



## CITY PLANS PANEL

---

Meeting to be held in Civic Hall, Leeds on  
Thursday, 26th November, 2015  
at 1.30 pm

---

### MEMBERSHIP

#### Councillors

P Gruen  
S Hamilton  
N Walshaw  
M Ingham  
J McKenna  
(Chair)  
A Khan  
K Ritchie  
E Taylor

C Campbell

R Procter  
G Latty

T Leadley

D Blackburn

---

**Agenda compiled by:  
Angela Bloor  
Governance Services  
Civic Hall  
Tel: 0113 24 74754**

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p data-bbox="678 322 975 356"><b>SITE VISIT LETTER</b></p> <p data-bbox="678 465 1402 533"><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p data-bbox="678 613 1382 757">To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p data-bbox="678 795 1386 940">(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</b></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><b>RESOLVED</b> – 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>	
3			<p><b>LATE ITEMS</b></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><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	

Item No	Ward	Item Not Open		Page No
5			<b>APOLOGIES FOR ABSENCE</b>	
6			<b>MINUTES</b>  To approve the minutes of the City Plans Panel meeting held on 5 <sup>th</sup> November 2015  (minutes attached)	3 - 8
7	City and Hunslet		<b>APPLICATION 14/06534/OT - QUARRY HILL ST PETERS STREET LS2</b>  Further to minute 112 of the City Plans Panel meeting held on 22 <sup>nd</sup> January 2015, where Panel considered a position statement on an outline application for mixed use redevelopment including A1, A3, A4 and A5 uses, offices (B1), residential (C3), medical centre (D1), college (D1), student residential accommodation, multi storey car park, basement car parking, access and open space, to consider a further report of the Chief Planning Officer setting out the formal application  (report attached)	9 - 38
8	Kippax and Methley		<b>APPLICATION 15/04604/RM - STATION HOUSE STATION ROAD METHLEY LS26</b>  To consider a report of the Chief Planning Officer on a Reserved Matters application for the erection of residential development  (report attached)	39 - 52

Item No	Ward	Item Not Open		Page No
9	City and Hunslet		<p><b>PREAPP/15/00277 - GRANARY WHARF CAR PARK - PRE-APPLICATION PRESENTATION</b></p> <p>To consider a report of the Chief Planning Officer on pre-application proposals for a mixed use development comprising three blocks of residential apartments, with ground floor commercial and office units, car parking and a landscape scheme and to receive a presentation on behalf of the developers</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. A ward member or a nominated community representative has a maximum of 15 minutes to present their comments.</i></p> <p>(report attached)</p>	53 - 60
10			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Thursday 17<sup>th</sup> December 2015 at 1.30pm</p>	

**Third Party Recording**

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.

<b>Item No</b>	<b>Ward</b>	<b>Item Not Open</b>		<b>Page No</b>
----------------	-------------	----------------------	--	----------------

- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

**Chief Executive's Department**  
Governance Services  
4<sup>th</sup> Floor West  
Civic Hall  
Leeds LS1 1UR

To all Members of City Plans Panel

Contact: Angela M Bloor  
Tel: 0113 247 4754  
Fax: 0113 395 1599  
angela.bloor@leeds.gov.uk  
Your reference:  
Our reference: site visits  
Date 17<sup>th</sup> November 2015

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 26<sup>TH</sup> NOVEMBER 2015**

Prior to the meeting of City Plans Panel on Thursday 26<sup>th</sup> November 2015, the following site visits will take place:

9.20am		Depart Civic Hall
9.40am	Kippax and Methley	Station House Station Road Methley – Reserved Matters application for the erection of residential development – 15/0460/RM – depart site at 10.10am
10.30am	City and Hunslet	Quarry Hill St Peters Street LS2 – outline application for mixed used development – 14/06534/OT – depart site at 11.00am
11.10am	City and Hunslet	Granary Wharf car park, Wharf Approach Holbeck – Pre application proposals for mixed used development – Preapp/15/00277 – There will also be an opportunity to view the new Southern entrance of the railway station
12.00 noon approximately		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at **9.20am**. Please notify Daljit Singh (Tel: 247 8010) if you wish to take advantage of this and meet in the Ante Chamber at **9.15am**.

Yours sincerely

Angela M Bloor  
Governance Officer





## CITY PLANS PANEL

THURSDAY, 5TH NOVEMBER, 2015

**PRESENT:** Councillor C Gruen in the Chair

Councillors P Gruen, D Blackburn,  
S Hamilton, G Latty, T Leadley,  
N Walshaw, M Ingham, C Campbell,  
A Khan, K Ritchie, E Taylor and  
G Wilkinson

### 53 Appointment of Chair

In the absence of Councillor J McKenna, nominations were sought to chair the meeting, with Councillor Caroline Gruen being appointed as Chair for the duration of the meeting

### 54 Late Items

There were no formal late items. However the Panel was in receipt of a revised report in of Application 13/05134/OT – Land at Breary Lane East, Bramhope, which Officers circulated to Members prior to the start of the meeting (minute 60 refers)

### 55 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interest, however in respect of application 13/05423/OT – Land at Bradford Road East Ardsley – Councillor Leadley brought to the Panel's attention that he knew the agricultural tenant of the land (minute 62 refers)

### 56 Apologies for Absence

Apologies for absence were received from Councillor J McKenna and Councillor R Procter, with Councillors C Gruen and G Wilkinson substituting for their respective colleagues

### 57 Minutes

**RESOLVED** - That the minutes of the City Plans Panel meeting held on 15<sup>th</sup> October 2015 be approved

### 58 Matters arising

With reference to minute 48 of the City Plans Panel meeting held on 15<sup>th</sup> October 2015, relating to Application 15/03167/FU – residential and commercial development at David Street Holbeck - the Head of Planning

Draft minutes to be approved at the meeting  
to be held on Thursday, 26<sup>th</sup> November, 2015

Services advised that following the meeting further discussions had taken place on the affordable housing provision and that a successful outcome had been achieved, with the full 5% affordable housing being provided as a commuted sum for off-site provision, with the S106 Agreement being close to completion

**59 Applications 13/05134/OT/ 14/00315/OT/ 13/05423/OT and 14/01211/OT - Land at Breary Lane East; Land at Leeds Road Collingham; Land at Bradford Road East Ardsley and Land at East Scholes - Covering report for PAS appeals**

The North East and East Area Planning Manager presented a report which set the context for the meeting, in that the agenda items related to outline planning permissions on land designated as Protected Area of Search (PAS), which had been refused by City Plans Panel in August to October 2014. Appeals had since been lodged against these refusals. Due to changes in the planning policy context, some of the reasons for refusal given at that time were now out of date as they referred to a historic policy context and some of the policies had since been superseded or deleted. However, the principles that underpinned the reasons and their general intent closely followed that of the original reasons. Members were being asked to consider revised reasons for refusal, where relevant, on which the Council would contest the appeals which were scheduled to take place in February and April 2016. It was stressed that the applications were not for redetermination; that there were no opportunities to add new reasons for refusal, although it was possible to remove reasons and in one case, Breary Lane East, Bramhope, this was being proposed (minute 60 refers) and that Members were being asked to note the reports and endorse the updated reasons for refusal of each of these applications

In respect of the reason in each case relating to the absence of a signed S106 Agreement, Members were informed that often at the appeal hearing the appellant would have sought to rectify this and present a near final draft S106 for both parties to agree. As such, there was a strong likelihood that this reason would have been negotiated out by the time the appeals were considered

Updated information was provided in relation to paragraph 2.9 of the submitted report, with Members being informed that the Planning Inspectorate had refused a request by the appellants for the East of Scholes and East Ardsley appeals for these two appeals to be postponed, pending the High Court Challenge concerning the Kirklees Knoll decision

The Head of Planning Services informed the Panel that the judgement on Kirklees Knoll had been handed out earlier in the day and reminded Members of the history of this case. Of the six grounds brought before the Judge by the appellant, only one ground was found in their favour, this being Ground B which related to the failure of the Secretary of State to understand and take into account the material consideration of the withdrawal of the Interim PAS Policy, which was agreed by Executive Board on 11<sup>th</sup> February 2015. It was reported that the Judge did not accept the appellant's grounds of claim about the Council's 5 year housing land supply and that policy N34 was out of date.

In terms of Ground B, the Judge concluded that the failure to take into account the withdrawal of the Interim PAS Policy was not merely a factual error by the Secretary of State but was an error in law and so quashed the Secretary of State's decision. Members were informed that a further decision would now be awaited from the Secretary of State

The Panel discussed the covering report and the information provided on the Kirklees Knoll decision, with the main issues being raised relating to:

- the disparity in the time periods allowed for Local Planning Authorities (LPAs) to determine planning applications compared to the lengthy time periods being adopted by the Planning Inspectorate to deal with appeals
- the impact which delays in the appeal process had on local communities
- that as a major Planning Authority, whether pressure could be brought to bear to improve the current imbalance between the LPA, the Inspectorate and appellants. The Head of Planning Services advised that whilst channels did exist for Officers to make representations on this, the greatest pressure would be through the political process
- whether planning policy changes were conveyed to the Planning Inspectorate and Secretary of State to ensure they were aware of the LPAs latest policy position. The Head of Planning Services outlined the processes which were in place and accepted that in respect of a recent appeal decision at Haigh Moor Road, this had fallen short of what had been required
- the inability to introduce new reasons for refusal and that the process could be viewed by the public as being weighted towards the appellants. The Head of Planning Services advised that where there was a significant material change in circumstance, new reasons could be added but that was not the case here
- the Council's 5 year land supply. The Panel's Legal adviser stated that the Inspector on the Kirklees Knoll Inquiry had concluded that the Council had a 5 year land supply and since that time, the Council's position had strengthened. Members were also advised that there was no reason why the Secretary of State could not determine this matter quickly and that there was no reason to see how the Kirklees Knoll judgement changed the fundamentals of the reports being presented at this meeting

**RESOLVED** - To note the report

**60 Application 13/05134/OT - Outline application for residential development (up to 380 dwellings), a convenience store and public open space - Breary Lane East Bramhope - PAS Update report**

Members considered a revised covering report which had been tabled prior to the meeting. A copy of the report setting out the application which had been submitted to City Plans Panel at its meeting on 28<sup>th</sup> August 2014 had been provided to the Panel for information

Draft minutes to be approved at the meeting  
to be held on Thursday, 26th November, 2015

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

Officers presented a report which set out updated reasons for refusal of an outline application for residential development of up to 380 dwellings together with a convenience store and public open space at Breary Lane East Bramhope

Members were informed that the revised report related primarily to revisions to the first reason for refusal, with an additional sentence being included which was highlighted to the Panel. Other alterations to wording were also outlined

Attention was drawn to the original reason for refusal based on standards of design, landscaping, residential amenity and provision of on-site Greenspace. Members were informed this reason would not be fought at appeal in view of the Consultation Draft Site Allocation Plan having allocated the site for 376 dwellings, as opposed to the 250 shown on the plan displayed at the meeting

In response to a question about CIL liability, Members were informed that if the Inspector decided to allow the appeal, it would be liable for CIL, with this being the same for all of the cases being considered at this meeting

**RESOLVED** - To note the report and to endorse the updated reasons as set out in the revised report tabled at the meeting

**61 Application 14/00315/OT - Outline application for residential development up to 150 dwellings, including means of access - Land at Leeds Road Collingham Wetherby - PAS Update report**

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

Officers presented a report which set out updated reasons for refusal of outline planning permission for a residential development of up to 150 dwellings, including means of access on a PAS site at Leeds Road Collingham, which had been refused by City Plans Panel at its meeting held on 30<sup>th</sup> October 2014. A copy of the report considered at that meeting was appended for Members' information

The updated reasons were outlined to the Panel. In respect of reason no. 6, relating to the absence of a detailed tree survey and further habitat and ecology surveys, Members were informed that the appellant had submitted updated information and whilst agreement on this had not been reached, in the event it was, this reason for refusal could be removed

**RESOLVED** - To note the content of the report and to endorse the updated reasons for refusal

**62 Application 13/05423/OT - Outline application for means of access from Bradford Road and to erect residential development - Land at Bradford Road East Ardsley WF3 - PAS Update report**

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

Officers presented a report which set out updated reasons for refusal of an application for outline planning permission for means of access and to

erect residential development on a PAS site at Bradford Road East Ardsley, which had been refused by City Plans Panel at its meeting held on 7<sup>th</sup> August 2014. A copy of the report considered at that meeting was appended for Members' information

The updated reasons for refusal were outlined to the Panel. On the issue of prematurity, a Member referred to a suggestion which had been made when the application was determined, that whilst a primary school might be proposed for a corner of the site, the whole of the site might be suitable for a further High School in the area

The issue of sustainability was also commented on with details being provided to Officers of the poor public transport links from the site to Leeds and that consideration should be given to the bus timetables when the appeal was dealt with

**RESOLVED** - To note the content of the report and endorse the updated reasons for refusal

**63 Application 14/01211/OT - Outline application for mixed use development comprising up to 700 dwellings including extra care (C2), retail and community uses (A1 to A5), health care (D1) and education uses (D1), car parking, means of access, infrastructure, open space, landscaping, including demolition of existing house and agricultural building - Land at East Scholes LS15 - PAS Update report**

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

Officers presented a report which set out updated reasons for refusal of an outline application for a residential-led mixed use development on a PAS site at East Scholes, which had been refused planning permission by City Plans Panel at its meeting held on 28<sup>th</sup> August 2014. A copy of the report considered at that meeting was appended for Members' information

The updated reasons were outlined to the Panel with Members also being informed that the appellants had submitted an updated Environmental Impact Assessment which sought to alter the scheme to remove certain parts of the development proposals. The housing numbers were proposed to be reduced to 650, with additional green space being provided. In terms of the primary school, this had now been omitted, with the appellants proposing an area of land at West Scholes to be gifted to Leeds to enable an extension of the existing primary school

Officers had contested the submission of this information with the view being this was a new scheme which had not been consulted upon. Members were informed that this matter was currently with the Planning Inspectorate for consideration

Concerns were raised about the approach being taken by the appellants in this case with the Head of Planning Services informing Panel that discussions had taken place with a senior representative of Barratt Homes on the reasons for pursuing this application at this time; that time was being spent on dealing with such sites when other more acceptable sites, including brownfield sites were available and could be developed, with a response on this being awaited

Members proposed that a letter be sent from the Panel to Barratt Homes expressing disappointment at the approach being adopted to pursue a different scheme with no public consultation and inviting them to withdraw the application. In terms of the other appellants, it was proposed that discussions take place with the Executive Member Regeneration, Transport and Planning and the Plans Panel Chairs to consider how these issues be taken forward

**RESOLVED** - i) To note the content of the report and to endorse the updated reasons for refusal

ii) That a letter be sent from the Panel to Barratt Homes setting out the concerns expressed on the approach being taken by the appellant and inviting a withdrawal of the application

**64 Date and Time of Next Meeting**

Thursday 26<sup>th</sup> November 2015 at 1.30pm in the Civic Hall



Originator: Paul Kendall

Tel: 2478000

## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

Date: 26<sup>th</sup> November 2015

**Subject: OUTLINE APPLICATION FOR MIXED USE REDEVELOPMENT INCLUDING A1, A3, A4 and A5 USES, OFFICES (B1), RESIDENTIAL (C3), MEDICAL CENTRE (D1), COLLEGE (D1), STUDENT RESIDENTIAL ACCOMODATION, MULTI-STOREY CAR PARK, BASEMENT CAR PARKING, ACCESS AND OPEN SPACE ON LAND AT QUARRY HILL (APP. REF. 14/06534/OT)**

#### Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: Members are recommended to approve this application in principle and defer and delegate the final decision to the Chief Planning Officer subject to specified conditions outlined in the appendix at the end of this report (and such other conditions as he may consider appropriate) and following the completion of a Section 106 Agreement to secure the following:**

- a) Requirement for public access to and maintenance of all routes through the scheme and public spaces
- b) The provision of on-site Affordable Housing (5% of the total number of units to be provided on site, 40% of these to meet the needs of households on the lower quartile of earnings and 60% of these to meet the needs of households on the lower decile of earnings)
- c) Travel Plan initiatives:
  - i) £34,000 for free trial car club membership package for residents and staff
  - ii) Provision of 3no. car club parking spaces
  - iii) £10,210 Travel Plan Review fee
- d) Up-grading of bus stop on York Rd to include real time display (£20,000)
- e) Money for off-site highway works £213,765 – for improvements to junctions and crossings
- f) Management and pricing strategy for Multi Storey Car Park
- g) Safety improvement works to the footbridge over the A64(M) (sum still to be negotiated)

## **h) Local Employment Initiatives**

**Together with such ancillary clauses as the Chief Legal Officer shall consider appropriate.**

### **1.0 INTRODUCTION:**

- 1.1 A previous outline planning application for the central part of the Quarry Hill site was approved in principle by Members at Plans Panel in August 2005. However, the associated S106 agreement was not signed and hence the application has not been approved. The land was sold by L.C.C. in 2014 and the applicant had the opportunity to reconsider the contents of the original scheme. Given the period of time which had elapsed since the original consideration of this scheme by Members at Panel, and the changes in planning policy which had taken place, it was considered that the best and most robust approach was to submit a new application with documents submitted to reflect current planning policy.
- 1.2 Officers provided Members with a position statement and presentation at Panel in January 2015 at which it was made clear that very little had changed about the physical form of the development from the originally submitted scheme, which is still considered to be based on sound urban design principles. Members made a number of comments and these will be set out in the body of the report, with the way in which these have been addressed made clear in the appraisals section.

### **2.0 PROPOSAL**

- 2.1 The proposal is in outline with only 'access' and 'layout' being the matters for consideration. As the application is in outline there are no elevational details to be included for approval, with the building footprints and heights being dealt with by parameter plans. However, in order to provide an impression of the way the scheme could look, Computer Generated Images (CGI's) have been provided as part of the application. These images will form part of the Panel presentation to Members.
- 2.2 The scheme contains the following uses and floor spaces:
- 10,000 sqm office
  - 3,200 sqm A3 (cafes restaurants), A4 (bars) and A5 (take-aways)
  - 700 sqm A1 (retail) subject to Sequential Test.
  - 1,200 sqm D1 medical centre
  - 705 (approx.) residential units - of which approximately 280 units could be used as student accommodation to provide approx. 720 student bed spaces
  - 6,000 sqm education use (This would replace approx. 110 flats or 280 student residential units in building B located in front of Quarry House )
  - Approximately 422 no. car parking spaces in 2 levels of basement under buildings C,D,E and F. Up to 100 car parking spaces under building B and 578 car parking spaces in a free-standing multi-storey car park.
- 2.3 The scheme retains the line of the existing central pedestrian route through the site with secondary routes connecting to both north and south. The existing landscaping would be replaced by a series of linked public spaces which would improve pedestrian access and permeability. Along the central route, at its narrowest point, the buildings would be 15m apart at the upper levels. However, this increases to 21m at ground level due to the set back of the building-line to either side, in the form of a colonnade. It is the intention that these areas remain available for public use



hours a day but will be privately maintained. Pedestrian only public realm covers approximately 35% of the application site area (0.89 Ha).

- 2.4 To either side of this primary route are proposed three residential buildings and one office building creating the main crossroads at the centre of the site. These would have double-height glass fronted units at the lower levels fronting onto the colonnades and be given to a range of commercial uses – bars, restaurants and retail, as well as a medical centre. These buildings will be 8 storeys immediately adjacent the main route, rising to 14/15 storeys to the rear. It is proposed to provide a policy compliant 5% affordable housing for the residential elements of the scheme (40% of the units meet the needs of households on the lower quartile of earnings and 60% of the units meet the needs of the households on the lower decile of earnings). Affordable Housing is not required for the provision of any student accommodation. The total number of Affordable Housing units would only be known at the point when the reserved matters applications are submitted.
- 2.5 Three of these centrally located buildings are proposed to have a U-shaped plan which allows the courtyard spaces within to be accessed from, and therefore included as, extensions to the public realm (average dimensions 18m x 25m). It also allows light to be brought in to what would otherwise be deep floor plates. The fourth building addresses the angled route immediately to the eastern side of the Playhouse and results in an acute-angled corner fronting on to Playhouse Sq. This has been slightly remodelled from the original application in order to create a better entrance approach to the western side of the scheme, which is clearly visible from Eastgate. The submitted building parameters indicate that there would be large areas of flat roof and the applicant has indicated that these could be used for the location of photo-voltaic arrays, and green roofs to aid sustainability and bio-diversity objectives.
- 2.6 The four central buildings are to be built above a dual-deck car park, accessed by vehicles from the southern side of the site – the only point of access. This would provide dedicated parking for the residential, office and commercial units above (approx. 422 spaces). Direct access to the individual buildings will be contained in the basement and there will be an additional pedestrian stair and lift access constructed within the main west-east route which runs through the site. Servicing takes place for each building within dedicated service bays.
- 2.7 In front of Quarry House (18m from it) are proposed a multi-storey car park, with ground floor commercial unit fronting the northern side of the main open space area, and a flexible use office/residential/education building (5 – 7 storeys) which will sit to the south of the main open space area. This space measures 40m x 45m and creates a setting to the main Quarry House building behind. The width of the gap between the two buildings retains the view of the Quarry House entrance atrium and screens the wings of Quarry House from view. The office/education building would have its own dedicated basement parking area.
- 2.8 In respect of the multi-storey car park (MSCP), this would have 578 spaces, 78 of these are to be for use by occupiers of commercial and residential elements within the proposed development.

In respect of the remaining 500 spaces these are to be used as follows:

- A minimum of 250 spaces will be available for short stay parking at all times.

- The remainder of the spaces (up to 250) will be used for contract/season ticket parking, Mon-Sat.
- A guaranteed 350 short stay spaces will be available after 6:00pm for West Yorkshire Play House (WYPH) patrons, which can be provided as the majority of the 250 contract/season ticket parking will have left by this time. In reality more than 350 short stay spaces should usually be available after 6:00pm.

A pricing policy, which can be reviewed periodically, will make sure the car park remains short-stay and does not become entirely long-stay due to customer's willingness to pay for long-stay parking.

- 2.9 Disabled parking will be retained in the Square with 8 spaces being indicated on the submitted plan.
- 2.10 There are a number of existing trees which are located through the centre of the site. While the removal of the trees would have some short term negative visual impact, the new development contains significant new landscaping areas which offer good opportunities for extensive new tree planting as part of a longer term landscaping scheme. This has the potential to improve the site's long term tree cover. There are areas within the open space, and along routes which are not above basement car parks, which would enable trees to be planted in the ground, thereby enabling larger species to be considered and increasing their chance of survival.
- 2.11 A number of documents have been submitted in support of this proposal and these are:
- Design and Access Statement
  - Transport Statement
  - Travel Plan
  - Flood Risk Assessment and Drainage Strategy
  - Air Quality Statement
  - Wind Test Analysis
  - Acoustic Statement
  - Coal Mining Risk Assessment and Ground conditions
  - Shadow Casting Study
  - Tree Survey

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 This is the area of land which runs through the centre of the Quarry Hill site linking Eastgate roundabout to Quarry House. It currently consists of a mix of hard and soft landscaped areas with a central pathway containing steps and ramps with vacant and cleared sites to either side. The sites have vehicular access from the A64(M) York Rd/Inner Ring Road to the north and from York St to the south. Much of the site is used as surface car parking with 414 (approx.) car parking spaces on site.
- 3.2 To the west is the West Yorkshire Playhouse (WYPH) and to the south are the Leeds College of Music (LCM) and its associated student residential tower and the Northern Ballet/Phoenix Dance HQ. Pedestrian access is gained from the west using the existing set of pedestrian steps and ramp arrangement to Eastgate roundabout, which is outside the application site. A pedestrian bridge across the A64(M) to Mabgate is accessed from the north-eastern corner of the site.

## 4.0 RELEVANT PLANNING HISTORY AND HISTORY OF NEGOTIATIONS

- 4.1 A previous planning application for this same central part of the Quarry Hill site was approved in principle by Members at Plans Panel in August 2005. However, the associated S106 agreement was not signed and the application has not been approved. At pre-application stage officers had a number of meetings with the site owners and their team to discuss the content and scope of the new submission, along with the design changes to the buildings facing out over Playhouse Sq.
- 4.2 A Certificate of Existing Lawful Use was granted for surface car parking on land which largely coincides with the current application site boundary app. ref. 13/02275/CLE
- 4.3 To the north is an extant permission for a 14 storey office building with fitness centre and shop with attached multi-storey car park app. ref. 12/03110/EXT.
- 4.4 To the west is an extant permission for a hotel with casino, up to 13 storeys in height, bars/restaurants and basement parking app. ref. 12/03111/EXT.
- 4.5 This application was presented to Members as a position statement on 22<sup>nd</sup> January 2015. Members made the following comments:

Members discussed the proposals, with the main issues raised being:

- the importance of understanding the surrounding context, including extant planning permissions, and for the development to link into Victoria Gate at the bottom of Eastgate
  - the courtyards and the amount of sunlight these would receive and that rooftop gardens might be more appropriate in this location
  - the possibility of a fully accessible, ramped route being incorporated into the main pedestrian east-west route proposed through the site
  - the need for good design in terms of the pedestrian access arrangements and for improved linkages to the rest of the City Centre
  - to bear in mind the proximity of the District Heating system and that it could be linked to the proposed development
  - car parking arrangements and the need to ensure sufficient car parking remains on site through the construction process, to serve the West Yorkshire Playhouse
- 4.6 In respect of the specific questions raised in the report, the following comments were provided by Members:
- that Members were happy with the approach being adopted in relation to determining the mix and size of residential flats at reserved matters stage and that the housing need would be assessed closer to the point of likely construction
  - on student housing provision, concerns were raised that the site was some distance from the main higher education establishments, although it was accepted that the College of Music was close by. Some concerns were raised about the mix of student accommodation and residential on the same site, with the Deputy Area Planning Manager suggesting any concerns about this be addressed by not siting these two types of accommodation in the same building

- that the range of city centre uses proposed were acceptable on the site, including the proposed flexible uses for two of the buildings
- that the footprints of the buildings, including the readjustment to the building corners at the western end of the site, were acceptable
- that the heights of the buildings proposed were acceptable to a point, although there were concerns about the impact of high buildings on the amount of shadowing this would cause in the courtyards
- that the amount of open space on the site was acceptable
- that, as development commences, there was a need for a strategy for the phasing and layout of open space and routes to ensure the site could be properly accessed as the development progresses. On this matter, the Panel insisted that the car parking, which would be lost to the development, would be re-provided before the development commenced.

4.7 After this Panel the applicant commenced a viability case, in respect of Affordable Housing provision, involving the District Valuer. However, the position is now that the applicant is to make a fully policy compliant Affordable Housing provision on-site.

## 5.0 PUBLIC / LOCAL RESPONSE

5.1 Correspondence has been received from the Leeds Civic Trust (LCT). They make it clear that they wish to object to specific elements of the scheme while welcoming the overall concept for the development. The items they specifically object to:

- (i) Blocks A and B are positioned too closely together which partly obscures the stone frame at the entrance to Quarry House - a larger area of public realm could be retained immediately in front of the entrance.
- (ii) there appears to be a conflict with the position of the vehicular access to the MSCP and servicing in relation to the pedestrian route over the footbridge from the Mabgate area. Question whether it is necessary for the MSCP to penetrate so deeply into the site.

5.2 Support the principles of basement car parking and servicing to free up the ground level to pedestrian routes and public space

Would like to see the following considered:

- (i) Clear pedestrian spaces around the MSCP to allow people leaving a performance to be able to get to their cars after performances and adjustment to the vehicle routes to allow patrons to be able to leave the MSCP quickly after performances (possibly using signal phasing)
- (ii) Effective public art provision possibly incorporating children's play facilities
- (iii) Safety and security of the under-croft parking areas and how these will be ventilated or lit.
- (iv) Potential for use of green roofs and walls to soften hard surfaces.

- 5.3 This application was advertised as a major application on site on 28<sup>th</sup> November 2014 and in the press by notice in the Yorkshire Evening Post on 4<sup>th</sup> December 2014. Ward Members were consulted formally on 14<sup>th</sup> November 2014.
- 5.4 A public consultation exercise was carried out in the West Yorkshire Playhouse from 29<sup>th</sup> January until 2<sup>nd</sup> Feb 2015. The written comments made are summarized below:
- Welcome the investment
  - Welcome the employment opportunities
  - Welcome residential use – will assist in providing a community feel and providing vibrancy
  - Affordable housing needs to be included
  - Design of the buildings needs to be ‘cutting edge’
  - Trust the footbridge will remain open
  - Support for the medical centre, although unsure as to who would operate this.
  - Make sure walkways are able to be used by those with mobility difficulties
  - A children’s play area would be positive
  - Need to ensure light into the courtyards

## 6.0 CONSULTATION RESPONSES

### 6.1 Statutory:

Environment Agency: No objection. Provide a series of advisory notes for the applicant.

The Coal Authority: No objection subject to condition controlling the removal of any coal discovered on the site once investigation works have taken place on the site, given the presence of a shallow coal seam and the requirement to excavate two levels of basement car parking.

Yorkshire Water: No objection subject to conditions controlling existing sewers across the site, separate systems of drainage for foul and surface water, the completion of drainage works

Highways Agency: No objection

### 6.2 Non-statutory:

Highways Services: The traffic modelling indicates that whilst there will be increased vehicles on several of the links they are not considered to be severe and the contribution to off-site highway works of £213,756 will assist in making minor junction improvements as and when these are identified as necessary. The numbers of car parking spaces is acceptable and their use will have to be controlled through condition and the associated S106 agreement. Servicing of the units and the ability to turn service vehicles is acceptable. The speed table proposed at the base of the footbridge is an acceptable solution. The footbridge parapets need to be raised to 1.4m and a ramp/channel inserted to each end. The provision of cycle spaces should be conditioned.

Travel Planning: Measures included in the travel plan are the provision of a car club contribution of £34,000, a travel plan coordinator, 3 no. Car Club parking spaces are to be located adjacent Building C (one of these to be designed to accommodate electric vehicle (EV) charging facilities), promotion of car sharing, Travel Plan review fee of £10,210.

Environmental Protection: The mix of residential with commercial uses means that conditions should be used to protect the amenity of future occupiers from noise generated by these units, as well as from plant & equipment, servicing & deliveries and air extracts from kitchens. Hours of delivery and servicing need to be controlled. The site will be protected from the surrounding highway network by future development and is already some distance from it. EV charging points should be incorporated to reduce emissions from the development.

Flood Risk Management: No objection subject to conditions regarding surface drainage works

L.C.C. Wind Consultant - Rowan Williams Davies & Irwin Inc. (RWDI) Consulting Engineers & Scientists: This application is in outline and so the precise locations of entrances and landscaping is not yet known. There will be a requirement to carry out further modelling to ensure the areas intended for the uses proposed (sitting, walking, entrances etc) are acceptable. RWDI agree with the applicant's submission that the proposed development will be beneficial to the site as it is currently open and exposed. They consider the wind study to be acceptable subject to conditions regarding further detailed wind studies to be submitted at the time of reserved matters submission, when the entrances to buildings and accurate designs will be known.

L.C.C. Property Services: In respect of the multi-storey car park (MSCP), Caddick is obliged to construct the MSCP to provide at least 500 spaces for public use. Caddick is obliged to continue the operation of the surface car parks until they construct the new multi-storey. Caddick is obliged to build the car park as its first building, unless it can be proved to the Council the surface spaces lost by the construction of another building can be accommodated elsewhere on Quarry Hill. When Caddick comes to build the MSCP it may be found that the Victoria Gate MSCP may have satisfied all demand for public parking in the area. In this case Caddick will be able to put a viability case to the Council to determine whether it is financially viable to construct a MSCP on Quarry Hill. This provision was added to the Development Agreement as the Victoria Gate multi-storey was not originally anticipated when Caddick first proposed their multi-storey.

In respect of the coach layover area, Playhouse Square is currently used as a drop-off area for the WYPH as well as an informal coach lay-over area. This informal lay-over arrangement will no longer be able to occur when the proposed scheme is in place. For this reason an area of land has been set aside adjacent the Northern Ballet HQ for this purpose. This is held in Council ownership and the Development Agreement between L.C.C. and the applicant specifies that the applicant cannot develop its building adjacent Playhouse Square without the reserved lay-over area having been laid out for coach parking. The Development Agreement sets out how it shall be designed, planning permission applied for and its construction approached by the parties to the Agreement.

Sustainability – Contaminated Land: No objections subject to conditions controlling excavations, mitigation and any importing of soil

Public Rights of Way: Provision for pedestrians through the site to link up to the footbridge should be incorporated within the development.

West Yorkshire Combined Authority: Do not object to the development in principle. However, make the following points: Despite the proximity of the site to the bus station the bus stop on York Rd deals with through routes and is likely to see an increase in usage as a result of the development. This shelter needs to be upgraded with a real time system. Consider that the total number of parking spaces on this site will eventually be significant if all developments are built out as approved and that this could have an impact on the surrounding highway network and the bus services which use them.

## **7.0 RELEVANT PLANNING POLICIES**

### **7.1 The Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. Now that the Core Strategy has been adopted, this can now be given full weight as part of the statutory Development Plan for Leeds. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015)
4. Any Neighbourhood Plan, once Adopted

These development plan policies are supported by supplementary planning guidance and documents.

The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight they may be given.

### **7.2 National Planning Policy Framework (NPPF)**

The NPPF advocates a presumption in favour of sustainable development, and a 'centres first' approach to main town centre uses such as offices. The NPPF also promotes economic growth in order to create jobs and prosperity and consolidate Leeds City Centre's role as the economic driver of the Yorkshire region. Leeds should be the focus for investment in highly skilled and competitive businesses, as advocated by the emerging Core Strategy.

### **7.3 Leeds Core Strategy**

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant policies are set out in the paragraphs below:

7.4 Spatial Policy 1 sets out the broad spatial framework for the location and scale of development. This policy prioritizes the redevelopment of previously developed land within Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods.

Spatial Policy 3 Role of Leeds City Centre. This seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region by:

- promoting the City Centre's role as the regional capital of major new office development,
- comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space,
- enhancing streets and creating a network of open and green spaces to make the City Centre more attractive
- improving connections between the City Centre and adjoining neighbourhoods

Core Strategy Policy CC1 outlines the planned growth within the City Centre for 10,200 new dwellings, including office growth.

G5 sets out the requirement for open space provision in commercial and mixed use developments

Policy H2 refers to new housing development. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure and the development should accord with accessibility standards.

Policy H4 says that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location.

Policy H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site. (If on site then the number of units shall be 5% of the total number of units, 40% of these to meet the needs of households on the lower quartile of earnings and 60% to meet the needs of the households on the lower decile of earnings)

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.

Policies T1 and T2 identify transport management and accessibility requirements for new development.

Policies EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development. In this case a BREEAM 'Excellent' and Code for Sustainable Homes Level 4 (or equivalent) are required.

Other relevant Core Strategy policies include:

Policy EN4 district heating

Policy EN5 Managing flood risk

Policy ID2 Planning obligations and developer contributions

Policy G9 Biodiversity improvements



## **7.5 Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies**

The site lies within the designated City Centre. Saved policies that are relevant to this scheme are:

- GP5 all relevant planning considerations
- BD2 new buildings
- N25 boundary treatments
- N29 archaeology
- BD4 all mechanical plant
- T7A cycle parking
- T7B motorcycle parking
- T24 car parking provision

## **7.6 Leeds Natural Resources and Waste DPD**

The Natural Resources and Waste Development Plan Document sets out where land is needed to enable the City to manage resources, e.g. minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. The most relevant policies are: Water 4 (Flood Zones); Water 6 (Submission of Flood Risk Assessments); Land 1 (Contamination); Land 2 (Trees); Air 1 (Air Quality); Minerals 3: (Coal Removal)

## **7.7 Relevant Supplementary Planning Guidance includes:**

SPD Tall Buildings Design Guide – States that Quarry Hill is a location for tall buildings as it is a gateway location on one of the main approaches to the city.

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Street Design Guide

City Centre Urban Design Strategy

## **7.8 Other Material Considerations**

Site Allocations Plan: Through the Site Allocation Plan this site has been identified for mixed use development containing offices and residential (Site MX2-23). Due to its early stage of preparation this allocation has limited weight at this time and sets out the following:

- This site is suitable for a mixed use development, mainly housing and office, but other uses would be acceptable subject to policy.
- The site is suitable for older persons housing/independent living in accordance with Policy HG4

## **8.0 MAIN ISSUES**

1. The principle of the proposed uses
2. Building footprints
3. Building heights
4. Open space provision
5. Highways and Transportation
6. Sustainability
7. Flood Risk
8. Wind
9. Section 106 Obligations

## 9.0 APPRAISAL

9.1 It must be remembered that this is an outline application where the only matters submitted for consideration are the means of access and layout. There is a considerable amount of other information which has been submitted and this assists in creating a clearer impression of the scale and detail of what is proposed as well as the potential urban grain and character of the development. This assists officers and Members in understanding the potential impact of the proposal on the City. Each key issue will be addressed in turn for clarity.

### 9.2 **Principles of Proposed Uses**

#### 9.3 Offices

The NPPF promotes economic growth in order to create jobs and prosperity. The proposed office use of the site is in accordance with Core Strategy and UDPR saved policies, as well as the Site Allocation Plan, and the location of prime office development within the City Centre meets the requirement to locate such uses in sustainable locations. The scheme would provide block sizes which would be able to accommodate Head-Quarter operations as well as being able to be subdivided for use by occupiers with a smaller footplate requirement. This reinforces Leeds' position as a regional commercial centre and accords with national government advice on concentrating work-places in major centres.

#### 9.4 Further Education

One of the office buildings is proposed to also be used alternatively as an educational establishment. There are other examples of this type of use on Quarry Hill with The Leeds School of Music and the Northern Ballet establishments already in place. Educational use is supported under current planning policy and this is considered an acceptable inclusion here.

#### 9.5 Residential

This scheme is central to the Quarry Hill site and there are no major roads which the buildings front on to, thereby avoiding potential problems in respect of noise and air quality. The pedestrianized nature of the proposed environment is considered to lend itself well to the location of residential uses. These buildings and the pedestrian areas they front on to are regarded as suitable locations for bar/restaurant uses and hence a series of conditions would be used to ensure that residential amenity is protected.

9.6 The applicants have indicated that the current demand for unit mix in Leeds is for 1 and 2 bedroom apartments and studios. They have also stated that, as the proposal consists of 6 buildings, of which 4 could contain residential uses, these would be phased, and at the point of their submission for reserved matters, if demand for larger units was identified then this could be addressed at that time. Core Strategy would require a minimum of 20% of the units contain 3 bedrooms.

9.7 Officers consider that, as this scheme is in outline and the provision of residential uses within the buildings is not fixed, it is reasonable to consider that unit mix at reserved matters stage. Therefore, it is proposed that, when this application is brought forward for determination, a condition is used to require a Housing Needs Assessment to be submitted for each phase of development which contains residential accommodation, should the mix not be policy compliant. This would allow the position at that time to be considered, which officers consider would be more

accurate and less open to unpredictable market variations. The size of the units would also be fully considered as part of any subsequent Reserved Matters application. Members considered this matter at Panel in January and, as stated above in the minutes 'Members were happy with the approach being adopted in relation to determining the mix and size of residential flats at reserved matters stage and that the housing need would be assessed closer to the point of likely construction.

- 9.8 The applicant has now proposed that the scheme would be fully policy compliant in respect of affordable housing. This ensures that 5% of the total number of units to be provided on site are affordable and that 40% of these meet the needs of households on the lower quartile of earnings and 60% of these meet the needs of households on the lower decile of earnings. Given that this scheme is in outline, the total number of units which this 5% provision equates to will only be established at Reserved Matters stage.
- 9.9 There is also the possibility of student residential being provided on site. The Core Strategy supports purpose built student accommodation and, as previously stated, there are existing educational establishments on Quarry Hill as well as in the wider City Centre. As stated in the minutes of the January meeting, when the actual numbers of student units is known, their exact positioning and location in respect of the private residential units can be properly considered. However, their potential to impact on the amenity of private residential units, and Members concerns over this aspect, are understood.
- 9.10 The proposed Block C is located to the north of the existing student residential accommodation attached to the Leeds College of Music. It is proposed to be of a very similar height and is 15m away to the north. In this urban situation, this is considered to be a reasonable spacing to protect the amenity of both sets of residents and, as the proposed building is to the north, there will be no loss of direct sunlight to the existing student block. This relationship is therefore considered to be acceptable.
- 9.11 Retail  
Small scale convenience retail use up to 200 sqm is acceptable in principle anywhere within the City Centre as it supports and services other uses without undermining the retail strategy for both the City Centre and other designated centres. This is in accordance with Core Strategy policy CC1. The total amount of retail floor-space proposed is approximately 700 sqm and is to be subject to a Sequential Test which, at the time of writing this report, remains to be considered by officers. The retail content would exist at the lower levels only, be for the provision of convenience retailing which would support the other uses on the site, and assist in providing lively and active frontages. The provision of retail use on the site is supported in principle subject to sequential test.
- 9.12 Eating and Drinking Establishments  
This would account for approximately 3,200 sqm of floor space at ground floor level which would be accessed directly from the pedestrian dominated routes and which would benefit from the localised worker and residential customer base. The provision of bars and restaurants would ensure that this part of the city does not become a sterile place, ensuring life and vitality outside normal office hours. Conditions will be used to ensure that there is no noise transference within the buildings or from external areas which would impact on the amenity of occupiers of the upper floors.

9.13 **Building Footprints**

The plan of buildings proposed creates a largely pedestrian dominated environment with levels of permeability appropriate to this city centre location. The layout opens up the centres of three of the main buildings to create courtyards. This adds to both the variety and hierarchy of the open spaces and the levels of visual interest.

9.14 Since its construction Quarry House has existed as a dominant presence on the skyline of the eastern half of the city centre, clearly visible from the Headrow. This has been due largely to it being seen 'out of context' with no development around it. The two buildings which sit immediately to the west of it have been designed to respect the symmetry of Quarry House but mask its two outer wings, with the central glazed atrium visible at the end of the main pedestrian route. This remains unchanged from the previous scheme and the relationship is still considered to be acceptable. This will also be impressive at night when the glazed atrium is internally illuminated. At Panel in January Members considered the footprints of the buildings to be acceptable.

9.15 Leeds Civic Trust (LCT) has indicated its concern about closing down the view of the stone surround to the Quarry House atrium. Buildings in cities often reveal themselves on approach, rather than being seen fully at distance. In this case the ability to see the glazed element is important and this would be clearly visible through the 19m gap between the buildings which sit to either side. The inner faces of the stone surrounds are 16.75m apart, which means they are visible for the full length of the main route through the centre of the site. More of the stone surround would be revealed as it is approached, which is not an unusual characteristic of the wider city centre streetscape. Officer's opinion differs from that of the LCT and it is considered that the relationship of the proposed buildings to Quarry House is acceptable.

9.16 The network of internal pedestrian routes will enable access to be gained to the footbridge across the A64(M). It is proposed to create a raised table in the carriageway to highlight the pedestrian route which runs alongside the carpark and through to the centre of the site. In addition, the development is likely to generate significant pedestrian traffic to the west towards Eastgate and the markets area. The pedestrian steps up to Quarry Hill from St Peters St, and the neighbouring grassed area, are in Council ownership and there is a considerable sum of money held by the Council for the carrying out of works to replace the steps and to landscape the grassed area, received as part of the land sale on the neighbouring hotel scheme. The developer of the hotel site is obliged to undertake these works to an already agreed specification as the steps, landscaping and hotel development are best constructed simultaneously.

9.17 **Building Heights**

The heights of the buildings have been carefully considered to allow light penetration to both the main pedestrian route through the site and into the courtyards within the proposed buildings. This naturally produces a built form in which the centrally located buildings are lower in height, which results in a more human scale fronting the pedestrian route. The taller elements of the buildings are set back from this to provide height, which is considered appropriate here on this important gateway site, as set out in the Tall Buildings Design Guide. Sun-path diagrams indicate that the northern parts of the courtyards and central walkway would receive direct sunlight in June, with this diminishing throughout the year to the winter solstice. This is not an unusual situation in the context of a city centre site

where some of the buildings are relatively tall. In this context, the degree of sunlight penetration into the scheme is considered to be acceptable. The heights of the buildings will also relate well to those of the existing and proposed developments on the remainder of Quarry Hill, resulting in the production of a well-planned and coherent development when viewed from both within the site and from a distance.

#### 9.18 **Open Spaces**

Approximately 35% of the site is to be given over to pedestrian only, publicly accessible open space and this is welcomed by officers. The entire site is unified by the central route which passes through 3 main spaces. These will act as focal points for activity and access points to the buildings themselves. The bar and restaurant uses at the lower levels have been included to maximise the potential to 'spill out' into the primary routes and spaces to provide life and vitality throughout the day and night. These will have glazed elevations to both the main thoroughfare and the internal courtyards to maximise visibility, interest and security through natural surveillance and will allow views through to the courtyards from the main route. The routes and spaces will be open 24 hours a day and will therefore act as an extension to the existing pattern of city centre streets. Following Members comments at Panel in January, the possibility of a ramp through the central route has been explored and it has been determined that this is possible to achieve within the accepted gradient guidelines. The details of this would be included in the reserved matters application for the relevant building.

9.19 The existing trees on the site will be lost due to the requirement to construct a basement under the 4 central buildings. However, it is clear that there will be a considerable amount of landscaping and replacement trees will be planted and so, in this context, the loss of the existing trees, whilst unfortunate, is considered to be acceptable.

9.20 It is likely, given the scale and multiple building nature of the proposal, that the scheme will not all be constructed at the same time. This means that once buildings are constructed there will be areas of public realm in the immediate vicinity that will need to be surfaced and landscaped. However, this treatment would not be able to be rolled out across the whole site. Similarly, when initial phases are constructed there will be a need to ensure that pedestrian routes around and through the site are maintained, diverted, made good and lit. The phasing of the scheme will be controlled by condition to ensure sufficient levels of public access are maintained.

#### 9.21 **Car Parking, Vehicle Access and Servicing**

The scheme has been designed to avoid conflict between pedestrians and the private motor vehicle. Cars will enter the site from the south and be directed into the basement car parking areas before they reach the main east/west pedestrian route. Vehicles wishing to use the MSCP enter from the north and are similarly taken into the car park before they reach the pedestrian areas. Taxis can access the site from both the north and south and there are drop-offs close to the building entrances. Servicing will take place from within each building and therefore will not be visible on the surface. This will also minimise the potential for refuse and other items to be stored in external areas and reduce noise and other undesirable environmental impacts which might otherwise arise. Cycle parking and car parking spaces that are EV 'Cable Enabled' will be provided in the basement car park, which will be secured by condition and agreed at reserved matters stage. This approach is considered entirely consistent with the objectives of producing a high quality environment and is acceptable.

- 9.22 The method of operating the proposed multi-storey car park has been carefully considered to provide short stay spaces for the use of the WYPH and other businesses in the area, and the provision of up to 250 contract spaces, also with the potential for use by businesses in the area. With regard to the Council's adopted Transport Strategy, given there are currently approximately 414 long stay parking spaces on the site, in the long term, this means that there would be a net reduction in long stay spaces of a minimum of 164 spaces. This is considered to provide the correct balance between servicing the requirements for short stay parking, the requirements of businesses in the area, as well as meeting the Council's Transport Strategy, which seeks to restrict the growth of commuter parking in the City Centre.
- 9.23 Playhouse Square is currently used as a drop-off area for the WYPH as well as an informal coach lay-over area. This informal lay-over arrangement will no longer be able to occur when the proposed scheme is in place. For this reason an area of land has been set aside adjacent the Northern Ballet HQ for this purpose. This is held in Council ownership and the Development Agreement between L.C.C. and the applicant specifies that the applicant cannot develop its building adjacent Playhouse Square without the reserved lay-over area having been laid out for coach parking.
- 9.24 Some crossing improvement works to the Loop at St Peter's St are being undertaken as part of the Victoria Gate development. The current proposal includes £213,765 for the carrying out of works to junctions and crossings which may be spent in the vicinity of the site. In addition to the money already set aside for the works to be carried out in the area between the Playhouse and the proposed hotel, it is considered that this package of works is reasonable and proportionate to the improvement of connectivity between the Quarry Hill site and the city centre.
- 9.25 Highways Services have identified a requirement for works to improve the safety of users of the bridge over the A64(M). The current parapet heights of the bridge are considered inadequate to allow safe cycle movement. It is considered necessary to raise them to a minimum height of 1.4m in order to adequately mitigate the safety risk posed by the potential impact of increased use of the bridge resulting from the proposed development. The details and cost of these works are still the subject of negotiation with the applicant and will be the subject of a S106 Agreement once finalised.
- 9.26 **Environmental Issues**  
Noise impact on the residential units from primarily traffic sources around the site would be mitigated by the presence of the existing and proposed buildings at its periphery. Facades would be constructed to provide the required level of noise reduction appropriate to the intended use of the internal space. The other sources of noise are from within the A3, A4 and A5 units proposed by the development itself. Therefore acoustic attenuation schemes to prevent noise break-out from these uses would be required and can be controlled by condition.
- 9.27 **Wind**  
L.C.C. has employed an independent wind consultant (RWDI) to carry out a peer review of the submitted wind study, which states that the wind environment is currently exposed and the proposal would result in a general calming effect on wind speeds. As the scheme is in outline, and the location of entrances are not yet known, it is proposed, and accepted by the applicant, that more detailed studies are required at Reserved Matters stage to overcome any localised problems through increased landscaping works or the relocation of entrances and seating areas. This approach is agreed by RWDI and a condition will be used to control this aspect of the scheme.

9.28 **Sustainability**

The application sets out that the following will be included in the subsequent detailed building designs:

- Solar thermal and photo-voltaics to be included on the roof areas
- Green roof areas to enhance bio-diversity
- Rainwater harvesting
- Low water use appliances
- High levels of insulation
- Low e performance glazing

The applicant has stated that they are to target a BREEAM 'Excellent' rating which is clearly welcomed by officers and that they are willing to seriously consider connection to the Leeds Recycling & Energy Renewal Facility (city wide district heating system) located on the A63 Pontefract Lane.

9.29 **Obligations**

Adopted policies require the following obligations to be provided:

- a) Requirement for public access to and maintenance of all routes through the scheme and public spaces
- b) The provision of on-site Affordable Housing
- c) Travel Plan initiatives
  - i) £34,000 for free trial car club membership package for residents and staff
  - ii) Provision of 3no. car club parking spaces
  - iii) £10,210 Travel Plan Review fee
- d) Up-grading of bus stop on York Rd to include real time display (£20,000)
- e) Money for off-site highway works £213,765 – for improvements to junctions and crossings
- f) Management and pricing strategy for Multi Storey Car Park
- g) Safety improvement works to the footbridge over the A64(M) (sum still to be negotiated)
- h) Local Employment Initiatives

9.30 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-
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.'

Given that this is an outline scheme, and so the final floor space and uses are, as yet, not fully established, the CIL figure generated by the scheme as it currently stands is circa. £677,965.

9.31 As listed above, there are matters to be covered by a Section 106 agreement. These have been assessed 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.

## **10.0 CONCLUSION**

10.1 The proposals will regenerate a key city centre site and contribute to its life, vitality and economic prosperity. The scheme would potentially provide high quality and well-designed buildings which relate well to each other and the surrounding developments centred on well planned public routes and spaces. The uses will provide life and vibrancy at all times of the day and ensure that there is a presence on the site at night through the inclusion of the residential element.

### **BACKGROUND PAPERS:**

Previous Application file: 20/523/04/OT

Certificate of Existing Lawful Use for surface car parking app. ref. 13/02275/CLE

14 storey office building with attached multi-storey car park 12/03110/EXT.

13 storey hotel with casino, bars/restaurants and basement parking 12/03111/EXT.



**CONDITIONS FOR QUARRY HILL  
APP REF 14/06534/OT**

- 1) A phasing plan for the development showing the anticipated sequencing of the various aspects of the development shall be submitted to and approved in writing by the local planning authority prior to the submission of any application for the approval of reserved matters or any application for the approval of details required by conditions on this permission. The sequencing of the development shall thereafter be carried out in accordance with the submitted plan, unless otherwise approved in writing by the local planning authority, and any reference to `phase` or `phases` in the conditions below shall refer to the phases detailed in the plan thereby approved.

In order to accord with the provisions of the Leeds Core Strategy, Saved Policies of the Leeds Unitary Development Plan Review and the Leeds Natural Resources and Waste DPD, in the interests of amenity, visual amenity, the provision of affordable housing, pedestrian connectivity, highways safety, sustainable development, and in order that the Local Planning Authority is informed of the phasing in order that the relevant sections of the conditions may be discharged.

- 2) Development shall not commence on any phase of the development until approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority,
  - a. Appearance
  - b. Landscaping
  - c. ScalePlans and particulars of the reserved matters shall be submitted utilising a planning application form and shall be carried out as approved.

Because the application is in outline only and as no details have been submitted of the reserved matters, they are reserved for subsequent approval by the Local Planning Authority

- 3) Application for approval of reserved matters for the first phase of development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for the approval of reserved matters for each subsequent phase of development shall be made within two years of the approval of reserved matters for the previous phase.

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

- 4) The first phase of the development hereby permitted shall be implemented either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be agreed for that phase whichever is the later. Subsequent phases of development shall be implemented before the expiration of two years from the date of approval of the last of the reserved matters to be agreed for that phase whichever is the later.
- 5) The reserved matters shall be in accordance with the approved parameter plans listed in the Plans Schedule.

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

- 6) The uses hereby permitted shall be limited to the maximum Gross Internal Areas included in the approved Matrix of Accommodation contained at appendix II of the Design and Access Statement October 2015.

In order to ensure that the developed scheme does not exceed the floor spaces which have been used to assess the impact which this proposal will have on its surroundings, including the neighbouring buildings and the local highway network. In the interests of proper planning.

- 7) The A1 retail floorspace shall be for convenience retail use only and shall not exceed a total of 700sqm on the entirety of the site. Only one A1 unit may be of a size up to 425 sqm with all other units not exceeding 80 sqm each.

In the interests of the vitality and viability of existing retail centres, in accordance with Leeds UDPR Policy GP5, Leeds Core Strategy policies SP2, SP3, P8 and CC1 and the NPPF.

- 8) Prior to the commencement of development in each phase details and samples of all external walling and roofing materials for that phase shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site prior to the commencement of building works, for inspection by the Local Planning Authority which shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity in order to accord with Leeds UDP Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the NPPF.

- 9) Prior to the commencement of development in each phase details of the position, design, materials and type of all walls and/or fences or permanent boundary/screening treatment for that phase shall be submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected in accordance with the approved details, before the land/buildings to which they relate are occupied, and shall thereafter be retained.

In the interests of visual amenity, in accordance with Leeds UDPR Policies GP5 and LD1, Leeds Core Strategy Policy P10 and the NPPF

- 10) Prior to the commencement of development in each phase full details of both hard and soft landscape works, including an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority for that phase. Hard landscape works shall include
- (a) proposed finished levels and/or contours
  - (b) boundary details and means of enclosure
  - (c) vehicle and pedestrian access and circulation areas,
  - (d) hard surfacing areas,
  - (e) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
  - (f) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.). Soft landscape works shall include
  - (g) planting plans
  - (h) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
  - (i) schedules of plants noting species, planting sizes and proposed numbers/densities. All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations.

The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, Leeds Natural Resources and Waste DPD, and the NPPF.

- 11) Development shall not commence until a Phase I Desk Study for each phase of development, has been submitted to, and approved in writing by, the Local Planning Authority and:

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

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

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

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

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 13) Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 14) Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be

tested for contamination and suitability for use. A methodology for testing these soils shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto site. The methodology shall include information on the source of the materials, sampling frequency, testing schedules and criteria against which the analytical results will be assessed (as determined by risk assessment). Testing shall then be carried out in accordance with the approved methodology. Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site.

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use with respect to land contamination in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 15) Unless otherwise approved in writing by the Local Planning Authority, no construction of buildings or other structures shall take place until measures to divert or otherwise formally close the sewers and water mains that are laid within the site have been implemented in accordance with details that have been submitted to and approved by the local Planning Authority.

To ensure sustainable drainage, flood prevention and to maintain the public water supply, in accordance with LCC's Natural Resources and Waste LDF 2013 and the NPPF

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

To ensure sustainable drainage and flood prevention in accordance with Leeds UDP Review (2006) Policy GP5, Leeds Core Strategy Policy EN5, the Leeds Natural Resources and Waste DPD and the NPPF.

- 17) No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

To ensure sustainable drainage and flood prevention in accordance with LCC's Natural Resources and Waste LDF 2013 and the NPPF

- 18) Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no

buildings shall be occupied or brought into use prior to completion of the approved foul drainage works

To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal, in accordance with the Leeds NRWDPD and the NPPF.

- 19) Construction activities shall be restricted to 08.00 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays with no works on Sundays and Bank Holidays.

In the interests of residential amenity, in accordance with Leeds Core Strategy, Leeds UDPR Saved Policy GP5 and the NPPF

- 20) No works shall begin on the relevant phase of development until a Statement of Construction Practice for that phase has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage; and
- d) how this Statement of Construction Practice will be made publicly available by the developer.
- e) location of access and egress from the site and management of vehicle movements entering and exiting the site
- f) car parking for contractors staff and operatives

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of residential amenity of occupants of nearby property in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 21) Prior to the commencement of development in each phase details of a sound insulation scheme designed to protect the amenity of the noise sensitive elements of that phase of the development from proposed and existing noise sources, and existing nearby residents from noise emitted from the proposed development, shall be submitted to and approved in writing by the Local Planning Authority. The use approved in that phase shall

not commence until the works have been completed, and any such noise insulation as may be approved shall be retained thereafter.

In the interests of residential amenity, in accordance with Leeds Core Strategy, Leeds Saved UDPR Policy GP5 and the NPPF

- 22) Prior to occupation of each phase, details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use commences and shall be retained thereafter for the lifetime of the development.

To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity, in accordance with Leeds UDPR Policy GP5, Leeds Core Strategy Policies T2 and P10 and the NPPF.

- 23) The hours of delivery to and from (including refuse collection) any unit used for A1/A3/A4/A5 use shall be controlled by a delivery management plan to be agreed with the Local Planning Authority prior to the occupation of that unit.

In the interests of residential amenity, in accordance with Leeds UDP Review 2006 Policy GP5 and the NPPF.

- 24) No external lighting shall be installed for any part of the permitted development in each phase until a scheme has been approved in writing by the Local Planning Authority for that phase. The scheme shall be installed and retained thereafter in accordance with the approved details prior to first occupation of that phase.

In the interests of amenity and residential amenity, in accordance with Leeds Core Strategy, Leeds Sved UDPR Policy GP5 and the NPPF

- 25) No part of the development hereby approved shall be occupied until a management plan for the control of vehicular movements through the site at surface level, which relates to that phase of development and previously completed phases, has been submitted to and agreed in writing with the Local Planning Authority.

In the interests of sustainable development, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policies T1 and T2, and the NPPF.

- 26) No phase or part of the development hereby approved shall be occupied until a plan, setting out the location of electric vehicle charging points, car

share spaces and any car club parking spaces to be provided in that phase, has been submitted to and approved in writing by the Local Planning Authority. The charging points for that phase shall be provided in accordance with the approved details prior to first use of the car park for each phase, and retained as such thereafter.

In the interests of encouraging more sustainable forms of travel, in accordance with the NPPF, Leeds Natural Resources and Waste DPD, Leeds Travel Plans SPD, Leeds UDPR Policies GP5 and Leeds Core Strategy Policy T2

- 27) Prior to the commencement of development in each phase, full details of the car parking provision and a car park management plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The car parking, as approved, shall be provided prior to the first occupation of that phase of the development.

In the interests of sustainable development, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policies T1 and T2, and the NPPF.

- 28) Prior to the commencement of development in each phase details of cycle and motorcycle parking, and associated facilities to include showers and lockers where required, for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle/motorcycle parking and associated facilities shall be provided prior to occupation of that phase of development and retained as such thereafter.

In the interests of promoting walking, running and cycling as more sustainable means of travel to work, in accordance with the NPPF, Leeds UDPR Policy GP5, Leeds Core Strategy Policy T1 and the Travel Plans SPD.

- 29) No part of any relevant phase of development shall be occupied until all areas shown on the approved plans to be used by vehicles in that phase have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway in accordance with adopted Leeds Core Strategy Policy T2 and Street Design Guide SPD (2009).

- 30) Before commencement of each phase of development, a statement for that phase shall be submitted to and approved by the Local Planning Authority for that phase which demonstrates compliance with sustainability standards that meet a Building Research Establishment BREEAM assessment (to no



less than 'Excellent' standard) and / or Code for Sustainable Homes assessment (to no less than Code Level 4) or equivalent. The development shall be implemented as thereby agreed and the development and phases / buildings comprised therein shall be maintained and any repairs shall be carried out in accordance with the approved detailed scheme and any post-completion review statement.

To ensure the adoption of appropriate sustainable design principles in accordance with Leeds Core Strategy Policies EN1 and EN2, Leeds SPD Sustainable Design and Construction, the Sovereign Street Planning Statement 2011, and the NPPF.

- 31) Notwithstanding the plans hereby approved, full details of the proposed design process/arrangements to the public seating and entrance locations for each phase of development with regards to ensuring a safe and acceptable wind environment, including wind engineering studies to support the proposed design, shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of amenity and visual amenity, in accordance with Leeds UDPR Policy GP5 and the NPPF

- 32) Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

In the interests of satisfactory and sustainable drainage in accordance with the NPPF

- 33) Details of any external extract ventilation system shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and the system shall be installed and maintained in accordance with the approved details.

In the interests of visual and residential amenity and in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

Hot food uses will often require an extract ventilation system to deal with odour and fumes. Guidance on suitable design is provided in DEFRA guidance at: <http://www.defra.gov.uk/publications/files/pb10527-kitchen-exhaust-0105.pdf>

- 34) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) planning permission shall be obtained

before any change of use, of A3 and A4 uses referred to in this consent, to any use within use Class A1 as defined in the Town & Country Planning Use Classes (Amendment) Order 2005 (or any order revoking or re-enacting that order with or without modification).

In order that the Local Planning Authority can retain control over uses which it considers could be harmful to the character of the area and the viability of the City Centre in accordance with policy CC1 of the adopted Leeds Core Strategy 2014

- 35) Prior to commencement of development for each building, detailed 1:20 scale working drawings of the following features shall be submitted to and approved in writing by the Local Planning Authority for that building:

- (a) Sections of windows, doors and balconies;
- (b) Junctions of materials and recesses, rooflines and eaves;
- (c) Shop-front and shop-front design guide to ground floor and mezzanine uses.

Works shall be carried out in accordance with the approved drawings and maintained as such thereafter.

In the interests of visual amenity in accordance with saved policy BD5 of the Leeds UDP Review (2006)

- 36) Prior to the commencement of development for each individual building the applicant shall submit details of a strategy for a CCTV system to be provided within the application site. This strategy shall then be carried out during the construction of each individual building and prior to occupation of that phase of development.

In the interests of safety of the users of the site in accordance with saved policy GP5 of the Leeds UDP Review (2006)

- 37) Prior to the commencement of each phase of development on site a Coal Recovery Scheme for the site shall be submitted to the Local Planning Authority. This scheme should include proposals for any consequential intrusive site investigation works which may then be required post extraction. The scheme shall also set out a timetable for the carrying out of any remedial measures identified as being necessary during the construction excavation works for that phase of development and these remedial measures shall be carried out in accordance with the agreed timescale.

As this condition relates to ground works which need to be carried out at the start of the development in order to ensure that the site is safe and stable for

the proposed development in accordance with policy Minerals 3 of the adopted Leeds Natural Resources and Waste DPD

- 38) Each phase of development shall not commence until a scheme detailing surface water drainage works, including hydraulic calculations, has been submitted to and approved in writing by the Local Planning Authority. The peak rate of discharge shall not exceed 163 L/s, in accordance with the Quarry Hill, Leeds, Flood Risk Assessment & Drainage Strategy, rev 2, dated 17th October 2014, doc ref. 032075. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

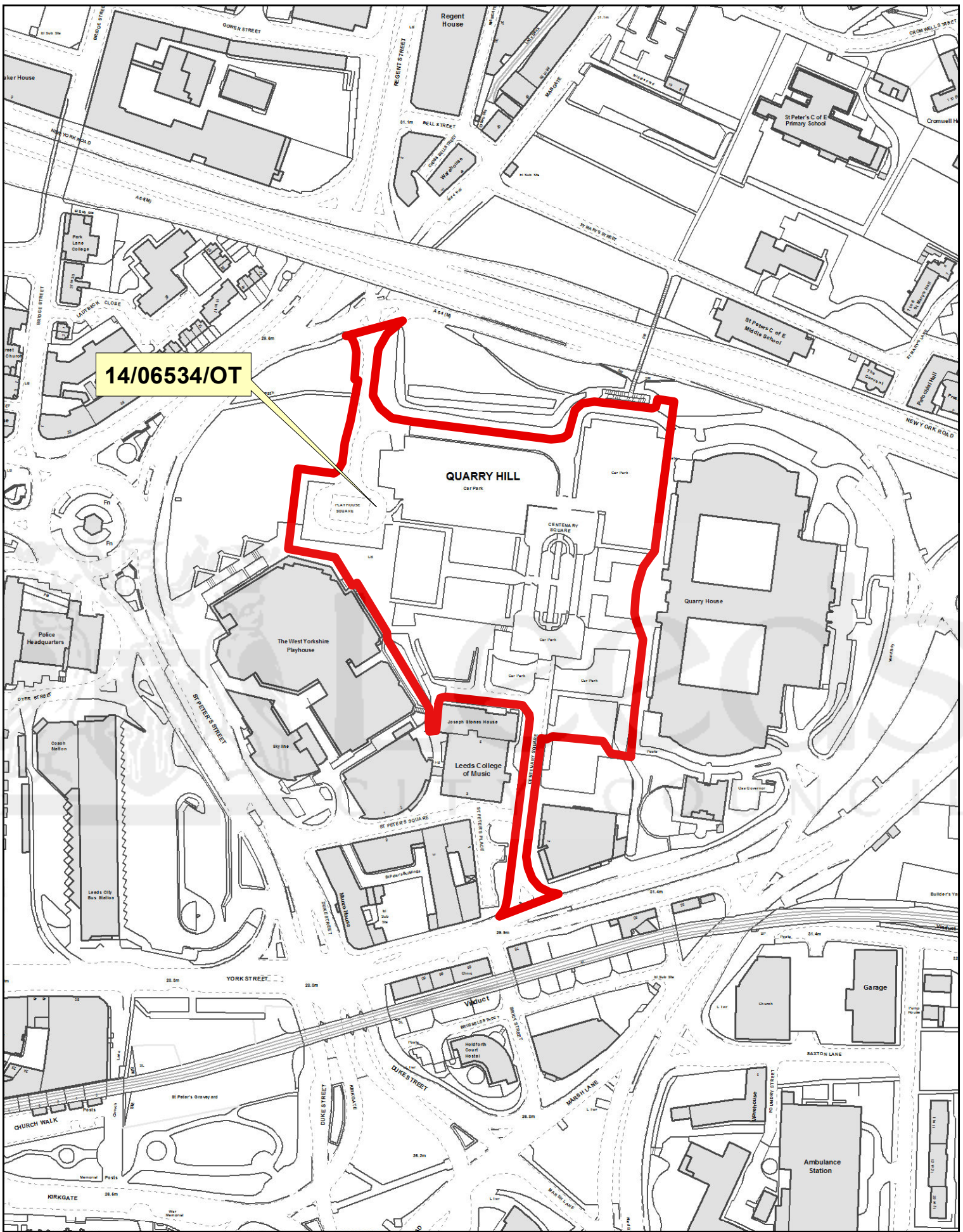
To ensure sustainable drainage and flood prevention in accordance with LCC's Natural Resources and Waste LDF 2013 and the NPPF

- 39) Each phase of development shall not commence until a scheme detailing the flood mitigation measures, identified within the Quarry Hill, Leeds, Flood Risk Assessment & Drainage Strategy, rev 2, dated 17th October 2014, doc ref. 032075 has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure flood prevention in accordance with the objectives of the adopted Minerals and Waste Resources DPD and NPPF

- 40) There shall at no time be any more than 414 public long-stay car parking spaces available on site.

In the interests of sustainable development, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policies T1 and T2, and the NPPF.



14/06534/OT

# CITY PLANS PANEL





Originator: Andrew Crates  
Tel: 2478000

## Report of the Chief Planning Officer

### *CITY PLANS PANEL*

Date: 26<sup>th</sup> November 2015

**Subject: Application 15/04604/RM: Reserved matters application for the erection of residential development on land at Station House, Station Road, Methley, LS26 9ET**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Barratt and David Wilson Homes	30.7.15	4.12.15

#### **Electoral Wards Affected:**

**Kippax and Methley**

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 resolution of the outstanding matters referred to in the report.**

#### Conditions:

1. Plans to be approved.

#### For information, the following conditions were applied to outline application 13/04647/OT:

1. Two year time limit for commencement and reserved matters submission deadlines.
2. Outline relates to Access only. All other matters Reserved.
3. Plans to be approved.
4. Samples of walling, roofing and surfacing material to be approved.
5. Landscape scheme.
6. Landscape management plan.
7. Tree protection conditions.
8. Tree replacement conditions.
9. Landscaping adjacent to the railway
10. Landscape phasing.
11. Biodiversity enhancement conditions.
12. Method statement to control and eradicate Japanese Knotweed.

13. No vegetation clearance 1<sup>st</sup> March – 31<sup>st</sup> August inclusive.
14. Greenspace to be laid out in accordance with masterplan.
15. Archaeological evaluation
16. Surface water run-off restricted to greenfield rates.
17. Station Road widening.
18. Junction sightlines to be achieved.
19. 20mph speed limit.
20. Upgrade of public right of way linking to The Hollings.
21. Use of electric vehicle charging points.
22. Provision of vehicle parking areas.
23. Cycle provision.
24. Statement of construction practice, including interim drainage measures, means to prevent mud on road and dust suppression and routing close to bridges.
25. Rescinding of rights for vehicles to use level crossing.
26. Method statement for works close to the railway.
27. Use of vibro impact machinery
28. Fail safe use of cranes adjacent to railway.
29. Lighting adjacent to railway.
30. Detailed works for properties affected by railway noise.
31. Contamination reports and remedial works.
32. Unexpected contamination.
- 33.** Verification reports.

## **1.0 INTRODUCTION**

- 1.1 This application is presented to City Plans Panel for determination as it relates to a site where Plans Panel have previously considered an outline application (13/04647/OT), which was approved on 31<sup>st</sup> March 2015. The site is designated as a Protected Area of Search (PAS) in the Leeds UDP Review (2006). Accordingly, the application has also been advertised as a major development, which is a departure from the development plan and affects a right of way.
- 1.2 Members may recall that a key component of the justification for bringing this site forward at this time was a £1.1m contribution to facilitate the delivery of flood defences to the north of the village. This is a matter which is being pursued by the Environment Agency and the Council's Flood Risk Management Team
- 1.3 The outline application approved the matter of access only, with all other matters reserved for determination at a later date. The current application seeks approval for the outstanding reserved matters of: appearance, landscaping, layout and scale.

## **2.0 PROPOSAL:**

- 2.1 This application proposes a residential development of 220 dwellings, reduced from 221 during the course of negotiations.
- 2.2 The primary access approved at outline stage is taken from Station Road with pedestrian / cycle links provided to link through to Longbow Avenue, Balmoral Drive and The Hollings. The proposed reserved matters layout incorporates all of these previously approved measures.
- 2.3 A mix of new homes are proposed, ranging from 2 to 4 bed dwellings.

- 2.4 The proposed layout indicates a series of connected streets, linking Station Road to a spine road running along the southern and western side of the site. A short cul-de-sac is proposed to the west of Shann House. Greenspace is accommodated on site in the broad locations indicated on the masterplan attached to the outline consent.
- 2.5 The proposed dwellings are a mixture of detached, semi-detached and terraced dwellings, ranging in height from two storeys, two storeys with rooms in the roofspace and with some three storey dwellings.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site relates to a greenfield site that is located towards the north-western edge of Methley. The site measures 7.67 hectares and is in agricultural use for arable farming. The site is open, but bounded by occasional low level vegetation and some trees, particularly along the western boundary of the site.
- 3.2 Station Road lies to the north of the site and also provides access to Shann House (a Grade II Listed Building), to the north-west of the application site. The Shann House complex also includes a number of other agricultural buildings, which have recently been granted planning permission for conversion to residential uses. To the north of Station Road, dense vegetation and a timber fence provide a buffer to the re-aligned River Aire, which is set within a cutting. The land beyond is a mixture of open land and woodland (part of the former St Aidan's open cast coal mine site).
- 3.3 To the west of the site lies the Leeds to Castleford railway line, which severs the western end of Station Road (which otherwise continues to Leeds Road). Nevertheless, a level crossing exists for pedestrians to cross the line, together with a small number of individuals who have rights to hold keys in order to take vehicles across.
- 3.4 A recent residential housing development exists to the south of the site, containing detached two-storey properties. The majority of these properties back on to the application site, though some are side on where there are short cul-de-sacs leading north.
- 3.5 A wooded area exists to the east of the application site, planted in the late C20th and filling a triangle of land between the application site and Station Road.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 13/04647/OT – Outline application for the erection of a residential development – Approved 31/3/15.
- 4.2 13/01473/FU - Alterations and extensions to Barn Cottage to form two detached houses; change of use of barn and cow shed to form four houses and demolition of outbuilding and erection of associated garages – Approved 17/1/14.

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The outline application had been under consideration at pre-application stage and application stage since early 2013 and involved detailed consultation with Ward

Members and local residents. The outline application was approved on 31<sup>st</sup> March 2015.

- 5.2 The applicant for this reserved matters application held early discussions with Ward Members and officers before embarking on a wider public engagement exercise. The engagement exercise involved writing to 522 local homes and businesses which are closest to the site. Feedback was returned through feedback forms, email and discussion. A total of 35 feedback forms were completed and returned. Whilst a number of residents expressed interest in buying new homes, concerns were also raised including the growth of the village, pressure on local services, traffic congestion and impact on the existing sewerage network.
- 5.3 The applicant liaised with the Methley and Mickletown Residents Association to set up a public drop in session on 7<sup>th</sup> September 2015. Unfortunately, it is understood that the Residents Association cancelled the event on the day, but did invite the applicant to attend a public meeting the same evening, which did go ahead. Subsequently, the case officer for the application also attended a public meeting set up by the Residents Association on 2<sup>nd</sup> November 2015.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application was advertised as a departure that does not accord with the provisions of the UDPR and affects a right of way. The site notices were posted 21/8/15.
- 6.2 As a result of the consultation process, 33 letters of objection have been received.

The letters of objection note the following issues:

0. Concern at the increase in the number of houses from 181 indicated at outline stage to 221 now and the highway implications of this.
1. Impact on nursery and school places in the village.
2. The village's road infrastructure is already at capacity and cannot cope with additional traffic.
3. Concerns about existing flooding problems in the area being exacerbated by new development.
4. Concern that sewerage infrastructure cannot cope with additional development.
5. Concern about the location of the proposed pumping station.
6. Concerns about overshadowing, over-dominance and overlooking from new houses.
7. Concern about the creation of a link between the proposed and existing housing areas which could result in security problems.
8. The siting of the footpath along the southern boundary, sandwiched between houses will create a hostile environment that will give rise to increased crime.
9. It is already difficult to get doctor's appointments.
10. Concern about how Japanese Knotweed will be dealt with.
11. Concern that the developer's consultation was inadequate and engagement with local residents was poor.

## **7.0 CONSULTATIONS RESPONSES:**

### **7.1 Statutory:**



Yorkshire Water: - It is stated that the submitted layout is not acceptable and advice is provided in relation to stand off distances to sewers. The applicant considers this matter addressed through the revised layout and this is currently being clarified with Yorkshire Water.

Highways: - The number of houses proposed is considered acceptable in principle, as this accords with the robustness of the Transport Assessment carried out at outline stage. However, changes to the submitted layout are required and re-consultation shall clarify if these matters have been addressed in the revised layout

## **7.2 Non-statutory:**

Flood Risk Management: - It is understood and accepted that the original SuDS proposed in the outline scheme are not feasible due to the topographical constraints of the site. Two large underground storage tanks are now proposed. Advice is provided in relation to ensuring that the areas above the tanks are usable as greenspace.

Public Rights of Way: - It states in the Design and Access Statement that Public Footpath No.49 Rothwell will remain on its original line set within a linear park. This also seems to be the case for Public Bridleway No.48 Rothwell. However, the plans show that from Mulberry Bridge a number of houses back onto footpath no.49. As the path would be enclosed by fencing between the two housing estates, a minimum width of 4 metres will be required, as stated in the Rights of Way Practice Guidance notes 6. Officers have sought to address these issues through the revised layout plan.

Transport Policy: - Comment is made in relation to a plan showing electric vehicle charging points. However, this matter is dealt with by condition on the outline approval.

## **8.0 PLANNING POLICIES:**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013). The Site Allocations Plan is emerging and is due to be deposited for Publication at the end of the Summer 2015.

### **Local Planning Policy**

#### **Adopted Core Strategy**

- 8.2 The Core Strategy is the development plan for the whole of the Leeds district. The Core Strategy (CS) was adopted in November 2014. The following CS policies are relevant:

Spatial policy 1 – Location of development  
Spatial policy 6 – Housing requirement and allocation of housing land  
Spatial policy 7 – Distribution of housing land and allocations  
Spatial policy 10 – Green Belt  
Policy H1 – Managed release of sites

Policy H3 – Density of residential development  
 Policy H4 – Housing mix  
 Policy H5 – Affordable housing  
 Policy H8 – Housing for Independent Living  
 Policy P9 - Community facilities and other services  
 Policy P10 – Design  
 Policy P11 – Conservation  
 Policy P12 – Landscape  
 Policy T1 – Transport Management  
 Policy T2 – Accessibility requirements and new development  
 Policy G3 – Standards for open space, sport and recreation  
 Policy G4 – New Greenspace provision  
 Policy G7 – Protection of important species and habitats  
 Policy G8 – Biodiversity enhancements  
 Policy EN1 – Climate change  
 Policy EN2 – Sustainable design and construction  
 Policy EN5 – Managing flood risk  
 Policy ID2 – Planning obligations and developer contributions

### **Unitary Development Plan Review (2006)**

8.3 Saved UDPR policies of relevance are listed, as follows:

GP5: General planning considerations.  
 N23/N25: Landscape design and boundary treatment.  
 N24: Development proposals abutting the Green Belt.  
 N34: Protected Areas of Search.  
 BD5: Design considerations for new build.  
 T7A: Cycle parking.  
 T24: Parking guidelines.  
 LD1: Landscape schemes.

8.4 In the Natural Resources and Waste Development Plan Document (2013) developments should consider the location of redundant mine shafts and the extract of coal prior to construction.

8.5 Relevant Supplementary Planning Guidance includes:

SPD: Street Design Guide.  
 SPD: Public Transport Improvements and Developer Contributions.  
 SPD: Travel Plans.  
 SPD: Designing for Community Safety: A Residential Guide.  
 SPG: Neighbourhoods for Living.  
 SPG: Affordable Housing (Target of 15% affordable housing requirement).  
 SPD: Sustainable Design and Construction “Building for Tomorrow, Today.”  
 SPG4: Greenspace Relating to New Housing Development.  
 SPG11: Section 106 Contributions for School Provision.  
 SPG25: Greening the Built Edge.

### **National Guidance - National Planning Policy Framework**

8.6 The National Planning Policy Framework (NPPF) came into force on 27th March 2012. The introduction of the NPPF has not changed the legal requirement that

applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 8.7 Paragraph 47 of the NPPF requires that local planning authorities should identify a supply of specific, deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5%. Where there has been a record of persistent under delivery of housing the buffer should be increased to 20%.
- 8.8 Paragraph 49 requires that housing applications be considered in the context of the presumption in favour of sustainable development. Whether the development is sustainable needs to be considered against the core principles of the NPPF. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 8.9 Paragraph 85 sets out those local authorities defining green belt boundaries should:
- a) ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
  - b) not include land which it is unnecessary to keep permanently open;
  - c) where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
  - d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
  - e) satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
  - f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

### **DCLG - Technical Housing Standards 2015**

- 8.10 The above document sets internal space standards within new dwellings and is suitable for application across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the city council is currently developing the Leeds Standard. However, as the Leeds Standard is at an early stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached to it at this stage.
- 8.11 The proposal consists of 220, two, three and four bedroom dwellings ranging from 4 to 8 potential bedspaces. Having analysed the house types and their sizes, 35 would comply with the technical standards. However, in taking an approach where consideration is given to focussing on where houses are significantly smaller than the technical standard (i.e. more than 15sqm below), 22.73% would fall below this threshold. It is noted that the Finchley house type is 15.8sqm below, so if this was excluded, only 12.23% would fall below the threshold.

## **9.0 MAIN ISSUES**

- Layout/design/landscaping
- Residential amenity
- Housing mix
- Highway considerations.
- Other issues

## **10.0 APPRAISAL**

### **Layout/design/landscaping**

- 10.1 The layout of the scheme is largely based on the illustrative masterplan prepared at outline application stage. The proposals demonstrate how a layout of connected streets and other links through to existing housing areas and amenities can be achieved. The houses are broadly arranged in a series of 'perimeter blocks', meaning that the fronts overlook streets and public spaces, whilst the private garden areas are secured to the rear. The proposals have evolved during the course of the application such that a number of houses that were originally proposed along the southern boundary have now been removed and the remaining layout re-configured such that the number of units has reduced from 221 to 220. The effect of the change is that it reinstates a greenspace area along the south of the site, incorporating a public right of way, more akin to that shown in the illustrative masterplan shown as part of the outline scheme. It is noted that this point was a significant area of concern in the letters of representation that have been received and is now addressed.
- 10.2 A pedestrian link is proposed to be enabled between the existing and proposed houses via a short section of path from the central greenspace down to the head of a cul-de-sac between Nos. 4 and 6 Balmoral Drive. The link is short, direct and well overlooked, providing a convenient pedestrian access for both the occupiers of existing and proposed houses. Security concerns can be overcome through the use of 'A' frames to prevent unauthorised use by motorised vehicles, which can be secured through a detailed landscaping scheme and/or condition.
- 10.3 All of the proposed houses front onto streets, providing surveillance over the public spaces, whilst the private garden areas are secured to the rear. The houses are arranged in a variety of forms as detached, semi-detached or terraced properties. Many of the proposed house types contain driveway areas to the side where they are in a detached or semi-detached situation, providing gaps of at least 4.5m between dwellings in such instances. Where some dwellings are located closer together, a minimum distance of 2m between dwellings is achieved. On balance, the spatial characteristics of the proposed streetscenes are considered to be acceptable.
- 10.4 Shann House is a Grade II Listed building, located towards the western end of the site and is bounded to the north by cottages and historical agricultural buildings, some of which have the benefit of planning permission for residential reuse. Shann House itself has its primary elevation facing south across its own private garden area. The garden area and the boundaries around the complex are formed by significant areas of vegetation and mature trees. The curtilage of Shann House effectively creates its own setting. The layout provides for development around the Shann House complex, but the primary frontage and large garden area is proposed to have a street frontage including a small area of greenspace and landscape buffering. On balance, given the above context, it is considered that the proposed residential development would preserve the setting of the Listed Building.

- 10.5 In the area around Shann House, a mixture of two and three storey houses are located to the east. The three storey Hythe house type is located 20m away. It is important that the listed Shann House, which itself is two-storey in height retains some presence in its immediate environment. Given the size and form of Shann House, the presence of trees and vegetation about its curtilage and the distance of 20m, officers consider that, the relationship now proposed is an acceptable one.
- 10.6 The approach to landscaping is to retain open areas along the eastern part of the Station Road frontage and along the eastern boundary fringe where it meets the existing woodland area. A larger greenspace is created in the centre of the site which also accommodates the surface water drainage solution in the form of underground storage tanks. An existing footpath runs along the southern boundary and it is important to incorporate this into the scheme in a sympathetic way and it is considered that this has now been achieved as a result of the revised layout. The solution is to therefore create a linear greenspace along the southern boundary which provides an open setting for the footpath.
- 10.7 Officers have provided feedback on the design of the housetypes on this scheme and other schemes where the same house types have been proposed. At the time of writing, no changes have been made to the external appearance of the dwellings, though the applicant has provided further visual information to demonstrate how the houses would appear, based on photographs of other recent developments. The applicant has stated that changes will be made to some feature plots to incorporate chimneys. Having considered the additional information and proposal to add chimneys, the external appearance of the dwellings is considered to be generally acceptable.
- 10.8 The local area contains a variety of materials, including brick, render and some stone. These materials are also found around the Shann House complex. It is understood that brick and artstone is proposed to be used as facing materials, as well as dark grey tiles for the roofs. An appropriate brick sample can be agreed through the discharge of the conditions imposed on the outline scheme. Officers have met with the applicant and considered the use of a new artstone product which is a very close match to natural stone. Essentially, the artstone comprises a significant amount of real re-constituted stone, rather than the limestone chips traditionally used in this product. Accordingly, officers consider this to be a high quality product that is appropriate for the feature plots within the development, which are also to contain chimneys, as discussed above.

### **Residential amenity**

- 10.9 Given the spacing around the Shann House complex, including areas of tree and vegetation cover around the perimeter, it is considered that there would be not a detrimental impact on the residential amenity of the occupants of Shann House, Shann Cottage or the other residential units which have the benefit of planning permission as a result of the development around the site.
- 10.10 Station House is located beyond the far western corner of the site, adjacent to the level crossing. The layout shows new neighbouring houses with a similar orientation such that there should be no detrimental impact in terms of overlooking, overshadowing or over-dominance.
- 10.11 The only other residential properties abutting the site are located to the south, along Longbow Avenue and Balmoral Drive. The majority of these properties back onto the application site, except for where they are located along short cul-de-sacs and

therefore have gable ends facing the application site. There is also a change in level, with the existing properties being almost a storey height below that of the application site. In the revised layout, only five properties are located adjacent to the southern boundary and face towards the existing properties. At the time of writing, officers have expressed concern about this relationship given the close proximity and change in levels, which could result in overlooking and a feeling of over-dominance. This is an area where negotiations are ongoing with a view to resolving this point. The remainder of the application site along the southern boundary contains an area of greenspace including a public footpath. The other proposed properties facing the Longbow development do so from the northern side of the greenspace and as such are located some distance away, at least 23.5m from front elevation to site boundary.

- 10.12 At the public meeting on 2<sup>nd</sup> November, some local residents expressed the view that the scheme should contain bungalows, particularly along the southern edge of the site, which would be beneficial in terms of housing mix, as well as having a less dominating effect on the existing houses. Officers have raised this with the applicant who have responded to decline the inclusion of bungalows in this particular scheme. Notwithstanding this, officers consider that the revised proposals are acceptable, subject to resolution of the detailed matters above.
- 10.13 At the outline planning application stage, it was noted that the presence of the railway, adjacent to the western side of the site, has the potential to create noise and disturbance. However, it was agreed that the western boundary would be formed by a 2.3m high acoustic fence. The presence of the fence and mitigation measures in the build quality of the houses will ensure that future occupiers enjoy a good level of amenity.
- 10.14 Across the development, the proposed houses are considered to offer a reasonable level of amenity in terms of garden sizes and distances between the rear elevations of dwellings.

### Housing Mix

- 10.15 An assessment of the housing mix has been undertaken in relation of the revised submitted layout, which shows the following:

No. of beds	No. of units	% of total	Policy min H4	Policy max H4	Policy target H4
1 bed	0 units	0.00%	0.00%	50.00%	10.00%
2 bed	19 units	8.64%	30.00%	80.00%	50.00%
3 bed	100 units	45.45%	20.00%	70.00%	30.00%
4+ bed	101 units	45.91%	0.00%	50.00%	10.00%
Total	220 units	100.00%			

The table above shows that the scheme as submitted does somewhat depart from the requirements of policy H4, particularly in respect of 2 bed units.

- 10.16 Officers are mindful that Core Strategy policy H4 was adopted well after submission of the previous outline application. Clearly, at that time officers had no information on house types, nor a housing needs assessment as the development fell below the threshold of 200 units at that time. It is noted from policy H4 that a housing needs

assessment is now required for developments over 50 units adjoining smaller settlements. At the time of writing, officers have requested an assessment from the applicant in terms of a rationale for the housing mix proposed, particularly as it does not fully address the normal policy requirements. It is understood that the applicant has commissioned a housing needs assessment, the conclusions of which can hopefully be reported verbally in time for the Plans Panel meeting.

- 10.17 The level of Affordable Housing was secured at outline application stage, at 12.15. Accordingly, for the revised scheme of 220 houses, 27 units are to be provided as Affordable Housing.

### **Highway considerations**

- 10.18 At a strategic level, the Transport Assessment submit with the original outline application was considered to be very robust such that it is appropriate for the detailed quantum of development now applied for. Accordingly, the overall highway impact has been considered and addressed during the outline application stage. Highways officer's initial comments on the submitted reserved matters layout were that there were a number of areas which required attention in terms of visibility splays and accesses to properties. The applicant considers that they have dealt with these matters on the latest revised layout, though at the time of writing, this is still to be confirmed by highway colleagues.
- 10.19 The outline application was subject to a Travel Plan which will assist in promoting sustainable transport modes to future residents. In particular, residential (bus only) MetroCards are to be provided for future residents. Additionally, in terms of improvements to public transport infrastructure, provision will be made to replace bus stop 14677 on Leeds Road with a new shelter and real time information, as well as the provision of a new bus stop with a shelter and real time information on the opposite side of the road.

### **Other issues**

- 10.20 Some letters of representation express concern about the siting of the pumping station at the southern side of the site. The pumping station is located in the southern area of the site as this is the lowest part of the site and is therefore the required location technically. The equipment is largely below ground underneath a plinth within a landscaped greenspace area. The only other equipment above ground level is the control kiosk, of a similar size and form to a street telephone equipment cabinet. Overall, officers consider that the siting of the pumping station is appropriate. Nevertheless, it is understood that some local residents have been engaged in exchanges with Yorkshire Water about the much older pumping station at the eastern end of Station Road (outside the development site), where concerns have been raised around odour and capacity. Drainage matters were dealt with at outline planning application stage and appropriate conditions imposed. It is understood that Yorkshire Water may undertake some off-site sewer works if the housing development is pursued.
- 10.21 The other matters raised in the letters of representation are either dealt with in the main body of this report or relate back to the principle of development, which has already been established by virtue of granting the outline planning permission.

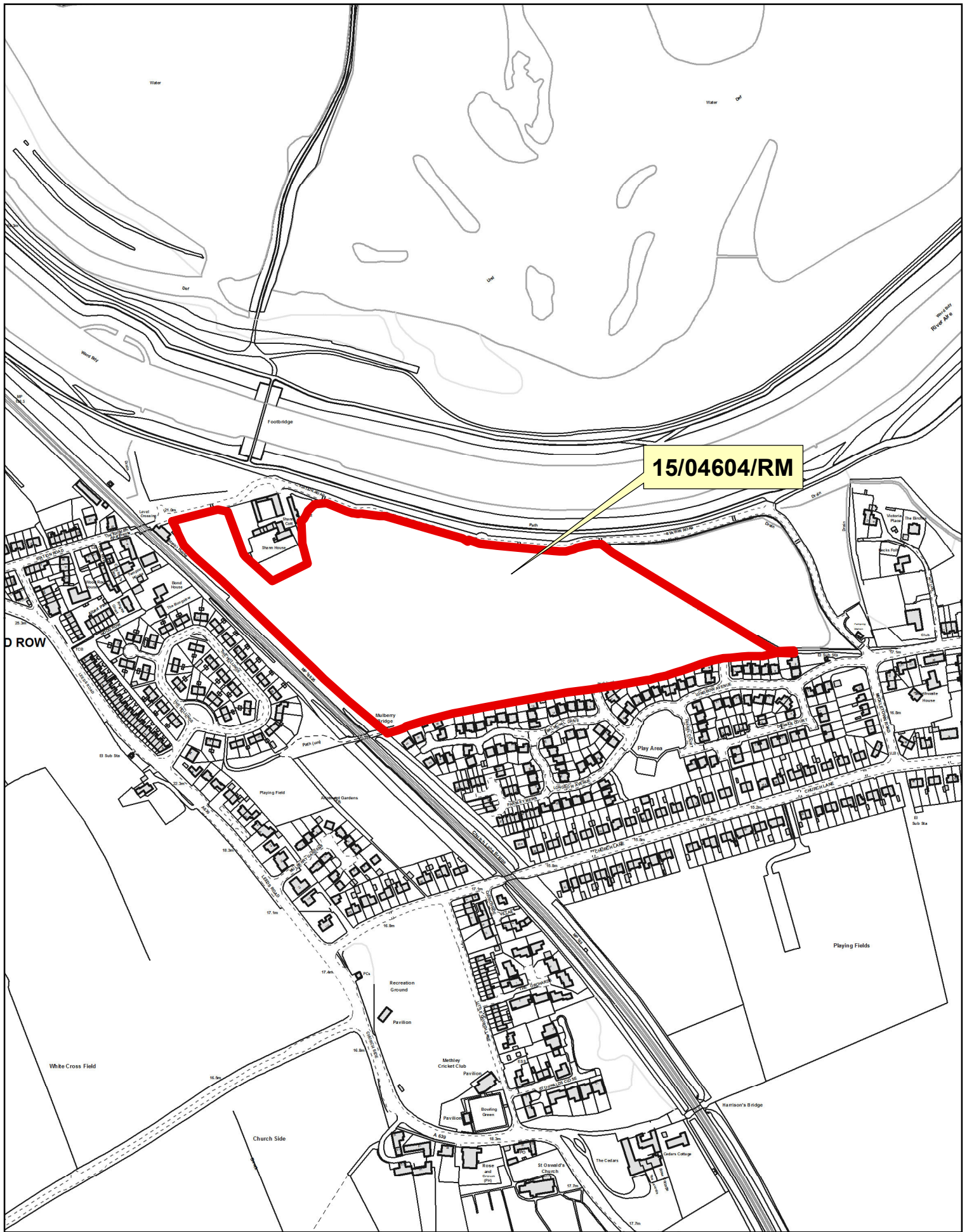
## **11.0 CONCLUSION**

- 11.1 The principle of the development was established at outline application stage and the planning permission contains obligations which are important locally, most notably a contribution of £1.1m towards the delivery of a flood alleviation scheme to protect Methley in the future. Other planning obligations include 12.15% Affordable Housing, travel plan, MetroCards, new bus stop and bus stop enhancements, public transport improvement contributions, education contributions, off-site greenspace contribution, sustainable drainage commuted sum and local training and employment initiatives.
- 11.2 The detailed scheme contained in this reserved matters application contains a quantum of development which is considered acceptable from a highway perspective. The detailed revised layout is considered to be in general compliance with that agreed at outline stage. The approach to urban design principles is considered to be sound and the layout of houses, streets and spaces is considered to be acceptable. The detailed design of the house elevations has been subject to some discussion and the use of quality materials and some chimney features is welcomed. Subject to the resolution of matters referred to in the report, the siting of houses and the size and shape of rear garden areas is considered to be appropriate, such that the development offers a good level of amenity to future occupiers and does not have a detrimental impact on existing properties. In the light of the above, the development is considered to be generally acceptable and it is therefore recommended that Members defer and delegate approval of the application to the Chief Planning Officer in order to resolve the outstanding matters raised in the report. Should officers not be satisfied with progress made on the outstanding layout matters, the application will be reported back to the Plans Panel for formal determination.

## **12.0 BACKGROUND PAPERS**

- 12.1 Application files 13/04647/OT and 15/04604/RM





# CITY PLANS PANEL



This page is intentionally left blank



Originator: Sarah McMahon

Tel: 2478171

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 26 November 2015

**Subject: PREAPP/15/00277 Proposal for a mixed use development comprising three blocks of residential apartments, with ground floor commercial and office units, car parking and a landscape scheme at Granary Wharf Car Park, Wharf Approach, Holbeck, Leeds.**

#### Electoral Wards Affected:

City & Hunslet

x

Ward Members consulted  
(referred to in report)

#### 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 the emerging scheme to allow Members to consider and comment on the proposals at this stage.**

## 1.0 INTRODUCTION:

- 1.1 This presentation is intended to inform Members at an early stage of the emerging proposals for a mixed use development comprising three blocks of residential apartments, with commercial units, car parking and a landscape scheme at Granary Wharf Car Park, within the defined boundary of Holbeck Urban Village, in Leeds City Centre.
- 1.2 The proposal is brought to City Plans Panel as the development is a major investment in Holbeck Urban Village.

## 2.0 PROPOSAL:

- 2.1 The proposed development seeks to provide a range of 1, 2, and 3 bedroomed apartments. Although the details are still to be developed with regard to the number of units and the room sizes, the scheme is likely to provide approximately 244 apartments across the three blocks.

- 2.2 The scheme would also provide a total of 43 car parking spaces within the ground floors of blocks B and C. In addition secure cycle parking spaces are also proposed, to be positioned within all three blocks.
- 2.3 At ground floor two commercial units are proposed to block A of some 505.9 sq metres and 83.6 sq metres to operate as A1 (retail), A3 (restaurant/café) and/or B1 (office) uses. In addition in block B a commercial unit to be used as A3/B1 of some 243 sq metres and a management suite of some 74 sq metres are proposed.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The proposal site is currently in use as a surface car park and is positioned between Leeds and Liverpool Canal and Water Lane. The site is adjacent to Tower Works, which is a complex of Grade II\* and is also subject to redevelopment proposal and Grade II Listed Buildings and unlisted buildings. The site also abuts the Grade II Listed Lock Keeper's Cottage.
- 3.2 Granary Wharf Car Park lies just outside the boundary of the Holbeck Conservation Area, whilst its northern most section is set within the boundary of the Canal Wharf Conservation Area. The Hol Beck runs adjacent to the site at its southern boundary.
- 3.3 Holbeck Urban Village is considered to be an area of local, national, and international importance in respect of the historical significance and architectural merits of its buildings, as well as for the potential archaeological discoveries that the area could elicit. The Village is considered to be the foundation of the Industrial Revolution in Leeds

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 Approval granted for an outline application for multi level development in three blocks up to 8 storeys high, with offices, residential, A3/A4 use with basement car parking on 9 October 2008, planning reference 06/04922/OT.
- 4.2 Approval granted for an extension of Time Application to 06/04922/OT for multi level development in three blocks up to 8 storeys high, with offices, residential, A3/A4 use with basement car parking on 25 November 2011, planning reference 11/01976/EXT.
- 4.3 An application has recently been submitted for the proposals at the adjacent Tower Works site for Mixed use three-phased development of 158 dwellings (C3) with 30 car parking spaces; 11,860sqm of B1 offices; up to 372sqm of A1 retail; 1,495sqm of A2, A3, A4 or D1; and new public realm, planning reference 15/06578/FU.
- 4.4 An application has been submitted for the construction of a temporary pedestrian link between Water Lane and Wharf Approach across the Granary Wharf Car Park site, planning reference 15/06498/LA.

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The proposals have been the subject of pre-application discussions between the Developers team, Historic England, the neighbouring Tower Works development team and Local Authority Officers since April 2015. The developer's team have worked positively and collaboratively to address a number of planning issues. These discussions have focused on the relationship with the Tower Works development site, the scale massing and emerging design of the proposed

development, car parking levels and access, pedestrian connectivity and routes, heritage impact, and the public realm treatment. The preapplication presentation is a response to these discussions.

5.2 As part of the above noted pre-application discussions Historic England have stated that they have significant reservations about the height, form and massing of block C, and consider its height does not reflect the heights of other buildings in its distinctive heritage rich context. They state that although block C lies just outside the boundary of the Holbeck conservation area, it sits in a prominent location which essentially forms the gateway to the area when travelling along Water Lane (viewpoint 7). They state that this is a transitional zone which marks the change from the larger scale, modern development to the east into the lower, more individual character of Holbeck itself. Their view is that any building on this site therefore has the potential to impact upon the character and appearance of the conservation area when travelling and looking along Water Lane, travelling north along David Street and when you are in the conservation area itself, particularly in the area in front of the Round Foundry. They state that the setting of listed buildings, including Grade II\* listed buildings, fronting onto Water Lane on its south side, will also be affected, and a building of the height currently proposed for block C would have a harmful impact upon the setting of these buildings.

5.3 Ward Members were consulted on 23 June 2015. Councillor Nash expressed that care needed to be taken to ensure that the iconic towers on the adjacent site are not over-dominated by the proposals.

5.4 Members considered the pre-application proposals for the redevelopment scheme to the adjacent Tower Works site at City Plans Panel on 11 June 2015 and made the following comments about this abutting scheme that are relevant to the Granary Wharf Car Park site:

- Members had stressed the importance of retaining views of the towers
- the excellent use of brickwork in the scheme
- the green credentials being aimed for and the importance of buildings in this area meeting high sustainability standards

## **6.0 RELEVANT PLANNING POLICIES:**

### **6.1 National Planning Policy Framework (NPPF)**

6.2 The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied.

6.3 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and paragraph 14 goes on to state that there should be a presumption in favour of sustainable development.

6.4 Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 4th principle listed states that planning should always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

6.5 The 6th principle listed states that planning should support the transition to a low carbon future and encourage the use of renewable resources, including the development of renewable energy.

- 6.6 The 8th principle listed states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 6.7 Paragraph 126 states that it is desirable to sustain and enhance the significance of heritage assets and that new development should make a positive contribution to local character and distinctiveness.
- 6.8 The Development Plan for Leeds currently comprises the following documents:
1. The Leeds Core Strategy (Adopted November 2014)
  2. Saved Leeds Unitary Development Plan Policies (Reviewed 2006), included as Appendix 1 of the Core Strategy
  3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
  4. Any Neighbourhood Plan, once Adopted
- 6.9 **Core Strategy**
- 6.10 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district.
- 6.11 Policy CC1: City Centre Development  
The City Centre will be planned to accommodate at least the following:  
(iii) 10,200 dwellings.  
b) Encouraging residential development including new buildings and changes of use of existing providing that it does not prejudice the town centre
- 6.12 Policy EN1: Climate Change – Carbon Dioxide Reduction states that all developments of over 1,000 square metres of floorspace, (including conversion where feasible) whether new-build or conversion, will be required to:  
(i) Reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate until 2016 when all development should be zero carbon; and,  
(ii) Provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.
- 6.13 Policy EN2: Sustainable Design and Construction states that to require developments of 1,000 or more square metres or 10 or more dwellings (including conversion) where feasible) to meet at least the standard set by BREEAM or Code for Sustainable Homes (CSH) . Recent Government guidance has stated that this should be a minimum of CSH Level 4. A post construction review certificate will be required prior to occupation.
- 6.14 Policy EN5: Managing Flood Risk states that the Council will manage and mitigate flood risk
- 6.15 Policy H2: Policy to consider the merits of windfall housing development proposals on brownfield and greenfield sites.
- 6.16 Policy H4: Policy to achieve an appropriate Housing Mix on residential sites.
- 6.17 Policy H5 Policy which incorporates Targets and Thresholds for Affordable Housing.
- 6.18 Policy P10: Design states that:

New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

6.19 Policy P11: Conservation states that development proposals will be expected to demonstrate a full understanding of historic assets affected. Heritage statements assessing the significance of assets, the impact of proposals and mitigation measures will be required to be submitted by developers to accompany development proposals.

6.20 Policy T1: Transport Management states that support will be given to the following management priorities:

c) To support wider transport strategy objectives for sustainable travel and to minimise congestion during peak periods.

#### 6.21 **Leeds Unitary Development Plan Review Retained Policies**

6.22 Policy BD2 (Design and siting of new buildings)  
Policy BD5 (All new buildings and amenity)  
Policy GP5 (All planning considerations)

#### 6.23 **Leeds Natural Resources and Waste DPD 2013**

6.24 The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding land use, energy, coal recovery, drainage, and waste will be relevant to this proposal.

#### 6.25 **Supplementary Planning Guidance**

6.26 Holbeck Urban Village Revised Planning Framework adopted February 2006.

6.27 Sustainable Design and Construction Supplementary Planning Document (August 2011).

6.28 Adopted Supplementary Planning Document 'Travel Plans' (February 2015)

#### 6.29 **Other Material Considerations**

6.30 DCLG – Technical Housing Standards 2015 – Sets out internal space standards within new dwellings and is suitable for applications across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the city council is currently developing a Leeds Space Standard for planning purposes. As the work is at an early stage within the local plan process, and is in the

process of moving towards adoption, only limited weight can be attached to it at this stage.

- 6.31 The Draft Site Allocations Plan (SAP) identifies the site as being designated for a mixed use scheme (SAP reference MX1-15 205).

## **7.0 KEY ISSUES**

### **7.1 Principle of the Development**

- 7.2 The proposal is for a mix of uses with the predominant use being residential. This would be accompanied by ground floor commercial and office space. The site is currently used as a surface car park. The proposed mixed use development would be compliant with the aspirations of the Core Strategy and relevant retained Leeds Unitary Development Plan policies and guidance given in the Holbeck Urban Village Revised Planning Framework, which encourage a mix of uses to ensure a wide range of activities in the area. The proposed range of uses would contribute to the ongoing creation of a vibrant and lively community in Holbeck Urban Village.

- 7.3 The proposal would result in the loss of 100 surface commuter car parking spaces (given consent in 1992 under planning application reference 99-20/82/92/OT). The Leeds Core Strategy car parking policies seek to restrict the growth of commuter car parking in favour of other more sustainable methods of transport. The surrounding streets are subject to widespread parking controls and the site is easily accessible by a variety of public transport modes, including the Park and Ride facility at Elland Road. As a result the reduction in commuter parking is compliant with policies and guidance, and is unlikely to result in off site highways problems.

### **7.4 Do Members consider the principles of development to be appropriate to Holbeck Urban Village?**

### **7.5 Design, Massing and Scale**

- 7.6 The proposed blocks are intended to be contemporary buildings designed to be sensitive to the historic context within which they sit, close to a number of listed buildings and the nearby Holbeck Conservation Area, as well as being in part of the Canal Wharf Conservation Area. As such the scheme will, as the design stages emerge, aim to be responsive to the heritage rich setting in terms of its detailing and materials.

- 7.7 The layout of the scheme is in three blocks set within an area of hard and soft landscaped public realm. Block A sits the closest to the canal and is close to the Grade II Listed Lock Keeper's Cottage and Little Tower. Taking account of this setting the block would be stepped from 3 storeys close to the canal and listed cottage, to 6 storeys (at a maximum height of 21.250 metres) to the southern arm of the block. This would allow the building to respond positively to the heights of the existing listed buildings in the vicinity. The southern part of the block would connect onto Block G of the adjacent Tower Works scheme, whilst maintaining a pedestrian route through north to south under the building at ground floor level. Therefore, block A is considered by Officers to be appropriately designed in respect of its stepped heights and massing.

- 7.8 Block B would be a triangular block positioned to the centre of the site. This block would also be close to the Grade II listed Little Tower on the adjacent Tower Works site. There are important key views of the tower from across Granary Wharf and as



such the relationship of this block to the Little Tower is of importance. The scheme as proposed sets the overall height of the block at 27.75 metres. However, the top two levels of the building would be set back from the northern edge resulting in the creation of a breathing space for the Little Tower as viewed from the identified key points in Granary Wharf. This would mean that the remainder of the block would have a height of some 23.075 metres. These design elements combined with the gaps to be created between building blocks on both this scheme and the adjacent proposed Tower Works development, would ensure that the Little Tower would not be unduly enclosed or screened on the key approaches from the east. As such Officers consider the height and massing of Block B to be appropriate.

7.9 Block C would be positioned to the south of the site and would be connected to Block K of the adjacent proposed Tower Works scheme at upper levels via a glazed link. At ground floor level below this link the existing pedestrian route across the historic weight bridge would be retained and enhanced. Block C would be the tallest of the three blocks being some 30.475 metres tall accommodating eleven levels. Block C would be to the edge of the site where it meets the Hol Beck and beyond it, Water Lane. Contrary to the concerns of Historic England officers consider that a taller building (at the maximum height proposed) can be accommodated at this gateway location subject to a more detailed refinement of the massing. At the time of writing the report the developer has been requested to set the top floors of block C away from the boundary with the Tower Works site in order to protect the views from David Street and apparent impact on the setting of nearby listed buildings and the character of the adjacent Holbeck conservation area. Subject to this change it is considered that the proposed building would be seen as a modern taller building in the immediate context which is already characterised by buildings of a mixture of heights including consented within Holbeck Urban Village.

#### **7.10 What are Members views on the emerging scale and massing of the proposals?**

#### **7.11 Connectivity and Landscape Details**

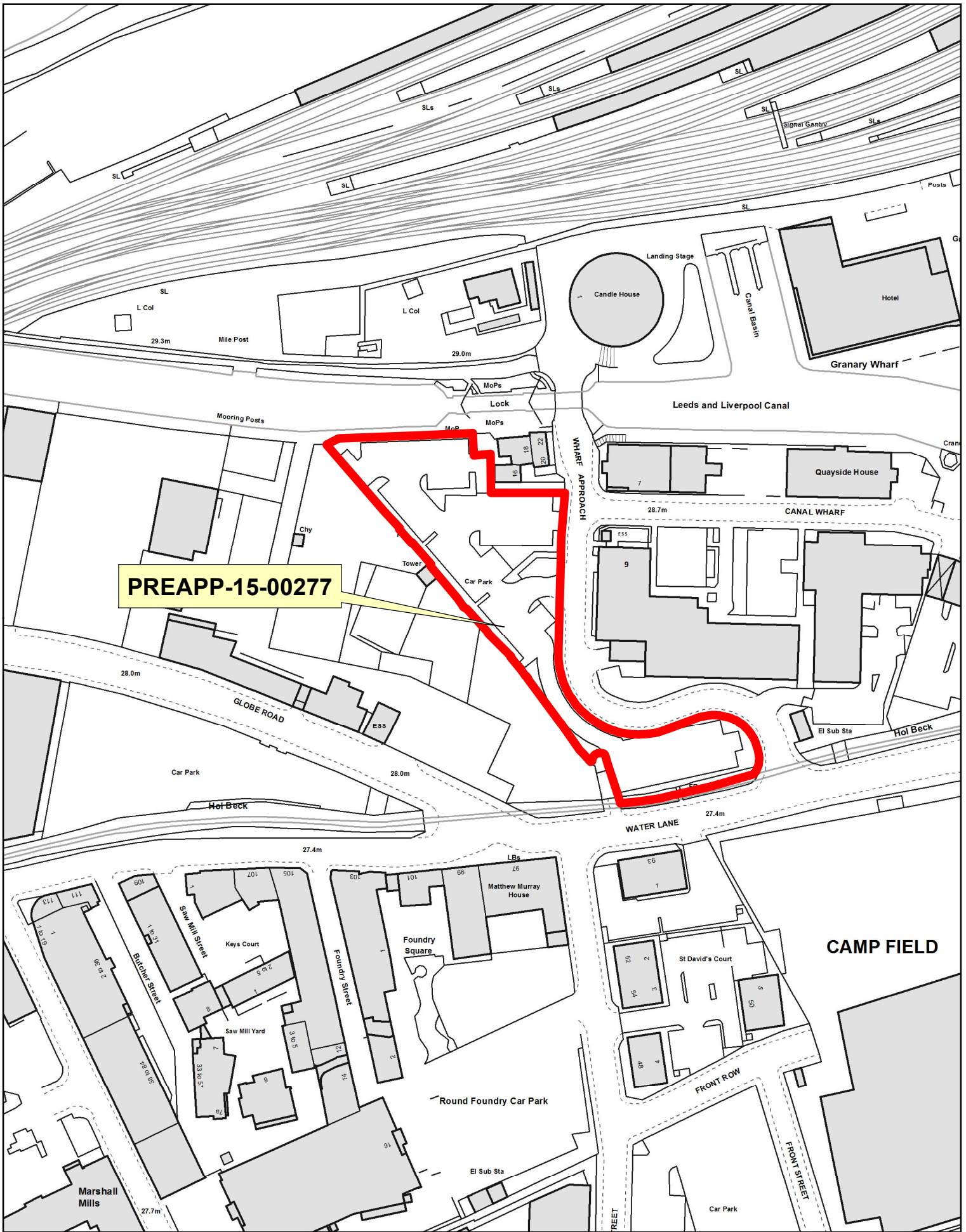
7.12 The site has an unusual curved shape which has informed the positioning of the blocks. Around these on the remaining land there are opportunities to create meaningful, usable public realm spaces, as well as connections into, and extensions of, existing pedestrian routes. The developer has in consultation with the Tower Works developer and Council officers sought to provide continuous and “seamless” pedestrian links with the emerging Towers Works proposals. The developer proposes a mixture of hard and soft landscaped treatment to these new routes. However due to the stage the overall proposal is at, the details of the scheme are yet to be fully explored. The size of the site and nature of the development does mean that tree planting will be a feature of the emerging landscape scheme.

However a key principle that is already agreed upon is the retention and enhancement of the proposed pedestrian route that passes across the historic weight bridge to the south of the site in the application reference 15/06498/LA.

#### **7.13 Do Members consider the emerging landscape proposals to be appropriate?**

#### **7.14 Do Members have any other comments at this stage on the proposals?**

**Background Papers:**  
PREAPP/15/00277



**PREAPP-15-00277**

# CITY PLANS PANEL

