



---

## CITY PLANS PANEL

---

Meeting to be held in Civic Hall, Leeds on  
Thursday, 17th December, 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:**  
**Phil Garnett**  
**Governance Services**  
**Civic Hall**  
**Tel: 0113 39 51632**

# 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       |                          |               | <p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence</p>   |         |
| 6       |                          |               | <p><b>MINUTES</b></p> <p>To receive the minutes of the meeting held on 26<sup>th</sup> November 2015</p>  | 3 - 12  |
| 7       | Temple Newsam            |               | <p><b>APPLICATION 15/06583/OT LAND BETWEEN BARROWBY LANE AND MANSTON LANE, THORPE PARK, LS15</b></p> <p>To consider a report of the Chief Planning Officer on an application for variation of conditions 3 (approved plans), 4 (total quantum of development/uses) and 49 (uses not permitted) of approval 15/02217/OT to allow a cinema use and submission of amended parameter plans.</p> <p>Report Attached.</p>   | 13 - 36 |
| 8       | Garforth and Swillington |               | <p><b>PREAPP/15/00745 M1 JUNCTION 45 TO JUNCTION 44 ON SLIP</b></p> <p>To consider a report of the Chief planning Officer setting out pre-application proposals for a residential led mixed use development</p> <p>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.</p> <p>Report Attached.</p> | 37 - 44 |

| Item No | Ward             | Item Not Open |   | Page No |
|---------|------------------|---------------|---|---------|
| 9       | City and Hunslet |               | <p><b>PREAPP/1500757 CENTRAL ARCADE, LS1</b></p> <p>To consider a report of the Chief Planning Officer on an pre application proposals for an Exterior LED screen to first floor elevation.</p> <p>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.</p> <p>Report attached.</p> | 45 - 54 |
| 10      |                  |               | <p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>1.30pm Thursday 21<sup>st</sup> January 2016</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) 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.

This page is intentionally left blank

To all Members of City Plans Panel

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

Contact: Angela M Bloor  
Tel: 0113 395 1632  
Fax: 0113 395 1599  
Philip.garnett@leeds.gov.uk  
Your reference:  
Our reference: site visits  
Date 9<sup>th</sup> December 2015

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 17<sup>th</sup> DECEMBER 2015**

Prior to the meeting of City Plans Panel on Thursday 17<sup>th</sup> December 2015, the following site visits will take place:

|         |                  |                     |
|---------|------------------|---------------------|
| 10.55am | City and Hunslet | Central Arcade, LS1 |
|---------|------------------|---------------------|

Since the site is in a pedestrianized retail core the Chair has agreed that the site visit will take place on foot this will also provide the opportunity to view the existing digital advertisement screens in this area. Members should be back at the Civic Hall by 12noon.

Please meet in the Ante-Chamber of the Civic Hall at 10:50am

Yours sincerely

Phil Garnett  
Governance Officer

This page is intentionally left blank



## CITY PLANS PANEL

THURSDAY, 26TH NOVEMBER, 2015

**PRESENT:** Councillor J McKenna in the Chair

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

### 65 Chair's opening remarks

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

### 66 Late Items

There were no formal late items, however in respect of the pre-application presentation relating to the Granary Wharf car park, additional information setting out the proposals was tabled to the Panel (minute 72 refers)

### 67 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

### 68 Minutes

**RESOLVED** - That the minutes of the City Plans Panel meeting held on 5<sup>th</sup> November 2015 be approved

### 69 Matters arising from the minutes

With reference to minute 63 of the City Plans Panel meeting held on 5<sup>th</sup> November 2015 relating to application 14/012110/OT – update on the appeal relating to the refusal of planning permission on a PAS site at East Scholes, LS15, the Head of Planning Services advised that, in accordance with the wishes of the Panel expressed at that meeting, a letter had been sent to Barratt Homes reiterating the Council's wish to work with them on more acceptable sites and asking them to withdraw the appeal on the East Scholes site. A written response to that request had been received which indicated the developer did wish to work with the Council and confirmation was received on 25<sup>th</sup> November that Barratt Homes had formally withdrawn the appeal on the East Scholes site. A similar approach had been made to Miller Homes, the appellants in the Breary Lane Bramhope and Leeds Road Collingham

appeals, and that a meeting was to take place on 27<sup>th</sup> November, with Officers hoping the outcome of that meeting would be as positive

The decision by Barratt Homes was welcomed by the Panel and the need for developers to work with communities was stressed

**70 Application 14/06534/OT - Outline application for mixed use redevelopment including A1, A3, A4 and A5 uses, offices (B1), residential (C2), medical centre (D1), college (D1), student residential accommodation, multi-storey car park, basement car parking, access and open space - Lanad at Quarry Hill St Peters Street LS2**

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 a mixed use development at Quarry Hill, the Panel considered a further report setting out the formal application

Photographs, including an historic image of Quarry Hill flats, graphics and plans, including a sun path diagram were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which sought outline approval for a major mixed use scheme and provided information on the context of the site in relation to existing and proposed development, including Victoria Gate which was well under way

Details of the scheme were outlined, with these including vehicular and pedestrian access; scale and massing of the blocks; car parking provision; landscaping treatment; levels of open space and the range of uses proposed for the different buildings on the site. The flexibility of the scheme was stressed with some blocks being designated different possible uses, e.g. office or college use

The receipt of a letter of support from West Yorkshire Playhouse was reported and read out to Members

Members were also informed that in terms of the footbridge over the A64(M), the applicant had agreed to fund the works to £50,000, with this to be included in the S106 agreement

Members discussed the application and in response to questions from the Panel additional information was provided in respect of:

- the location of the closest bus stops on York Road. These were highlighted to Members
- the proximity of the site to the Cultural Quarter of Leeds and whether the development added to this. Members were informed that the proposed mix of uses in the application were acceptable for the site, however if a different, more cultural use came forward for part of the site, subject to the view of Panel, this in general terms could be acceptable
- the height of the buildings and whether a wind analysis had been undertaken. The Principal Planning Officer advised that the detailed design of the proposals including building entrances, public seating areas and landscape arrangements would need to be informed by further wind testing at the Reserved Matters stage. However, the Council's independent wind consultants had confirmed that the submitted wind

study demonstrated that the proposals, subject to detailed design, would achieve an acceptable wind environment

- local employment and the need for those wards closest to the site, which included Burmantofts and Richmond Hill, to benefit from the jobs being created through the scheme. The Deputy Area Planning Manager outlined the established process of securing local employment, through the Council's Jobs and Skills team
- possible flooding issues. The Panel was advised that a flood risk assessment and drainage strategy had been assessed and that technical conditions were included on the outline application to address these issues
- concerns about the phasing of the proposals and the need to ensure the other uses around the site were not impacted upon
- car parking provision. Members were informed that as part of an existing agreement, the developer, Caddick, was required to provide 500 public car parking spaces on the Quarry Hill site. However, if the car park at Victoria Gate was completed first and it could be demonstrated that there were sufficient public parking spaces to serve the area, the public car park on Quarry Hill might not come forward. It was stressed that in addition, there would be up to 600 private parking spaces to serve the development

A detailed discussion took place on the car parking provision with concerns being raised relating to:

- the level of disabled parking being provided
- the level of short stay car parking spaces being guaranteed for West Yorkshire Playhouse after 6.00pm, but that events and matinee performances took place at the theatre
- concerns that the cost of parking to attend WYPH would increase
- whether sufficient car parking was being provided for the uses on the site
- the possibility that the 500 public parking spaces on Quarry Hill could not be delivered
- the existence of coal on the site; the possibility that this would require removal and the implications of this on car parking provision during any removal works

The issue of the phasing of the development was raised and the Chair invited representatives of the developer to provide information on this

The applicant's agent addressed the Panel; responded to Members' queries and comments and provided information which included:

- that the development was a market-led proposal and that active discussions were taking place with possible providers regarding the multi-storey car park and the college
- that the development was a 10 year scheme and it was not yet possible to indicate which phase would come first. Reference

was made to the timescales set out in proposed conditions 2 and 3, with Members being informed that the applicant would not let those timescales slip

- that if a multi-storey car park was not required, an alternative use, possibly a cultural use could be considered and that if it was required, it would need to be fitted into the phasing of the development
- that the site had an active car park use and this would continue, with a condition being proposed to deal with the temporary landscaping on areas which were not proceeding. The Design Team Manager suggested that Members would benefit from seeing the landscaping proposals being tied into the phasing plan to ensure elements of the site which were not being developed did not appear as a building site throughout the life of the build. The Deputy Area Planning Manager referred to the success of the Wellington Place development where plots which were not coming forward for development in the early stages of the scheme were utilised for a range of temporary landscaping and uses
- that the Quarry Hill Stakeholders Group met regularly to consider how the whole of the development on Quarry Hill would come forward, including the schemes which already had planning consent to ensure there was joined-up thinking to the approach being taken for the site
- an indication of how the site would be progressed, from the initial engineering works, to securing tenants/providers for the uses to working up a phasing plan based on those confirmed uses and that there was a real proposition of early building taking place on the site, although the need for flexibility was stated

The Chair thanked the applicant's agent for the information he had Provided

The Panel continued to discuss the application, with the main issues being raised relating to:

- the need for greater clarity on the timescales for the development and greater commitment on the part of the developer, particularly in view of a scheme for the site originally being presented in 2005
- the impact on WYPH of a 10 year building programme for the site
- that a clear phasing programme was required and that currently there was a lack of certainty that a development for the whole of the site would be achieved
- the levels of sunlight across the site, with concerns that much of the north-facing blocks would remain in the shade for much of the day and that consideration should be given to re-orientating the buildings towards the sun
- car parking provision on this scheme; that a multi-storey car park was felt to be integral to the scheme and that it was not

likely that the John Lewis car park would have spare capacity and that there did not seem to be an incentive to commence work on the site until the John Lewis car park had been completed. The Deputy Area Planning Manager advised that the existing level of public car parking would be maintained but if it could be demonstrated that demand for public car parking was not there, Caddick could be relinquished from the existing agreement. The Panel's legal adviser confirmed that the existing agreement safeguarded the Council's position regarding delivery of a multi-storey car park and that it would be for Panel to consider if this should be varied as a result of assessments on the capacity of the John Lewis car park once it was operational

On this specific issue, the Chair invited another of the developer's representatives to address Panel, with Members being informed that much work had been undertaken on the development agreement and that the multi-storey car park would be delivered as the first phase, subject to supply and demand

The Chief Planning Officer informed Members that an outline permission would give certainty and be beneficial in moving the scheme on. There was also the possibility of tightening up some of the conditions regarding maintenance of car parking. In terms of phasing, an amendment to the wording of condition 1 was suggested, whereby the wording of this condition was preceded by the phrase ' Within six months of the grant of planning consent ....'

The Panel considered how to proceed

Whilst welcoming the suggestion of revised wording, concerns remained about aspects of the scheme and the uncertainty regarding the phasing of the development; the car parking and how this worked with the John Lewis car park. It was accepted that there were no concerns regarding the proposed uses for the site; the massing or the masterplan. It was also confirmed that if outline consent was granted, the Reserved Matters application for each phase would be presented to Panel

**RESOLVED** - To note the Panel's general satisfaction with the form of development but that a further report be presented in due course on the application to include the phasing plan, with details of the temporary landscaping proposals and how they related to the phasing, together with evidence of the developer's commitment to early delivery of this scheme in writing

Following consideration of this matter, Councillor Khan left the meeting

**71 Application 15/04604/RM - Reserved matters application for the erection of residential development on land at Station House Station Road Methley LS26**

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

Officers presented the report which sought determination of the Reserved Matters application to be deferred and delegated to the Chief

Planning Officer subject to conditions and the resolution of outstanding matters as set out in the report before Panel

City Plans Panel had previously considered the outline application on this Protected Area of Search (PAS) site, with a key element of the justification for bringing the site forward at this time being the financial contribution to be made to the delivery of flood defences to the north of the village

The Reserved Matters proposals were outlined with Members being informed that a revised layout plan had recently been submitted, with 219 dwellings proposed for the site, comprising predominantly two storey dwellings, but with some two and a half and three storey properties in the centre of the site. Affordable housing of 12.7% - which equated to 27 dwellings - would be located across the site

Details of the housing mix across the site were provided, with Members being informed that three of the 3 bed dwellings were to be swapped for three 4 bed dwellings. In terms of the 3 bed properties, these could be utilised as a 2 bed dwelling with a study. On the issue of space standards, Members were informed that limited weight could be given to the National Space Standards as the Council had not yet gone through a formal process to adopt them

Designs of house types were outlined with Members being informed that the materials would comprise brick of a colour appropriate to Methley, artstone and possibly a darker coloured roof tile than was shown on the graphic

In terms of outstanding matters, Officers were continuing to work with the applicant on a small area in the south west corner of the site and that a revised layout which had been submitted had been sent to Highways for checking and to Yorkshire Water for confirmation they were satisfied with the revised layout

The Panel discussed the application, with the main issues being raised relating to:

- car parking. Members were informed that the scheme provided two parking spaces per dwelling which met Highways car parking requirements. Concerns continued to be raised about the level of car parking in what would be a car dominant development and how visitor parking would be accommodated,
- bin storage, with details of the siting of this being provided for the different types of dwelling on the site
- housing mix; that the local community had expressed the desire for bungalows to be included but none were proposed. Members were informed this request had been taken back to the applicant but had been advised that bungalows did not work for the applicant in terms of viability
- the number of two bed properties in the scheme and whether these could be increased to ensure mixed communities were created. Officers confirmed that this request could be taken back to the applicant. The Head of Planning Services stated that the applicant's view was that where there were two bedrooms and a small third room, these dwellings could be utilised as a two bedroom property. Concerns continued to be raised about the housing mix and the size of some of the units,

with the view being made that permission was being sought for - in this case - three bed dwellings – a design type which was not fit for purpose. The Chief Planning Officer advised that the current situation of two adequate sized bedrooms and one smaller room had existed for decades, but with the introduction of new space standards; once these were adopted, the size of new dwellings would need to be in line with these standards. In terms of housing mix, there was a long-term vision and that whilst there was a desire to see a mix across all sites, the policy stated that on larger sites, adjustments should be considered to meet local housing needs. The importance of adopting the national space standards in Leeds was stressed by Panel

- the revisions to the house numbers being provided, with circa 180 units being proposed at outline stage and whether the objections relating to impacts on nursery and school places had been fully taken into account in view of there now being 219 dwellings proposed. The Panel was advised that the submission of a transport assessment had shown that higher numbers of dwellings could be accommodated on site and that primary and secondary education contributions would come through the Community Infrastructure Levy (CIL). Concerns were also raised that Panel had indicated that on major housing applications, information on education provision would be provided
- the lack of reference to the Leeds Standard and that consideration should be given to this. The Head of Planning Services agreed to have this discussion with the applicant and provide feedback through the Chair

The Panel considered how to proceed

**RESOLVED** - To defer and delegate the application to the Chief Planning Officer for approval, subject to the conditions set out in the submitted report and the resolution of the outstanding matters relating to the south-west corner of the site; checking of the layout by Highways, including the parking layout; confirmation that Yorkshire Water was satisfied with the revised layout plan and further discussions on the housing mix and standard, and in consultation with Ward Members

Under Council Procedure Rule 16.4. Councillor R Procter required it to be recorded that she voted against this matter

Under Council Procedure Rule 16.4, Councillor G Latty required it to be recorded that he abstained from voting on this matter

Following consideration of this matter, Councillor Gruen left the meeting

**72 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 - Pre-application presentation**

Draft minutes to be approved at the meeting  
to be held on Thursday, 17th December, 2015

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

The Panel considered a report of the Chief Planning Officer setting out the emerging proposals for a mixed use development at Granary Wharf car park, which was situated within the defined boundary of Holbeck Urban Village (HUV). The Deputy Area Planning Manager informed Members that the proposals had been the subject of detailed discussions with Officers and the developer of the Tower Works site and had addressed significant heritage issues relating to the two sites. The positive response to these issues and the work undertaken with the adjacent landowners provided comfort that a co-ordinated response to the heritage of the area would be a key part of both schemes

Members then received a presentation on the proposals on behalf of the developer, with information being provided which included:

- the credentials of the developer in delivering high quality, developments in major Yorkshire cities, including Wakefield Waterfront and The Hepworth Gallery
- that the proposals had been developed as part of an integrated approach with the adjacent Tower Works site as a holistic strategy was considered to be the most appropriate method for this area
- that the extant approval from 2006 had been office use, whereas what was being proposed for this site was a residential-led scheme with a smaller element of office use with some ancillary A3 uses
- connectivity and the creation of a boulevard to the Tower Works site and beyond to the wider HUV area
- that three separate buildings were proposed , with undercroft car parking being provided under Block B
- the internal layout of the upper floors, with an apartment layout being proposed with central atriums
- generous sized 1, 2 and 3 bed apartments were to be provided
- that the setting of the Lock-Keepers cottage would be respected in the scheme and the views of the Listed Towers would be retained
- that in designing the facades of the buildings, the local vernacular had been the starting point and that inspiration had been drawn from warehousing typology in terms of banding; repeat elevations and deep brick reveals. The importance of adding interest and depth through the brickwork was highlighted. Members were advised that although the same materials would be used on all three buildings, the materials would be used differently
- that a small number of projecting balconies would be provided, with these being of a robust design with glass cheeks

The Panel discussed the proposals, with the main areas of comment relating to:



- safety and security issues across the site which featured ginnels and alleys. Members were informed that the areas would be clean, safe and well-lit and that proactive site management would be provided which would include CCTV although this would need to be integral to the design of the scheme
- the aim for the site to be seamless with the Tower Works site and in the event of there being exposed walls, how these would be treated. The developer's representative advised that in the event of the other site not proceeding, an attractive, quality brickwork elevation would be provided
- the possibility of including public art into the scheme and through it referencing the history of this area, including reference to the adjacent Leeds and Liverpool Canal
- the timetable for commencement of the works. Members were informed that the intention was to submit for full planning approval, and if this was granted it was hoped to be on site in mid 2016
- the level of car parking being provided on the site with some concerns being raised that 43 spaces was insufficient. It was noted there would be car clubs; that the site was in close proximity to the railway station and that in several major cities it was not unusual for there to be a limited amount of car parking on city centre residential schemes. Whilst this might be accepted, concerns remained that for people working in Leeds, car parking provision was required
- the need for a strategy to be developed to deal with the cars which would be displaced through the development of the site. Discussion took place on the changing attitudes to car parking provision in recent years, with it being stated that several city centre schemes had parking provision which was not fully utilised. The Chief Planning Officer stated that a car parking Supplementary Planning Document was to be brought in on the back of the Core Strategy which would take as its starting point the limiting and controlling of car parking alongside improvements to public transport including park and ride schemes, together with some re-provisioning of car parking in the City Centre. There would also be a need to consider how to deal appropriately with the end of the temporary permissions in March 2017 for car parking for up to 3500 spaces in the City Centre, particularly as some of these sites could be redeveloped and that consideration would need to be given to the redevelopment of the Carlsberg Tetley site and the recently announced Burberry development

In response to the specific points raised in the report, the following responses were provided:

- that the principle of development were considered to be appropriate to Holbeck Urban Village
- in terms of the emerging scale and massing of the proposals this was generally supported subject to detailing the appearance of the buildings fronting Water Lane which appeared 'blocky'

- on the landscaping proposals no information had yet been provided on these. The Deputy Planning Manager advised that work was ongoing to create a car free, pedestrian friendly environment with good connectivity, especially to Tower Works, with Members being satisfied on this
- that the scheme was welcomed as was the emerging high quality design

**RESOLVED** - To note the report, the presentation and the comments now made

During consideration of this matter, Councillor Procter left the meeting

### **73 Chair's closing remarks**

The Chair announced that this was to be the last City Plans Panel meeting for Angela Bloor, the clerk, as she was retiring from the Council. Members paid generous tributes to Angela for her hard work; professionalism; attentiveness and her humour. Her organisation behind the scenes and her detailed minutes were also commented on. The Head of Planning Services thanked Angela for her efforts and for ensuring that agendas were published on time, even on occasions when reports were submitted after her strict deadlines. Members wished her well in her retirement.

### **74 Date and Time of Next Meeting**

Thursday 17<sup>th</sup> December 2015 at 1.30pm in the Civic Hall, Leeds



### Report of the Chief Planning Officer

#### CITY PLANS PANEL

Date: 17<sup>th</sup> December 2015

**Subject: PLANNING APPLICATION REFERENCE 15/06583/OT: Variation of conditions 3 (approved plans), 4 (total quantum of development/uses) and 49 (uses not permitted) of approval 15/02217/OT, to allow a cinema use, and submission of amended parameter plans**

**APPLICANT**

Thorpe Park Developments Ltd

**DATE VALID**

06.11.15

**TARGET DATE**

05.02.16

**Electoral Wards Affected:**

Crossgates and Whinmoor, Garforth and Swillington, Temple Newsham and City

Yes Ward Members consulted  
(Referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

To DEFER and DELEGATE APPROVAL to the Chief Planning Officer subject to: satisfactory outcome regarding consideration of the additional sequential/impact assessment information, expiry of the publicity period on 08/01/16 and REFERRAL of the application to the Secretary of State for the Department of Communities and Local Government under the Town and Country Planning (Consultation)(England) Direction 2009 as a departure from the Statutory Development Plan; the suggested conditions in Appendix 1 (and any others which he might consider appropriate); a revised travel plan, and; a deed of variation to the existing Section 106 agreement to cover the terms of the original agreement.

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

**Conditions:**

Listed under Appendix 1

## 1.0 INTRODUCTION

- 1.1 This report is presented to City Centre and Strategic Panel due to the fact that the proposal is development which has strategic implications and which does not accord with the Development Plan.
- 1.2 In 1995 planning permission was granted for approximately 65 hectares of land known as Thorpe Park as a key business park, reserved for offices (B1). In 2004 the quantum of approved floor space was subsequently increased from 1.2million ft<sup>2</sup> (111,500m<sup>2</sup>) to 1.8m ft<sup>2</sup> (167,225m<sup>2</sup>) through the variation of the condition controlling the floorspace restrictions. To date just over of 600,000 ft<sup>2</sup> (55,740m<sup>2</sup>) of office accommodation has been built out in addition to a hotel, medical centre, and some small supporting food uses. The development is also ultimately intended to facilitate various access works, most significantly including the delivery of the Manston Lane Link Road (MLLR), and the delivery of Green Park.
- 1.3 In September 2013 City Plans Panel considered detailed proposals for the MLLR and an outline application relating to the balance of land at Thorpe Park, proposing a mixed use development which included a large proportion of retail (18,000 sq.m (9000m food and 9000m non-food retailing)). The Panel resolved to approve these applications and the decision notice relating to the outline was formally issued in March 2014, following completion of a S106 agreement. Approval of the new outline application was an important step in developing a new masterplan for Thorpe Park, which would better reflect the type of business space and other amenities required by occupiers and employers. The broader mix of uses was also intended to help secure the earlier delivery of the MLLR, with the retail component being accepted as enabling development to facilitate this.
- 1.4 In January this year Members considered and approved an outline proposal for the introduction of up to 300 residential units on land north of the proposed Central Park and consequential variations to the approved floorspace of the overall development to reflect the introduction of the housing element (reduction in office space). In June this year Members also considered and approved the details of two further office buildings on the business park; one on Plot A2 and one on Plot 3175, and in July this year Members considered and approved a shift in the balance of retail uses, reflecting a decline in the food retail market which had previously provided the anchor store on the back of the footfall from which the remaining retail uses could then follow.
- 1.5 This application, put simply, proposes a Cinema (use class C2) as part of the overall uses, with an appropriate reduction in the amount of floorspace currently set aside for hotel uses (also use class D2). As such the overall range of uses already permitted does not increase; there is simply a change to the mix of uses to facilitate a cinema use. At the same time the application seeks a minor change to the approved parameters plan, so as to introduce a primary highway loop from the main dual carriageway around the commercial phase.
- 1.6 The need to secure an appropriate mix of tenants at Thorpe Park is central to the viability of the overall scheme. Commercial leisure agents advise that a clear demand for cinema provision exists and would act as a catalyst within the scheme to attract and retain quality food and drink operators and aid the retention of quality employers. Thorpe Park Developments Ltd are keen to secure a cinema use within the mix of approved leisure uses, as a number of other operators are likely to sign up off the

back of such a use coming forward, in particular the restaurant and leisure type uses, which then allows Thorpe Park to widen the pot of potential occupiers and in turn helps with the overall delivery of the scheme, which significantly includes the MLLR.

## **2.0 PROPOSAL:**

- 2.1 The application seeks planning permission to vary conditions 3, 4 and 39 of planning permission reference 15/02217/OT. The variation sought in respect of condition 3 (approved plans list) is to allow for changes in the approved parameters plans to extend the internal highway network to create an internal loop through the main B1 employment area thus avoiding a cul de sac.
- 2.2 The variation sought in respect of condition 4 (maximum quanta of uses) is to reflect the introduction of a cinema, so that the maximum amount of C1, D1 and D2 remains at 16,340 sq.m but a cinema use is introduced to the wording, with a maximum floor space of 5,574 sq.m, and a consequent reduction in the maximum C1 hotel use from 14,050 sq.m to 7,500 sq.m. The variation sought in respect of condition 49 is to remove a cinema from the uses not currently permitted.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The proposal under consideration relates to the approved hotel and leisure elements approved in outline at Thorpe Park on an employment allocation that totalled 63 hectares. The site is located to the south of the Leeds-York railway line and Manston Lane, west of the M1 (junction 46), north of A63 Selby Road and existing Thorpe Park buildings. Austhorpe Lane is to the west. The proposed building is adjacent to the tree belt that separates Thorpe Park from Green Park.
- 3.2 In terms of the wider area, Cross Gates centre is located to the west, Garforth to the east and Colton Retail Park is located across the A63 to the south. A number of residential properties are nevertheless located between the northern side of the A63 and the built component of Thorpe Park (namely Barrowby Lane, Road, Drive, Avenue etc and Austhorpe Lane, Avenue, Drive etc). In addition to existing development, the East Leeds Extension housing allocation (UDPR policy H3-3A.33) is located across the railway line to the north.
- 3.3 Thorpe Park is allocated as employment land and a 'key business park' in the UDPR. It forms a key part of the Council's employment land supply and provides an attractive regionally significant business park. The land to the west is allocated as Proposed Open Space. The UDPR designates a new cycle route running north-south through Thorpe Park and a scheduled ancient monument, Grims Ditch, is located to the immediate west of Thorpe Park.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 15/02217/OT – Variation of conditions 4, 23, 28, 29 and 30 of Outline Planning Permission 14/05483/FU (mixed use development at Thorpe Park, Leeds) to introduce greater flexibility to allow the 9,000 sq.m of gross retail floorspace within the approved foodstore unit to be reconfigured to provide up to 2,000 sq.m of gross convenience goods floorspace and 7,000 sq.m gross for non-food operators (including RESULTANT changes to the total permitted net sales floorspace) – Granted 06/11/15 subject to an S106 Agreement.
- 4.2 14/05483/FU – Variation of condition 4 of 12/03886/OT to vary the total quantum of uses [consequent reduction in other uses due to the introduction of up to 300

dwellings approved under 14/05481/OT on 02/04/15] – Granted 02/04/15 subject to and S106 Agreement.

- 4.3 14/05481/OT – Up to 300 dwellings in outline – Granted 02/04/15 subject to conditions and S106 Agreement.
- 4.4 12/03886/OT – Outline application for major mixed use development – Granted 20/3/14 subject to an S106 Agreement.
- 4.5 32/140/96/FU – Variation to outline condition to extend the total permitted floorspace within the development - Granted 31/03/04
- 4.6 32/356/01/RM – Laying out of new access and roundabout diverting footpaths and bridleway and construction of cycleway/footpath (option 2) – Granted 22/01/02
- 4.7 32/185/00/FU – Re-profiling to proposed business park – Granted 27/04/01
- 4.8 32/199/94/OT – Outline permission Thorpe Park – Granted 04/10/95

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The applicant engaged in pre-application discussions with officers on the introduction of cinema within the approved leisure uses earlier in 2015. Advice has been given in respect of the required supporting information. A dialogue between the applicant and Highways on the primary access routes has been maintained during this time, and the proposals submitted on 06<sup>th</sup> November 2015 in respect of the parameters plans and internal highway network are reflective of these pre-application discussions.

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

- 6.1 Public consultation on the application has taken the form of formal statutory consultations. Site notices were displayed in multiple locations around the site on 20<sup>th</sup> November 2015, however, the press notice will not expire until 08<sup>th</sup> January 2015. At the time of writing no third party comments have been received. Any comments received in the interim will be reported at the meeting.
- 6.2 Councillors from the surrounding Wards have been briefed on the proposals. A further briefing has also been arranged with Ward Members for the 16<sup>th</sup> December, and accordingly the outcome of this will be reported verbally to the Panel as part of the officer presentation.

## **7.0 CONSULTATION RESPONSES:**

### **7.1 Statutory:**

Health and Safety Executive: No objection or comment – advice will be given at reserved matters detailed design stage.

Coal Authority: No objection and no requirement for a Coal Mining Risk Assessment to be submitted, though records indicate the presence of a significant number of mine entries within or adjacent to the site so the appropriate steps should be taken by the applicant to investigate and remediate to ensure the safety and stability of the proposed development – informative advice recommended.

LCC Transport Development Services: No objections subject to the receipt of a revised Travel Plan to reflect the new cinema use.

Network Rail: No objections or observations.

## 7.2 **Non-statutory:**

LCC Air Quality Management Team: No objection to the proposal on the grounds of local air quality.

LCC Contaminated Land: No objections subject to the re-application of the contaminated land conditions of 15/02217/OT.

LCC Flood Risk Management: No objection subject to the reapplication of the surface water drainage conditions of 15/02217/OT

## 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).

### Local Planning Policy

8.2 The Core Strategy is the development plan for the whole of the Leeds District. Some saved policies of the UDP Review also apply. The following policies within them are relevant:

|                  |  |
|------------------|--|
| Spatial Policy 1 | Location of Development  |
| Spatial Policy 2 | Hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture |
| Spatial Policy 8 | Economic development priorities  |
| Spatial Policy 9 | Provision for offices, industry and warehouse employment land and premises                     |
| Policy EC1       | General employment land  |
| Policy EC2       | Office development   |
| Policy EN2       | Sustainable design and construction  |
| Policy EN1       | Climate change   |
| Policy EN4       | District heating   |
| Policy EN5       | Managing flood risk  |
| Policy G8        | Protection of important species and habitats   |
| Policy G9        | Biodiversity improvements  |
| Policy T1        | Transport management   |
| Policy T2        | Accessibility requirements and new development   |
| Policy P8        | Sequential and impact assessments for town centre uses   |
| Policy P10       | Design   |
| Policy P12       | Landscape  |
| Policy ID2       | Planning obligations and developer contributions   |

### 8.3 Saved Policies of Leeds Unitary Development Plan Review (UDPR):

|         |   |
|---------|---|
| GP1     | Land use and the proposals map          |
| GP5     | General planning considerations         |
| BD5     | Design considerations for new build     |
| E4(6)   | Austhorpe business park allocation      |
| N23/N25 | Landscape design and boundary treatment |
| T7A     | Cycle parking guidelines                |
| T24     | Parking guidelines                      |
| LD1     | Landscape schemes                       |

### 8.4 Relevant Supplementary Planning Guidance:

SPG10 Sustainable Development Design Guide (adopted)  
SPG22 Sustainable Urban Drainage (adopted)  
SPD Street Design Guide (adopted)  
SPD Travel Plans (draft)  
SPD Public Transport Improvements and Developer Contributions (adopted).  
SPD Designing for Community Safety (adopted)

Natural Resources and Waste Local Plan (adopted).

### 8.5 **National planning policy guidance:**

The National Planning Policy Framework was published on 27<sup>th</sup> March 2012 and sets out the Government's planning policies for England and how these are expected to be applied, alongside other national planning policies. In this case the following sections are relevant:

Achieving sustainable development

Section 1 Building a strong, competitive economy

Section 2 Ensuring the vitality of town centres

Section 4 Promoting sustainable transport

Section 7 Requiring good design

Section 8 Promoting healthy communities

Section 10 Meeting the challenge of climate change, flooding and coastal change

Section 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Decision-taking

Annex 1 Implementation

## 9.0 **MAIN ISSUES:**

- Principle of the development
- Sequential/Impact Assessment
- Highways

## 10.0 **APPRAISAL:**

Cinema Proposals

### 10.1 Principle of the development:



Core Strategy policy P9 identifies that a minimum of 706,250 sqm of office floor space will be provided over the Plan period. This provision comprises of new and existing locations. Policy P9 notes that a third of the existing supply is located outside the City Centre and includes permissions at Thorpe Park Business Park. Saved UDP Review policy E4(6) allocates the application site for employment use as a business park and outline permissions has previously been granted for mixed office, retail, leisure and housing development. A cinema is a D2 use and the overall quantum of D2 uses does not increase under the proposal. Subject to an assessment of the required sequential and impact assessment, and satisfactory analysis of the highways implications, the application is therefore acceptable in principle.

## 10.2 Sequential/Impact Assessment

The application is accompanied by a Cinema Study which, on the face of it, would appear to confirm that there is scope for the provision of a cinema at this location in East Leeds. The application is also accompanied by a Sequential Assessment. The assessment seeks to address the planning issues arising from the proposal.

10.2 The revised mix of uses proposed would allow for a 5,574 square metres (gross external area) multiplex cinema. The Sequential Assessment recognises that a cinema is a main town centre use and should be subject to the sequential approach as set out in paragraph 24 of the National Planning Policy Framework (NPPF).

10.3 Under Section 2, Ensuring the vitality of town centres', Paragraph 24 of the NPPF states:

*“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”*

10.4 Paragraph 26 of the NPPF states:

“When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

10.5 Paragraph 27 concludes Section 2 of the NPPF and states:

- “Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

10.6 The submitted assessment highlights that the approved development already comprises town centre uses, with the current application seeking to reconfigure the floorspace and not to increase it. The assessment, having looked at cinema provision in Leeds, concludes that there is a lack of immediate cinema provision in the east and north of Leeds. The assessment concludes that given the distance and level of current provision in other centres and destinations, the cinema proposed at Thorpe Park will be ‘highly unlikely’ to compete or conflict with existing cinema provision.

10.7 Having considered sites in Castleford, Wakefield, Tadcaster, Sherburn in Elmet and Crossgates, the sequential assessment suggests that no other sequentially preferable site exists that is either available, viable, or capable of accommodating the overall development of Thorpe Park in its totality (and from which the cinema proposals cannot be disaggregated), and that the application is therefore fully compliant with the tests set out above under paragraph 24 of the NPPF and Policy P8 of the Core Strategy.

10.8 Broadly speaking officers are of the view that the cinema study does suggest that there is scope for the provision of a cinema at Thorpe Park, and it is well understood by officers that it is extremely difficult to imagine how the overall assembly of uses that deliver the Manston Lane Link road and Green Park could be disaggregated, such that the scheme would remain viable, or that a more sequentially preferable site for the complimentary mix of uses would be available. However, in terms of the sequential assessment there are some further matters on which clarification and further information is required, in terms of the catchment used, in order to ensure that the sequential assessment satisfies the requirements of Core Strategy Policy P8. Some revisions are required to the sequential assessment and these have been requested. Whilst not available at the time of writing, the further information will be assessed and reported fully at the meeting. The recommendation therefore takes account of this further information and is couched in terms of defer and delegate approval, subject to a satisfactory outcome of the additional sequential/impact assessment information.

#### 10.9 Highways

A Transport Technical Note (TN) has been submitted with the application. The overall quantum of development is unchanged. The current application seeks to introduce the cinema use by reducing the consented hotel space. I.e. trips associated with the hotel would be reduced with the addition of the Cinema. It is anticipated that the size of cinema would be a 12 screen 2000 seat facility.

10.10 The submitted TN considers two scenarios; one involving a maximum size hotel (9,405m<sup>2</sup>) and a smaller cinema (4,645m<sup>2</sup>) and a second involving a maximum size cinema (5,574m<sup>2</sup>) with a smaller hotel (8,476m<sup>2</sup>) which represents the worst case scenario in traffic impact terms. TRICS data has been used to assess the impact. The TRICS data for this particular land use is quite limited, and what is available is quite variable. In reviewing the impacts regard has therefore been had to the Cinema Study as a means of validating the TN findings.

10.11 There is obviously a correlation between the number of trips and popularity of films being shown, it is accepted therefore that in reality trips would fluctuate. The Cinema Study recommends a cinema of circa 12 screens and 2000 seats, and provides

additional information about similar facilities and their occupancy. The study includes data from existing sites in Leeds (including the recently approved site at White Rose) and annual seat occupancy of 330 is typically aimed for with 400 being 'efficient'. The study goes on to analyse catchment population, propensity to visit and demographics and concludes that potential annual admissions would be between 690,000 and 765,000 (when future housing is taken into account such as Manston Lane, East Leeds Extension). In the shorter term prior to ELOR and the East Leeds Extension the study predicts admissions of between 635,000 and 695,000. If the proposed facility were developed as a 2000 seat facility, using the above seat occupancy correlates well with the range of admissions listed above.

- 10.12 Assuming the higher admissions number (765,000) would on average result in 2096 daily admissions, therefore 4192 trips. Officers have carried out their own TRICS analysis to establish the typical daily profile of trips to cinemas. Around 7.5% of daily trips occur in the evening peak hour (the worst case scenario in terms of traffic impact). This results in 314 person trips in the PM peak. Assuming all the trips are by car and car occupancy is around 2 results in trips very similar to the worst case scenario presented in the TN. In summary therefore the trips presented in the TN are validated, are likely to be generally robust, and are therefore accepted by officers.
- 10.13 Turning to the acceptability of the impacts it is noted that in the AM peak hour the proposal would result in fewer development trips. On a weekend the number of trips would increase but overall development trips would be less than has already been found acceptable in the PM peak period and approved in previous permissions.
- 10.14 The PM peak period represents the works case scenario, but the increase in development trips as a result of the maximum size cinema is predicted to be less than 5%. As stated above this impact is based upon generally robust assumptions and has no discounts for the linked trips that would be likely at Thorpe Park. In addition it should be highlighted that the impact on the MLLR would be smaller still and that the higher number of admissions represents a scenario when all the ELE housing is built out and a comprehensive highway scheme has been delivered in east Leeds (ELOR). Condition 7 also provides protection to the highway network. This condition limits the full build out at Thorpe Park until a further assessment is undertaken (with any necessary mitigation). The vast majority of the already approved trips at Thorpe Park (when fully built out) are associated with the Office and Foodstore uses. Current permissions allow upto 9000sqm of Foodstore to be built. It is understand from the developer team that a significantly smaller Foodstore(s) is likely, and more non-food retail is expected instead (existing permissions allow this flexibility). If this were to happen, trips in PM peak would reduce markedly from what has already been approved. In summary the conclusion of the TN is accepted, and the traffic impact would be negligible and there are no objections to the cinema proposals, subject to a revised travel plan.

#### Parameter Plan

- 10.15 With regard to the change in the parameters plan sought in relation to the internal highway network (i.e. introducing a loop), this is a beneficial change which allows for a better circulatory primary highway network, which would allow for better public transport options, create a more permeable layout, and spread the loads across two junctions as opposed to one. This aspect of the proposal is therefore acceptable.

## **11.0 CONCLUSION**

- 11.1 The site is allocated for employment use under Saved UDP Review policy E4 (6) and the development of offices and mixed retail and leisure uses at Thorpe Park is well established in principle. Conditions recommended will continue to set out the maximum quanta of uses and will continue to officer the protection against adverse impacts on existing centres.
- 11.2 The proposed reduction in the amount of hotel use and introduction of a cinema is acceptable in terms of the highways impact, subject to revised travel plan details. Whilst further information has been requested from the applicants and is awaited, it is not anticipated that a more sequentially preferable site exists for the assembly of uses proposed, or that the varied proposal would have such significant adverse impacts on Leeds City Centre, or existing centres, such that the impact would outweigh the established significant benefits of the infrastructure the development will deliver.
- 11.3 It is therefore recommended that Members defer and delegate approval of the application to the Chief Planning Officer, subject to the consideration of the additional sequential/impact assessment information, expiry of the publicity period, the conditions listed under Appendix 1 and a Section 106 Agreement to repeat the terms of 14/05841/FU, following referral of the application to the Secretary of State as a departure.

**Appendix 1:**

Proposed Conditions

**Background files:**

Application case files 15/06583/OT, 15/02217/OT, 14/05481/OT, 14/05843/FU & 12/03886/OT

Certificate of Ownership – Certificate A completed.

## Appendix 1 Draft Conditions 15/06583/OT (Conditions of 15/02217/OT\*)

\*To be varied in the terms sought, with regard to Conditions 3 (approved plans re primary highway route), 4 (total quantum of development/uses – addition of cinema and reduced hotel provision), and 49 (uses not permitted which precludes a cinema).

- 1) Applications for approval of all reserved matters for the first phase of development shall be made to the Local Planning Authority before the expiration of three years from 20<sup>th</sup> March 2014 (the date of permission reference 12/03886/OT which this permission varies). Thereafter, applications for approval of all subsequent reserved matters relating to all additional phases shall be made to the Local Planning Authority before the expiration of two years from the date of approval of the reserved matters of the preceding phase.

The development of the first phase shall be begun within five years of 20<sup>th</sup> March 2014, 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. All further phases shall be commenced within two years of the approval of the last reserved matters consent for that 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.

- 2) For each phase approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority, in writing before the phase is commenced.

Layout  
Scale  
Appearance  
The landscaping of the site

Plans and particulars of the reserved matters shall be submitted utilising a planning application form and shall be carried out as approved. Each reserved matters application shall be accompanied by a plan identifying the boundaries of the phase to which the application relates. References to a phase in this planning permission shall be interpreted as references to a phase as identified pursuant to this Condition 2. Thereafter the development of that phase shall be carried out in accordance with the approved reserved matters.

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

**The plans list is to be varied to reflect the loop road.**

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

- 4) The development hereby permitted under this permission shall not exceed the total quantum of development/uses as listed below (all Gross External Area (GEA)).

B1 - 83,615sq m.

A1 - 18,000sq m. Of which between 2,000 sq.m and 9,000 sq.m shall be used by A1 convenience retailers and between 9,000 sq.m and 16,000 sq.m shall be used by A1 comparison retailers, subject to the overall 18,000 sq.m cap across both retail categories taken together.

A2, A3, A4 and A5 - 4,200sq m.

**C1, D1 and D2 - 16,340sq m. Of which no more than 14,050sq m shall be in C1 hotel use and 2,290sq m shall be in D2 gym use\***

**\*To be varied**

To ensure consistency with planning permission reference 14/05481/OT, for the avoidance of doubt, and because the highway and retail impacts have been assessed

- 5) The development shall be carried out in accordance with approved masterplan reference ALA032L05 PL8. Any variation to the approved masterplan or parameter plans shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the phase of development to which the variation relates.

To allow an appreciation of the possible layout of the development proposed and delivered to date in accordance with adopted Core Strategy policy P10.

- 6) The development shall be carried out in accordance with the approved parameter plans and Design Code.

In the interests of visual amenity in accordance with saved UDPR policies GP5 and LD1, and adopted Core Strategy policy P10.

- 7) The total occupied gross external floor area shall be limited to 73,030sq m until such time as an approved assessment of traffic conditions in the Study Area (to be submitted no sooner than the occupation of 63,030sq m of the total occupied gross external floor area) has been submitted to and approved in writing by the Local Planning Authority. Any mitigation measures deemed necessary by the approved assessment shall be implemented prior to exceeding 73,030sq m of development (or another figure identified in the assessment) and be retained and maintained thereafter.

To ensure that the level of development can be accommodated within the safe operation of the highway network in accordance with adopted Core Strategy policy T2.

- 8) Typical detailed 1:20 scale (or other appropriate scale) working drawings of the following elevational features for a phase shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of construction of the phase:

- (a) Sections through external windows and door reveals;
- (b) External entrance areas at ground floor level;
- (c) Junctions of materials;
- (d) Changes in plane to the building elevations; and
- (e) Details of roof parapets, eaves line and soffits to the buildings.

The works shall be implemented as thereby agreed.

In the interests of visual amenity and providing a high quality design in accordance with adopted Core Strategy policy P10.

- 9) The construction of any external finishing materials for a phase shall not commence until full details of the siting, design and external appearance of all external plant, flue pipes, external vents, roller shutters, lighting, solar panels or other excrescences to be located on the roof or sides of the buildings within that phase have been submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented and retained thereafter.

In the interest of visual amenity in accordance with saved UDPR Policy GP5 and adopted Core Strategy policy P10.

- 10) The construction of external facing materials for each phase shall not take place until details and samples of all external walling, window, door and roofing materials for that phase have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity in accordance with saved UDPR Policy GP5 and adopted Core Strategy policy P10.

- 11) No external surfacing works for a phase shall take place until details and samples of all surfacing materials for that phase have been submitted to and approved in writing by the Local Planning Authority. The surfacing works shall be carried out in accordance with the approved materials prior to first occupation of that phase and be retained and maintained thereafter.

In the interests of visual amenity in accordance with saved UDPR policy GP5.

- 12) Development of a phase shall not be occupied until all areas shown on the approved plans to be used by vehicles within 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 Core Strategy policy T2 and Street Design Guide SPD (2009).

- 13) Notwithstanding the details shown on Pell Frischman drawing W50002/MP/211 D, full details of the proposed public rights of way affecting the whole application site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of each phase. Any changes to existing public rights of way required as part of that phase shall be implemented prior to first occupation of that phase and be retained and maintained as such thereafter.

To ensure appropriate public rights of way are provided across the site in accordance with paragraph 75 of the National Planning Policy Framework.

- 14) Dust generated by vehicles on roads, haul routes and circulation areas within the site in dry weather conditions shall be suppressed by the use of equipment able to deliver sufficient volumes of water and provided on site for this purpose. Immediate preventative action, including the suspension of operations shall be taken if dust generated by machinery on site becomes airborne and can be seen being carried by the wind beyond the site boundary.

In the interests of general amenity and the amenity of occupants of nearby premises and public spaces in accordance with saved UDPR policy GP5.

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

To ensure that mud is not deposited on nearby roads in accordance with saved UDPR policy GP5.

- 16) No works shall take place on a phase until full details of provision to be made for the storage, parking, loading and unloading of contractors' plant, equipment and materials, routing of contractors vehicles to and from the site during construction and the parking of vehicles of the workforce for that phase, has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided for the duration of the development works for that phase.

In the interests of the free and safe use of the highway in accordance with saved UDPR policy GP5 and adopted Core Strategy policy T2.

- 17) Prior to the commencement of development of a phase full details of the location and number of parking spaces allocated to the development within that phase plus details of any car share spaces and any parking charges to be introduced shall be submitted to and agreed in writing by the Local Planning Authority. The parking shall be introduced as agreed prior to first occupation of that phase and be retained and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

To ensure appropriate parking is provided across the development in accordance with saved UDPR policy T24 adopted Core Strategy policy T2.

- 18) Unless otherwise agreed in writing by the Local Planning Authority, no development in a phase shall take place until a plan showing details of an oil interceptor for that phase has been submitted to and approved in writing by the Local Planning Authority. Such oil interceptor as may be approved shall be designed to intercept all surface water from areas to be used by vehicles and any other areas likely to be subject to contamination. The phase shall not be brought into use until the oil interceptor has been provided, and it shall thereafter be retained and maintained in a satisfactory condition. Roof drainage should not be passed through an oil interceptor.

To prevent pollution of the any watercourse and protect the environment in accordance with saved UDPR policy GP5.

- 19) Prior to the occupation of a phase, a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details for how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented before the development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling in accordance with saved UDPR policy GP5.

- 20) Development of a phase shall not commence until details of the cycle/motorcycle parking and facilities for that phase have been submitted to and approved in writing by the Local



Planning Authority. Details shall include the method of securing the cycles and motorcycles and their location, provision of showers and storage lockers. The approved cycle/motorcycle parking and facilities shall be provided prior to occupation of that phase of development and thereafter be retained for the lifetime of the development.

In order to meet the aims of saved UDPR policies T7A and T7B, and adopted Core Strategy policy T2.

- 21) Prior to the commencement of development of a phase, full details of the sound insulation and management measures to be incorporated into that phase shall be submitted to and agreed in writing by the Local Planning Authority. The details shall highlight how future occupiers of that phase will be protected from noise from other occupiers within the phase and adjacent developments and from external traffic noise. The agreed details shall be implemented prior to first occupation and be retained and maintained thereafter.

In the interests of amenity in accordance with saved UDPR policy GP5.

- 22) Notwithstanding the provision of the Town and 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 the A2, A3, A4, or A5 premises referred to in this permission, to any use within Use Class A1 as detailed in the Town and Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification).

In order that the Local Planning Authority can retain control over further uses which it considers could be harmful to the vitality and viability of the designated centres in accordance with adopted Core Strategy policies SP1, SP2 and SP3.

- 23) The approved retail floorspace (excluding the foodstore) shall not exceed 9,000 sqm GEA and 7,200 sqm net sales area, within which there shall be a minimum of 7,000 sq.m GEA (5,600 net sales area) of A1 retail floorspace which is to be provided within units of no less than 500 sq.m GEA (400 sqm net sales area) and no more than 4000 sqm GEA (3,200 sqm net sales area).

To reduce the potential impact upon designated local centres which mainly contain relatively small units and to prevent larger department stores locating at Thorpe Park that the Council would prefer to see located within the City Centre in accordance with adopted Core Strategy policies SP1, SP2 and SP3, P1, P2 and CC1.

- 24) Any retail units below the 500 sq.m threshold referred to in condition no. 23 shall not to be used for the sale of clothing/fashion and footwear goods.

To allow the Local Planning Authority to exercise control over the use of the smaller units for fashion and footwear to ensure such units do not have an adverse impact on existing fashion and footwear retailers in the nearby designated local centres in accordance with adopted Core Strategy policies SP2, P1, P2 and the NPPF.

- 25) There shall be no more than 800sq m (GEA) of small retail units with no single unit having a floorspace of more than 100 sq.m (GEA).

To protect the vitality and viability of designated local centres in accordance with adopted Core Strategy policies SP2, P1 and P2, and the NPPF.

- 26) Otherwise than in the circumstances set out at (ii) below, no retail floorspace hereby approved shall be occupied by any retailer who at the date of such occupation or within a

period of 6 months immediately prior to occupation, occupies retail floorspace which exceeds 500 sqm (GEA) within the following designated town centres:

- o Cross Gates
- o Garforth
- o Rothwell

ii) Such occupation will only be permitted where a scheme which commits the retailer to retaining their presence as a retailer within the relevant designated town centre for a minimum period of 5 years following the date of their occupation of retail floorspace within the development, or until such time as they cease to occupy retail floorspace within the development, whichever is sooner, has been submitted to and approved in writing by the Local Planning Authority.

To ensure that those retailers which presently occupy the largest units in local centres (Cross Gates, Garforth and Rothwell) cannot open stores at Thorpe Park in the initial occupation phase in accordance with adopted Core Strategy policies SP2, P1 and P2, and the NPPF.

- 27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that Order with or without modification) and sections 55(2) and 55(2A) of the Town and Country Planning Act 1990 (as amended), no part or parts of the A1 units may be subdivided, if such a subdivision would contravene the floorspace limits established in Conditions 23, 25 and 30. Furthermore no additional floorspace may be created within the A1 retail units if such floorspace would contravene the floorspace limits established in Conditions 4, 23, 25 and 29. Within these floorspace limits no mezzanine floorspace may be created unless otherwise agreed in writing by the Local Planning Authority. Outside of these floorspace limits no mezzanine floorspace may be created.

To prevent subdivision and mezzanine development from resulting in more net retail floorspace than approved and to ensure such floorspace is within permitted unit size limitations in order to protect the vitality and viability of the designated local centres and planned city centre investment in accordance with adopted Core Strategy policies SP2, P1 and P2, and the NPPF. Furthermore, restrictions have been placed upon mezzanine development, to ensure that the Local Planning Authority can accurately monitor the provision of retail floorspace at the site.

- 28) With the exception of the A1 food store, no retail unit over 100 sqm (GEA) will be permitted to sell convenience goods.

To protect the vitality and viability of designated local centres in accordance with adopted Core Strategy policies SP2, P1 and P2, and to protect planned city centre investment, in accordance with the NPPF.

- 29) The Gross External Area (GEA) of the retail foodstore hereby permitted shall not exceed 9000 sqm. In addition, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting that Order with or without modification), the net sales area of the foodstore shall not exceed 5,400 sqm and, of this the net convenience floorspace shall not exceed 3,618 sqm and the net comparison floorspace shall not exceed 1,782 sqm.

As these figures reflect the retail assessment carried out and to protect the vitality and viability of designated local centres in accordance with adopted Core Strategy policies SP2, P1 and P2, and the NPPF.

- 30) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any order revoking and re-enacting that Order with or without modification), the foodstore hereby permitted shall not include any post office, pharmacy, travel agent, dry cleaner, optician operations or be subdivided for those uses.

In the interests of the vitality and viability of local centres in accordance with the adopted Core Strategy policies SP2, P1 and P2, and the NPPF.

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

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use in accordance with saved UDPR policy GP5.

- 32) 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 saved UDPR policy GP5.

- 33) 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 saved UPDR policy GP5.

- 34) Prior to the commencement of construction of a phase an updated Sustainability Statement following the guidelines of the Supplementary Planning Document (SPD) Building for Tomorrow Today shall be submitted for that phase which will include a detailed scheme comprising:
- (i) a proposal to use the Waste and Resources Programme's (WRAP) Net Waste Tool kit and an appropriate Site Waste Management Plan (SWMP),
  - (ii) a pre-assessment for each phase of development using the BREEAM assessment method to a minimum of an Excellent standard, and

(iii) an energy plan showing that a minimum of 10 percent of on-site energy will be produced by Low and Zero Carbon (LZC) technologies and a carbon reduction plan including a target of 20% above Current Building Regulations,  
The Statement shall be approved by the Local Planning Authority and the phase of development shall be carried out in accordance with the detailed scheme; and  
(a) Prior to the occupation of each phase of the development a post-construction review statement for that phase shall be submitted by the applicant including a BRE certified BREEAM final assessment and associated paper work and approved in writing by the Local Planning Authority.  
(b) The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

To ensure the adoption of appropriate sustainable design principles in accordance with saved UDPR policy GP5 and adopted Core Strategy policies EN2 and P10.

35) Prior to the commencement of development a programme of archaeological work including a Written Scheme of Investigation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording.
2. The programme for post investigation assessment.
3. Provision to be made for analysis of the site investigation and recording.
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
5. Provision to be made for archive deposition of the analysis and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the Written Scheme of Investigation approved under this condition and the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

To ensure appropriate archaeological recording in accordance with saved UDPR policy ARC6.

36) Development of a phase shall not commence until a scheme detailing foul and surface water drainage works for that phase has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme for that phase shall be implemented in accordance with the approved details before the development is brought into use.

To ensure sustainable drainage and flood prevention in accordance with saved UDPR policy GP5 and the NPPF.

37) The development shall be carried out to generally accord with the UK Police 'Secured by Design' and Crime Prevention through Environmental Design (CPTED) principles.

In the interests of public safety in accordance with saved UDPR policy GP5.

- 38) Prior to the commencement of development of a phase a CCTV strategy for that phase (to include details of the location of cameras and type of system) shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to first occupation of that phase and be retained and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

In the interests of public safety in accordance with saved UDPR policy GP5.

- 39) Prior to the commencement of each phase, a report to demonstrate that the opportunity to recover any coal present within each phase boundary has been considered, shall be submitted to and approved in writing by the Local Planning Authority. The report shall set out whether any coal present should be removed prior to or during development unless:

- a. it can be shown that it is not economically viable to do so, or
- b. it is not environmentally acceptable to do so, or
- c. the need for the development outweighs the need to extract the coal, or
- d. The coal will not be sterilised by the development.

If the approved report recommends that coal is present and should be removed, an implementation strategy shall be submitted to and approved in writing by the Local Planning Authority. Subsequent actions or works shall then be carried out in accordance with the approved implementation strategy.

In order to accord with Leeds Natural Resources and Waste DPD policies Minerals 3 and 9, and the NPPF.

- 40) No mechanical ventilation or air conditioning system or any other plant machinery shall be installed or operated until details of the installation and operation of the system have been submitted to and approved in writing by the Local Planning Authority. The system shall thereafter only be installed and operated in accordance with the approved details.

In the interests of amenity in accordance with saved UDPR policy GP5.

- 41) Prior to the commencement of development of a phase, details of any extract ventilation system for that phase, including details of a filter to remove odour, and the methods of treatment of the emissions, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works approved in accordance with this condition have been completed. Such works shall thereafter be retained.

In the interests of amenity and visual amenity in accordance with saved UDPR policy GP5.

- 42) No site clearance, demolition or removal of any trees, shrubs or other vegetation shall be carried out during the period 1 March to 31 August inclusive unless otherwise agreed in writing with the Council.

To ensure the protection of wild birds during the breeding season in accordance with adopted Core Strategy policy G8 and the NPPF.

- 43) Prior to the commencement of development of a phase, an Ecological Protection & Enhancement Plan for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The Plan shall be based on the mitigation measures proposed in Table 7.16 of Section 7.9 of the Thorpe Park Developments Ltd. Environmental Statement by Arup dated 10 September 2012 Job number 217349 and will include a

programme of ecological monitoring to inform the long-term management of the site. The Plan will include an Annual Work Programme with clear timelines for each mitigation measure to be carried out for the upcoming 12-month period. The mitigation measures shall be implemented in accordance with the timescales set out in the agreed plan.

To ensure the protection and retention of biodiversity in accordance with adopted Core Strategy Policy G8 and the NPPF.

- 44) Development of a phase shall not commence until full details of both hard and soft landscape works for that phase, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include:
- (a) proposed finished levels and/or contours,
  - (b) boundary details and means of enclosure,
  - (c) car parking layouts,
  - (d) other vehicle and pedestrian access and circulation areas,
  - (e) hard surfacing areas,
  - (f) minor artefacts and structures (e.g. public art, furniture, play equipment, refuse or other storage units, signs, lighting etc.),
  - (g) 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
- (h) planting plans
  - (i) written specifications and arboricultural method statement (including soil depths, tree pits (including the load bearing root zone volume), cultivation and other operations associated with plant and grass establishment) and
  - (j) schedules of plants noting species, planting sizes and proposed numbers/densities.
  - (k) details of the consideration given to the transplantation of existing stock, from Brown Moor, to areas of Central Park.

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 saved UDPR policies GP5, N23, N25 and LD1.

- 45) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with saved UDPR policies GP5 and LD1.

- 46) a) No works shall commence on a phase until all existing trees, hedges, bushes shown to be retained on the approved plans within the scope of that phase of development are fully safeguarded by protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be retained for the duration of any demolition and/or approved works.

b) No works or development shall commence on a phase until a written arboricultural method statement for a tree care plan for that phase has been submitted to and approved in writing by the local planning authority. Works or development shall then be carried out in accordance with the approved method statement.

c) No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services, without the prior written approval of the Local Planning Authority.

d) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition and/or approved works, to allow inspection and approval of the works.

To ensure the protection and preservation of trees, hedges, bushes and other natural features during construction works, in accordance with saved UDPR policies GP5, N23 and LD1.

- 47) If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme, in accordance with saved UDPR policies GP5 and LD1.

- 48) Prior to the commencement of development a phasing plan for the works to Central Park shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall include details of the works to create the levels, SUDS basins and any public rights of way and the provision of early cultivation and seeding. The agreed details shall be carried out in accordance with timescales set out in the phasing plan.

To ensure an appropriate temporary landscape is provided within Central Park in accordance with saved UDPR policy LD1.

- 49) The development hereby permitted shall not include a school, **cinema\*** or concert venue.

**\*To be varied**

As these uses are significant traffic generators that have not been assessed as part of this application and could cause significant highway safety issues to ensure compliance with adopted Core Strategy policy T2.

- 50) No non-B1 development, nor any B1 office development of 37,000sqm or greater shall be first brought into use until the highways works detailed in planning application 14/01216/FU and either 12/03888/FU or 12/05382/FU (whichever of the two alignments is pursued), or such further planning permission(s) as may be agreed with the Local Planning Authority, have been practically completed and opened to traffic (subject to any further maintenance period).

To ensure the delivery of adequate highway infrastructure to address the highway and accessibility implications of the proposed development and to facilitate the wider long

term strategic benefits associated with the expanded road proposals, in accordance with saved UDPR policy GP5 and adopted Core Strategy Policy T2.

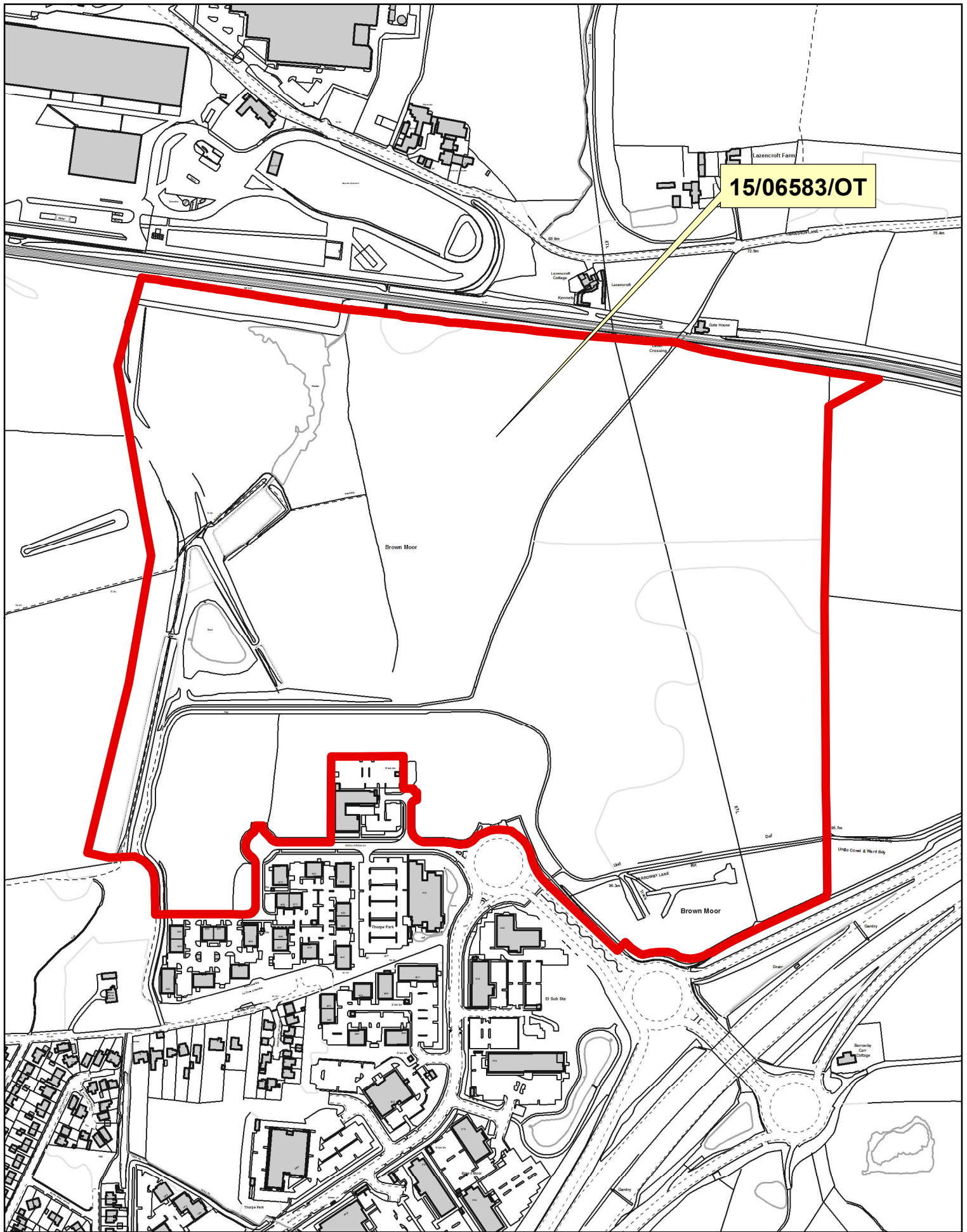
- 51) Prior to the occupation of a phase, Travel Plan Statements and Full Travel Plans shall be submitted to and agreed in writing by the Local Planning Authority for all uses within that phase that fall within/exceed the relevant thresholds in Table 6.1 of the approved Framework Travel Plan . The approved Travel Plans shall be fully implemented and operated in accordance with the agreed timescales.

In the interests of encouraging transport other than single car occupancy in accordance with sustainable transport principles and adopted Core Strategy policy T2.

- 52) Within three months of the date of this permission a statement shall be submitted setting out the anticipated timetable for the commencement, delivery and completion of the Manston Lane Link Road (MLLR). Thereafter statements shall be submitted to the Local Planning Authority every three calendar months until completion of the MLLR, and the applicant shall use all reasonable endeavours to adhere to the timetable.

In the interests of proper planning and for the avoidance of doubt, in accordance with the resolution to grant planning permission as a departure from the allocated employment use of the site, for which the earlier delivery of the Manston Lane Link Road is used in justification.





# CITY PLANS PANEL



This page is intentionally left blank



Originator: Andrew Crates  
Tel: 0113 222 4409

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 17<sup>th</sup> December 2015

**Subject: Pre-application enquiry PREAPP/15/00745 for a residential led mixed use development on land at M1 Junction 45 to Junction 44 on slip.**

**Applicant: Templegate Developments Ltd (joint venture between Evans and Keyland)**

#### Electoral Wards Affected:

**Garforth and Swillington**

Yes

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 only. The applicant and their representatives will present the proposed scheme and allow Members to consider and comment on the proposals.**

## 1.0 INTRODUCTION:

1.1 This pre-application enquiry is presented to City Plans Panel at this early stage as it is a significant scheme in terms of its size, economic impact and contribution to housing delivery.

1.2 It is worth noting that a separate pre-application enquiry, PREAPP/15/0045, also proposes a motorway service area (MSA) on land off M1 junction 45, though this is not in a position to be presented to City Plans Panel at this stage. Nevertheless, officers note that it would be advantageous to be able to consider both schemes in a comprehensive manner to ensure the best planning outcomes.

## 2.0 SITE AND SURROUNDINGS:

2.1 The identified site is located to the southern side of the junction 45 of the M1 motorway and comprises open fields bordered by hedges and vegetation. To the immediate north-west runs Knowsthorpe Lane (access currently blocked) with the

motorway carriageway beyond. The land levels fall gradually to the south/ south-west and a footpath, tree belt and lake (Skelton Lake) border the southern boundary. Power lines run roughly east-west across the site and it is understood that the identified land has been subject to ground workings.

### **3.0 PROPOSAL**

3.1 The pre-application enquiry for the residential led development is also to include local facilities – food store, local centre and education provision. The education element is under consideration by education colleagues. The total units on the application site (with a primary school only), are believed to be circa 1,100 units on 28.56ha at an average density of 38.5dph. It is expected that a further 700 units can be achieved on the Green Belt land at a later date, subject to the outcome of the Site Allocations Plan. Where a through School is included, the units would drop to nearer 1,000 on the non-greenbelt land. The current proposals show a primary school on site, with potential land take for a through school on the indicative plans, but recognising the latter could be used for residential if the Council chose to locate it elsewhere and seek a commuted sum / CIL.

### **4.0 PLANNING HISTORY**

4.1 The MSA site was subject to a planning application in 2000 (LPA Ref: 32/162/00/OT) for a motorway service station (incl. amenity block and travel lodge) and was refused in 2005. This application was called in for determination by the Secretary of State and was considered alongside four other sites. Uncertainty on the then delivery of the East Leeds Link Road, the opening date of the proposed MSA and the fact that this site was least compliant with the government's spacing policy weighed against the proposal.

4.2 There are two extant planning permissions that relate to land to the east of the MSA site which are reliant on and detail means of access off the junction 45 roundabout. (Ref: 32/368/01/OT Outline application to lay out business park (UCO Class B1), Hotel (Class C1) and supporting users within UCO classes A1, A2, A3, A4, A5, D1 and D2: Approved (25/04/06) and Ref: 14/00247/EXT Extension of time of planning permission 32/369/01/FU (carrying out of engineering operations and laying out of access roads and landscaping): Approved (24/04/14). These permissions have not been implemented.

### **5.0 RELEVANT PLANNING POLICIES**

5.1 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).

5.2 The site is largely allocated for employment uses within the City Council's Unitary Development Plan (Review 2006) as site E4.45 Skelton Business Park, Pontefract Lane. This policy is saved by the Core Strategy (adopted 2014) and this document includes relevant policies which seek to safeguard employment. In addition, the site lies within the boundary of the emerging Aire Valley Leeds Area Action Plan (AVLAAP) within which the site is identified for housing. The land to the south of the

employment allocation is currently in the Green Belt, but is subject to review through the Site Allocations Plan process.

Adopted Core Strategy:

- 5.3 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 2 Hierarchy of centres and spatial approach to retailing  
Spatial policy 4 Regeneration priority programme areas (incl. Aire Valley)  
Spatial policy 5 Aire Valley Leeds urban eco-settlement  
Spatial policy 8 Economic development priorities  
Spatial policy 11 Transport infrastructure investment priorities  
Spatial policy 13 Strategic green infrastructure  
Policy H3 Density of residential development  
Policy H4 Housing mix  
Policy H5 Affordable housing  
Policy EC1 General employment land  
Policy EC3 Safeguarding existing employment land and industrial areas  
Policy P1 Town and local centre designations  
Policy P8 Sequential and impact assessments for main town centre uses  
Policy P10 Design  
Policy P12 Landscape  
Policy T1 Transport management  
Policy T2 Accessibility requirements and new development  
Policy G1 Enhancing and extending green infrastructure  
Policy G4 New greenspace provision  
Policy G8 Protection of important species and habitats  
Policy G9 Biodiversity Improvements  
Policy EN1 Sustainability targets  
Policy EN2 Sustainable design and construction  
Policy EN5 Managing flood risk  
Policy ID2 Planning obligations and developer contributions

Leeds Unitary Development Plan (UDP) Review:

- 5.4 The relevant UDP Review (2006) policies are listed below for reference:

Policy GP5 Requirement of development proposals  
Policy N23/ N25 Landscape design and site boundaries  
Policy N24 Development proposals next to green belt/ corridors  
Policy N32 Green Belt  
Policy BD5 Design considerations for new build  
Policy T7A Cycle parking guidelines  
Policy T7B Motorcycle parking guidelines  
Policy T24 Car parking guidelines  
Policy E4 Employment allocations  
Policy LD1 Landscape schemes

Natural Resources and Waste Local Plan:

- 5.5 The relevant Natural Resources and Waste Local Plan (adopted) policies are listed below for reference:

AIR 1 Management of air quality through development  
WATER 1 Water efficiency

|         |  |
|---------|--|
| WATER 2 | Protection of water quality  |
| WATER 6 | Flood Risk assessments   |
| WATER 7 | Seeks to ensure no increase in the rate of surface water run-off and the incorporation of sustainable drainage techniques. |
| LAND 1  | Requires submission of information regarding the ground conditions   |
| LAND 2: | Relates to development and trees and requires replacement planting where a loss is proposed.                               |

Supplementary Planning Guidance / Documents:

- 5.6 SPG10 Sustainable Development Design Guide (adopted).  
 SPG13 Neighbourhoods for Living (adopted).  
 SPG22 Sustainable Urban Drainage (adopted).  
 SPD Street Design Guide (adopted).  
 SPD Designing for Community Safety (adopted).  
 SPD Travel Plans (draft).  
 SPD Sustainable Design and Construction (adopted).

National Planning Guidance:

- 5.7 The National Planning Policy Framework (NPPF) identifies a number of core planning principles which include for planning to be genuinely plan-led with plans kept up-to-date and to provide a practical framework within which planning decisions can be made; proactively drive and support sustainable economic development and seek to secure high quality design. Paragraph 49 requires that housing applications be considered in the context of the presumption in favour of sustainable development. 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.

## 6.0 ISSUES

Principle of development

- 6.1 The pre-application proposals involve the erection of a significant number of houses, together with local facilities on land known as Skelton Gate lying to the south of junction 45 on the M1 motorway. As advised above, the site is allocated for employment uses within the Unitary Development Plan (Review 2006) and identified as Skelton Business Park, Pontefract Lane (policy E4:45). This policy was saved by the Core Strategy (adopted in 2014). The Core Strategy states that for the loss of land allocated for employment the criteria within policy EC3 must be satisfied. The use of land within the Green Belt is subject to the outcome of the Site Allocations Plan process. The site falls within the boundary of the Aire Valley Leeds Area Action Plan (AVLAAP) where the site is proposed as a housing allocation.

### 6.2 Do Members have any comments on the principle of development?

Housing issues

- 6.3 The site is significant in terms of its size and context and has the potential to offer a range of housing, including Affordable Housing. The level of detail at this point in time is limited due to the need to consider strategic issues and site parameters. The applicant will be required to undertake a Housing Needs Assessment and to plan for a scheme to reflect its findings. With regard to Affordable Housing, the Council's policy is to secure 15% Affordable Housing in this part of the city.

### 6.4 Do Members have any comments on housing issues?

### Design considerations

6.5 The size of the residential scheme has the potential to create a significant new community and so it is important that a high priority is given to good quality place making. Whilst no detail is available at the current time, the indicative proposals show areas of high, medium and low density housing around the site. The highest densities are indicated adjacent to the spine road and local facilities with densities dropping at locations further away. Logically, the proposed local centre and education facilities are proposed to be in the higher density parts of the site, closer to the principal access to the site.

6.6 **Do Members have any comments on design considerations?**

### Landscape considerations

6.7 From a landscape perspective this scheme should sit within a strong landscape structure which links into the wider existing landscape and such new proposals in the Aire Valley AAP Green Infrastructure network are to be complementary to this scheme. Consequently, every effort should be made to make use of existing established early mature planting belts, rather than removing and mitigating with new planting in some form. Any planting design should reflect the current rural edge of settlement location, with locally-native species mixes predominating throughout. Any more ornamental planting proposals should be well-contained within the built development area.

6.8 The southern edge of the development extends relatively closely to Skelton Lake. It is important that the development does not become over-connected such that the lake environment becomes an extension of this development either visually or physically. In crude terms the expectation should be to 'compartmentalise' different areas within the overall landscape planting structure. Pedestrian and bridleway routes need to reflect the rural edge location and their location within landscape corridors.

6.9 **Do Members have any comments on landscape considerations?**

### Highway issues

6.10 Development proposals of this magnitude have the potential to have a significant highway impact. At present the principal point of access for both this residential scheme and also the MSA is via the motorway junction. Further thought is required about the potential use of secondary accesses along Pontefract Lane and Knowsthorpe Lane.

6.11 The site is in a relatively isolated location, being away from other residential areas and therefore not having the benefit of nearby bus services. Accordingly, thought needs to be given to public transport accessibility – either services entering the development or a shuttle bus linking to the new Park and Ride site at Temple Green (currently under construction).

6.12 **Do Members have any comments on highway issues?**

### Drainage issues

6.13 In terms of flood risk the majority of the site is located in Flood Zone 1 and is not shown to be at particular risk from surface water flooding. The lower parts of the site are within Flood Zones 2 and 3, however, these areas are shown as being landscaped on the indicative layout plans which will help ensure that no buildings are at flood risk

6.14 **Do Members have any comments on drainage issues?**

6.15 **Are there any other issues Members would like to raise?**

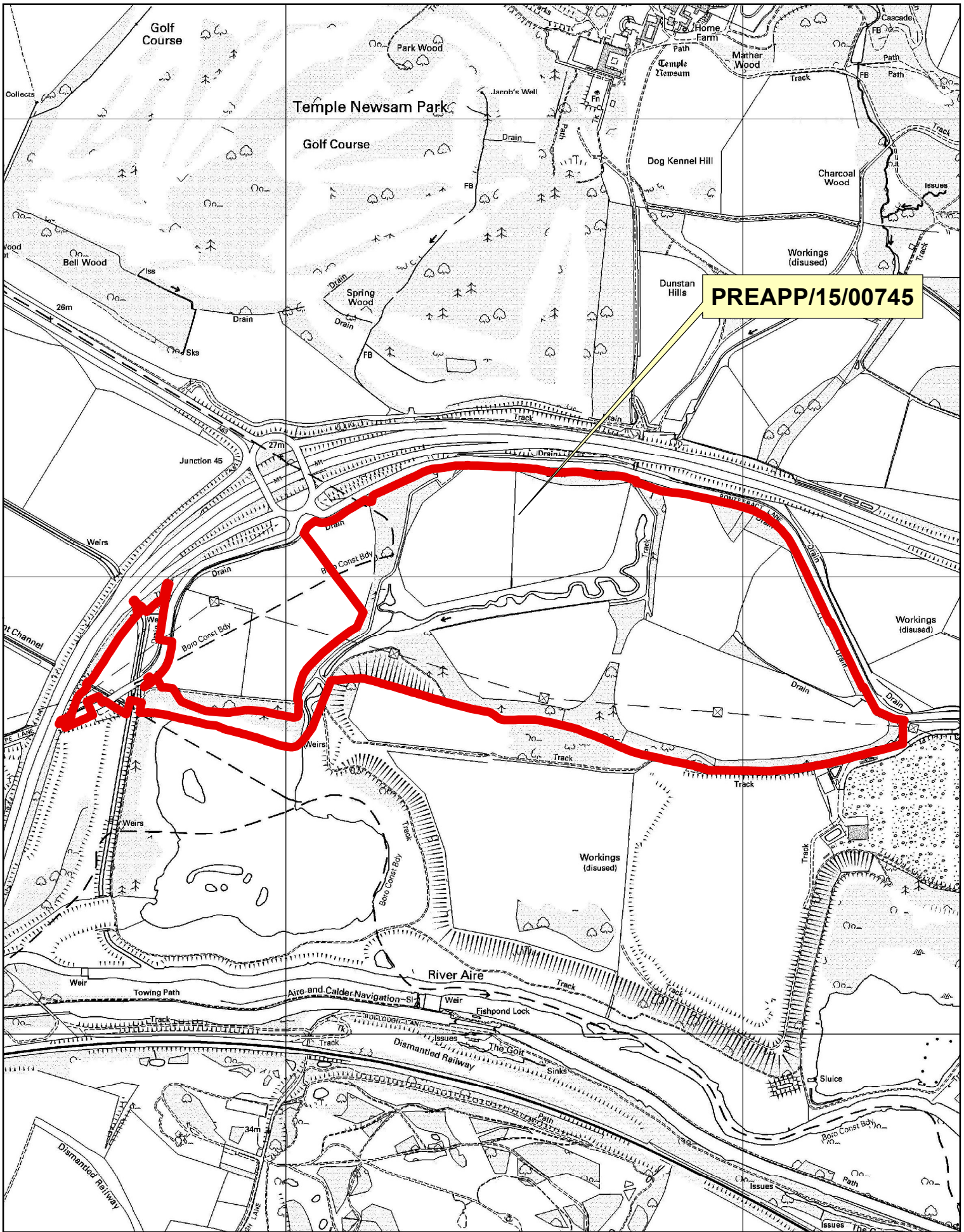
6.16 Members are asked to note the contents of the report and the presentation, and are invited to provide feedback on the issues outlined below:

1. **Do Members have any comments on the principle of development?**
2. **Do Members have any comments on housing issues?**
3. **Do Members have any comments on design considerations?**
4. **Do Members have any comments on landscape considerations?**
5. **Do Members have any comments on highway issues?**
6. **Do Members have any comments on drainage issues?**
7. **Are there any other issues Members would like to raise?**

**Background Papers:**

None





# CITY PLANS PANEL



This page is intentionally left blank



Originator: Matthew Walker

Tel: 3952082

---

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 17<sup>th</sup> December 2015

APPLICANT: Premier View

**Subject: PRE-APPLICATION PRESENTATION OF PROPOSALS FOR THE INSTALLATION OF A DIGITAL ADVERTISEMENT SCREEN TO CENTRAL ARCADE, BRIGGATE, LEEDS LS1 6DX (PREAPP/15/00757)**

---

#### Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

---

**This report is brought to Plans Panel for information. The Developer will present the details of the 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 of the emerging proposals for the installation of a permanent digital media advertisement screen to the western elevation of Central Arcade, fronting Briggate in Leeds City Centre.
- 1.2 The proposal is brought to City Plans Panel since it represents a new format of large scale digital advertising of which there are only limited examples in the City Centre and the application site is located within the City's busiest shopping street, close to the City Centre Conservation Area and a number of Listed Buildings (see attached plan)

## **2.0 SITE AND SURROUNDINGS**

Central Arcade is a pedestrian route from Central Road to Briggate. The arcade features a number of retail units over two floors. Either side of the Briggate entrance are Unit 1 and to the opposite side, Greggs, both of which feature predominantly glazed facades. The Briggate façade is 4 storeys in height, faced in Portland Stone and features 5 window bays at second and third storey level, which are offset to the right of the elevation, leaving a 3 storey height expanse of blank stonework above the entrance portal into the arcade.

The arcade is located directly opposite the eastern exit of the Trinity Shopping Complex and the blank area therefore forms a backdrop to a piece of public art in the form of the Minerva Statue located on Briggate (as one exits Trinity onto Briggate itself). The application site is located 17 metres north of the City Centre Conservation Area boundary where the Conservation Area at this point includes the southern portion of Briggate, the northern portion of Lower Briggate, Duncan Street and Boar Lane.

The application site sits within the setting of 149 - 150 Briggate which is a Grade II listed building located on a corner site of Briggate and Duncan Street / Boar Lane, constructed in a Baroque revival style. More remotely, but still of significance is 135 Briggate, located 37 metres due north of the application site, also Grade II listed and a building 5 storeys in height and originally constructed as a post office exchange in 1903. 135 Briggate is designed in a Renaissance style.

Generally, the local street scene comprises a wide variety of architectural styles and ages of buildings, but is a highly commercialised context comprising a number of shop and restaurant uses within a high quality area of pedestrianized public realm within Briggate and, to the south of the application site a highly trafficked highway junction at the heads of Briggate, Duncan Street and Boar Lane.

## **3.0 PROPOSALS**

- 3.1 It is proposed to introduce a digital media screen onto the western elevation of the Central Arcade between the second and third storey levels.
- 3.2 In terms of dimensions, the applicant has proposed two options for members to consider, the first being a 3600mm x 5600mm screen with 231mm depth, surrounded by an architectural 102mm deep Portland Stone frame to its perimeter. The screen and its associated frame would be located equidistantly between the northern most window bay on the elevation and the northern boundary of the building within what is presently a blank area of façade. Above the screen would be a Portland Stone slab, intended to mirror and continue the pattern of existing slit windows that run across the elevation at third storey level.
- 3.3 The second proposed option is a slightly larger screen, again surrounded by a Portland Stone frame with slab above, again located between the second and third storey levels, but at the slightly larger dimensions of 4000mm x 5600mm.
- 3.4 The proposed screen would involve the use of moving images and dynamic digital content but would operate without sound.

## 4.0 RELEVANT PLANNING HISTORY

There is no planning history directly relevant to the application site, however recent proposals for similar digital advertisement screens within the pedestrianized retail quarter may be considered to be of relevance and are listed as follows:

### 4.1 PREAPP/13/00789, 14/01863/ADV, 14/01862/FU – Digital Advertising Screen, Pinnacle, Bond St / Upper Basinghall Street, (Application approved 8<sup>th</sup> August 2014)

Officers and the applicant undertook negotiations on the proposed screen between July 2013 and February 2014. As part of the negotiations, it was agreed that the developer would make a contribution to the cost of public realm uplift works to Bond Street / Upper Basinghall St in order to improve the setting of the site and to help mitigate the potential impact of the screen on the adjacent street.

The proposal was taken to plans panel on 27th February 2014 and a site visit was attended by members the same day. Members were minded to support the proposal in principle and were content that the subsequent application be addressed under delegated powers, subject to the application details matching the development put forward at pre application stage.

It was considered that the screen was appropriate to the commercial context of the area, was well designed and will be suitably integrated into the fabric of the host building and would be understood as part of an improved and appropriate, pedestrianised and commercial shopping environment. The proposal for Advertisement Consent in regard to the digital advertisement screen was therefore considered acceptable with regard to the visual amenities of the host building and wider street scene and approved in August 2014 and erected in 2015.

### 4.2 12/03408/ADV - Digital media screen to shopping centre, Trinity West Shopping Centre, Albion Street, Leeds, LS1 5ER (Application approved 7<sup>th</sup> November 2012)

An advertisement application for the introduction of a digital advertising screen 6.1m x 3.6m in to the splay corner at first and second floor levels of the Trinity Shopping Complex was presented to City Centre Plans Panel in September 2012.

The application was recommended to members for approval due to the proposed location within a commercial centre of regional and even national significance, where advertising is clearly an accepted part of the urban fabric in the prime shopping area and where it would be set against a back drop of a newly created modern retail development in which there is a very large glazed area to a lively and active food offer.

The screen proposal was viewed as being well integrated in to the design of the corner of Trinity rather than simply being placed upon it as an after-thought and was therefore considered acceptable in terms of its impact on visual amenities. The screen has been erected as approved.

### 4.3 12/03419/FU & 12/03420/ADV - Alterations to form digital media advertising display, West Riding House, 59 - 61 Albion Street, Leeds, LS1 5AA (Application refused 28<sup>th</sup> September 2012)



This application was presented to City Centre Plans Panel in September 2012. It was a proposal for a screen to the eastern side of the Pinnacle site (formerly known as West Riding House). Officers considered that West Riding house provided a backdrop to the long views along Albion Place, and is clearly visible from Kirkgate Market and that the proposed screen would have terminated this important view and would draw the eye to West Riding House and down to the level of the car park in particular, which would become the focus of views (and therefore take over the prominence afforded to the listed buildings and conservation area in general). It was considered this would be retrograde and harmful to the Conservation Area and the setting of listed buildings and members were minded to refuse the application on that basis.

## **5.0 HISTORY OF NEGOTIATIONS**

- 5.1 An initial enquiry was made by the applicant in February 2015 following dialogue between the applicant and the City Centre Management Team / Cllr Richard Lewis. Originally, a larger screen was suggested, with no associated architectural framework. Following this initial approach and consultations with both the Conservation and Design Team, it was considered that in order to receive officer support in principle, the proposed screen size should be reduced and some form of architectural treatment be applied to the perimeter of the screen such that the screen would appear better integrated into the building façade and would respond better to the architectural language of the application building whilst simultaneously tidying up the appearance of the screen's perimeter and reducing the visual presence of the screen in south/north views along Briggate (from within the Conservation Area setting of both Briggate and Boar Lane/Duncan Street).
- 5.2 An offer of a Section 106 agreement was made by the applicant to assist with public realm improvements however it is considered by officers that within an already improved area of public realm, such contributions could not be fully justified in order to enable the development. However it is intended to assess whether there are opportunities for refurbishment or further enhancements to the building façade which would be more directly related to the visual impact of the proposal in this case.
- 5.3 A further offer of screen time has been made to Leeds City Council for the purposes of advertising council events however the administrative implications of this for the Local Authority have to be fully considered in dialogue with relevant council colleagues. It should be noted that whilst the offer is welcome, it could not be a determining factor in any decision which is required by law to limit consideration of any advertisement proposal to its potential impact on amenity and public safety.
- 5.4 In October 2015 initial draft plans which more closely followed the initial planning advice were submitted to officers. Following a meeting with officers in October 2015, a finalized proposal involving two options on screen sizes was provided to officers for consideration and are the subject of this presentation to Plans Panel.

## **6.0 RELEVANT PLANNING POLICY GUIDANCE**

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

- 6.2 Paragraph 67 of the NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact

on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

### 6.3 **Local Development Framework 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.

6.3.1 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. Development should protect and enhance locally important buildings, skylines and views.

6.3.2 Policy P11: The historic environment, consisting of archaeological remains, historic buildings, townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved and enhanced, particularly those elements which help to give Leeds its distinct identity:

### 6.4 **Saved Leeds Unitary Development Plan (Review) Policies :**

The application site lies within the designated City Centre. Relevant policies include:

6.4.1 BD8: All signs must be well designed and sensitively located within the street scene. They should be carefully related to the character, scale and architectural features of the building on which they are placed.

6.4.2 BD9: All signs within or adjoining Conservation Areas should preserve/enhance the character and appearance of the Conservation Area.

6.4.3 GP5: Proposals should resolve detailed planning considerations including design and safety.

### 6.5 **Leeds City Council Advertisement Design Guide**

The Leeds City Council Advertisement design guide provides supplementary planning guidance on where advertising would and would not generally be acceptable, encourages design excellence, innovative ways of advertising and high standards of maintenance.

It recognizes digital screens as an emerging form of advertising and advises that the City Centre is a generally suitable location for advertising. The guidance also requires special attention to be given to protecting the character and setting of conservation areas and listed buildings.

### 6.6 **CABE and English Heritage 'Large Digital Screens in Public Spaces' (2009)**

This is not adopted planning policy but offers useful guidance to Local Planning Authorities on the issues to consider when assessing the suitability of sites for both public event display screens and digital media/advertising screens.

The 3 overriding principles set out are that a screen should:

1. Be in an appropriate location
2. Be of excellent design quality in its own right and ensure that the building

façade is suitable

3. Enhance the qualities of its immediate location and wider setting.

And that if it fails on one of these then it should be considered unacceptable.

## **7.0 ISSUES**

7.1 Digital media is clearly an emerging advertising form largely due to the advancements in digital technology and the improvement in screen resolution.

It is considered that, when used in the correct locations such as the existing Trinity and Pinnacle screens, they can add to a commercial environment. However it is clear from the policy guidance set out above that some locations may not be suitable due to their impact on more sensitive environments.

7.2 Members are asked to comment on the scheme and to consider the following matters:

### Visual Amenity

7.3 The screen has been designed and proposed so that it would appear to be integrated into the design of the building, proposed within an architectural Portland Stone frame which reflects the architectural language of both the application building and also the upper-floor window framework to 140-142 Briggate (adjacent to the application site) and has been designed and scaled in order that it respects the existing pattern of fenestration along the façade.

7.4 In addition it is considered that the screen would only be seen in profile and offer limited oblique north/south views from the nearby conservation area and from the listed buildings at 135 Briggate and 149-150 Briggate.

7.5 The screen would directly face the eastern exit/entrance of the Trinity Shopping Complex. This and the immediate context of Briggate provides a very busy commercial environment which is characterised by a significant number of existing business advertisements. It is considered that the commercial nature of the proposed digital screen would be compatible with this existing commercial character whilst its detailed design would ensure that it complements the building elevation and preserves the character and setting of the nearby listed buildings and conservation area.

**Do Members agree that the visual impact from the proposal is acceptable and appropriate for this location?**

**Do Members have a preference for one option in terms of the proposed screen dimensions?**

### Public Safety

7.8 The siting of the screen would be read as part of a predominantly pedestrianized area with no head-on views of the screen from the road network, specifically from Boar Lane.

7.9 The existing width of the pedestrianized space on Briggate (some 20m wide) would help to avoid the potential for obstruction for pedestrians, if people are encouraged



to stop to view the screen, by allowing sufficient space to pause without impacting upon or impeding pedestrian flows.

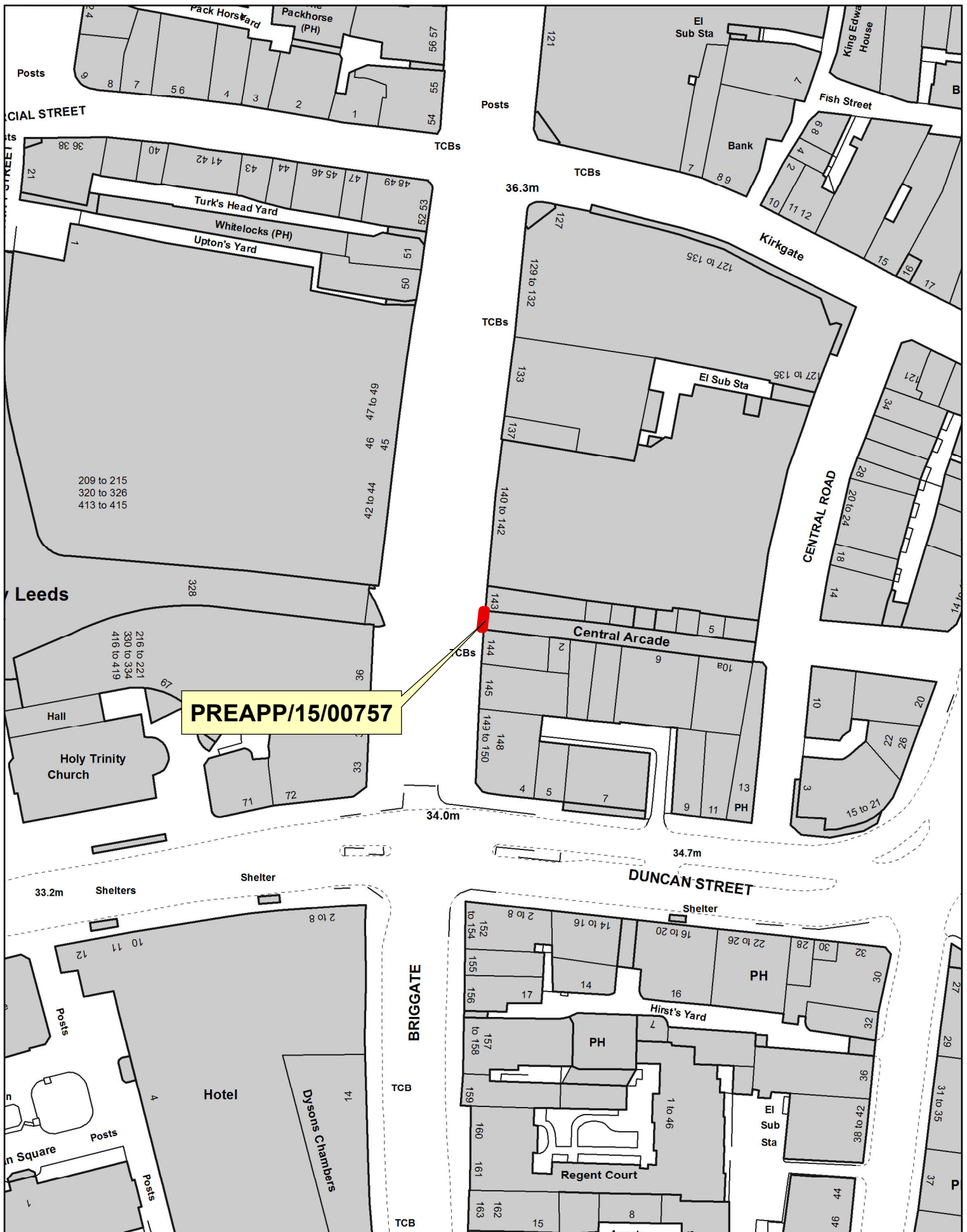
**Do Members agree that there are unlikely to be any adverse highway safety implications arising from the proposed screen?**

**If Members are supportive of the proposals is it agreed that a formal application can be delegated to officers for determination?**

**Background Papers:**

PREAPP/15/00757

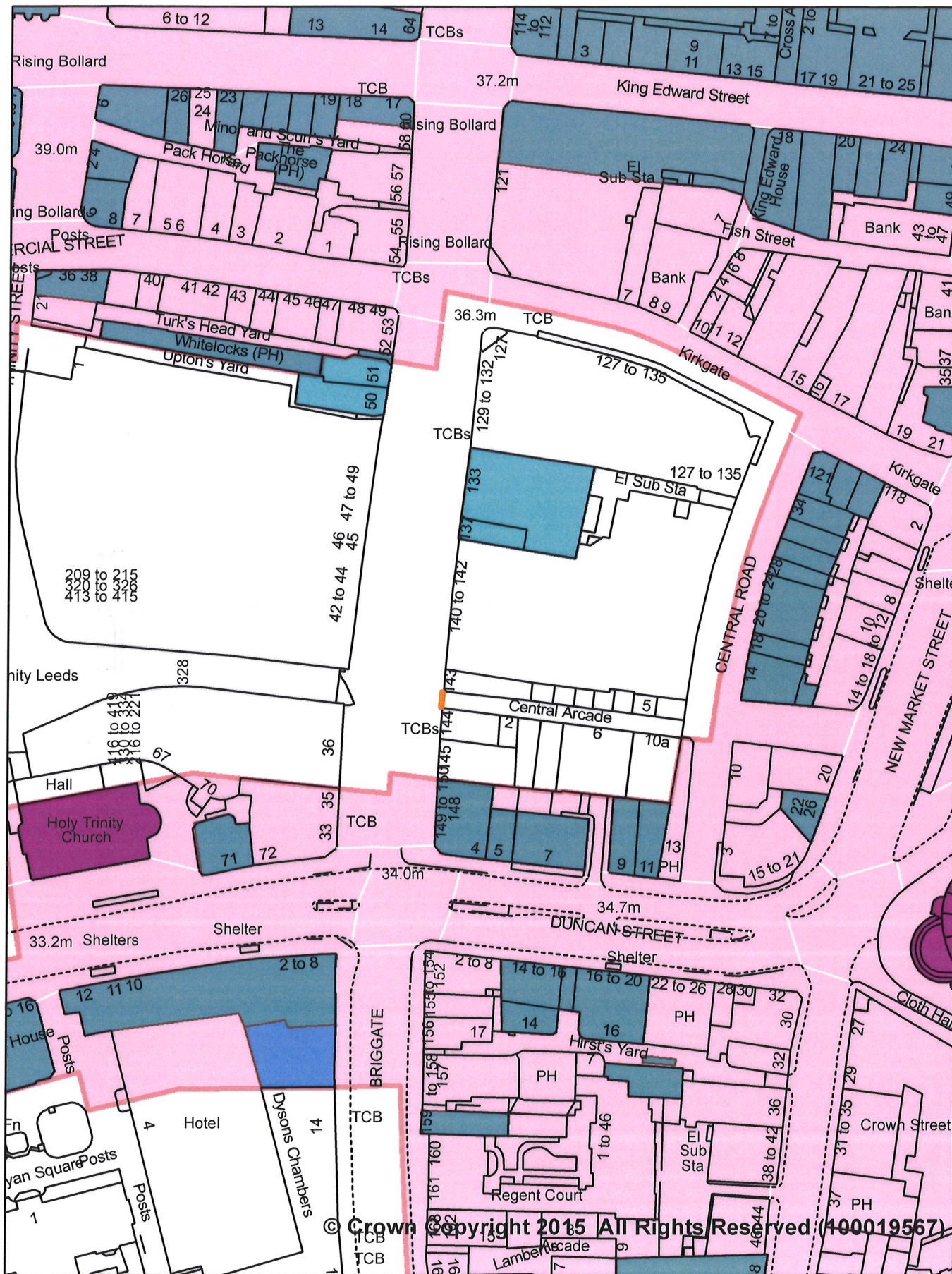
CABE/English Heritage guidance 'Large Digital Screen in Public Spaces' (2009)



# CITY PLANS PANEL







This map is based upon the Ordnance Survey's Digital Data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office

© Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Leeds City Council O.S. Licence 100019567  
 © Crown Copyright 2015 All rights reserved

Scale: 1:1250

Produced: 07 December 2015

This page is intentionally left blank