

CITY PLANS PANEL

THURSDAY, 17TH NOVEMBER, 2016

PRESENT: Councillor J McKenna in the Chair

Councillors P Gruen, G Latty, T Leadley,
N Walshaw, C Campbell, A Khan,
A Garthwaite, J Heselwood, C Macniven,
E Nash and J Procter

A Member site visit was held in the morning in connection with the following proposals: the completed Central Square development and Winter Garden on Whitehall Road and the former Majestics site, City Square, Leeds 1 (Application Nos: 16/04913/FU and 16/04914/LI) and was attended by the following Councillors: S McKenna, T Leadley, C Campbell, A Garthwaite and C Macniven.

84 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents

85 Exempt Information - Possible Exclusion of Press and Public

There were no items where it was considered necessary to exclude the press or public from the meeting due to the confidential nature of the business to be considered

86 Late Items

There were no late items of business

87 Declarations of Disclosable Pecuniary Interests

Councillor J Procter declared a disclosable pecuniary interest in Agenda Item No. 7 – Re-modelling of the former Majestic Nightclub, City Square, Leeds 1 (Application No 16/04913/FU). Councillor Procter informed the Panel that he was a Director of a Company that carried out substantial work on behalf of the developers of the scheme (Rushbond). He withdrew from the meeting and took no part in the discussion or voting thereon.

88 Apologies for Absence

Apologies for absence were received from Councillors: D Blackburn and R Procter

89 Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 27th October 2016, be approved as a true and correct record.

90 Matters Arising from the Minutes

The following issues were raised under Matters Arising:

- (i) Application Nos: 16/02582, 16/02583 and 16/02584 (Minute No. 77 referred) – In providing an update on progress of the applications, the Chief Planning Officer said that ongoing discussions were taking place with the developer on outstanding highway matters. It was anticipated that the Head of Terms for the Section 106 Agreement together with the 278 Agreement may be nearing completion, further plans in respect of drainage matters were awaited.

The Chief Planning Officer suggested that the applicant was aiming to bring the application to Panel in January with a view to starting on site March 2017, subject to obtaining the necessary planning permission.

In responding to a query as to what advice had been obtained in respect of Legal implications, the Chief Planning Officer reported that Members would receive a separate briefing prior to the application coming before Panel.

- (ii) PREAPP/1600532 – First White Cloth Hall, Kirkgate, Leeds 1 (Minute No.79 referred) – In providing an update the Chair reported that in accordance with resolution (iii) a letter on behalf of this Panel had been sent to the Director of City Development requesting that the process of acquiring the site by means of a Compulsory Purchase Order be expedited
- (iii) With reference to Minute No.33 of the meeting held on 23rd July 2016, the Chair confirmed that a letter had been sent to the Director of Environment and Housing requesting the improvements to the toilet and washing facilities as soon as possible
- (iv) PREAPP/16/00428 – Proposal for redevelopment of Hume House, Wade Lane, Leeds 2 (Minute No.81 referred) – Referring to the suggestion that the building be “slid” a small distance to the south, but this would be subject to acquiring the necessary land, Councillor Leadley sought clarification as to who owned the land.

The Chief Planning Officer reported that enquiries would be made and reported back to Panel

91 **Application Nos: 16/04913/FU and 16/04914/LI Remodeling of the former Majestic Nightclub to create a 6 story office building with ground floor and basement commercial B1/A1/A3/A4/D2 uses. Creation of office floors behind retained outer walls and new glazed elevation to roof top addition, City Square.**

The Chief Planning Officer submitted a report which set out details of an application for the remodelling of the former Majestic Night Club to create a 6 storey office building with ground floor and commercial B1/A1/A3/A4/D2 uses. Creation of office floors behind retained outer walls and new glazed elevation to roof top addition at City Square, Leeds 1.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

Addressing the proposal the Chief Planning Officer highlighted the following:

- Following a fire in 2014 a substantial part of the building's interior and the majority of the roof were lost, much of the external fabric of the building remained intact
- The proposal was for a primarily office-led scheme of approximately 6,000 sqm floor space with ground and lower ground levels capable of accommodating Class B1/A1/A3/A4 and D2 uses
- The new glazed roof was designed to respond to the height of the 2 neighbouring buildings in City Square.
- The rear wall of the building would be reconstructed to accommodate the insertion of new floor plates
- The upper floors would be set back resulting in the top floors appearing dome-like when viewed from the ground
- New windows would be introduced in the original façade at the upper floor levels along Wellington Street and Quebec Street elevations, new windows were also proposed at ground level to either side of the main entrance.
- The rebuilding of the rear Palm Court area
- The re-interpretation of many features which had been destroyed, including 1920's styling
- Use of high quality materials to be used throughout
- Entrance canopies to be refined and reduced to a scale commensurate to the proposed use

The Panel then heard from representatives of the Cinema Theatre Association who were objecting to the proposal and referred to the following:

- The main grounds of the objection was the fact that more of the original features/ materials should have been retained, in particular the Palm Court structure
- The proposed glazed roof was miss-conceived, it was too tall and should be reduced to its original height
- A photographic record of the building should be retained for historic purposes
- There were no objections to the proposed office use

In response to Members questions and comments, the following was discussed:

- Very little remained of the original Palm Court fabric
- The proposals would save the building and bring a new use for the site
- There was a need to retain the spirit of the building
- What was proposed was a sympathetic treatment of the building

The applicant's representative addressed the Panel, speaking in detail about the proposal and highlighted the following:

- The proposal would create a long term sustainable use for the building
- The Majestic building occupied a prominent site within City Square
- A period of 50 years has elapsed since the building had operated as a cinema

In response to Members comments and questions, the following issues were discussed:

- Very little of the original building remained
- The proposed office use was an appropriate use for the building
- The new glazed roof (a crown veil) added quality to the design
- A suggestion was made that the glazed roof appeared to be too dominant (Officers pointed out that glass often looked dark and could be sympathetic to the dark appearance of the original roof)
- Six storey's in height was compatible with the existing building heights in the area
- Members welcomed the art deco detailing within the redesigned canopy
- Members welcomed the design of the building suggesting it was a classical/ elegant design with a modern addition, the proposal would make a positive impact on the street scene

In summing up the Chair suggested that there appeared to be a good deal of support for the proposal.

RESOLVED –

- (i) That application No. 16/04913/FU be deferred and delegated to the Chief Planning Officer for approval, subject to the conditions specified in the submitted report with additional conditions concerning the design and treatment of the canopies, the treatment of the glass to the upper floors to emphasise the verticality of the solar shading treatment (and any other conditions which he may consider necessary) and following the completion of a Section 106 Agreement to cover the matters:
 - Travel Plan review fee of £5,300
 - Car club membership package of £6,800
 - Jobs and skills priority for local people

In the event of the Section 106 Agreement not being completed within 3 months of the Panel resolution to grant planning permission, final determination of the application be delegated to the Chief Planning Officer

- (ii) That application No. 16/04914/LI (Listed Building consent) be approved subject to the conditions specified in the submitted report (and any other conditions which the Chief Planning Officer may consider necessary)

(Prior to consideration of the following item Councillor J Heselwood vacated the meeting)

92 Application No. 16/05468/FU - Hybrid planning application for full planning permission (phase 1) to erect part 5 storey rising to part 10 storey educational building (use Class D 1) including associated access, parking and landscaping and outline planning permission (Phase 2) for part 10 and part 11 storey educational buildings (use class D1) on land at Quarry Hill/ Eastgate, Leeds, LS2 7UP.

The Chief Planning Officer submitted a report which set out details of an Hybrid application for full planning permission (Phase1) to erect part 5 storey, rising to part 10 storey educational building (use class D1) including associated access, parking and landscaping and outline planning permission (Phase 2) for part 10 and part 11 storey educational buildings (use class D1) on land at Quarry Hill/ Eastgate, Leeds, LS2 7UP

Site photographs and plans were displayed and referred to throughout the discussion of the application.

In addition to the representations referred to in the submitted report, the Chief Planning Officer reported the receipt of further letters of representation as follows:

A petition from a nearby resident containing 23 signatures and an additional letter from a local resident objecting to the loss of greenspace, the biodiversity and visual amenity provided by the site.

In responding officers reported that the matters raised were addressed in section 8.9 of the submitted report and Members were advised that the site was an identified development site that was not a public green space. The loss of existing trees and biodiversity was acknowledged and the development proposal sought to mitigate this through new tree planting, provision of bat roosts and bird boxes, and the provision of green roofs and walls.

A letter from West Yorkshire Playhouse in support of the application, but highlighting potential concerns about impact on West Yorkshire Playhouse's operations during the construction period.

In responding officers advised that condition No. 24 relating to the construction arrangements could be expanded to require consultation with West Yorkshire Playhouse so that the works caused minimal disruption.

An additional letter of overall support from the Leeds Civic Trust but requiring the details of the filigree screen to be agreed prior to planning permission being granted, raising concerns that the plinth does not engage with the street and should incorporate an entrance and seeking further details of the proposed enhancement to the gateway court area.

Addressing these comments officers advised that the approach to the filigree screen demonstrated that there was opportunity to provide an artistic design that related to the uses within the college and that it was reasonable to control the full details of this by condition. The plinth provided a clear base to the building and a buffer to the busy highway. Its treatment with window openings and green walls provides visual interest and the College's strategy was to provide entrances from Playhouse Square. The Gateway Court area was outside the ownership of the applicant and not necessary to provide access to the development. However, its improvement would help to better serve the Quarry Hill area generally. Therefore the Council had secured a significant contribution from the sale of the site for development towards these improvements.

A letter of objection from Caddicks (the adjacent landowner) stating that phase 1 should be the same height as Caddick's block F; that the extension of Playhouse Square adversely affected the opportunity to improve the Gateway Court area; the development should share the cost of the Section 106 obligations placed on the Caddick development proposal relating to off-site highway improvements; the phase 2 design parameters should include scoping for the landscaping and material details.

Officers advised that Phase 1 would be only 3m higher than block F at a gap of approximately 40m and that this relationship was considered acceptable. The changes to Playhouse Square were relatively minor and enable an access to be created towards Eastgate. They are not considered to prejudice the potential for improvements to Gateway Court which remained to be designed. It was not considered reasonable or appropriate to revisit the off-site highway works improvements already secured by the Caddick development. The College proposals would only be required to address any additional impact that they may have. The design parameters for phase 2 did control the scale and footprint but at this stage not enough was known about the College's future requirements and available funding to control details of landscaping and materials.

In addressing the report the Chief Planning Officer outlined the current proposal:

- The proposal was for a new build college facility, delivered in two phases, 17 month build programme (operational by July 2018)

- The building is a series of linked building blocks sitting on a plinth which follows the curved frontage to Eastgate.
- The blocks step up in height 5 – 10 storeys (Phase 1)
- 8 storey's rising to 11 (Phase 2) It was reported that this had been reduced in scale since the report was published
- The proposals had been developed to align to key vistas and respect the entrance to the Quarry Hill site from Eastgate and Gateway Court
- The buildings progressively stepped back on the east/west axis to create a tiered effect, which also facilitates the delivery of an external terrace area providing an opportunity to integrate with Gateway Court.
- A public accessible route through the buildings to the main central area of open space is also proposed on the southern elevation to provide pedestrian permeability.
- A series of design changes had been made to the building following discussion of the application at the pre application stage
- The Travel Plan for the scheme promoted a car free development, proposing to make provision for servicing and disabled parking only on the site.
- The building will be designed to achieve BREEAM excellent status, utilising energy efficient plant, LED lighting and photo- voltaic technology would be incorporated on the roof top areas together with other energy saving measures
- There remained a number of outstanding highway matters including: an assessment of the potential impact on the Mabgate access junction, pick up and drop off details and agreement of the servicing and delivery arrangements.
- The applicant's and Council's wind consultants agree that generally the wind environment would be suitable for the intended uses. However, mitigation measures were required to address limited occasions when wind speeds were likely to cause distress conditions. Officers were awaiting confirmation that the nature of the required mitigation would not affect the scale, layout and form of the proposed buildings and were likely to be limited to more minor works relating to landscaping treatment and provision of screens and canopies. Subject to this officers propose to deal with the detail mitigation measures by planning condition.

In response to Members comments and questions the following issues were raised:

- (Although not strictly required to serve the College buildings) the improvements of Gateway Court (the principle means of access to Quarry Hill from the West) was an important consideration, Members emphasised the need for this development to proceed
- Lighting and security measures for the public routes was important
- Further details of pedestrian flow /right of way through the scheme were required
- Disabled access to the site required clarification
- Further details of pick up and drop off points were required

- The relationship of the phase 2 development to the to the nearby Caddick scheme
- Clarification of the wind impact assessment and mitigation measures
- Concerns were expressed about car parking availability in the area

(At this point in the meeting Councillor J McKenna vacated the Chair, Councillor N Walshaw assumed the Chair, Councillors: E Nash and J Procter also left the meeting)

Responding to the issue of car parking availability within the area, the Chief Planning officer said that the proposed use of the site was acceptable and that the existing parking provision for the area would not be affected by the development

Concerning the development of Gateway Court, Members stressed the importance for this development to proceed and requested that the Executive Member responsible be informed accordingly

In summing up the Chair said this was an innovative/ quality design and Members were supportive of the proposal. He suggested there were a number of outstanding issues which could be addressed through condition, or if they were unresolved or substantial design changes required then the application would be brought back to Panel.

The Chair thanked the developers for their attendance and contributions

RESOLVED –

- (i) That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the satisfactory resolution of the following outstanding matters:

- Highway circulation, drop – off and servicing layout
- Wind impact mitigation measures
- Travel Plan measures

and subject to the conditions to control lighting and security details, a condition requiring consultation on the construction arrangements with West Yorkshire Playhouse and subject to the conditions specified in the submitted report (and any other conditions which he may consider necessary)

- (ii) The Chair to write to the Executive Member responsible seeking delivery of the Gateway Court improvements as soon as possible

93 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Thursday 8th December 2016 at 1.30pm in the Civic Hall, Leeds.