to this, for example bus stops.

Pedestrian connectivity improvements are particularly needed to the south, to connect to the future City Centre Park on the South Bank. Developer contributions may be used to facilitate this link.

## 3.5 Sustainability



▲ Musée du Quai Branly, Paris

As sustainable development is central to this Planning Statement, each proposal will be encouraged to implement a range of wider sustainability requirements, including energy harnessed from the sun, the wind and the earth; water management and sustainable urban drainage; sustainable transport options; biodiversity enhancements; waste management; and community infrastructure (e.g. greenspace).

All developments are to be accompanied by a sustainability statement setting out exemplar

sustainable design, construction and operational measures to be adopted to the highest accredited standards, for example BREEAM. Non-residential development will target at least BREEAM Excellent standards (or equivalent). Residential developments will need to meet at least level 3 Code for Sustainable Homes (or equivalent).

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#### 3.6 Flood Risk

Planning Policy Statement 25: Development and Flood Risk (PPS25) has been developed to underpin decisions relating to future development within areas that are subject to flood risk. Planning applications will have to take account of their own flood risk and mitigation issues by reducing surface water run-off, ensuring no increase in flood risk on-site or elsewhere - including allowances for climate change. Each application submitted will have to provide an appropriate flood risk assessment including direct and indirect mitigation measures, take opportunities for creative greenspace design, sustainable drainage, biodiversity enhancement, and pass the PPS25 Sequential Test where applicable. Discussions are in progress with the Environment Agency regarding the acceptability of various land use options, and topographical surveys have indicated that the site lies in Flood Zone 2.

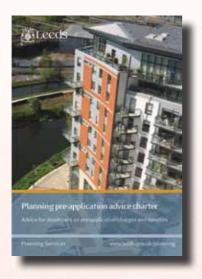
#### 3.7 Land Contamination

Land contamination is an important planning consideration for new development. If a development site has had any previous industrial uses or has been used for the disposal or treatment of wastes, there is a potential for the site to be contaminated. Where there is reason to suspect that a site may be contaminated and there is the possibility that the contamination may affect the proposed development or ground water, the applicant will be required to submit reports in support of their planning application. Further quidance can be found on the Leeds City Council website www.leeds.gov.uk

# 4. Planning Obligations

4.1 Our aspiration for new high quality greenspace on this site will form part of a hierarchy of public realm, linking northwards to the city centre and spaces such as Merrion Street Gardens and Park Square, and south to the proposed City Centre Park. It is proposed to provide this new greenspace through on site Section 106 contributions as publicly accessible space. In order to achieve the objectives of this Planning Statement and adopted Council policies, new development will need to address the planning obligations referred to above, namely contributions to greenspace and pedestrian improvements, public transport improvements, and travel plan measures and monitoring. Other obligations may be required depending on the uses proposed, for example affordable housing, and jobs and skills training programmes.

# 5. Guidance for Developers - Planning Pre-application Process



framework for the management of major regeneration projects which could really make a difference to Leeds. The protocol provides a collaborative development team approach and promotes early consultation and discussions between developers, the Council, local councillors and their communities prior to the submission of complex major applications. Leeds City Council offers an integrated approach to dialogue with developers and will coordinate all planning and related inputs, including advice on Building Regulations issues.

# 6. Next steps

**6.1** If you have any questions or comments on the Draft Sovereign Street Planning Statement, please telephone the Development Enquiry Centre on 0113 2224409, or email planning@leeds.gov.uk quoting "Sovereign Street" in the subject line, or write to: Planning Services (Central Area Team),

Leeds City Council, Leonardo Building, 2 Rossington Street, Leeds LS2 8HD

6.2 Following the consultation process, and subsequent updates to the document, it is envisaged that the Sovereign Street Planning Statement would be adopted for development management purposes as informal planning guidance, to inform the preparation of development proposals and guide the phased delivery of greenspace.



View looking north towards railway arches across Sovereign Street from the South Bank

# **Appendix**

# Applications for development will need to address relevant planning policy and other documents including:

National Planning Policy (Planning Policy Statements (PPS) and Planning Policy Guidance (PPG))

PPS1 Delivering Sustainable Development & Climate Change Supplement

PPS4 Planning for Sustainable Economic Growth

PPS5 Planning for the Historic Environment

**PPS9 Biodiversity** 

PPG13 Transport

PPS25 Development and Flood Risk

PPS10 Planning for Sustainable Waste Management

PPS22 Renewable Energy

PPS23 Planning and Pollution Control

#### **Development Plan Documents:**

Regional Spatial Strategy for Yorkshire and the Humber 2008 (RSS) Leeds Unitary Development Plan Review 2006 (UDP) Emerging Local Development Framework (LDF):

Draft Core Strategy December 2009

## Supplementary Planning Documents and Guidance (SPD/SPG) include:

Leeds Waterfront Strategy

Leeds Strategic Flood Risk Assessment

Public Transport Improvements and Developer Contributions

Travel Plans

Biodiversity and Waterfront Development

Sustainable Urban Drainage

Affordable Housing

City Centre Urban Design Strategy

Neighbourhoods for Living

Statement of Community Involvement

Street Design Guide

Tall Buildings Design Guide

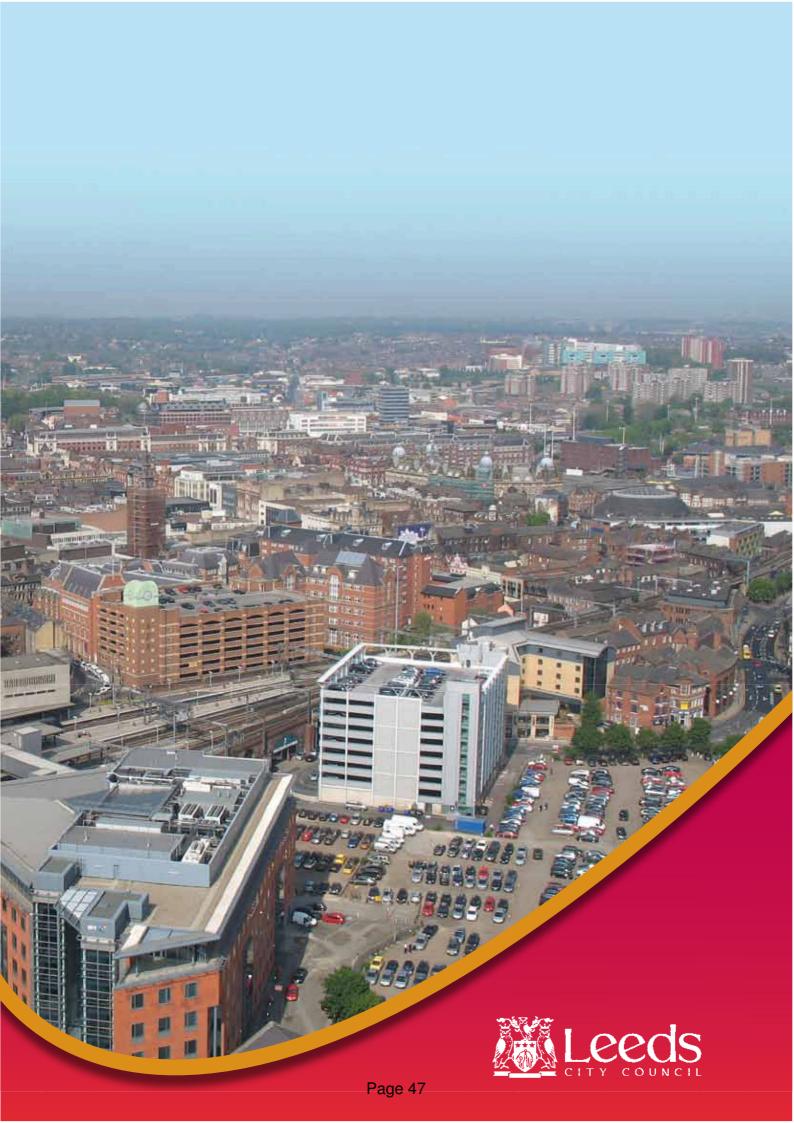
Building for Tomorrow Today - Sustainable Design and Construction

South Bank Planning Statement

## **Background documents include:**

Vision for Leeds 2004-2020

Leeds City Centre 2020: A Prospectus for Our Future



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