



PLANS PANEL (CITY CENTRE)

Meeting to be held in on
Thursday, 22nd December, 2011
at 1.30 pm

MEMBERSHIP

Councillors

B Selby (Chair)	M Hamilton	G Latty	A Blackburn
G Driver	C Campbell	A Castle	
S Hamilton			
J Jarosz			
J McKenna			
E Nash			

A G E N D A

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

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF INTEREST</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>To agree the minutes of the previous meeting held 24th November 2011 as a correct record</p> <p>(Copy attached)</p>	3 - 10
7	City and Hunslet;		<p>APPLICATION 11/03655/FU - CHANGE OF USE OF GROUND FLOOR OFFICES TO A3 (RESTAURANT), EXTENSIONS TO FORM TWO A3 UNITS, EXTENSION TO CASINO AND CONSTRUCTION OF 102 BEDROOM SERVICED APARTMENTS, MERRION WAY, BRUNSWICK TERRACE AND TOWER HOUSE STREET, LEEDS</p> <p>To consider the report of the Chief Planning Officer on an application for the change of use of ground floor offices to A3 (Restaurant) use, extensions to form two A3 units, extension of an existing casino and construction of 102 bedroomed serviced apartment block at Merrion Way, Brunswick Terrace and Tower House Street, Leeds</p> <p>(Report attached)</p>	11 - 26

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8	City and Hunslet;		<p>APPLICATION 11/04023/FU - PART 6 AND PART 10 STOREY MIXED USE DEVELOPMENT COMPRISING OFFICE SPACE (CLASS B1) AND 130 BED HOTEL (CLASS C1) WITH BASEMENT CAR PARKING, WHITEHALL ROAD, LEEDS LS1</p> <p>To consider the report of the Chief Planning Officer on an application for a part 6 and part 10 storey mixed use development comprising office space (Class B1), 130 bed hotel (Class C1) with basement car parking at Whitehall Road, Leeds LS1</p> <p>(Report attached)</p>	27 - 40
9	City and Hunslet;		<p>PRE-APPLICATION PRESENTATION - PRE APP 11 00276 - PROPOSED HOTEL DEVELOPMENT AT D CAR PARK, PORTLAND CRESCENT, COOKRIDGE STREET AND WOODHOUSE LANE, LEEDS</p> <p>To consider the report of the Chief Planning Officer and receive a pre-application presentation on the proposals for a hotel development on the former D Car Park on land at Portland Crescent, Cookridge Street and Woodhouse Lane, Leeds.</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. There is no opportunity for public speaking about the proposals outlined in the presentation</i></p> <p>(Report attached)</p>	41 - 44

Item No	Ward	Item Not Open		Page No
10	City and Hunslet;		<p>PRE-APPLICATION PRESENTATION - PRE APP 11 00899 - PROPOSALS FOR RESIDENTIAL USE AT THE FORMER YORKSHIRE CHEMICALS SITE, BLACK BULL STREET, LEEDS</p> <p>To consider the report of the Chief Planning Officer and receive a pre-application presentation on the proposals for residential use of the former Yorkshire Chemicals site, Black Bull Street, Leeds</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. There is no opportunity for public speaking about the proposals outlined in the presentation</i></p> <p>(Report attached)</p>	45 - 50
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as Thursday 19th January 2012 at 1.30 pm</p>	

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To:
Plans Panel City Centre Members
and appropriate Ward Members

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

Contact: Helen Gray
Tel: 0113 247 4355
Fax: 0113 395 1599
helen.gray@leeds.gov.uk
Your reference:
Our reference: ccpp/dec sitevisit/
14th December 2011

Dear Councillor

PLANS PANEL CITY CENTRE – THURSDAY 22ND DECEMBER 2011 at 1.30 pm

Prior to the meeting on Thursday 22nd December 2011 there will be site visits in respect of the following:

10:00 am 'til 10:30 am Application 11/04023/FU - Office and Hotel proposal, Whitehall Road

10:40 am 'til 11:20 am Pre- Application 11 00899 - Residential proposals for the former Yorkshire Chemicals site, Black Bull Street

Please note there will be a related visit to a residential development at nearby Yarn Street

11:30 am 'til 12:00 noon Application 11/03655/FU - Proposed Restaurants, extension to Casino and serviced Apartments, Merrion Way

Panel Members are requested to meet in the Civic Hall ante-chamber for 9.55am, in readiness for a 10.00 am start. Please could you let Daljit Singh know (24 78010) if you will be attending the site visits.

The formal Panel meeting will commence at 1.30 pm as usual

Yours sincerely

Helen Gray
Governance Services

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Plans Panel (City Centre)

Thursday, 24th November, 2011

PRESENT: Councillor B Selby in the Chair

Councillors G Driver, S Hamilton, J Jarosz,
J McKenna, M Hamilton, C Campbell,
G Latty, A Castle, A Blackburn and
M Coulson

35 Late Items

No formal late items of business were added to the agenda, Members were in receipt of supplementary information relating to the proposals for the former Alf Cooke Printworks (minute 41 refers)

36 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:

Councillors Campbell and Selby – Update on the First White Cloth Hall – declared personal interests as members of English Heritage which had been involved in the work to progress the reclamation project from the beginning. (minute 42 refers)

Councillor A Castle declared a personal interest in all the items on the agenda as a member of Leeds Civic Trust as the Civic Trust had commented on the proposals contained within all the applications

Councillor Campbell – redevelopment proposals for the Merrion Centre and proposals for the former Alf Cooke Printworks – declared a personal interest in both applications as a member of WYITA Passenger Transport Consultative Committee, as METRO had commented on the applications (minutes 39 & 41 refer respectively)

Councillors Driver & Jarosz – redevelopment proposals for the former Alf Cooke Printworks - declared interests as members of the Leeds College of Building. The legal adviser determined that these were personal interests as Councillor Driver explained he was aware that the College of Building had proposed a development in the vicinity of this site. (minute 41 refers)

37 Apologies for Absence

Apologies for absence were received from Councillor Nash. The Panel welcomed Councillor Coulson as her substitute

38 Minutes

RESOLVED – That the minutes of the meeting held on 27th October 2011 be agreed as a correct record

39 Application 11/03424/FU - Proposed alterations, change of uses and reconfiguration of floorspace, Merrion Centre, Merrion Way and Wade Lane, Leeds

Further to minute 29 of the meeting held 27th October 2011 when Panel deferred determination of the application to allow more time for officers to discuss Members' concerns over the Travel Plan, elevations and lighting, the Chief Planning Officer submitted a report setting out the developers' responses. Members had visited the site prior to the meeting. Site plans, internal layout plans and architects drawings were displayed at the meeting along with computer generated graphics showing the earlier and revised proposals. A copy of the report presented to Panel on 27 October 2011 was included for reference

(Councillor A Blackburn joined the meeting at this point)

The revisions to the scheme were highlighted as being:

Elevations

- Glazing was now proposed to extend around the corner of Wade Lane and into the Service area entrance. The glazing would be frosted to prevent views into the gym proposed at this location
- The cladding to the top level of the car park had been reduced by 2m in order to emphasise the linear effect and focus attention to the ground floor double height glazed shop fronts
- Darker coloured cladding panels were now proposed to the rear of the lighter diagrid cladding to encourage greater attention on the new grid formation to the foreground

Lighting

- Technical drawings of the proposed diagrid showing the LED points and a slide showing the intended night scene with the car park illuminated were displayed. The LEDs had colour changing ability

Surface treatment

- The proposed works were felt to be commensurate with the scale of development proposed under this application
- The Panel had previously identified the pavements between the Arena site and Merrion Centre as requiring refurbishment. Officers responded that the Arena permission included surface treatment works to the footway fronting Merrion Way outside Merrion House. Additionally the proposals for the Grosvenor Casino site on Merrion Way include pedestrian footway improvements

Travel Plan

- The revisions to the Travel Plan (TP) addressed the Panels previous concerns and included an increase of 50% to the TP budget, the potential for additional incentives; commitment to participate in local sustainable travel events and an undertaking for additional publicity of the scheme.
- A sequence for the survey and monitoring of the TP throughout the development and occupation phases had been agreed and included a TP Co-ordinator who would be responsible for delivering best practice for the Merrion Centre as a whole
- The Public Transport Contribution had now been agreed

Officers concluded by stating that TCS, the developer, were keen to commence development works with a view for completion prior to the opening of the Arena

(Councillor S Hamilton left the meeting at this point)

Members made the following comments:

- Welcomed the improvement made to the Wade Lane elevation which Members noted was likely to see increased footfall from visitors en route to the Arena. Members suggested further improvement could be made by the inclusion of one more glazed panel to face into the service area
- Sought to confirm the preservation and re-installation of the mosaic at the Wade Lane junction and discussed whether the re-installation could be time limited. Officers responded that this could be discussed with the developer and a management plan for the implementation could be presented to Panel in due course
- One Member expressed the view that the car park elevations looked better at night than day
- One Member retained concerns over the amount of proposed licensable space, but Panel noted that although this space could be deemed suitable in planning terms for licensable purposes, the Licensing Committee would determine any future licensing applications

(S Hamilton rejoined the meeting at this point)

- The need to determine whether Merrion Way would predominantly be a highway or pedestrian use and the need to reflect that in the future treatment of the route
- The TP appeared more robust, but concern remained over its effectiveness and whether the incentives were sufficient. Officers outlined the stronger TP structure now proposed in response

RESOLVED – That the application be approved in principle and determination be deferred and delegated to the Chief Planning Officer for final approval subject to the specified conditions contained in the 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 (minimum £11,670 to maximum £99,372)
- Travel plan and monitoring fee (£3,000)
- Employment and training initiatives
- Section 106 Management fee (£1,500)

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

40 Application 11/03759/RM - 29 storey block of flats and use of 2 railway arches for commercial uses and Application 11/03758/LI - works to disused railway viaduct to form new public realm and links to adjoining residential development, former Doncaster Monkbridge site, Whitehall Road, Leeds

The Chief Planning Officer submitted a report on two applications relating to the former Doncaster Monkbridge site. Panel noted that outline planning

permission had been granted for the residential block in 2007. The reserved matters application related to a 29 storey residential development (the third block out of a total of four on the site) and works to the railway viaduct to create new public realm, access and retail uses. The listed building application relates to the works to the railway viaduct which is Grade II listed. Site plans, photographs and architects drawings were displayed at the meeting. Members had visited the site prior to the meeting. Officers outlined the proposals as:

Viaduct – the listed building application proposed the same repair and restoration works as Application 07/06133/LI which had lapsed on 5/9/11

- Modern brick buttresses to be removed
- The balustrade to be replaced in areas where it had decayed or was missing
- The arches would provide either pedestrian or vehicular access into the site, and a mix of retail/commercial uses
- An elevated walkway connecting the viaduct to the multi-storey car park
- A nature reserve/biodiversity area to be established on the western end of the viaduct with the remainder of the viaduct top being laid out as a publicly accessible landscaped space
- An area of public realm is also to be introduced between the viaduct and the residential building at ground level

Residential Block

- The elevations would incorporate white composite ceramic and porcelain materials
- Ground floor - cycle store and entrance
- First floor – additional entrance with ramped access to account for level changes and to reflect the design of the grit stone steps to be introduced to the viaduct
- Accommodation to be a mix of studio, 1, 2 and 3 bedroom units and duplexes
- The roof is stepped back from level 23 with the introduction of roof terraces
- 3 bed units and duplexes with greater terraced areas are proposed from level 26
- Indicative drawings of the block in situ were displayed showing the proximity of the block to the viaduct and the other three blocks proposed in the overall development
- Officers concluded that the proposals in these applications were in accordance with the design principles submitted at the Outline application stage

Members discussed the following matters with officers:

- Height of the block and the overall impact of the four tall buildings on wind generation at ground level, referencing back to the experience of Bridgewater Place. Officers responded that a condition requiring that a wind survey be undertaken could be added
- Whether sun plotting had taken place. Members noted the indicative drawings showed external seating in the public space to the north of the Viaduct but commented that the sun would be to the south
- Noted the nearby MEPC scheme incorporated greenspace which would complement this scheme. Members requested that the historical aerial photograph of both sites be made available for reference

- The nature of the intended public art. Officers responded that the LCC Design Team would liaise with the developer over public art and that the installations already on site made use of artefacts of the former use of the site, such as the “drop hammer” from the former iron works
- Sought further detail on the size of the flats particularly the 19 three bed units located above level 26. Members queried whether these would be of sufficient size to provide family units and whether they would be suitable for children
- Commented on the safety aspect of the elevated walkway
- Sought to ensure delivery of the Viaduct scheme parallel with the development of the residential units. Officers responded that the viaduct works were integral to the access and public realm arrangements for the residential blocks within the design of the scheme
- Noted that the development of Block 1 was required by September 2012 in order to comply with the existing permission and that none of the blocks could be developed without the development of the Viaduct. Some works had already been done to the Viaduct which was regarded as an asset to the overall site

RESOLVED –

a) That **Application 11/03759/FU** be granted subject to an additional condition requiring a wind assessment be undertaken and subject to the specified condition contained within the report.

b) That **Application 11/03758/LI** be granted Listed Building Consent subject to the conditions listed in full at appendix A of the submitted report

41 Application 11/04293/FU - change of use of former printworks to Class D1 Educational use and Application 11/04278/LI - Listed Building application for demolition works, restoration and alterations to the former Alf Cooke Print Works, Hunslet Road, Leeds LS10

The Panel had visited the site prior to the meeting. Plans of the existing building footprint were displayed for reference along with proposed site plans, indicative drawings, internal layout plans and computer generated images of the elevations and streetscene. Members had regard to the addendum sent out after the agenda for the meeting.

Officers highlighted the main issues for consideration as being:

- The balance between the buildings to be demolished and those to be retained. Historical internal features within the Main Building printing halls (MB) such as the staircases, balustrade and columns will be retained and modern additions such as partition walls will be removed
- Building 3 will be re-clad with twin-skin glazing and brise soleil with access ramp and will provide the main college entrance and general administrative uses,
- Building 4 is to be extended to provide catering & hospitality courses
- Building 5 will be re-clad with new roof lights and provide hair & beauty courses with likely motor vehicle repair uses introduced in phase 2 of the development.
- Building 6 would be demolished and replaced with landscaping, cycle and motorcycle parking and visitor parking

- A courtyard area will be created to the rear of the site in the void left by the demolition of buildings 2b and 2c
- Computer generated graphics showing the internal atrium of the MB and external elevations on the streetscene were displayed
- Officers also issued a correction to the main report stating that paragraph 10.6.1 should state that whilst the proposed use is classified under PPS25 as “more vulnerable”, the applicant had demonstrated via a submitted sequential test, exceptions test and the submission of a flood risk assessment, that the proposals were acceptable in this location and would adequately safeguard against the potential flooding impact.

Members broadly welcomed the scheme which they felt would provide a prestigious re-use of the site and went onto discuss the following:

- Noted the site was well served with bus links, but access from the Dewsbury Road corridor was difficult
- Proximity of the main entrance to Hunslet Road which was a busy main road into the city. Members noted that once the Mill Building was refurbished a new entrance would be created at the south eastern corner of the site. Officers responded that improved signage would encourage greater use of this entrance away from the main road
- The modern treatment to the elevations of Building 3 was welcomed but Members felt the proposed colour of the glazing should relate better to the red brick colour of the MB. It was noted that this could be discussed with the applicant
- Colour treatment of the gable end of the MB which abuts Building 3 needed to delineate the difference between the buildings. Officers confirmed that this colour could be discussed with the applicant
- Commented that the removal of building 6 could create a wind funnel effect between building 5 and the MB. Officers responded that a wind assessment had not been requested as the scheme did not propose any new buildings taller than those existing. Any wind generated could be dissipated through trees within the courtyard landscaping scheme. However, Members’ concerns about the demolition of buildings altering the potential wind impact were noted and a wind study would be requested by condition
- Treatment and width of the Hunslet Road pavements and whether they had the capacity to withstand the increased footfall
- Noted the proposal to establish a further pedestrian crossing to Hunslet Road, and that the installation of pedestrian crossing near to Crown Point Retail Park and the future creation of the city park would provide a safe and pedestrian friendly route to the College from the city
- The status of the overgrown and unused pedestrian footpath to the rear of the site. Members discussed whether this could be treated in order to promote its use, but noted it lay outside the development site and was not owned by either the developer or LCC. It was acknowledged that the developer would have to address the path in order to gain access to the rear of the site, but that the future maintenance of the path could not be resolved on the back of this application. Officers responded that the future of the path could be further investigated

The Chief Planning Officer highlighted the fact that delivery of this scheme was dependant on successful funding bids, and additional features and complications such as siting of the main entrance and signage could impact on the bid. Officers noted Members comments welcoming the retention of internal features to the MB and highlighted the condition included to ensure that recording of artefacts is undertaken which could highlight the need to preserve any items for future public art installations

(Councillor Jarosz withdrew from the meeting at this point)

RESOLVED

a) Application 11/04293/FU – That the application be deferred and delegated to the Chief Planning Officer for approval, subject to an additional condition requiring a wind study,, the specified conditions (and any others which he might consider appropriate), and following the completion of a Section 106 Agreement to cover the following matters:

- Off-site highways works contribution for provision of toucan crossing facilities and associated works and TROs (if necessary); and cycle route signing to unsegregated shared pedestrian/cycle use on the Hunslet Road footway between the junctions of Chadwick Street and Sayner Road on the eastern side and provision of a "dismount sign" on the western side of Hunslet Road; and Leathley Road access yellow box and TRO if necessary if the Council's scheme is not in place prior to commencement of development. This has been estimated at approximately £136 000
- Contribution to local bus stop improvements prior to commencement of development £40 000
- Contribution to local public realm enhancements for the proposed City Centre Park prior to first occupation of £15 000
- A contribution to public transport improvements would be made prior to first occupation on the remaining balance up to a maximum sum of £109 000
- Travel plan monitoring fee £2700 prior to first occupation
- Employment and training opportunities for local people
- Section 106 management fee within one month of commencement of development £3000

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

b) Application 11/04278/LI – That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the specified conditions contained in the submitted report (and any others which he might consider appropriate).

(Councillors Driver and J McKenna withdrew from the meeting for a short while at this point. Councillor S Hamilton left the meeting)

42 First White Cloth Hall

The Panel received a report providing an update on the progress made to restore the First White Cloth Hall, Lower Kirkgate and setting out future development options. The Regeneration Manager (Projects & Programmes) attended the meeting and presented the following key issues:

- The remaining structure comprises of two-thirds of the original First White Cloth Hall (FWCH) with the west wing being lost due to the demolition of a neighbouring property in 2010. The demolition enabled safe access to the site, an analysis of which determined that repairs to the fabric of the building could be undertaken and as such were eligible for funding from the Heritage Lottery Fund
- The FWCH will now be included within the Stage 2 bid to the Heritage Lottery Fund for repair and restoration works to Lower Kirkgate. The Stage 2 bid will be made by May 2012
- The owner of FWCH owned a number of other properties within the THI developments along with the car park to the rear of the FWCH. In order to show how these developments will relate in spatial and financial terms the owner had been asked to produce a wider master plan for the area
- Works were anticipated to commence on the FWCH in Autumn 2013 if the Stage 2 bid was successful

Members discussed the following

- Emphasised their concern that, given the history of the site, there was a need to establish time limits for action and to provide timely updates to Panel on the progress of the HLF bid and subsequent actions
- The phasing of the five year development plan for all properties within the Townscape Heritage Bid
- The documenting of the archaeology of the site which will continue into 2013 depending on what is discovered there
- The difference between the two artists impressions of the original FWCH façade shown and the need to ensure one drawing is presented to the HLF. It was noted that the drawings had evolved as the archaeology was further investigated

RESOLVED – That the contents of the report be noted and to note in particular that work is progressing towards repairing the First White Cloth Hall. To request a further report be presented to the 16th February 2012 Panel meeting to include information on the preferred development option

43 Date and time of next meeting

RESOLVED – To note the date and time of the next meeting as Thursday 22nd December 2011 at 1.30 pm



Originator: Tim Hart

Tel: 3952083

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 22nd DECEMBER 2011

Subject: CHANGE OF USE OF GROUND FLOOR OFFICES TO A3 (RESTAURANT), EXTENSIONS TO FORM TWO A3 UNITS, EXTENSION TO CASINO AND CONSTRUCTION OF 102 BEDROOM SERVICED APARTMENTS, MERRION WAY, BRUNSWICK TERRACE AND TOWER HOUSE STREET, LEEDS. REFERENCE 11/03655/FU

APPLICANT	DATE VALID	TARGET DATE
Mars Pension Trustees Ltd	3/10/11	2/1/12

Electoral Wards Affected:

City and Hunslet

No Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations; public transport contribution (£37,450); travel plan and monitoring fee (£2,835); employment and training initiatives; restriction to serviced apartment use; maintenance of street furniture in Brunswick Terrace; Section 106 management fee (£750). In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.

Conditions

- 1 3 Year Time Limit
- 2 Notification of Commencement
- 3 Development to be in accordance with approved plans.
- 4 Protection of existing trees to BS5837 in accordance with submitted details.
- 5 Details of contractor's storage and parking.

- 6 Details of methods to control dirt, dust and noise during construction.
- 7 Code of construction practice including construction times 0730-1900 weekdays and 0800-1300 on Saturdays.
- 8 Land contamination desk study / site investigation report
- 9 Land contamination remediation statement
- 10 Land contamination verification report.
- 11 1:20 architectural details.
- 12 Details and sample panel of all external facing materials including brise soleil and feature glazing.
- 13 Details of measures to mitigate the impact of strong winds.
- 14 Cycle, motorcycle and disabled person's parking to be provided.
- 15 Provision of a drop-off point on Merrion Way before occupation of the serviced apartments.
- 16 Servicing management plan to be submitted with servicing before 1200 hours.
- 17 Details of hard and soft landscaping including paving treatment to terrace and details of cantilever and recladding of terrace wall, bollards, external lighting, balustrades, tree grilles and tree guards and implementation before first occupation of new commercial units.
- 18 Landscape management details.
- 19 Remedial landscaping works if planting fails.
- 20 Details of method, storage and disposal of refuse and litter.
- 21 Extract ventilation details.
- 22 Sound insulation.
- 23 Provision of a grease trap.
- 24 Development to be in accordance with the submitted Drainage Statement.
- 25 BREEAM pre-assessment report to be provided including details of Low and Zero Carbon technologies; a Very Good standard to be achieved; and post construction certification.

Reasons for approval:

The application is considered to comply with Regional Spatial Strategy policies YH1, YH4, LCR1, ENV5, E2, and E3; and Unitary Development Plan Review policies SA1, SA2, SA7, SA8, SA9, GP5, GP7, GP11, N12, N13, N23, N25, T2, T2D, T5, T6, T7A, T7B, T24, R5, A4, CC3, CC9, CC11, CC31, BD2, BD3, BD4, BD5, and LD1; Public Transport Improvements and Developer Contributions, Travel Plans (draft), Building Today for Tomorrow – Sustainable Design and Construction SPD's and Leeds City Centre Urban Design Strategy SPG, and having regard to all other material considerations the application is recommended for approval.

1.0 INTRODUCTION

- 1.1 The site is located between the Merrion Centre and the arena. The existing environment surrounding the site is largely of low quality. However, the scheme forms a crucial component in the regeneration of the northern area of the city centre envisaged when planning permission was granted for the arena.
- 1.2 The applicant's team presented emerging proposals to Plans Panel on 10th February 2011 following a Panel site visit. A summary of Panel's comments is included at paragraph 4.2. Since that time the scheme has been revised in response to Member's comments, inputs from the Civic Architect and design and landscape officers. Critically, the proposals have also had to acknowledge the long leases of existing tenants.

- 1.3 The application is brought to Plans Panel as the proposals involve major refurbishment and investment of around £15m in a significant site within the city centre. The applicant hopes to be on site by Easter 2012 thereby enabling opening at the same time as the arena.

2.0 SITE AND SURROUNDINGS

- 2.1 The site is located between Merrion Way, Brunswick Terrace and Tower House Street towards the northern edge of the city centre. There is a gradual fall in levels from the west to the east. The site contains two buildings constructed in the mid-1960's.

- 2.2 A two storey podium building, currently occupied by Wetherspoons public house and the Grosvenor casino, is located on the west side of the site. Only the elevation facing Merrion Way has an active frontage. The rear elevation, in particular, presents a very low quality appearance. The building, and terrace to the front, sits over a basement car park used by occupiers of Tower House, accessed via two vehicular ramps down from Brunswick Terrace. The terraced area to the front of the building is used for seating. The yard to the rear of the building is used for parking and servicing by the casino and Wetherspoons. At ground level there is a landscaped space to the east of the building enclosed by railings. The area of grass to the front of the terrace contains 5 trees and helps to give Merrion Way a green appearance. The UDPR identifies space around the side and front buildings as Protected public space.

- 2.2 Tower House is a 19 storey office building situated at the east end of the site. The ground floor of the building is at the level of the terrace. A flight of stairs at the end of the terrace descends down to street level around the junction of Merrion Way and Tower House Street. The lowest, street, level of Tower House is occupied by a substation and building management equipment.

- 2.3 The surrounding area is characterised by a number of large scale buildings. Yorkshire Bank is located to the west of Brunswick Terrace. The street contains 5 mature trees and 6 disabled persons parking spaces. The Merrion Centre and associated car park are located on the south side of Merrion Way. The 25 storey Opal building containing student accommodation is situated to the north east. Leeds arena is currently under construction directly to the north of Brunswick Terrace.

3.0 PROPOSALS

- 3.1 The proposals involve the retention and expansion of accommodation for existing tenants and uses, the provision of three new A3 restaurant uses at ground floor, and the construction of a new ten storey building containing 102 serviced apartments. The public realm around the site will be significantly improved.

3.2 Buildings

- 3.2.1 Extensions are proposed to three sides of the existing podium building. The existing vehicular ramp to the basement on the west side of the building will be infilled. This enables both the extension of existing public realm to the side of the building and also the formation of a new A3 unit which will incorporate and wrap around the northwest corner of the podium. The unit would be accessed from Brunswick Terrace with active frontages on both the side and rear elevations. A new canopy would be constructed across much of the Merrion Way elevation of the podium to provide shelter and also continuity across the frontage. The first floor of the podium

would be reclad in two horizontal bands of rainscreen cladding. The upper band would have a light grey finish to contrast with a dark grey/black band below. The top band would incorporate narrow horizontal strips of white LED feature lighting.

3.2.2 The existing casino is located at the eastern end of the podium building, with first floor accommodation extending over the Wetherspoons premises. The casino would be extended 10m back at ground floor with a new access created from Brunswick Terrace. First floor casino accommodation would be extended across much of the rear of the podium. Part of the first floor of the casino extension would sit over a new enclosed service yard to be used for bins and storage.

3.2.3 It is proposed to develop the space between the existing podium and Tower House. At ground floor level this would comprise access to the proposed serviced apartments and a new A3 restaurant which would have a principal access to the front and also access from Brunswick Terrace. The serviced apartments would extend 9 storeys directly above this new floorspace. A third of the 10 storey tower would be clad in dark rainscreen cladding as a vertical extension of the horizontal podium element. South facing windows in this component of the building would be set back from the building frame and fitted with brise soleil. A 6 storey serviced apartment wing would extend over the new casino extension with rooms facing the arena and glazed corridors facing towards Merrion Way. The majority of the building would be finished in through-coloured white render with infill glazing systems. The top level of this building would be 15m shorter than the levels below and would be clad in zinc.

3.2.4 A new single storey entrance to Tower House would replace that existing on the west side of the building. The ground floor of Tower House would be converted to restaurant use with access from the existing terrace. The ground and basement elevations of this building would be reclad in facing brick with powder coated aluminium frames to new glazing.

3.3 Public realm and lighting

3.3.1 Whilst the existing green space in front of the site provides a valuable amenity to the appearance of the streetscene the terrace to the front of the building appears dated, and that to the side and rear is cluttered and detracts from the setting of the building and the wider area.

3.3.2 The landscape proposals aim to form new and improved connections and also to significantly enhance the public realm around the site. It is proposed that:

- Brunswick Terrace to the rear would be widened by 4m through the removal of the rear boundary wall and involving the seamless extension of the pedestrian space to be provided by the arena development. New seating, matching that proposed at the arena, would be provided along the site boundary to be used both as an amenity and also to control vehicular movement. The applicant would be responsible for the maintenance of the benches.
- The existing ramp to the west side of the building would be infilled. The majority of the resulting space will be laid out as new public realm as an extension of the limb of Brunswick Terrace to the side of the building.
- The footways along the west side of Tower House Street and the north side of Merrion Way will be resurfaced in materials to match those proposed around the arena and on the south side of Merrion Way as part of the Merrion Centre New Front scheme.

- The podium terrace will be resurfaced and the front face refaced in brick to match that proposed at the base of Tower House. The terrace will incorporate two cantilevered extensions projecting forward towards Merrion Way. The existing railings will be removed and replaced by a clear balustrade aiding visual connection between the terrace and greenspace. New granite and timber faced raised planters on the terrace will incorporate new seating and planting. New granite steps will be formed at the east end of the terrace. Two new trees are proposed to the south of Tower House.

3.3.3 The building will be in use for much of the day and night and there is an opportunity to enhance both the building and the local night-time environment through appropriate lighting. Lighting proposals have been submitted with the application. The details identify how the lighting will reinforce the architectural form of the buildings through a combination of light levels, varying intensity, light pattern and light direction. The proposals include the introduction of surface mounted projectors to “crown” Tower House. Downlights would be used at low level to illuminate lower levels of the building.

3.3.4 Uplighting is proposed to the underside of the brise soleil to accentuate the serviced apartment building facing Merrion Way. Deep reveals to the southern and western elevation would define the extent of the structure.

3.3.5 The upper face of the podium building would be highlighted by narrow horizontal strips of white LED feature lighting arranged in random strips to draw the eye along the southern elevation. Entrances would be highlighted with increased light levels to assist users of the building. Downlights would be added to key architectural elements such as façade columns and mullions, and to the underside of the canopy.

3.4 Transport

3.4.1 The development involves the removal of the existing surface car park to the rear of the podium building. The western ramp to the basement car park will be removed whilst the eastern ramp will be widened to enable two-way access. The number of existing spaces in the basement car park will be reduced to allow the provision of services and storage facilities, the provision of 12 disabled persons parking spaces, provision of 35 long-stay cycle spaces, showers and a locker room. As a result the number of car parking spaces would reduce from 156 to 92.

3.4.2 A 4m wide route will be protected along the north side of the extended building to allow service vehicle access to the service yard from Brunswick Terrace. Vehicles will follow an anti-clockwise route from Merrion Way via Tower House Street. Vehicular access will be time-limited to ensure conflict with arena events does not arise and to ensure that the space can be utilised as public realm during the remainder of the day. Access will be controlled by retractable bollards.

3.4.2 Hotel drop-off is to be facilitated through minor widening of Merrion Way close to the front of Tower House. Direct access for people with mobility difficulties will be available using a new drop-off area proposed within the basement car park adjacent to the lift core.

3.4.3 Pedestrian movement will be enhanced through the public realm improvements described at paragraph 3.3.2. 13 short stay cycle stands for public use will be provided on the podium terrace.

- 3.4.4 A public transport contribution of £37,450 will be paid in accordance with the Public Transport Improvements and Developer Contributions Supplementary Planning Document.
- 3.4.5 There will be three types of travel plan for the development:
- A Master Travel Plan providing an overarching framework to formulate individual Occupier Travel Plans.
 - Compulsory Occupier Travel Plans, aimed primarily at employees.
 - Voluntary Occupier Travel Plans will be encouraged for the uses unaffected by the planning application.
- 3.4.6 The Plans' objectives are to reduce travel by private car; to encourage a reduction in car dependency; to encourage multi-occupancy car usage; to increase awareness of the environmental and health implications of different travel choices; to promote sustainable travel choices; to maximise accessibility for walking, cycling and public transport and to maximise transport choices.
- 3.4.7 The Master Travel Plan includes a range of measures designed to reduce the need to travel; to encourage sustainable transport modes; initiatives to support walking, cycling and public transport and to reduce single occupancy car use. It includes the following actions:
- High quality public realm around the periphery of the site including the widening of Brunswick Terrace to the side and rear, and new pavement surfacing to Merrion Way and Tower House Street
 - 35 long stay secure and covered cycle spaces, 13 short stay cycle stands and the provision of changing facilities and secure lockers
 - Removal of surface car parking and a reduction in basement parking space resulting in an overall removal of 64 parking spaces
 - 20% of car parking to be allocated to car sharers
 - Provision of travel plan information boards
 - Appointment of a permanent travel plan coordinator 6 months before occupation
 - Surveys, annual monitoring reports, and the preparation of action plans identifying mitigation measures where travel plan targets are not met.
- 3.4.8 A travel plan monitoring fee is to be secured by a clause in the section 106 agreement. It is considered that the Travel Plan measures and mitigation which reflect those recently agreed at the Merrion Centre are acceptable.

4.0 PLANNING HISTORY

- 4.1 The existing buildings were constructed in the 1960's. Part of the podium was used by Leeds Metropolitan University for educational purposes during the 1990's but it has otherwise been used for a mix of leisure uses with limited alteration since its construction. Tower House was reclad nearly a decade ago and has remained in office use.
- 4.2 The applicant's team presented emerging proposals for the site to Plans Panel on 10th February 2011 following a Panel site visit (PREAPP/10/00296). Plans Panel commented on the following matters:

- The preference for redevelopment of the site, including a taller building on the podium site
- The desirability of fragmenting the podium to create a new route
- The loss of space to the side of the building and obstruction of views of the arena
- The need for improvements to the rear of the existing podium building
- The need to fully mitigate for the loss of protected open space
- The development needing to appear homogenous
- The proposed bridge link to the tower appearing incongruous
- Additional planting and improvements to the edge of the terrace would be supported
- Servicing arrangements need to be resolved
- Disabled peoples parking spaces would be better retained in their current location

4.3 Since Plans Panel the scheme has been revised in response to Member's comments in conjunction with further pre-application discussions with the Civic Architect and officers.

5.0 CONSULTATIONS

5.1 Statutory

LCC Highways (15.11.11) The number of car parking spaces, long-stay cycle spaces and motorcycle spaces are acceptable. Short stay cycle parking spaces are required in the public realm. Access arrangements to the basement are acceptable. Servicing should be outside the arena event times as confirmed by the Transport consultant. Submission of a servicing management plan should be conditioned. A commuted sum is required for maintenance of seats proposed along Brunswick Terrace. A S278 agreement is required for minor widening of Merrion Way to enable the provision of a drop-off point. A TRO is needed for these works.

5.2 Non statutory

Leeds District Police ALO (21.10.11) A robust access and control system is required. Doors and windows should be in line with the requirements of the UK Police Flagship Secured by Design scheme. Advice from the Counter Terrorism Unit should be obtained.

West Yorkshire Counter Terrorism Unit (9.11.11) The integrity of the Arena perimeter will not be compromised by the proposals. There are already agreed retractable PAS68/69 bollards which delineate Merrion Way and provide proportionate and cost commensurate Hostile Vehicle Mitigation protection measures.

LCC Access (4.10.11) No objection.

LCC Travelwise (12.12.11) The Travel Plan is acceptable. It should be included in the S106 agreement along with the Travel Plan review fee of £2,835.

LCC NGT (17.11.11) The development will generate a large number of trips of which a proportion will have to be accommodated on the public transport network. A contribution of £37,450 to public transport is required.

LCC Environmental Services (10.10.11) The refuse collection arrangements look acceptable. Collection will need to be arranged through a private contractor.

LCC Contaminated Land (19.10.11) No objection subject to conditions.

LCC Flood Risk Management (25.10.11) No objection subject to the development being carried out in accordance with the submitted Drainage Statement.

Yorkshire Water (1.12.11) Conditions regarding drainage details recommended.

LCC Environmental Protection Team (15.11.11) The site is located in a fairly busy area of the city centre near to the arena and student accommodation. It should be possible to negate noise and odours associated with the development by appropriate planning conditions, although noise from customers coming and going is more difficult to control. A sound insulation scheme will be required for the serviced apartments to protect them from noise from the A3 units and external noise. Conditions are recommended.

LCC Licensing (8.11.11) Premises licenses will be required for premises selling alcohol or providing entertainment. The area is within the Cumulative Impact Policy (CIP) area where the presumption is to refuse new licenses unless the applicants can demonstrate that the granting of such licenses would not have an adverse effect on the CIP. The casino will need to apply to vary their casino and premises licence.

LCC Sustainability (2.12.11) The submitted Sustainability Statement closely follows the SPD guidelines. A BREEAM "Very Good" standard is proposed and outline energy demand and CO2 calculations have been undertaken. Further clarity is required regarding Low and Zero Carbon technologies that will be used. Conditions are recommended.

6.0 PUBLIC/LOCAL RESPONSE

6.1 Site notices advertising the application were erected on Merrion Way and Wade Lane on 14th October 2011. The application was also advertised as a Major development in Leeds Weekly News on 13th October.

6.2 Leeds Civic Trust (11.11.11) commented on the application following a presentation by the architects. LCT supports the scheme in principal and has no issues with the overall design concept. LCT particularly like the usable sitting space for members of the public, improvements to the public realm on Merrion Way and Brunswick Terrace, and the lighting scheme.

LCT would prefer the existing disabled person's parking spaces to be relocated to allow a wider pedestrian route to the arena.

Response – whilst the applicant would support the relocation of the parking spaces they are outside the applicant's control.

LCT would prefer more of the arena to be visible from Merrion Way. It is important that an impressive view of the arena is possible from the Merrion Centre exit.

Response - the arena is a very large building. The serviced apartment building would help to frame key views of the front of the arena whilst concealing views from Merrion Way of the blank side elevation of the arena.

LCT concludes that the proposed refurbishment works are desperately needed to ensure that the arena is situated in the best surroundings.

- 6.3 One letter has been received supporting redevelopment of the site, in particular the lighting scheme. High quality facing materials are needed.

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).

7.2 Regional Spatial Strategy

- 7.1.1 A number of the policies in the RSS are relevant to the proposal emphasising the role of Leeds as a regional centre (in particular LCR1 and YH4), the need for a quality environment with encouragement to the reuse of previously developed land (E3), and the role of city and town centres as the focus for activity (E2). Policy ENV 5 promotes energy efficient buildings.

- 7.1.2 The Regional Transport Strategy forms part of the RSS. Policy T1 identifies aims for personal travel reduction and modal shift to modes with lower environmental impacts. Policy T5 states that access to all main destinations should be improved. Access for all groups in society should be enhanced (B1).

7.2 Unitary Development Plan Review (UDPR)

- 7.2.1 The site is located within the City Centre boundary. It falls within a Prestige Development Area where prestige development, including for offices, leisure, entertainment, recreation and hotel uses, are supported (CC31). The UDPR Proposals Map identifies areas of the site not occupied by buildings, including the space between the podium and Tower House, as public space. City Centre UDPR Policies CC3, CC9, CC11, CC13 and CC31 seek improvements and enhancements to existing public spaces and improved accessibility to them.

- 7.2.2 Other relevant UDPR policies include:

- SA1 Protect and enhance the quality of the environment.
- SA2 Encourage development in locations that reduce the need for travel.
- SA7 Promotes the physical and economic regeneration of urban land and buildings.
- SA8 Ensure that all the community have safe and easy access to facilities.
- SA9 Promotes the development of the city centre.

- GP5 Detailed planning considerations to be resolved
- GP7 Planning obligations
- GP11 Development must meet sustainable design principles

- N12 Priorities for urban design
 - i Development should create a series of linked and varied spaces defined by buildings and landscape elements
 - ii New buildings should be of good design
 - iii Developments should respect the character and scale of buildings and the routes that connect them.

- iv Movement on foot and bicycle should be encouraged.
- v Developments should assist people to find their way around.
- vii Design and facilities should reflect the needs of those with restricted mobility.
- viii Visual interest should be encouraged.
- ix Development should be designed to reduce the risk of crime.
- N13 All new buildings should be designed to a high quality and have regard to the surroundings. Contemporary design will be welcomed.
- N23 Space around new development should provide a visually attractive setting. Existing features which make a positive contribution should be retained.
- N25 Boundaries of sites and paving materials.

- T2 New development to be adequately served by highways and not to materially add to problems of safety, environment or efficiency on the highway network; be capable of being adequately served by public transport; to make adequate provision for cycling
- T2D Developer contributions where public transport accessibility would otherwise be unacceptable.
- T5 Satisfactory safe and secure access for pedestrians and cyclists.
- T6 Provision for people with mobility problems.
- T7A, T7B, T24 Cycle parking, motorcycle parking requirements and car parking guidelines.

- R5 Opportunities will be sought to secure appropriate employment and training associated with construction and operation of the development.

- A4 Design of safe and secure environments, including consideration of access arrangements, public space, servicing and maintenance, materials and lighting.

7.2.3 UDPR Appendices

Policies within the appendices typically elaborate policies in the main document. Policies BD2, BD3, BD4, and BD5 identify building design requirements. LD1 sets out requirements for landscape schemes.

7.3 Supplementary Planning Guidance, other guidance and emerging policy

7.3.1 Public Transport Improvements and Developer Contributions SPD (August 2008)

The SPD identifies the need for, and scale of, developer contributions in order to bring forward required enhancements to strategic public transport infrastructure in accordance with PPG13, and UDPR.

7.3.2 Travel Plan SPD (draft August 2011)

The SPD identifies the requirement for Travel Plans; advises what type of travel plan is appropriate; what they should include; how they shall be delivered; and how they shall be monitored and enforced.

7.3.3 Building Today for Tomorrow – Sustainable Design and Construction SPD (August 2011)

The SPD identifies the sustainable design and construction standards sought in new developments.

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

The proposed development falls within the North Street/Clay Pit Lane study area of the design guide. The guide promotes the retention and enhancement of strong building lines in new development; the regeneration and re-use of existing buildings; the enhancement of spaces with additional soft landscape along Merrion Way; more active frontages and pedestrian-friendly environments including along Brunswick Terrace.

7.4 National Policy

7.4.1 PPS1 Delivering Sustainable Development (January 2005)

Planning should facilitate and promote sustainable patterns of development.

7.4.2 PPS4 Planning for Sustainable Economic Growth (December 2009)

PPS4 states that a positive and constructive approach should be adopted by local planning authorities towards planning applications for economic development (EC10). This policy was supplemented in the Minister of State's statement of 23rd March 2011 in which he stated that local planning authorities should take a positive approach to development to support economic growth.

7.4.3 PPG13 Transport (March 2001)

Key objectives of the PPG are to encourage more sustainable patterns of development and to reduce the need to travel by private car.

8.0 KEY ISSUES

1. Principle of development
2. Building and landscape design
3. Transport
4. Wind
5. Sustainability
6. Section 106

9.0 APPRAISAL

9.1 Principle of development

9.1.1 The site is located in the City Centre and the existing and proposed uses are supported in such locations by PPS4. The uses would help to reinforce the function of this part of the city centre as a major cultural and visitor centre in accordance with RSS policies YH4 and E2. Similarly, strategic UDPR policies promote the location of leisure facilities in sustainable locations such as this.

9.1.2 The UDPR Proposals Map identifies the site within a Prestige Development Area. Prestige development, including for offices, leisure, entertainment, recreation and hotel uses, are supported (CC31). The proposed uses reflect the UDPR designation.

9.1.3 Areas of the site not occupied by buildings, including the space between the podium and Tower House, are identified in the UDPR as public space. Although in private

ownership development of these areas is not normally supported unless there is appropriate mitigation. Mitigation proposals include the following:

- The widening of Brunswick Terrace to the side and rear through the removal of the access ramp, boundary wall and rear parking area, incorporating new hard landscaping as an extension to that being delivered by the arena development.
- Resurfacing of existing pedestrian footways along Merrion Way and Tower House Street and the provision of two new trees.
- Replacement of existing steps up to the terrace which will be enhanced by new hard and soft landscaping, including new seating provision.

9.1.4 Consequently, the proposals accord with the overall aims of the Development Plan and national planning guidance. The principle of development is therefore acceptable.

9.2 Building and landscape design

9.2.1 As noted, although the scheme has had to be developed around the existing occupiers of the podium building who benefit from long leases, it brings forward a development that has active frontages on three sides. The massing of the development has been designed as a series of meaningful steps rising up towards Tower House with a new positive edge along Brunswick Terrace. At the same time the building proposals respect and help to frame key views of the arena. Materials and colours have been chosen from a simple monochromatic palette so as to respond and uplift the form of the buildings, whilst avoiding competition with the arena to the rear. The proposals include a lighting scheme which will add additional interest to the building and the local evening environment.

9.2.2 The building design proposals will enhance the existing appearance of the site and wider streetscene and accord with policies N12 and N13 of the UDPR.

9.2.3 The existing space around the building is low quality. Areas to the side and rear of the building are used for servicing and parking functions, and present a particularly poor appearance. There is no current public access to these areas. Existing hard landscaping is tired and in need of refurbishment. The scheme delivers new usable and publicly accessible space designed as a seamless extension to the arena's public realm. In combination with the building proposals, the public realm proposals will re-instate Brunswick Terrace as a street, able to accommodate significant pedestrian movement. The terrace area will be enhanced through new hard and soft landscaping and the provision of new steps. To complete the scheme public footways on Merrion Way and Tower House Street neighbouring the site will also be resurfaced in materials to match those proposed to adjacent sites.

9.2.4 The landscaping and public realm proposals will significantly enhance the streetscene and accord with UDPR Policies CC3, CC9, CC11, CC13 and CC31.

9.3 Transport

9.3.1 The application was accompanied by a Transport Statement which identifies the transport impacts of the development. Drop off facilities would be provided in acceptable locations in close proximity to the serviced apartment entrance. A defined route will be provided along Brunswick Terrace for servicing which will be managed to avoid conflict with arena operations and pedestrian movements. The amount of car parking will reduce with remaining spaces shared by daytime and night-time occupiers.

9.3.2 The proposals raise no specific road safety concerns and accord with UDPR policies GP5 and T2.

9.3.3 The application was accompanied by a Travel Plan aimed at reducing car use. The Travel Plan has also been strengthened during the course of the application reflecting measures and mitigation recently agreed at the Merrion Centre. A travel plan monitoring fee is to be secured by a clause in the section 106 agreement. It is considered that the Travel Plan accords with the requirements of the draft SPD and is acceptable.

9.3.4 As the development will generate trips which will have to be accommodated on the public transport networks a public transport contribution of £37,450 is required in line with the adopted SPD.

9.4 Wind

9.4.1 Primarily due to the scale of surrounding buildings and the proposed introduction of a new building reaching 10 storeys in height, the application was accompanied by a wind study. The study assesses the impact of the development on the wind environment surrounding the development. The study suggests that the proposed stepped arrangement of the development, with low rise on the west side, will help to disperse downdrafted winds. At the eastern end, the building will help to reduce wind levels in the eastern part of Merrion Way. Likely areas of windiness are identified at the south west corner of the arena, and to the south of Tower House close to its entrance. Mitigation in the form of trees or screens is suggested. The wind study concludes that the off-site impact is likely to be neutral or positive. This will be independently verified.

9.5 Sustainability

9.5.1 The application was accompanied by a Sustainability Statement in accordance with UDPR policy GP11 and the recent SPD. The development will be low carbon in design involving sustainable materials, waste segregation and recycling strategies. Mechanical services and facades will help to address climate change considerations. The applicant has confirmed that Low and Zero Carbon technologies will be used to deliver 10 per cent of the energy demand in accordance with RSS policy ENV5. The use of air source heat pumps and small scale combined heat and power (CHP) will be investigated as part of the next stage of design. Additionally, a minimum BREEAM "Very Good" standard will be achieved to accord with current requirements.

9.6 Section 106

9.6.1 The Section 106 agreement will include the following:

- Public transport contribution £37,450.
- Implementation of Travel Plan and evaluation fee £2,835
- Restriction to serviced apartment use
- Employment and training initiatives
- Maintenance of street furniture in Brunswick Terrace
- Section 106 management fee

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

9.7 Conclusion

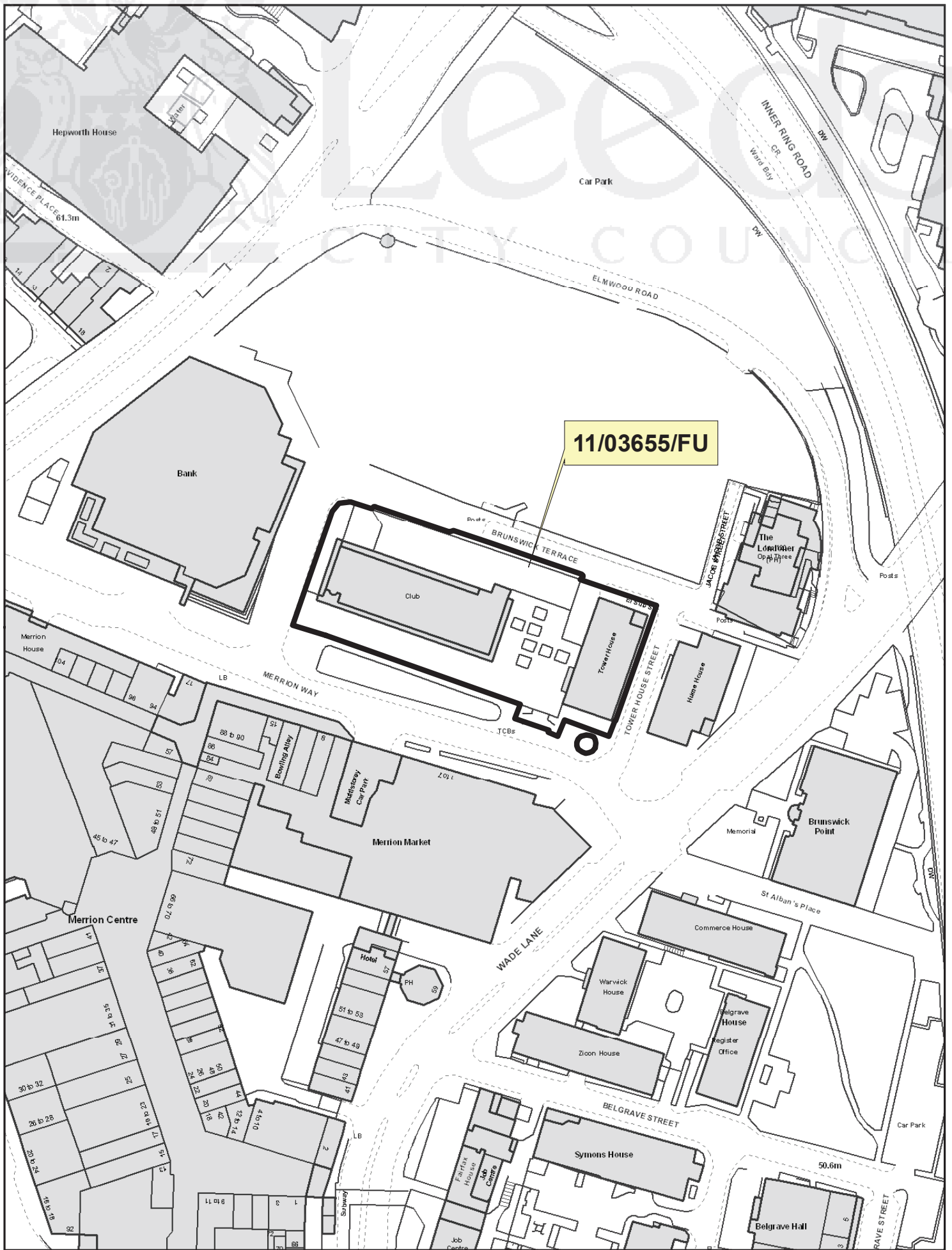
9.7.1 The existing environment surrounding the site is largely low quality. When approving the arena development on the northern fringe of the city centre it was envisaged that it would act as a catalyst for investment and regeneration of the area. In particular, it was expected that the arena would help to sustain and develop supporting functions such as hotels, restaurants and related businesses. The current scheme seeks to respond to the opportunities arising from its location by introducing and supplementing uses which reflect those ambitions. At the same time the proposals involve a major investment and improvement in the building fabric and public realm and enhance the appearance of the area. The scheme is located in a key location between the arena and Merrion Centre such that the proposals form a crucial component in the regeneration of the northern area of the city centre. In doing so the development will create a significant number of jobs.

9.7.2 The proposals accord with the Development Plan and other material planning guidance. Accordingly the application is recommended for approval subject to appropriate conditions and the completion of a Section 106 agreement.

Background Papers:

Application file 11/03655/FU, pre-application PREAPP/10/00296

Certificate of ownership: notice served on Leeds City Council



11/03655/FU

CITY CENTRE PLANS PANEL



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Originator: C. Briggs

Tel: 0113 222 4409

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 22 December 2011

Subject: 11/04023/FU PART 6 AND PART 10 STOREY MIXED USE DEVELOPMENT COMPRISING OFFICE SPACE (CLASS B1) AND 130 BED HOTEL (CLASS C1) WITH BASEMENT CAR PARKING AT WHITEHALL ROAD, LEEDS, LS1 4BN

APPLICANT

Gregory Projects Ltd, CDP
Ltd And Whitbread Group
PLC

DATE VALID

23 September 2011

TARGET DATE

23 December 2011

Electoral Wards Affected:

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate), and following the completion of a Section 106 Agreement to cover the following matters:

- **Contribution to public transport improvements in accordance with SPD5 prior to first occupation £97 496**
- **Car club space and trial provision prior to first occupation £2500**
- **Public access around the site**
- **Travel plan implementation and monitoring fee prior to first occupation £4750**
- **Employment and training opportunities for local people.**
- **Management fee payable within one month of commencement of development £1500**

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.

Conditions for 11/04023/FU

1. Time Limit (3 years)
2. Development in accordance with approved plans
3. Samples of all external walling and roofing materials.
4. Construction of a sample panel of all external walling materials
5. Samples of all external surfacing materials
6. Detailed 1:20 scale working drawings shall be submitted including cross sections of ground floor treatments, window bays and roofline/eaves
7. Hard and/or soft landscaping scheme
8. Maintenance of landscaping scheme
9. Details of tree pits
10. Waste storage and disposal details, including recycling and details of security of and access to the bins.
11. Provision of cycle and motorcycle parking
12. Details of installation and operation of air conditioning including odour filtration
13. Details of a noise attenuation scheme including all plant
14. Contaminated land information
15. Amendment of remediation statement
16. Submission of verification reports
17. Specified hours for delivery, loading and unloading 0900 -1800 Monday to Saturday with no such operations Sundays and Bank Holidays
18. Details of works for dealing with surface water discharges from the development required.
19. No piped discharge of surface water from the development prior to completion of approved surface water drainage works.
20. Dust suppression measures during construction.
21. Means of preventing mud on the highway
22. Details of contractor's cabins, parking, access and traffic management
23. Construction working hours 0730-1900 hours weekdays, 0800-1300 Saturdays
24. Submission of detailed scheme comprising (i) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit), (ii) a Site Waste Management Plan for the construction stage, (iii) a waste management plan for the buildings occupation and (iv) a BREEAM assessment to at least Very Good rating or equivalent
25. Implementation of off-site highways works
26. Details of car park management plan
27. Implementation of flood risk assessment measures
28. Areas to be used by vehicles to be laid out prior to occupation

The following are non standard conditions which can be found in full in the Appendix – 25, 27

Reason for approval 11/04023/FU:

The application is considered to comply with the policies GP5 GP7 GP12 BD6 A1 A4 N12 N13 N14 N15 N16 N17 N25 N29 BD4 ARC6 CC1 CC3 CC10 CC11 CC12 CC13 CC19 E14 CC27 Prime Office Quarter Proposal Area Statement 1 T2 T2D T5 T6 T7A LD1 of the UDP Review 2006, the Yorkshire and Humber Regional Spatial Strategy 2008, as well as supplementary planning guidance in SPD5 Public Transport Improvements and Developer Contributions, SPD Travel Plans, SPD Sustainable Design and Construction, and the City Centre Urban Design Strategy, and national guidance contained within PPS1, PPS4, PPG13, and PPS25 and having regard to all other material considerations, as such the application is recommended for approval.

INTRODUCTION:

1.1 This application is brought to Panel as it is a significant major application.

2.0 PROPOSAL:

2.1 The application proposal is for a part 6 part 10 storey mixed use development comprising 6000 square metres of office space and 130 bed hotel, to be operated by Premier Inn.

2.2 The ground floor of the building consists of office accommodation at the western end of the building, with a hotel reception and restaurant at the eastern end. The office accommodation would be located from first to fourth floor and the hotel accommodation from fifth floor to ninth floor in a L-shaped plan. All plant equipment is located behind a parapet at the fifth floor, below an area of green roof.

2.3 The materials palette would consist of a mix of ceramic rainscreen cladding and zinc rainscreen cladding, with a regular window pattern set within deep reveals.

2.4 The ground floor level of the building would be raised by some 1.25m to meet the flood risk assessment. The building would be accessed from ramps at the eastern and western ends of the building, with the hotel entrance on the new pedestrian route to the riverside at its corner with Whitehall Road, and the office entrance being centrally located on the Whitehall Road elevation. A pedestrian walkway would run along the Whitehall Road elevation on the raised floor level.

2.5 Servicing and car park access is achieved from the ramp at the southern elevation entrance, with the basement capable of accommodating 38 cars (including 8 for hotel use, and 30 for office use including 2 car sharer bays and 2 disabled bays), together with refuse and secure cycle and motorcycle storage facilities. 6 car parking spaces are at surface level, these include three for office use, one car club space, and two disabled bays for hotel use. The service road currently serves No.1 Whitehall Riverside, and would be extended westwards to serve new developments as they are delivered.

2.6 Surfacing consists of a variety of materials, with block paving to main footways, block paving setts to car parking bays, coloured tarmac to the vehicular routes, and raised grassed areas. Soft landscaping would consist of trees planted at regular intervals to the western and eastern ends of the site.

2.7 In addition to detailed scaled plans, a number of documents have been submitted in support of this proposal:

- Design and Access Statement
- Planning Statement
- Transport Assessment
- Flood Risk Assessment including PPS25 Sequential Test Assessment
- Drainage Statement
- Noise Survey
- Sustainability Statement
- Landscaping details
- Phase 1 Land Contamination Report
- Travel Plan
- Daylight/sunlight study

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is currently an open grassed area, and is bounded at its eastern boundary by a 5m high red brick wall, which partially encloses an electricity sub-station. Immediately to the east of the substation are two very recent constructions: the 14 storey Whitehall Quays residential development, primarily built using red brick and silver cladding; and the 8 storey red brick and stone Novotel hotel on Whitehall Road. The site is in close proximity to a number of large redevelopment sites including the proposed Wellington Place outline scheme to the north of Whitehall Road, the West Point residential scheme (to the north east), No. 1 Whitehall Riverside (immediately to the south), and the 16 storey residential and office block at the western end of the Whitehall Riverside site known as Whitehall Waterfront. The application site has previously formed part of an outline planning permission for most of the south side of Whitehall Road between the end of Northern Street and Monk Bridge. It was allocated for an 8 storey multi-storey car park however the outline permission has now expired. Two subsequent full planning permissions for 10-12 storey office buildings have been granted in recent years, however these have also now expired.
- 3.2 The application site lies within the designated City Centre, as an identified Proposal Area within the Prime Office Quarter (Proposal Area 1 : Whitehall Road (South Side)). This allocates the area as principally office use, with other uses bringing activity and variety. The Whitehall Waterfront and Riverside West mixed office/residential schemes and Whitehall Quay mixed residential/hotel/office scheme have all contributed to this aim. The proposal area also identifies opportunity for small scale retail and food and drink uses. New development should provide for the riverside walkway, and public realm to connect the area to the sites to the north. The development of Whitehall Waterfront to the west and No. 1 Whitehall Riverside to the south under the now expired outline planning permission delivered the riverside walkway for the full length of the wider site, and a pedestrian bridge over the River Aire.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 20/299/00/OT Outline application to erect 4 office blocks 2 residential blocks 2 cafe bars, retail units & multi storey car park – approved 10 October 2001. The current application site was identified as an 8 storey multi-storey car park with ground floor café/bar use under this outline planning permission.
- 4.2 20/192/04/FU Part 10 part 12 storey office block with undercroft car parking – approved 29 July 2004.
- 4.3 06/04682/FU 11 storey office block (elevational changes to previous approval 20/192/04/FU) – approved 9 November 2006.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Following the expiry of the above planning permissions, pre-application meetings have been held regarding this site with officers during 2010 and 2011, prior to the submission of a full planning application in September 2011.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Application publicity consisted of:

- 6.1.1 Site Notice of Proposed Major Development posted 14 October 2011, expired 4 November 2011.

- 6.1.2 Press Notice of Proposed Major Development published 5 October 2011, expired 3 November 2011.
- 6.2 Ward Members consulted 3 October 2011 - no comments made at time of writing.
- 6.3 Letter from Leeds Civic Trust, dated 26 October 2011 and email dated 15 November 2011 objecting to the scheme for the following reasons:
- 6.3.1 Concern regarding the manner in which the building plinth interacts with the footpath. The majority of the footpath is lined with the edge of the 1250mm plinth which is then topped with another 1100mm of balustrading, meaning that a pedestrian will be walking adjacent to a wall of around 2300mm. We feel that this interaction could be handled with a little more care.
Response: Revised plans have been received (8 December 2011) which have lessened the impact of the building plinth and balustrade combined height. The balustrade has been set back behind a row of planters in the case of three bays, and an additional flight of steps has been added closest to the office entrance. It is considered that this adequately reduces the dominance of the plinth to the back edge of footway, which is some 2.4m wide at this point.
- 6.3.2 The ground floor plan does show the width of the external staircase to be comparable to the pavement but the floor space available proceeding the staircase is effectively reduced by a quarter because of the positioning of the major structural column. This staircase is the smallest of the three external staircases but is facing the single largest generator of foot fall from the city centre and train station.
Response: The steps are 2.75 metres wide and designed to be comparable to the width of the Whitehall Road public footpath and the raised ground floor colonnade. The inclusion of the accessible ramp and the extended route across to the river restricts the steps to this size. The size of the steps are considered appropriate for the likely flow of pedestrian movement in this area.
- 6.3.3 The landscaping is uninspiring to the east side of the site, as there has been no indication of how this space could be used beyond being a gap in the urban grain. This could simply be addressed by including some seating and some simple low level planting. We feel a few tree canopy shadows would cause minimal impact relative to the shadows created by the existing and proposed buildings.
Response: It is considered that the tree planting proposed is sufficient, and that further planters or seats may clutter this pedestrian area linking Whitehall Road to the riverside.
- 6.3.4 The building could further articulate its mass on the upper floors as it has done on the two lower floors and the rear. All the other buildings along Whitehall Road have some level of articulation, whereas the proposed development presents a sheer wall.
Response: It is considered that the proposed form of the building is in keeping with recent developments in the area, and that whilst the building is a consistent storey height along the Whitehall Road elevation, there is sufficient visual interest in the variation in materials and the relief in the façade created by recesses and reveals.
- 6.4 One letter of objection from a resident of West Point, Wellington Street received 2 November 2011:
- 6.4.1 The distance between the proposed building and West Point is too close.
Response: It is not considered that the relationship between the windows of the

proposed and existing buildings is too close at some 30 metres. It is not considered that the proposed building would have significant impacts on the residential amenity of the residents of West Point.

- 6.4.2 The proposed building would significantly reduce light.
Response : The applicant's architect has submitted a sun path analysis plan. This confirms that there would be little adverse impact arising as a result of this development.
- 6.4.3 The hotel and bar would have a negative impact for residents of West Point.
Response: It has been the policy aspiration of the Council since the 1990s that city centre residential development would be part of a wide mix of uses in the Prime Office and Riverside Quarters including offices, hotels, bars and restaurants, and contribute to the continuation of a successful and vibrant City Centre. The area currently consists of a mix of residential, offices, hotels with supporting ground floor bars, cafes, shops and restaurants. In this context it is not considered that there would be additional adverse impact on residential amenity. However, a condition would be applied to ensure that a sound insulation scheme is submitted to ensure that there is no adverse breakout of noise from the proposed uses and associated plant.
- 6.4.4 The hotel rooms would look directly into apartment rooms.
Response: The windows within the proposed building would directly overlook the West Point building. They would be offset by some 20 metres and the apartment windows at the nearest part of West Point are also set behind balconies. Therefore there would not be opportunity for hotel residents to look directly into residential accommodation.
- 6.4.5 The building is well forward of the building line of adjacent properties. *Response: The proposed building line is broadly consistent to the existing building line, and those approved in 2001 (approved the same year as the West Point development), 2004 and 2006.*
- 6.4.6 The look of the building is not in keeping with the area.
Response: See Appraisal section 10.2 of this report.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

- 7.1.1 Leeds City Council Transport Development Services – no objection subject to the following provisions:
- provision of off-site highways works to enable the future delivery of a 1.5m cycle lane along Whitehall Road including necessary temporary hatching
 - long-stay and short-stay cycle parking spaces
 - a car club bay
 - motorcycle parking facilities
 - travel plan measures
 - shower/locker provision
 - conditions regarding construction cabins and traffic management
- 7.1.2 Environment Agency - no objections subject to specified conditions to ensure the development is carried out in accordance with the submitted flood risk assessment (FRA).

7.1.3 British Waterways – no objection.

7.1.4 Yorkshire Water – no objection subject to specified conditions.

7.2 Non-statutory:

7.2.1 West Yorkshire Archaeology Advisory Service – there are no apparent significant archaeological implications attached to the proposed development.

7.2.2 Leeds City Council Environmental Protection: No objection subject to conditions regarding mechanical plant installation and sound insulation.

7.2.3 Leeds City Council Flood Risk Management: No objection subject to implementation of development in accordance with the submitted FRA, and a condition regarding surface water drainage details.

7.2.4 West Yorkshire Metro: no objection subject to provision of real time bus information in the hotel reception. The applicant has confirmed in the Travel Plan that this would be provided.

8.0 PLANNING POLICIES:

8.1 Development Plan

Regional Spatial Strategy Yorkshire and the Humber 2008

Leeds Unitary Development Plan Review 2006

Relevant policies include:

GP5 all relevant planning considerations

GP7 planning obligations

GP11 sustainability

GP12 sustainability

BD6 all alterations

A1 improving access for all

A4 safety and security provision

N12 urban design

N13 design and new buildings

N29 archaeology

BD2 design and new buildings

BD4 all mechanical plant

BD5 amenity and new buildings

CC1 City Centre and planning obligations

CC3 City Centre character

CC10 public space and level of provision

CC11 streets and pedestrian corridors

CC12 public space and connectivity

CC13 public spaces and design criteria

CC27 Prime Office Quarter

Prime Office Quarter Proposal Area 1: Whitehall Road (South Side)

CC19 Office proposals

E14 Office proposals

T2 transport provision for development

T2D public transport provision for development

T2C Travel plans and new development

T5 pedestrian and cycle provision

T6 provision for the disabled

T7A cycle parking
T7B motorcycle parking
LD1 landscaping

8.2 Relevant Supplementary Planning Guidance includes:
SPD5 Public Transport Improvements and Developer Contributions
SPD Travel Plans
SPD Sustainable Design and Construction
City Centre Urban Design Strategy
Leeds Waterfront Strategy

8.3 National planning policy and guidance includes:
PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPG13 Transport
PPS25 Development and Flood Risk

9.0 MAIN ISSUES

1. Principle of use
2. Design
3. Transportation
4. Flood risk
5. Sustainability
6. Section 106 Agreement

10.0 APPRAISAL

10.1 Principle of use

10.1.1 The application site lies within the designated City Centre, and is allocated as a specific proposal area within the Prime Office Quarter. UDP Policy CC19 states that office use will be supported as the principal use within the Quarter. Under Policy CC27, proposals for other uses which service the area, add variety and vitality, support the attractiveness of the area and would not prejudice its function, would generally be encouraged. This is supported by the Proposal Area Statement for the area which specifically states that office use would be the principal use, with hotel identified as an appropriate supporting use.

10.2 Design

10.2.1 The design and siting of the proposed building is considered to be appropriate to the scale and character of neighbouring buildings and the surrounding area. It is considered that the siting responds to the context and scale of Whitehall Road as it leads away from the railway station. The scale of existing and proposed buildings is around 8-10+ storeys across the Whitehall Quay, West Point, Whitehall Riverside and Wellington Place sites.

10.2.2 The proposal for this block is considered to be appropriate to the architectural features and materials of surrounding existing and proposed developments. It is considered that the modern, calm design in light ceramic panels would complement the red brick/terracotta, render, silver panelling and glazing of the nearby Whitehall Quay, West Point, Whitehall Waterfront developments. It is considered that this

contemporary design would enhance its setting and start to deliver the next steps in the regeneration of the West End of the City Centre.

- 10.2.3 It is considered that the design features provide appropriate modern detailing. The glazing would be recessed by a minimum of 100mm to create a meaningful reveal to be clad in a black gloss finish ceramic tile, which would give visual interest to the elevations. The window rhythm is intended to give a vertical emphasis, and tie the two elements of the building and their uses together. The use of the different coloured ceramic panel in a different plane, recessed by some 20mm, and in a different sized panel and coursing mimics the window pattern on the office accommodation, unifying the visual appearance of the two elements.
- 10.2.4 The quality of the external materials can be controlled through the provision of material samples panels by condition. 1:50 and 1:20 typical bays and sections have been submitted for each building to establish the detailing of the elevations, and this would be reinforced at working drawing stage by conditions. Full details of mechanical plant would be required by condition in order to control its potential amenity and visual impact.
- 10.2.5 The routes and spaces around the building would also be appropriate to the continuing regeneration of this part of the city centre and in accordance with the Leeds Waterfront Strategy and the UDP Proposal Area Statement. The riverside walkway and pedestrian bridge have been delivered as part of previous permissions for this wider site, and the current proposal provides for connections to the riverside beyond the neighbouring block at No.1 Whitehall Riverside. This application proposal would not prejudice the development of the remainder of the wider site along similar lines to that previously approved.
- 10.2.6 The landscaping of the site would be designed in a positive manner appropriate to the character of the building and the surrounding area, and the character of paving materials would accord with the character of the area. Exact details of hard and soft landscaping, including samples of surfacing materials, would be controlled by condition.

10.3 **Transportation**

- 10.3.1 The site lies within the city centre core parking area, and the parking provision proposed complies with the UDP maximum parking guidelines for the site.
- 10.3.2 To further reduce reliance on the private car the submitted Travel Plan includes the following measures:
- provision of shower facilities to encourage cycle use for hotel and office staff.
 - appropriate secure storage for cyclists and motorcyclists
 - provision of car sharer bays in the basement for office users
 - provision of short stay cycle spaces for visitors
 - improvements to local pedestrian and cycle connectivity through the provision of cycle lane and cycle route signposting
 - provision of a real-time bus display in the hotel reception
 - provision of car club trial for office users
 - Arrangements for the monitoring and take-up of the Travel Plan measures for office and hotel staff and hotel guests, and revising the Travel Plan as necessary.
 - Provision of one car club space on-site
 - Provision of a budget for the promotion of sustainable travel incentives in the event that travel plan targets are not met

10.3.3 The applicant will also be providing a contribution towards strategic public transport improvements in accordance with SPD5.

10.3.5 The development would provide for enhancements to the strategic public transport network, as well as provide improvements to local pedestrian and cycle routes where required to achieve appropriate levels of accessibility. The development would also provide and encourage safe and secure cycle and motorcycle usage/storage, provides a car club space and trial provision, and has an adequate level of car parking within the scheme. It is therefore considered that the application proposal would not raise any specific road safety concerns.

10.4 **Flood Risk**

10.4.1 The proposed development is for office use which are classed as 'less vulnerable' and hotel use, which is classed as 'more vulnerable' under PPS25. The sequential and exceptions tests therefore apply. The applicant has stated that no sequentially preferable sites are available to deliver this project within the Prime Office Quarter, nor the Prestige Development Areas as defined by the UDP. The exceptions test has therefore been applied, and the site is considered sustainable given its location within the Prime Office Quarter of the City Centre accessible to pedestrians and cyclists and close to public transport links, the site is previously developed land, and through the submission of an acceptable flood risk assessment, the proposal would adequately safeguard against potential flooding impact.

The proposal is an appropriate use for the City Centre, in particular within a specific Proposal Area identified within the designated Prime Office Quarter for mixed office and other uses (specifically hotels), and one which under PPS4 should not be located outside a designated centre.

10.5 **Sustainability**

10.5.1 The proposal will meet at least BREEAM Very Good rating, and a planning condition to provide details of the verification of this will be applied. A minimum of 10% energy generation will be developed through on site renewables in the form of air heat source pumps on the hotel, utilising the comfort cool system and utilising the heat generated. CO2 emissions will be reduced by a combination of the introduction of the renewable technology, and enhanced u-value and air tightness values. Low Energy Servicing equipment will be specified throughout with a preference for variable control systems. A green roof would be provided above the office accommodation above fifth floor level. In terms of the hotel, full details of the types of sustainability measures that Premier Inn hotels and restaurants use corporately has been submitted, and this includes food recycling, cooking oil recycling, low water use systems, low energy lighting and heating and air conditioning controls.

10.6 **Section 106 Agreement**

10.6.1 A Section 106 Agreement would be signed in connection with the planning application, with the following obligations:

- Public transport contribution in accordance with SPD5 £97 496
- Car club space and trial provision for office users contribution £2500
- Travel plan monitoring fee in accordance with the Travel Plans SPD £4750
- Public access around the site

- Cooperation with local jobs and skills training initiatives. This would involve making reasonable endeavours to cooperate and work closely with Employment Leeds to develop an employment and training scheme to promote employment opportunities for local people during the construction works, from the start of the tendering process. Reasonable endeavours would also be made to agree a method statement with the future occupiers to identify employment and training opportunities, to provide every six months details of recruitment and retention of local people as employees and training of apprentices, and identify any vacancies on a monthly basis to Employment Leeds.
- Section 106 management fee £1500

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

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

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

As listed above (and also in the 'recommendation' box at the beginning of this report), there are matters to be covered by a Section 106 agreement. These matters have been considered against the current tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

11.0 CONCLUSION

11.1 It is considered that the submitted full planning application would result in the re-use of a vacant brownfield site, and support employment through the provision of a office accommodation and visitor facilities in a sustainable location in the City Centre close to the railway station. It is therefore considered that the proposal would contribute positively to the enhancement and regeneration of the Riverside/West End area of the Prime Office Quarter of the City Centre.

Background Papers:

Application files 11/04023/FU, 20/299/00/OT, 20/192/04/FU, 06/04682/FU

Appendix 1

11/04023/FU

25. Prior to the commencement of development, arrangements for the implementation of highways works as identified on approved WYG drawing no. SK011 P1 shall be submitted to and approved in writing by the Local Planning Authority, including:
- a) Directional signage for cyclists
 - b) Realignment of kerb line to accommodate new cycle lane and associated lining/hatching
 - c) Road lining to Whitehall Road opposite site frontage

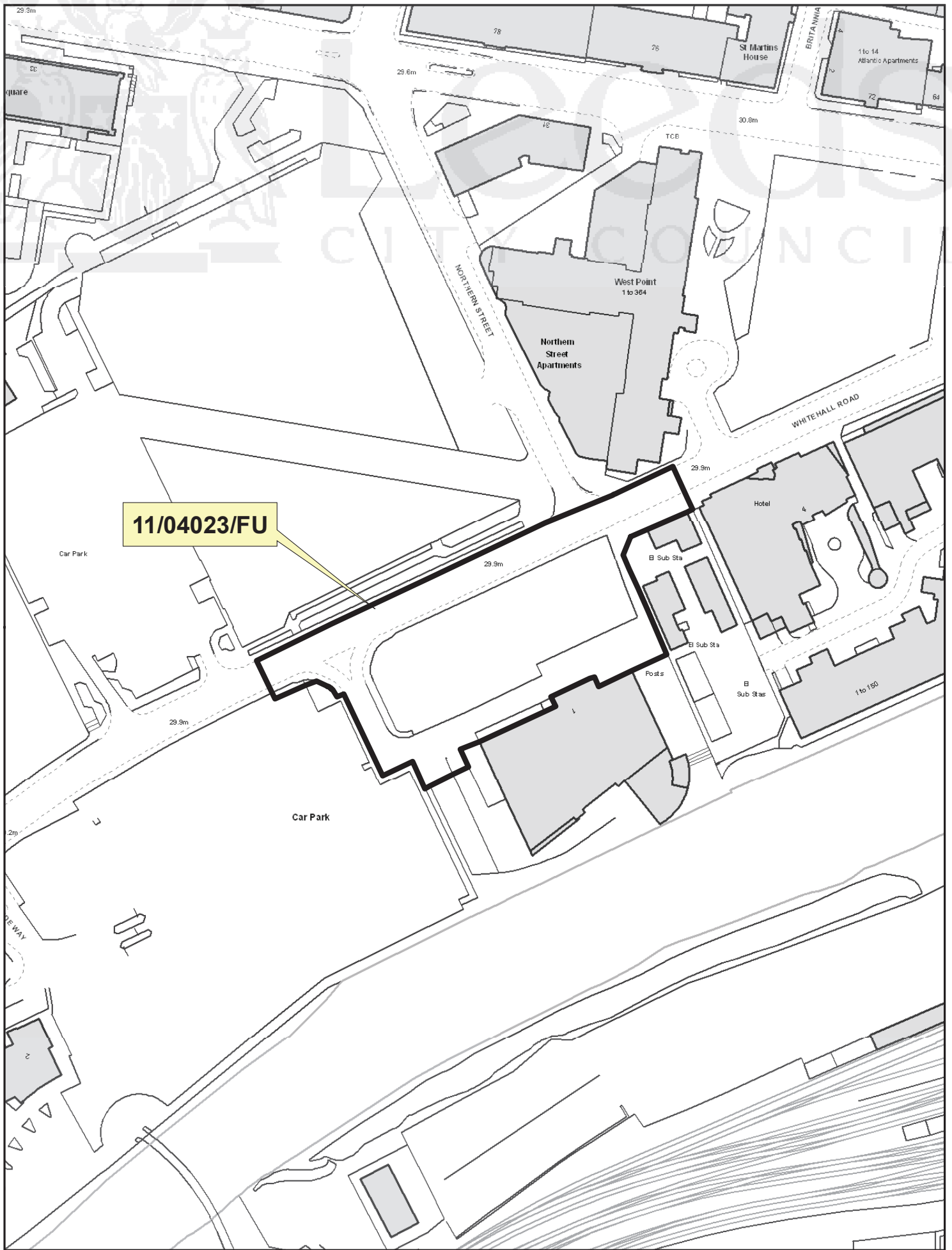
The above works should be implemented prior to first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of pedestrian and vehicular safety, in order to accord with Leeds UDP Policies T2 and T5

27. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated September 2011 and the following mitigation measures detailed within the FRA:

1. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
2. Finished ground floor levels are set no lower than 30.60 m above Ordnance Datum (AOD).
3. The basement access(es) must be set no lower than 29.18m above Ordnance Datum (AOD).

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure safe access and egress from and to the site, and to reduce the risk of flooding to the proposed development and future occupants in accordance with PPS25 and Leeds UDP Review 2006 Policy N38B



11/04023/FU

CITY CENTRE PLANS PANEL



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Originator: Andrew Windress

Tel: 2478000

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 4th AUGUST 2011

Subject: PRE-APPLICATION PRESENTATION OF PROPOSED HOTEL DEVELOPMENT AT D CAR PARK, PORTLAND CRESCENT, COOKRIDGE STREET AND WOODHOUSE LANE, LEEDS (PREAPP/11/00276).

Electoral Wards Affected:

City and Hunslet

No

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

1.0 INTRODUCTION

1.1 This presentation is intended to inform Members of refinements to the design of an approved hotel scheme on D car park, Portland Crescent in advance of a new planning application. The previous application was considered by Plans Panel in January and February 2009. The site has now been acquired from Leeds City Council and the proposed refinements reflect the intended operator's detailed requirements.

2.0 SITE AND SURROUNDINGS

2.1 The site comprises a 0.14 ha parcel of land known as D Car Park, Portland Crescent, Leeds. The broadly rectangular site abuts Portland Crescent, Woodhouse Lane and Cookridge Street. It is currently used as a surface pay and display car park accommodating approximately 40 cars. Vehicular access is taken from Portland Crescent virtually opposite the access into the Rose Bowl car park. A footpath linking Portland Crescent and Cookridge Street crosses the northern end of

the site. The pedestrian access to the former subway is situated between this footpath and Woodhouse Lane.

2.2 The site predominantly slopes down from the north to the south. There are 5 Norway Maples, 2 Swedish Whitebeams and 13 wild cherry trees located around the periphery of the site.

2.3 The parking area to the side of the Grade II listed O2 Academy club/music venue is located on the south-west boundary of the site. The rear elevation of the Walkabout and Massey's bars which front Cookridge Street run along the south-east boundary. The Rose Bowl building and car park are located on the opposite side of Portland Crescent. The Civic Hall, a Grade II* listed building, is located to the south of the Rose Bowl. The area immediately to the south of the site falls within the boundaries of the City Centre Conservation Area. On the far side of Woodhouse Lane Queen Square (a Georgian Square containing a number of grade II listed buildings) is also designated as a Conservation Area.

3.0 PROPOSAL

3.1 The approved scheme comprises a 246 bedroom hotel with ancillary office, meeting rooms, coffee/juice bar and restaurant uses at ground and first floor level. The building would be sited adjacent to the Portland Crescent and Cookridge Street frontages. It comprises a 6 storey element with rooftop plant next to the O2 Academy car park. The northern half of the building steps up to 14 storeys. The footprint of the building takes account of the New Generation Transport (NGT) route which is intended to cross the space immediately north of the proposed hotel. The disused subway area would be infilled and the area between the hotel and Woodhouse Lane would be landscaped.

3.2 The approved building identified the use of a limited palette of external finishing materials, predominantly glazed elevations to the lower two floors and a predominantly natural limestone cladding material to the upper floors. The majority of the building's windows incorporated a hit and miss arrangement with 200mm recesses.

3.3 The changes to the approved scheme briefly include the following:

- Introduction of a bar on the top (13th) floor with glass facade and a dedicated feature glass lift facing Portland Crescent.
- An increase of 1.1m to the height of the 14 storey element of the building (from 44.5m to 45.6m) in order to accommodate the increased floor height of the 13th floor bar.
- Relocation of the hotel entrance on Portland Crescent.
- Introduction of an executive lounge at the 12th floor.
- Reduction to number of guestrooms from 246 to 200.
- An internal reorganisation of the conference facilities.

4.0 HISTORY OF NEGOTIATIONS

4.1 As detailed below, planning permission for a hotel development on the site have been granted in 2007 and 2009 and an extension of time was granted for the 2009 approval in August 2011. Discussions on this revised scheme commenced in March 2011. Planning and design officers have examined the proposals and provided comment since this date.

5.0 ISSUES

Members are asked to consider the following matters:

- i. With particular emphasis on the impact on the City Centre and Queen Square Conservation Areas and in respect of the setting of the Civic Hall, is the slight increase in height and alterations to the façade acceptable?

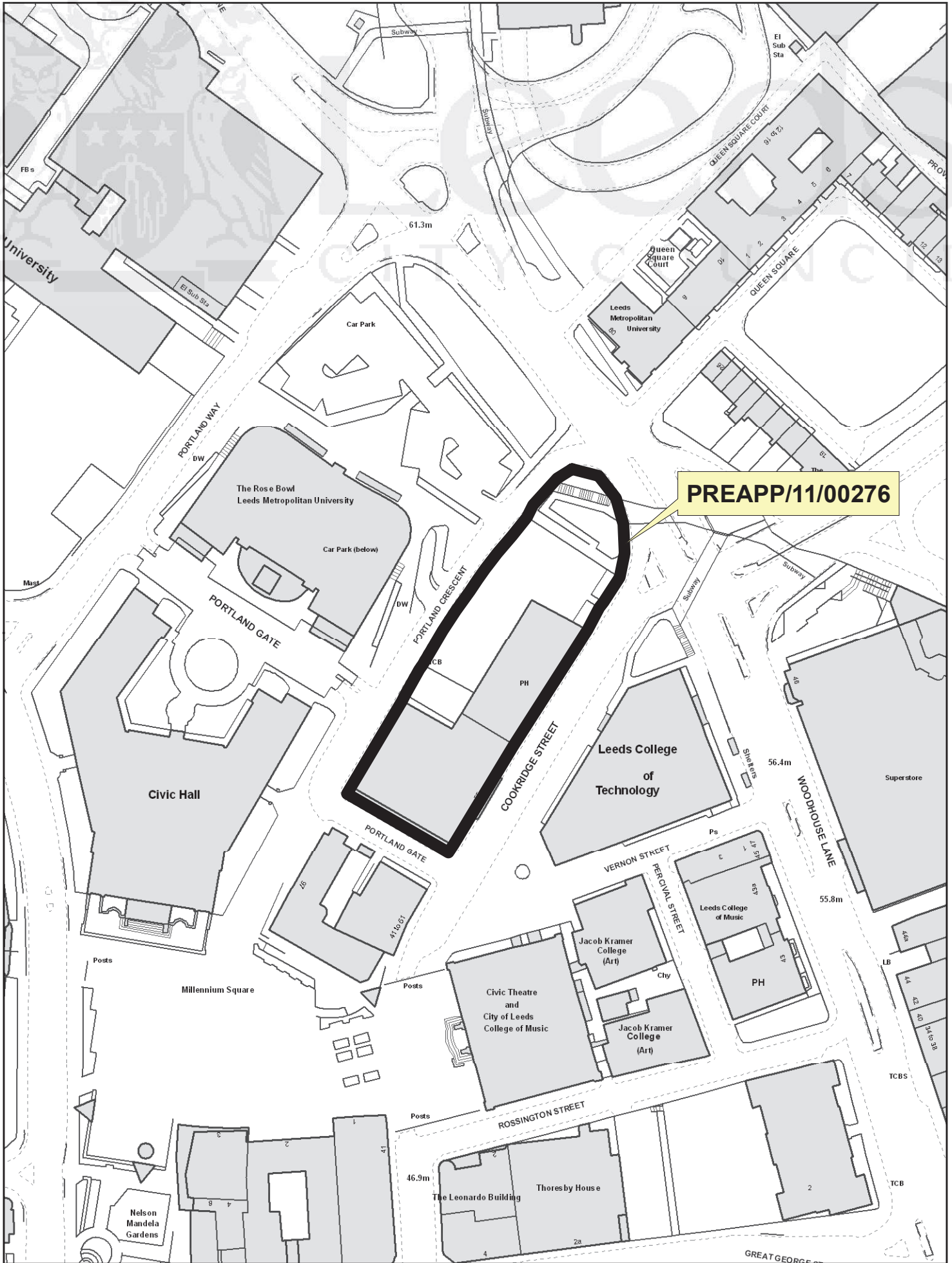
Background papers

PREAPP/11/00276

Planning application 11/01979/EXT – an application to extend the time to implement 08/05664/FU was approved in August 2011.

Planning permission 08/05664/FU - a part 6 and part 14 storey hotel building with 246 bedrooms was approved in July 2009.

Planning permission 07/00796/FU - a part 6 and part 11 storey 178 bedroom hotel building was approved in December 2007.



CITY CENTRE PANEL



Originator: C. Briggs

Tel: 0113 2224409

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 22 December 2011

Subject: PRE-APPLICATION Reference PREAPP/11/00899 – Proposal for residential use at Former Yorkshire Chemicals site, Black Bull Street, Leeds

Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

1.0 INTRODUCTION:

1.1 A long term vision for the delivery of a City Centre Park with sustainable employment and homes in the south of the City Centre has been adopted by the Council in the form of the South Bank Planning Statement. These aspirations are carried forward through work on the emerging Aire Valley Urban Eco-Settlement proposals and draft Aire Valley Area Action Plan, which take in a wider area to the south and east of the City Centre. Residential use, particularly of a type capable of accommodating families, is an important aspiration for the South Bank and Aire Valley, to achieve a positive transition between the City Centre, Beeston, Holbeck, Hunslet and Richmond Hill, through a greened, vibrant, liveable and well-connected South Bank area. The former Yorkshire Chemicals site on Black Bull Street lies directly adjacent to the South Bank Planning Statement's boundary, and its location means that proposals for its redevelopment are very important to the success of the wider area.

1.4 The proposals for the Black Bull Street site are presented to Panel by Gladedale and their architects, Allies and Morrison, to allow Members to comment on the evolving

scheme and raise any issues, prior to the intended submission of an outline planning application early next year.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site is located to the east and west of Black Bull Street and comprises the former Yorkshire Chemicals site. It has a site area of approximately 3.14 hectares. The site consists primarily of two pieces of land, one between Chadwick Street and Black Bull Street and the other between Black Bull Street and Cudbear Street, and bounded at the south by Hunslet Lane. There is also a small parcel of land to the west of Cudbear Street. Both Black Bull Street, which is three lanes southbound and Hunslet Lane, which is four lanes two way, form part of the strategic road network through the City Centre.
- 2.2 The surrounding area is a mixture of uses including residential (such as Brewery Wharf), offices (such as Leeds City Office Park) and retail (Crown Point Retail Park). The area was mainly commercial and industrial in nature, characterised by large impermeable single use sites, however recent developments such as Clarence Dock and Brewery Wharf have increased the mix of uses and facilities in the area. The site lies unallocated within the designated City Centre in the Leeds Unitary Development Plan Review 2006, but is likely to be allocated for residential/mixed use within the emerging draft Aire Valley Area Action Plan. The site lies adjacent to the South Bank Planning Statement area, however it will be an important connector between the City Centre Park, Clarence Dock, and beyond.

3.0 PROPOSAL

- 3.1 The proposal is for new City Centre residential accommodation through the development of two, three, and four-bed family town houses (indicatively 149 houses), with a minimum number of apartments (indicatively 50 flats), and retail and community uses (A1-A5 and D1 use). Parking would consist of 117 spaces within integral garages and 121 external, either on-street or in secure parking areas. The scheme would provide Leeds with a new kind of residential model, that of City Centre family housing. The scale and density is 'urban' rather than 'suburban' with legible streets and open spaces connecting to those existing or envisaged in the surrounding area. Building heights would range from 2, 3 and 4 storeys for the townhouses, and up to 7 storeys in height for the blocks of flats facing Hunslet Lane, which would feature ground floor commercial uses.
- 3.2 The proposals aim to set the benchmark for design quality for future neighbouring developments to follow, and act as a catalyst to the regeneration of the South Bank area of the City. To reflect these aspirations new public pedestrian and cycle routes are provided across both parts of the site in an east/west orientation linking Clarence Dock with Cudbear Street, linking to 2 controlled crossings on Black Bull Street. Connections to the north are also provided, linking into the future redevelopment of the adjacent Tetley Brewery site, the proposed City Centre Park, and the waterfront and City Centre core beyond. Each of the sites to either side of Black Bull Street has one principle two-way road crossing it in an east/west orientation, to an adopted standard with bay car parking on each side, street lighting and lined by mature trees. Access to individual garages or shared car parking is from this road. Where shared surface parking is provided this is laid out within a secure enclosure with gated access, and is overlooked by the properties that surround it to provide some passive surveillance.
- 3.3 The illustrative masterplan would propose a number of different types of town houses. These range between two, three and four bedrooms. The buildings would be constructed in a high quality facing brick similar to the local brick seen in a number of the remaining

historic buildings still standing in this area of the City. Large inward-opening casement windows set within deep brick reveals provide a modelled appearance to the facades as well as giving a high level of daylight to the interiors. The timber faced front doors have a cantilevered canopy above them to provide weather protection, as well as a light that marks the entrance to each property. Large integrated garages provide sufficient room for car parking, a charging point for hybrid or electric vehicles, as well as cycle parking.

- 3.4 The majority of dwellings have flat roofs set behind parapet walls which are accessible from the houses for use as private roof gardens for the occupiers. These roofs are also capable of being used for the installation of solar hot water and photovoltaic panels. Rainwater will be collected, stored and re-used for flushing WCs and garden irrigation allowing the properties to reach Code for Sustainable Homes Level 4. The roof top stair enclosures are set back from the principle elevations and finished in render with a zinc roof cap. Each will have some glazing to provide further light to the staircases within. Some of the houses have private rear gardens, and the majority have a small front garden. Private amenity space is also provided with balconies, terraces and roof gardens.
- 3.5 The scheme also contains two types of landscape areas. The first is a fenced and gated community gardens for all the residents and provides a secure and well maintained garden space with dedicated play areas for small children. The second is a landscape that is open to all. Both would be planted with grass, shrubs and a number of mature trees. There is likely to be an under-provision of publicly accessible space in accordance with UDP Review Policy CC10. To mitigate this, a contribution could be sought towards the delivery of the proposed nearby City Centre Park.
- 3.6 To the north-east of the site on Chadwick Street an area has been set aside for the New Generation Transport (NGT) network. The layout currently shows an area of shared car parking and open landscape which could be modified in the event that NGT goes ahead imminently, a different layout with properties facing outwards could be proposed in this scenario. In the meantime the proposal is to provide a grassed area with some trees to provide a temporary amenity space for the dwellings that surround it.

4.0 HISTORY OF NEGOTIATIONS

- 4.1 Detailed discussions with the Council regarding this site have taken place since mid-2005 following the closure of Yorkshire Chemicals. This led to the submission of an outline planning application in 2006, which was approved at Plans Panel in 2008, and subsequently granted permission in 2009 for a multi-level mixed use development comprising predominantly residential (678 flats and 43 townhouses), with office, hotel, leisure, retail, car showroom, community uses, public space and car parking. In 2011, Gladedale and their professional team have met with officers on a number of occasions to discuss the current revised proposal.
- 4.3 Officers have also encouraged Gladedale to engage with local communities at the earliest opportunity during this period of change at the site. Gladedale have responded positively by liaising with local groups such as Aire Action Leeds, the Waterfront Association, and Leeds Civic Trust, and by arranging an open public consultation event on 5 December 2011 at the Leeds Discovery Centre, Carlisle Road.

5.0 ISSUES

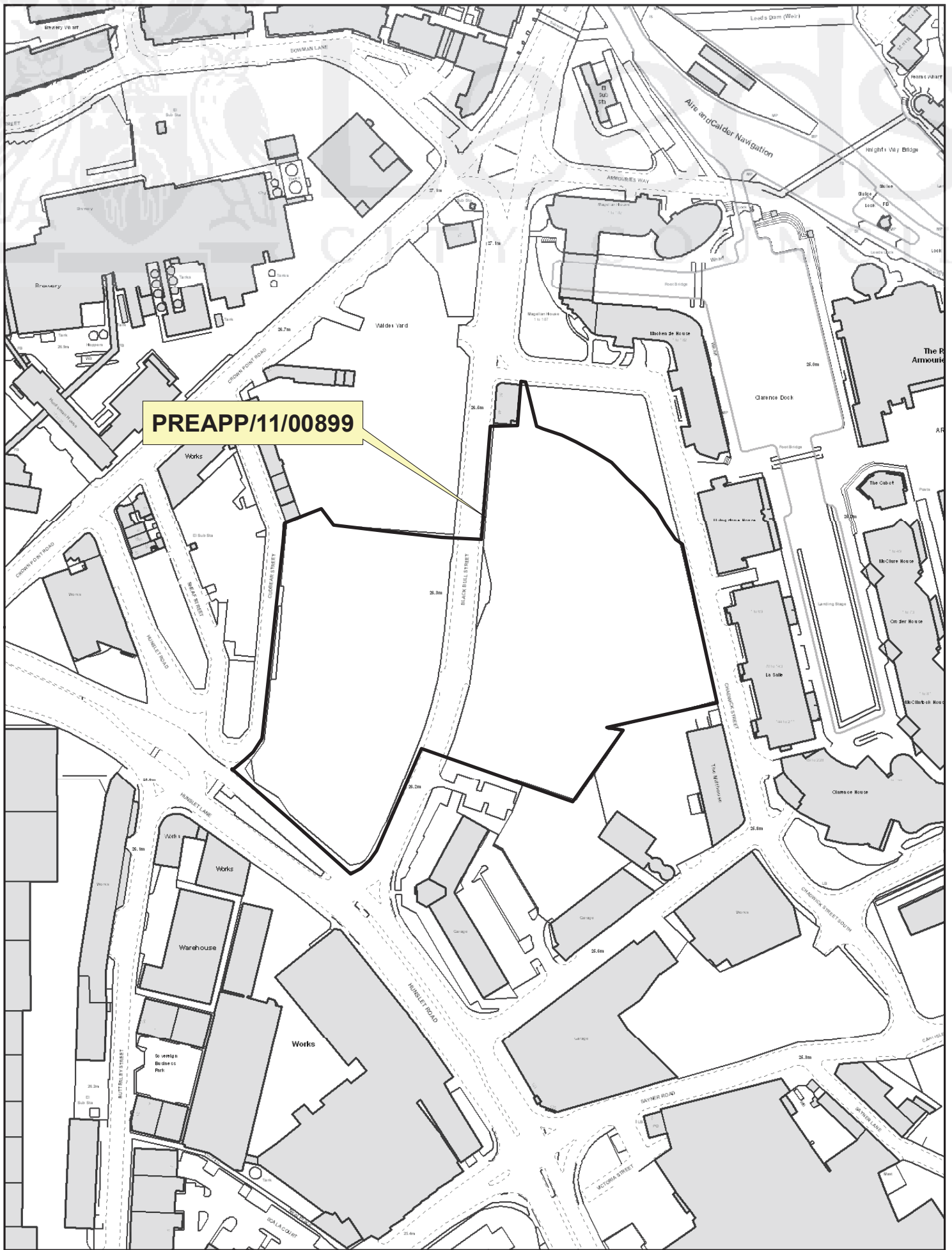
Members are asked to consider the following matters in particular:

- 5.1 Do Members have concerns regarding security to the rear of houses where public routes directly pass ?
- 5.2 Are levels of natural surveillance appropriate with gables and garage doors along publicly accessible routes, especially where habitable living accommodation is above ground level ?
- 5.3 Is the balance of private amenity space, communal residents amenity space, and public realm provision appropriate?
- 5.4 Are detailed access/parking issues/garaging arrangements resolved within the context of the illustrative scheme?
- 5.5 Are levels of privacy and overlooking acceptable within the scheme at 15-18m window to window?
- 5.6 Is the proposed nature of Black Bull Street and the relationship of houses to it appropriate?

Background Papers:

South Bank Planning Statement (October 2011)

Application file 06/04601/OT



PREAPP/11/00899

CITY CENTRE PLANS PANEL



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