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## CITY PLANS PANEL

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 17th November, 2016 at 1.30 pm

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### MEMBERSHIP

#### Councillors

P Gruen  
N Walshaw  
J McKenna  
(Chair)  
A Khan  
A Garthwaite  
J Heselwood  
B Selby  
C Macniven

C Campbell

R Procter  
G Latty

T Leadley

D Blackburn

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**Agenda compiled by:**  
**John Grieve**  
**Governance Services**  
**Civic Hall**  
**Tel: 0113 224 3836**

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>SITE VISIT LETTER</b></p> <p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>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>(*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>	

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5			<b>APOLOGIES FOR ABSENCE</b>	
6			<p><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>To consider and approve the minutes of the previous meeting held on 27<sup>th</sup> October 2016.</p> <p>(Copy attached)</p>	3 - 14
7	City and Hunslet		<p><b>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 AT CITY SQUARE, LEEDS1.</b></p> <p>To consider a report by the Chief Planning Officer which sets 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.</p> <p>(Report attached)</p>	15 - 44

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8	City and Hunslet		<p><b>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.</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of an 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.</p> <p>(Report attached)</p>	45 - 72
9			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note that the next meeting will take place on Thursday 8<sup>th</sup> December 2016 at 1.30pm in the Civic Hall, Leeds.</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.

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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.

To all Members of City Plans Panel

**Planning Services**  
The Leonardo Building  
2 Rossington Street  
Leeds  
LS2 8HD

Contact: Daljit Singh  
Tel: 0113 3787971  
daljit.singh@leeds.gov.uk

Our ref: City Site Visits  
Date: 7.11.2016

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 17<sup>th</sup> November 2016**

Prior to the meeting of City Plans Panel on Thursday 17<sup>th</sup> November 2016 the following site visits will take place. Please note that the first visit is not related to the afternoon agenda but is an opportunity to see the completed Central Square development on Whitehall Road close to City Square. This was agreed at City Plans Panel and includes the first winter garden in the city.

Time	Ward	Site
10.15-11.10am	City & Hunslet	Completed Central Square development and winter garden, Whitehall Road
11.15-12.pm	City & Hunslet	Former Majestics site, City Square. Application references 16/04913/FU and 16/04914/LI

Due to the close distance to the Civic Hall it is intended to walk to both sites. Please notify Daljit Singh (Tel: 3787971) if you will be attending and meet in the Ante Chamber at **10.00 am at the latest**.

Yours sincerely

Daljit Singh  
Central Area Team Leader

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## CITY PLANS PANEL

THURSDAY, 27TH OCTOBER, 2016

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

Councillors P Gruen, D Blackburn,  
T Leadley, N Walshaw, C Campbell,  
A Khan, A Garthwaite, J Heselwood,  
B Selby, C Macniven and B Anderson

A Member site visit was held in the morning in connection with the following proposals: Planning Application PREAPP/16/00421 – Residential development for up to 580 flats and associated public space and commercial uses at Whitehall Road, Leeds 12, Planning Application PREAPP/16/00532 – Restoration of First White Cloth Hall, Kirkgate, Leeds 2, Planning Application PREAPP/16/00428 – Proposed Student Accommodation at Tower House Street, Leeds 2 and Planning Application PREAPP/16/00385 – Proposed Creative Arts Building at Portland Way, Leeds 2 and was attended by the following Councillors: J McKenna, P Gruen, A Khan, A Garthwaite, C Macniven, T Leadley, D Blackburn, C Campbell and B Anderson

### **70 Chair's Opening Remarks**

The Chair welcomed to the meeting students from Leeds Beckett University who were studying for degrees in Planning and Journalism.

### **71 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents

### **72 Exempt Information - Possible Exclusion of Press and Public**

There were no resolutions to exclude the public

### **73 Late Items**

There were no late items of business

### **74 Declarations of Disclosable Pecuniary Interests**

There were no declarations of a disclosable pecuniary interest.

### **75 Apologies for Absence**

Apologies for absence were received from Councillors: G Latty and R Procter.

### **76 Minutes of the Previous Meeting**

Draft minutes to be approved at the meeting  
to be held on Thursday, 17th November, 2016

With reference to Minute No.67, last section, second bullet point, a number of Members requested an amendment to the wording, removing the words “the majority” and replacing with “in general”

**RESOLVED** – That, with the inclusion of the above, the minutes of the meeting held on 6<sup>th</sup> October 2016, be approved as a true and correct record.

## **77 Matters Arising from the Minutes**

The following issue was raised under matters arising:

Minute No.68 – Position Statement – Application No’s: 16/02582, 16/02583 and 16/02584 – Following an unexpected deferral of the applications at the previous meeting, the Chair asked if any progress had been made in bringing the applications back before Panel? Members also requested to know if any kind of apology had been received from the applicant.

In responding the Chief Planning Officer reported that no formal letter of apology had been received, however, some discussions had taken place with the applicant in respect of the highway issues.

It was reported that legal advice was being obtained and due consideration would be given to that advice and the intention was that the implications of this would be communicated to Members in advance of any decision being taken.

The Chief Planning Officer said at this stage it was unclear when the applications would be brought back to Panel.

The Chair thanked the Chief Planning Officer for the update.

## **78 Application No. 16/02757/OT - Outline Application for the erection of a Motorway Service Area including means of access: Facilities would include a Building with viewing platform, up to 100 bedroom Hotel, Skelton Lake Visitor Centre, Fuel Filling Station, vehicle circulation and parking areas, landscaping and amenity spaces, pedestrian and cycle links, pumping station, retaining structures and associated mitigation, infrastructure and earthworks at land off Junction 45, M1 Motorway.**

The Chief Planning Officer submitted a report which set out details of an outline application for the erection of a Motorway Service Area, including; means of access. The facilities would include a building with viewing platform, up to 100 bedroom Hotel, Skelton Lake Visitor Centre, Fuel Filling Station, Vehicle Circulation and Parking Areas, Landscaping and Amenity spaces, Pedestrian and Cycle links, Pumping Station, retaining structures and associated mitigation, infrastructure and earthworks to land off Junction 45, M1 Motorway.

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

Draft minutes to be approved at the meeting  
to be held on Thursday, 17th November, 2016

In providing an update, the Chief Planning officer highlighted the following changes which had been made to the report following its circulation:

#### Consultation responses

Para 7.18 – To clarify that Travelwise had raised no objections subject to the imposition of conditions and the relevant clauses within a Sec.106 Agreement. Their requirements are reflected in the recommendation and list of conditions.

Para. 7.23 – Yorkshire Wildlife Trust recommend that a wider joined approach be taken to bio-diversity including this site, adjacent residential site subject to the current 2015 application and the proposed additional housing site. To note that in respect of this scheme condition 32 seeks the submission of biodiversity enhancement and management plan.

Para's 2.4 & 10.20 – The scheme provides shared footways and cycleways rather than 'segregated footways and cycleways as reported.

Para. 2.4 – Clarify that the access road allows for a single bus stop layby on the outbound carriageway.

Para 10.20 - makes reference to 'The proposed access is designed to accommodate all vehicle types, including the largest abnormal loads which are permitted to travel on the road'. The access had been modelled for typical abnormal loads but not necessarily the largest, this had been agreed with highways officers.

Following the submission of the further Environmental Statement information relating to minor changes to the siting of the hotel and further highway info (trip rates/50 additional parking bays/bus layby provision) further consultation had taken place with a number of further consultation responses being received, but which raise no new issues

The Gardens Trust had written to confirm that they do not wish to comment on the application.

#### Representation from the Applicant

Having taken Leading Counsel's advice the applicant considers that the following points should be drawn to the attention of the Panel for the purposes of clarity and accuracy:

Para 8.1 add to the end:

Compliance with the Development Plan should be assessed by reference to the Development Plan read as a whole.

Para 8.4 – Add to the end of the paragraph:

The draft AVLAAP is a material consideration in the determination of the application.

Before Para 10.1 add a new paragraph as follows:

The Development Plan policies as set out earlier in this report had been considered, however, those relating to employment land are considered to be the most important and are referred to further in the following paragraphs. Overall it is concluded that the proposed development does comply with the Development Plan when read as a whole.

Para 11.1 add the following sentence:

It is considered that the application complies with the Development Plan when read as a whole.

Para 11.6 replace the final sentence with the following:

Although the proposed development was considered to comply with the Development Plan read as a whole it did represent a departure from one of the saved policies of the UDP (Policy E4) and as a consequence needs to be referred to the Secretary of State as a departure from the Development Plan before permission can formally be issued.

In response to queries raised on the approach to the development plan, the Legal Officer commented that Leading Counsel was correct to say that in assessing compliance with the development plan it was necessary to consider the plan as a whole and the officer had set out his views on the issue of compliance in the submitted report. In any event (and as highlighted by the applicant), this was a departure from the development plan which required the application to be referred to the Secretary of State

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

- Members welcomed the design of the Motorway Service Area
- The multi-faith room should be located on the ground floor to aid people with disabilities
- Members questioned if there was adequate car parking / HGV spaces and staff travel provision designated for the proposed development
- Clarification was sought around air quality monitoring
- Noted that biodiversity issues would be included in the Reserved Matters application
- Members welcomed the employment and training opportunities the development would bring to locality

**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report and following referral of the application to the Secretary of State as a Departure from the Statutory Development Plan and should the

Secretary of State decide not to call in the application for determination, the Chief Planning Officer be authorised to secure the completion of a Section 106 agreement to include the following:

- Travel Plan and Monitoring fee (£3,540)
- Local Employment and Training Initiatives
- Traffic Regulation Order (£25,000)
- Bus stop (Pole) contribution (£500)
- To ensure the provision of a bus route through the site

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

**79 PREAPP/16/00532 - Proposal for the repair and restoration of the First White Cloth Hall, Kirkgate, Leeds.**

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for the repair and restoration of the First White Cloth Hall, Kirkgate, Leeds.

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

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

- The First White Cloth Hall was built in 1711
- The building was listed Grade II\* in 1983
- The building was in a poor condition and was listed on Historic England's at Risk Register
- The proposal was to reinstate the west wing to its pre-demolition form, reinstate the arcading to the inner courtyard, retain and repair the Kirkgate frontages, introduce high quality modern design in the form of a glazed atrium and introduce a modern rainscreen treatment to the southern elevation
- It was reported that extensive consultation had taken place
- Impact of the proposal on the special architectural character and historic interest of the Grade II\* First White Cloth Hall and the City Centre Conservation Area
- The proposed uses of the building

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

- Responding to a question as to the accuracy of the basement plan, it was confirmed that the footprint was accurate.
- It was acknowledged that the building was in a poor condition and could be lost if works were not undertaken in the near future

- The Council needs to expedite efforts to acquire the site from the owners, including by means of a Compulsory Purchase Order, if necessary
- Original materials to be used wherever possible
- The need to consult with the Licensing Section (Entertainment Licensing) if considering Bar/ Restaurant use
- Discussions should take place with the Highways Department and Metro with a view to improving and enlarging the pavement areas in front of the site and addressing the adverse impact of the considerable bus traffic along Kirkgate

In drawing the discussion to a conclusion Members provided the following feedback

- Members considered that the proposed development was acceptable in principle
- Members were of the view that the building was in a poor condition and could be lost if works were not undertaken in the near future
- Members expressed the view that the process of acquiring the site by means of a Compulsory Purchase Order should be expedited

#### **RESOLVED –**

- (i) To note the details contained in the pre-application presentation
- (ii) To support the preferred option prior to the submission of detailed design
- (iii) That the Chair be authorised to write to the Director of City Development requesting that the process of acquiring the site by means of a Compulsory Purchase Order be expedited
- (iv) That the developers be thanked for their attendance and presentation

#### **80 PREAPP/16/00421 - Proposed residential development comprising approximately 567 apartments, the repair and refurbishment of the grade II listed viaduct to create a new elevated public park and a mix of commercial units within the viaduct arches on Land at Monkbridge, Whitehall Road, Leeds, LS12 1BE**

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for residential development comprising approximately 567 apartments, the repair and refurbishment of the Grade II Listed Viaduct to create a new elevated public park and a mix of commercial units within the viaduct arches on land to the former Doncaster Monkbridge site, Whitehall Road, Leeds, LS12 1BE.

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

Draft minutes to be approved at the meeting  
to be held on Thursday, 17th November, 2016

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

- The proposed development was for approximately 567 apartments in five buildings (262 one bedroom, 276 two bedroom and 29 three bedroom)
- The buildings would range from 12 to 21 storey's in height
- The listed viaduct would be repaired and enhanced to provide a new elevated landscaped public park that would connect the Wellington Place development to the east, with a physical mechanism for achieving the link to still be agreed
- There would be 5,500sqm of public open space within the site consisting of a majority of the top of the viaduct with a further 3,700sqm of private communal space for the residents of the private sector apartments
- The arches to the viaduct would be repaired and refurbished to provide new commercial space including retail units, cafes, bars and restaurants with the triangular area between the 2 viaducts limbs proposed to provide a glazed covered space and a physical connection between the viaduct level and the lower general site level.
- Car parking would be provided beneath each of the buildings with a total number of spaces proposed being 119
- Servicing would take place from a single loop road and 2 spurs off this, which would pass beneath the buildings and utilizing 2 of the arches for access points.

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

- It was noted that the intention was to begin work on-site from July 2018 with a 3 year completion period
- Public access to the site would be gained following completion of Phase 1 stage
- Community safety through design was an important issue (passive supervision)
- Further consideration of the housing mix was required, was there enough family sized 3-bed units
- Important to have good design and the use of quality materials
- Development located on the edge of the city centre, how would residents get to work/ school, further information required on the level of car parking provision
- Quality landscaping scheme required
- Noted that maintenance of the public realm would be undertaken by the developers
- The need to mitigate for the potential impact on the biodiversity and ecology of the site

In drawing the discussion to a conclusion Members provided the following feedback

- Members were of the view that the heights and footprint of the building generally achieved all of the objectives, as set out in the submitted report, including the relationship to the existing units at City Island
- Members were supportive of the approach to connect to the footbridge over the Inner Ring Road
- Members were supportive of the approach to housing mix, subject to clear justification for the number of family sized apartments being created
- Members required more information as to how residents would get to work/ school, further information was required on the level of car parking provision

**RESOLVED –**

- (i) To note the details contained in the pre-application presentation
- (ii) That the developers be thanked for their attendance and presentation

**81 PREAPP/16/00428 - Proposal for the redevelopment of Hume House, Wade Lane, Merrion Way and Tower House Street, Leeds to form a 40 storey student accommodation building**

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for the redevelopment of Hume House, Wade Lane, Merrion Way and Tower House Street, Leeds to form a 40 storey student accommodation building.

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

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

- The proposal was to demolish the existing building and to construct a 40 storey (126 metre) tower.
- The proposed use would be for student accommodation, housing between 750 and 800 students depending on the mix of cluster rooms and studios
- Commercial space and student amenities to be accommodated on ground, first and second floors (Gym identified at level 39)
- Impact on neighbouring properties
- Public realm and servicing
- Wind (CFD modelling)
- It was the view of the Leeds Civic Trust that the proposed site was the best location in the city for a tall building



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

- This would be a very prominent development and a high quality design was required at this location
- Use of quality materials was required
- Further details about energy efficiency and sustainable design were required
- Size of the rooms appeared to be lower to that normally expected
- An understanding of student arrivals and departures was necessary
- An understanding of the buildings relationship to, and impact on neighbouring properties in particular the windows to the Opal 3 student development was required
- Further research in respect of the wind implications was necessary
- A suggestion that the building be “slid” a small distance to the south was made, but this would be subject to acquiring the necessary land

Reference was made to the “Tall Buildings Strategy” and the need to stage a Members workshop on the issue.

In responding the Chief Planning Officer said officers were currently reviewing the tall buildings strategy and it was intended a Members workshop would be arranged once the necessary preliminary work had taken place.

In drawing the discussion to a conclusion Members provided the following feedback

- Members were of the view that the proposed student use was acceptable in principle
- Mixed views were expressed about the scale of the proposed new building and its relationship with the surrounding context
- In respect of the emerging architectural approach, Members were of the view that a slim tall building was acceptable in this location but emphasised the need for a good design and the use of quality materials
- Members required more information about the proposed development and its relationship with neighbouring properties (the Opal 3 student development in particular)
- Members considered that the development should deliver public realm improvements beyond the immediate site boundary

#### **RESOLVED –**

- (i) To note the details contained in the pre-application presentation
- (ii) That the developers be thanked for their attendance and presentation

**82 PREAPP/16/00385 - Proposed new Centre for Creative Arts for Leeds Beckett University, Portland Way and Calverley Street, Leeds**

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for a new Centre for Creative Arts for Leeds Beckett University, to land at Portland Way and Calverley Street, Leeds 1.

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

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

- The building would comprise of a series of interlocking volumes situated above a deep basement
- The building would range in height from 5 to 9 storey's
- The building would contain: TV studio, Acoustic testing lab, Theatre, Prop store and workshops, Black box studio, recording studios, Fashion studios, Performance studios, Film studios, Ensemble rooms, Production offices, Social Learning and Café, Cinema, Teaching space, Academic and staff offices and Computer Labs
- Two principal entrances to the building. A city entrance located close to the junction of Calverley Street and Portland Way and a student entrance, located at the northern end, close to the Portland Building
- Vehicular access into a loading bay would be taken from Calverley Street.
- The areas between the building and the highway would be laid out as extended public space, potentially including street trees.

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

- The proposed development was in a prominent corner plot and the use of quality materials and an imaginative lighting scheme was important at this location
- Members queried the close proximity of student residential accommodation adjacent to the development
- It was noted that the site was the subject of a lapsed planning permission for a hotel development
- Any trees removed during the construction of the development should be replaced on the basis of 3:1

In drawing the discussion to a conclusion Members provided the following feedback

- Members were of the view that the proposed development was acceptable in principle

- Mixed views were expressed about the scale and position of the proposed new building and its relationship with the residential accommodation
- In respect of the emerging architectural approach, Members were of the view that a high quality design was necessary in this location
- Members were of the view that a hard and soft landscaping scheme needs to fully mitigate for any tree loss (3:1) and that an attractive setting for the new development and wider street scene should be produced

**RESOLVED –**

- (i) To note the details contained in the pre-application presentation
- (ii) That the developers be thanked for their attendance and presentation

**83 Date and Time of Next Meeting**

**RESOLVED –** To note that the next meeting will take place on Thursday 17<sup>th</sup> November 2016 at 1.30pm in the Civic Hall, Leeds.

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Originator: Paul Kendall

Tel: 2478000

## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

Date: 17th November 2016

**Subject: 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 Sq .**

**Applicant: Rushbond Plc**

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

City and Hunslet

Yes

Ward Members consulted

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

## **RECOMMENDATION:**

### **16/04913/FU**

**DEFER AND DELEGATE** to the Chief Planning Officer for approval, subject to the specified conditions at the end of this report (and any other conditions which he may consider necessary) and following completing of a Section 106 Agreement to cover the following matters:

#### **Travel Plan:**

- i) Travel Plan review fee of £5,300
- ii) Car club membership package of £6,800

#### **Jobs and Skills priority for local people**

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

### **16/04914/LI**

**Approve Listed building consent subject to the conditions listed at the end of this report (and any other conditions which the Chief Planning Officer may consider necessary).**

## **1.0 INTRODUCTION:**

- 1.1 Members will recall having received a pre-application presentation from the developer team at City Plans Panel on 7<sup>th</sup> July for the scheme to remodel the Grade II listed former Majestic nightclub in City Sq following the fire that seriously damaged the building over 2 years ago. This was very positively received by the Plans Panel.
- 1.2 Given the prominent nature of the building and the comments received from amenity societies set out below it is considered appropriate to bring a joint report for both the full and listed building applications before Members for determination.
- 1.3 Given the considerable number of advantages which this scheme would bring to both the building and the area in general, and based on the justification provided by the applicant for the proposed alterations, it is considered that, on balance, these outweigh the detrimental impact on the original fabric of the building to which objections have been raised.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The Majestic is situated at the junction of Wellington Street and Quebec Street, directly opposite the Leeds Railway Station's North Concourse entrance in City Square and is within the City Centre Conservation Area. The site is located on a prominent corner and has three principal elevations: a curved entrance façade which faces onto City Square linked to two façades to the north on Quebec Street and Wellington Street to the south. Following the fire in 2014, the external fabric of the building remains relatively intact. This contrasts significantly with the loss of the roof and a substantial part of the building's interior.
- 2.2 Within the context of City Square the scale of the Majestic is relatively modest with the exception of the Mill Hill Unitarian Chapel to the east. The former General Post Office building, No. 1 City Square and the Queens Hotel are all of larger scale, whilst Exchange House to the east is a refurbished tower structure with a two storey lower plinth. The immediate neighbour to the Majestic on Quebec Street is Quebecs Hotel. This building presents a five storey ornate gabled façade adjacent to the Majestic's three storeys. On Wellington St the neighbour is Queens House which is four and a half storeys on the common boundary.

## **3.0 PROPOSAL**

- 3.1 The proposal is for a primarily office-led scheme of approximately 6,000 sqm floor space with ground and lower ground floor levels capable of accommodating Class B1/A1/A3/A4/D2 Uses.
- 3.2 External alterations  
The scheme design treats the existing building's façade as a robust, heavyweight plinth from which a more delicate glazed structure is proposed to emerge. The scale of this has been designed to respond to the heights of the 2 neighbouring buildings and the building's place in City Sq. The rear wall of the building, which sits at the eastern end of a small private rear service road is to be reconstructed to accommodate the insertion of the new floor-plates.
- 3.3 The new glazed roof top addition follows the curve of the front of the building and requires the removal of a remaining section of original external walling, although two outer wing walls will be retained to add visual depth and tie the old to the new in a

more robust manner. The top floor is cut back at a more acute angle which reduces the impact of the side elevations and results in the new top floors appearing dome-like when viewed from the ground. The inclusion of a new high level colonnade, standing forward of the main new glazed envelope, references both the plinth and the scale of the adjoining buildings. There is also a second layer of metal fins in front of the upper floor glazing which acts as a solar shade for the comfort of the occupiers of the building.

3.4 New windows are proposed to be introduced in the original façade at upper floor levels along the Wellington St and Quebec St elevations to allow natural light into the new office floorspace. These have been designed to be respectful of the detailing of the original building and would be framed by the decorative blockwork of the original facade. There are also proposed to be new windows at ground floor level to either side of the main entrance on the curved façade in the location of 2no. blank sections of wall which originally housed advertising panels used to announce forthcoming film events. Entrance canopies will be refined and reduced to a scale commensurate with those of the original building.

### 3.5 Internal alterations

The fire has destroyed much of the interior, however, the remainder of the concrete structure of the original circle and some of the rear circulation staircases have survived, albeit some of these have already been altered. The most notable feature is a circular feature known as the Palm Court which was an original circular light-well which ran up through the building. This is still in evidence at each level but is in various states of repair and has been filled in at each level.

3.6 The Majestic has a very distinctive plan form which reflects its former cinema use. This had multiple points of entry from the curved frontage to two entrances at the rear on Wellington St and Quebec St. Most of the public access was taken from these two points at the rear of the building which then led patrons into staircases and the 'Palm Court'. The scheme design reinterprets this key feature through a light-well serving the deeper plan office spaces to the rear. This follows the dimensions and details of the original Palm Court, however, due to the increase in height of the building this feature has been increased in height by 3 storeys in order that it can connect to all levels of the proposal. It does this through the insertion of a semi-circular staircase designed using the details of the original building for reference. The new Palm Court also enables maximum light penetration into the deep plan areas of the proposed office as it has a full height glazed eastern wall and domed glass roof.

3.7 The reception area of the proposal references the original cinema screen position within the proscenium arch and incorporates this into a dramatic entrance void. This also takes advantage of the large arched windows facing out over City Sq which illuminate the glazing included within the proscenium arch through to the office floor space beyond.

3.8 A detailed Transport Assessment and Travel Plan have been submitted which sets out the following:

- Highly sustainable location adjacent to the Railway Station;
- No car parking on site;
- 40no long stay cycle spaces for occupiers to be accommodated within the building
- Showering and changing facilities included within the building;

- Approximately 8 no. short stay cycle spaces are located within the immediate vicinity of the site for use by visitors to the City Centre;
- Servicing the building will be undertaken from a loading bay within the public highway to Wellington St.
- Existing taxi rank to be maintained to Quebec Street;
- A Travel Plan Coordinator will be appointed as part of the proposed development.

3.9 Emphasis will be placed on low energy consumption/carbon footprints, which will achieve / exceed the performance specifications laid down in the Building Regulations. The design will incorporate the following features:

- Minimise heat losses through the building's fabric through the use of highly insulated construction materials, wherever possible.
- Careful orientation and fenestration details to minimise solar overheating whilst providing good daylight penetration
- Low air permeability to reduce heat loss from air infiltration.
- Ventilation at levels to meet BREEAM 'Very Good' ratings.
- Provision of time and temperature controls with occupant override.
- Careful selection of high efficiency mechanical and electrical plant and equipment.

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

4.1 The proposal was presented to Panel at pre-application stage on July 7<sup>th</sup> this year. The recorded minutes state:

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

- Car parking and parking for services to the building.
- Flood risk – there had not been any history of flooding at the building.
- Members praised the design proposals.
- It was hoped that a planning application would be submitted in August 2016.

In response to questions outlined in the report, Members considered the proposed uses for the building, the external elevations and the approach to internal spaces acceptable.'

4.2 10/05607/FU - Change of use of ground floor and upper levels of Majestic building from nightclub to A3, A4 and D2 uses including specifically cinema, music and concert hall, bingo, dance hall and gymnasium uses, with elevational alterations.

10/05608/FU - Change of use of basement and mezzanine areas of majestic building from A4 use to live music venue (D2 use) with ancillary A3, A4, nightclub and kiosk uses, with elevational alterations.

10/05609/LI - Listed Building Application for alterations and associated minor part demolition works, new additions and associated refurbishment works to internal and external fabric of Majestic building.

#### **5.0 CONSULTATION RESPONSES**

##### **5.1 Listed Building Application**



## 5.2 Statutory

### 5.2.1 Historic England (HE)

#### Significance of the Majestic

HE state that the Majestic is listed at Grade II as a nationally important example of an early twentieth-century cinema by Pascal J Steinlet. The corner site has produced an unusual 'fan shaped' form. The exterior was designed to catch people's attention and draw them inside where they were to be rewarded with the glamour and escapism of the lavish interior. Cinema-goers would travel up the wide terrazzo-floored staircases decorated with classical Greek pilasters, cornicing and wall panels into one of the barrel-vaulted *rooms* or the Palm Court.

The interior was essentially a huge stage set, not necessarily innovative or of the highest quality craftsmanship but that is not where the significance of the building lies. The significance of cinemas such as the Majestic is how the surviving interior fabric allows us to experience what it would have been like for those early cinema goers and how it reflects the wider trends in cinema building in the inter-war years. Many of this type of cinema have been lost or heavily altered over the years, particularly the inter-war 'super-cinemas'. This is also true of the Majestic and the survival of original fabric does not reflect the significance of the building when it was listed in 1993. Incremental alterations and the devastation of a fire in 2014 mean that the majority of the key features of significance have been lost or badly damaged.

The remaining internal features which contribute to the significance of the building are the rear staircases (although the south staircase has lost most of its decorative features), the Palm Court and the large volume of the auditorium. Although heavily altered, these spaces still allow an appreciation of the original function and appearance of the building which is an important part of its significance.

The majority of the significance of the building now lies in its external appearance, however, the grouping of the staircases and Palm Court make a contribution to significance in terms of their historic value and the survival of principal internal elements which illustrate the original decorative scheme.

HE consider the proposals would cause harm to the listed building which would be at the upper end of 'less than substantial harm' as defined in the National Planning Policy Framework (NPPF). This is due to the loss of the remaining important internal features which make a considerable contribution to the significance of the building as it stands today. If these features are removed it will no longer be possible to experience what it would have been like to visit the Majestic Cinema in its heyday, even though that experience has been vastly compromised by previous alterations and the recent fire.

However, HE are supportive of efforts to find a use for the building and particularly one which will be sustainable in the long-term, will enhance the building and will contribute to the appearance of City Square and the wider Conservation Area.

The proposals for new works to the Majestic have resulted from a detailed study of the history and significance of the building. This approach is commended; nevertheless the proposals would involve harm to the listed building.

HE do not object to the application but the acceptability of the proposals is subject to a strong justification as to why office use is the optimum viable use for the building and subsequently why it would not be possible to incorporate the existing staircases

and Palm Court into the scheme. It is also dependent upon securing all the finer details of the scheme which reinterpret or recreate the original decorative scheme.

If the Local Planning Authority is minded to grant consent for the proposals details of materials, windows, doors, signage etc. should be agreed.

### **5.2.2 Twentieth Century Society (TCS)**

TCS do not consider that the proposed works are conservation-led, as the listing status of the building requires. They recognise that the architectural significance of the building has been diminished by fire damage, however, are of the opinion that there are still a number of key internal features remaining, and that the exterior of the building is remarkably intact excepting the mansard roof. The TCS considers that the proposals constitute the loss of important features and spaces of significance, and comprise major alterations to the exterior. They do not consider that the proposal is an appropriate solution given the level of survival.

In particular, they object to the removal of the Palm Court; the extensive alterations to the façade, and to the height and scale of the proposed glass roof extension which will affect the character of the conservation area and the listed building.

Whilst they do not, in principle, object to the change of use to offices, they do object to this change being used to justify the level of alteration to the listed building, when the need for the change of use itself has not been properly substantiated in the application. (Subsequently the applicant has submitted a Heritage Assets Harm Versus Public Benefits Statement )

The Palm Court has been subdivided and infilled over the years but remains clearly legible. This area of the building is now the best surviving space and is of considerable historic as well as architectural interest. Still in-situ are the original balustrades, terrazzo stairs, wall and ceiling panelling and moulded detailing, as well as some internal windows and doors which appear to be original. They strongly disagree with the comments of Historic England which state that the removal of the court would not constitute substantial harm; instead, they urge that alternative schemes be sought which restore the Palm Court to its original splendour, and retain it as an important physical trace of the building's history.

The fine Beaux-Arts exterior of the building is now the best surviving element, and so the Society is deeply concerned that the intention is to remove a significant amount of original fabric (1<sup>st</sup> floor windows, the original canopy, section of the parapet wall, original sections of elevations to form windows). This introduces incongruous materials and a significant change to the rhythm of the fenestration.

The wall behind the balustrade to the front elevation is also an important part of the composition, offsetting the curve of the building mass, providing balance, and as an expression of the line of the original mansard roof. Its removal would, in the opinion of The Society, constitute substantial harm.

The TCS also considers that the roof extension as currently proposed is too massive, adding a dominant further three floors that, in total, are close to equal height of the existing. Such an extensive use of glass would also be incongruous both in relation to the baroque character of the existing building and within this particular streetscape of the conservation area.

### **5.2.3 Cinema Theatre Association (CTA)**

Object strongly to the proposal. The CTA set out the importance of the building and then go on to state that the surviving elements of the Majestic are of great significance for two reasons: the classical façade makes an important contribution to the civic dignity of the Leeds City Centre Conservation Area, while the interior allows us to experience what cinema-going was like in the most lavish cinemas of the early 1920's. Clearly a great deal of architectural structure and decoration was lost in the 2014 fire, but close study of photographs from 2014 and the applicants' own Photographic Study shows how much is left. These survivals are sufficient to make legible the original grand entrance sequence to the cinema. For the above reasons The TCS considers these applications should be refused.

The proposed scheme would essentially create a sustainable future for the shell of the cinema by building a new office block within its retained walls. They then go on to list all of the interventions in the existing fabric.

The CTA believes that:

1. Change of use to office use can be justified in order to safeguard the cinema. Given the Majestic's condition, reinstatement for leisure uses would require an enormous investment in the existing building. This would be credible only if a major leisure operator came forward with a business plan.
2. The presumption should be to retain and conserve historic structure and decoration wherever possible. The Majestic is a landmark in the history of both cinema architecture and popular entertainment in Leeds. The building remains Grade II listed, and legible historic features must be conserved for future generations.
3. The historic façade must be fully conserved and restored. The proposed scheme would make too many damaging interventions in the façade. Most of the historic window frames would be removed, and large new openings created. This would alter the visual integrity of Stienlet's fine classical façade, to the detriment of the Leeds City Centre Conservation Area.
4. The upper façade to the east must be retained. Historic views of the Majestic from City Square show how important this high-level stone façade is to the whole composition, as it builds up to the mansard roof.
5. Loss of the remaining auditorium features can be justified. It is not clear from photographs how much remains of the original superb auditorium. But the CTA accept that the remaining structures could be lost in the interests of a viable scheme.
6. The whole 'rear' block, including the staircases and the Palm Court, must be retained. Their analysis shows that this block remains substantially intact after the fire. The Palm Court in particular retains its complete structure, glass dome, doors, and decorative railings. The scheme should abandon the aim of creating a 'light-well', and simply restore these precious historic features.
7. The overall height of the scheme should be reduced. Elevations and perspectives of the scheme show how vast and intrusive is the new six-storey block. It should be at least one story lower, and designed in a form that echoes the original mansard roof.

### 5.3 **Non-Statutory**

#### 5.3.1 **L.C.C. Sustainability Conservation**

The Conservation Team position is that as well as the benefits of putting the building into a use and enhancing the exterior there is less than substantial harm to the significance of the listed building resulting from the internal changes. They do not object to this level of harm subject to strong justification for the changes.

### 5.4 **Full Application**

#### 5.5 **Statutory**

See Historic England comments above

### 5.6 **Non-Statutory**

#### 5.6.1 **Highways Services:** It is noted that there is no opportunity to provide vehicle parking on site. 40 long stay cycle spaces is an acceptable level of provision if the quality of these is high. The lift size is large enough to accommodate the cycle and refuse requirements. 8 off-site short-stay cycle spaces is an acceptable level of provision.

This is a highly sustainable location for public transportation access with widespread on-street parking controls which will prevent any highway amenity and safety issues arising. The proposals are for servicing and deliveries to use the loading bay on Wellington Street. Draft designs have been received from the City Connect design team, which incorporate the loading bay. The scaffolding currently in place will prevent implementation of the route section along the Majestic frontage on Wellington Street, and the expectation is also that they will be unable to install this section of the route due to the development being under construction. The works for reinstatement of the loading bay will therefore need to include the cycle route improvements along this stretch.

Discussions have taken place with Traffic Management regarding motorcycle parking; it is proposed that this could be provided in part of the loading bay.

All of the off-site highway works will need to be the subject of a S278 Agreement.

#### 5.6.2 **Travelwise:** The submitted Travel Plan is acceptable. The Travel Plan review fee of £5,300 and car club membership package of £6,800 should be secured as part of the permission.

#### 5.6.3 **L.C.C. Flood Risk Management:** No objections. The submitted Flood Risk Assessment is acceptable subject to a condition requiring the submission of a drainage scheme.

#### 5.6.4 **Sustainability - Contaminated Land:** No objection subject to conditions.

#### 5.6.5 **The Coal Authority:** the application site is within the defined Development Low Risk area. No objections. Advise standing advise attached to any notice of permission.

### 6.0 **REPRESENTATIONS**

## 6.1 Leeds Civic Trust (LCT)

LCT are generally supportive of the current proposals. They accept that the new proposed uses, and the insertion of new floors are necessary for the future viability of the building, and are satisfied that the proposed substantial changes to the exterior of the building are justified. They believe that the building in its new form will be an excellent and impressive feature of City Square.

However, they remain unable to support the loss of the remaining internal architectural elements, in particular, the rear staircase, Palm Court dome and associated details.

The proposal of “re-interpretation” of the concept and detail of the stairs and dome is well intentioned, but perhaps there could be some re-consideration about this given the concerns set out above.

## 6.2 Letter of objection from private Castleford address

This objects to the loss of the section of front wall at the top of the building set back from the curved façade facing onto City Square. The objector considers that as much of the original external walling should be retained as possible as it is visible from City Sq.

## 6.3 Letter of support from the owner of the adjacent property 34 Wellington St

Believes this to be an excellent proposal which will enliven and reinvigorate an important city building. Welcome the office use and potential for other supporting uses. It could also act as a flagship statement building for the City. Would have a positive commercial impact and support the City’s regional office role. Note that the intention is to re-create the drama of the original use but apply this to the new use, especially around the entrance foyer and new Palm Court. The new openings to the street add vibrancy and interest.

## 6.4 Statement of Community Engagement

An introduction letter was issued to c.195 properties in close proximity to the site. The purpose of the letter was to introduce the development plans and to invite the recipient to attend a public exhibition held at the Park Plaza Hotel in Leeds City Centre between 3.30pm – 7pm on Thursday 14 July 2016. The event was attended by approximately 25 people. All of those who responded supported the redevelopment of the Majestic. Additional comments were all supportive and mentioned the new glazed roof storeys, and the prominence of the site.

## 7.0 **RELEVANT PLANNING POLICIES**

### 7.1 **The Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

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

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

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

The NPPF includes policy guidance on sustainable development, economic growth, transport, design, and climate change. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given to them.

The NPPF advocates a presumption in favour of sustainable development and a 'centres first' approach to main town centre uses such as offices. The NPPF also promotes economic growth in order to create jobs and prosperity, when applied at a local level, this supports Leeds City Centre's role as the economic driver of the Yorkshire region.

Section 7 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Responding to local character and history;
- Reflecting the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Creating safe and accessible environments; and
- Requiring development to be visually attractive as a result of good architecture and appropriate landscaping.

The National Planning Policy Framework (NPPF) includes policies relating to heritage assets and states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Section 12 provides policies on the historic environment. In particular paragraph 131: In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Significance can be harmed or lost through alteration or destruction of the heritage asset and as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para. 134).

## **7.3 Planning Policy Practice Guidance**

Further national guidance is provided within Planning Policy Practice Guidance (PPPG). Para.015 makes clear that putting heritage assets to a viable use is likely to lead to the investment and any maintenance necessary for their long-term conservation. It is important that any use is viable and desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses. If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses the optimum use is the one likely to cause least harm to the significance of the asset, not just through initial changes, but also as a result of subsequent wear and tear and likely future changes.

Para. 020 states that public benefits may be anything that delivers economic, social or environmental progress, as referred to in Para. 7 of the NPPF. Public benefits should flow from the proposed development, be of a nature and scale to be a benefit to the public at large and not just be a private benefit. Benefits do not have to be physical or accessible to the public in order to be genuine public benefits. Public benefits may include heritage benefits, such as sustaining or enhancing the significance of a heritage asset and the contribution of its setting, reducing or removing the risk to a heritage asset, and securing the optimum viable use of a heritage asset in support of its conservation.

#### **7.4 Planning (Listed Buildings etc.) Act 1990**

This sets out the test that Members will need to apply to determining the planning application is contained in section 66(1) of the Planning (Listed Buildings etc.) Act 1990. This provides that:-

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority .....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

#### **7.5 Core Strategy**

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

Spatial Policy 1 sets out the broad spatial framework for the location and scale of development. This policy prioritizes the redevelopment of previously developed land within the Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods. New office facilities should be prioritised in the City Centre, maximising the opportunities that derive from the existing services and high levels of accessibility.

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

- promoting the City Centre’s role as the regional capital of major new office and culture development
- making the City Centre the main focus for office development in the District
- comprehensively planning the redevelopment and re-use of vacant and underused sites for mixed use development

Spatial Policy 8 supports a competitive local economy through provision of sufficient supply of buildings to match employment needs for B Class Uses and developing the City Centre as the core location for new office employment.

Spatial Policy 9 seeks to provide a minimum of 706,250 sqm of office floorspace in the District.

Core Strategy Policy CC1 outlines the planned growth within the City Centre for at least 355,000 sqm of office floorspace. This will be achieved favouring locations with the best public transport accessibility. All other town centre uses will be supported within the City Centre boundary provided the use does not negatively impact on the amenity of neighbouring uses and that the proposal is in accordance with all other Core Strategy policies.

Policy EC2 states the focus for most office development will be within and/or edge of the City Centre and designated Town and Local Centres.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces. Proposals will be supported which protect and enhance existing historic assets.

Policy P11 states the historic environment will be conserved and enhanced. Where appropriate the significance of assets, impact of proposals and mitigation measures will be required to be considered through a Heritage Statement. Innovative and sustainable construction which integrates with and enhances the historic environment will be encouraged

Policy P12 requires the quality, character and biodiversity of Leeds' townscapes, including their historical and cultural significance, to be conserved and enhanced.

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

Policies EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development. In this case BREEAM 'Excellent' is required. Policy EN1 requires development over 1,000sqm to reduce predicted carbon dioxide emissions to zero and provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.

Policy ID2, planning obligations and developer contributions requires the use of Section 106 planning obligations as part of a planning permission where necessary.

## **7.6 Leeds Unitary Development Plan (Review) 2006 – Saved Policies**

The UDPR saved policies of relevance to this scheme are:

GP5 General Planning Considerations

N14 assumption in favour of retention of listed buildings

N17 all listed building features to be retained and repaired

N19 Conservation Area and new buildings

N20 resist removal of features which contribute to the character of a conservation area

BD2 Design of new buildings

BD4 All mechanical plant

BD6 Alterations and extensions

BC7 Building Conservation

## **7.7 Natural Resources and Waste Local Plan**



The Natural Resources and Waste DPD sets out where land is needed to enable the City to manage resources, such as minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding drainage, air quality and land contamination are relevant to this proposal. Policy AIR 1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated

## **7.8 Emerging Leeds Site Allocations Plan (SAP)**

The Site Allocation Plan Publication Draft Document does not identify the site for any specific form of development. This document has been consulted on at an advanced publication stage and representations have been fully collated. Due to the fact that the Majestic Building site is not allocated in the SAP, it carries no weight in the consideration of these applications.

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

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

City Centre Urban Design Strategy

## **8.0 APPRAISAL**

8.1 The Majestic is a very important landmark building which has been vacant since 2006. The challenges of finding a suitable new use have been compounded by the severe fire in 2014. It is a designated heritage asset and the proposal is intended to secure a long-term sustainable future for the Building.

8.2 Various changes would need to be made to the fabric both externally and internally to accommodate any future beneficial use. The Proposal to deliver an office-led scheme requires various alterations including the removal of more original fabric. Therefore, in line with Historic England (HE) comments and the requirements of the National Planning Policy Framework (NPPF), the rationale put forward by the applicants in the various supporting documents needs to be assessed to establish whether it constitutes the 'clear and convincing justification' required by paragraph 132 of the NPPF. When determining the planning application it is also necessary to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses in accordance with the statutory duty in section 66(1) of the Listed Buildings etc. Act 1990. The harm that would be caused to the listed building should then be weighed against the public benefits of the scheme (paragraph 134). In determining the listed building consent application it is also necessary to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas Act 1990.

8.3 The HE have appraised the scheme and have stated the following:

### **8.4 Impact of the proposals**

In advising on proposals for change, HE advise that the significance of the building at that point in time must be understood and an assessment made of the impact against that level of significance. Despite the damage that has occurred to the Majestic in the past, the current proposals are still challenging and require careful consideration and justification. They will result in the complete loss of the interior of the building, the demolition of the rear wall and a significant change to the appearance both internally and externally. If we were to consider all the damage

that has occurred previously in conjunction with the proposals, the impact on the significance of the building would be very high.

- 8.5 HE consider the proposals for new works at the Majestic provide the opportunity to enhance its appearance and reinterpret the original comprehensive design scheme. The proposals for the replacement Palm Court address the requirements of increasing light penetration into the deep plan whilst reflecting the original Palm Court in a contemporary manner.
- 8.6 HE also welcome the way in which the design scheme for the whole building, internally and externally, is being considered at this stage in the process. This is consistent with the original design intent for the Majestic and the idea of the building being an 'escape' and a cohesive work of art. HE consider that the proposals to recreate the decorative features of the rear staircase within the new corridor and staircase could be a small form of mitigation for the loss of the original if this proved to be justified, so this would be something they would wish to see secured.
- 8.7 The proposals for the exterior of the building would not harm the significance of the Majestic as a landmark, or the character and appearance of the Conservation Area. The form of the proposed rooftop extension is reminiscent of the original mansard roof and the principle of the new openings is supported, subject to the agreement of detailing. The inclusion of the return elements of the upper floor wall adjacent the curved elevation on the City Sq is welcomed as it retains a better sense of the original form of the roof and increases the dominance of the listed building as a base for the proposed extension.
- 8.8 HE consider the proposals would cause harm to the listed building which would be at the upper end of 'less than substantial harm' as defined in the National Planning Policy Framework (NPPF). This is due to the loss of the remaining important internal features which make a considerable contribution to the significance of the building as it stands today.
- 8.9 HE do not object to the application but advise that the acceptability of the proposals is subject to a strong justification as to why office use is the optimum viable use for the building and subsequently why it would not be possible to incorporate the existing staircases and Palm Court into the scheme. It is also dependent upon securing all the finer details of the scheme which reinterpret or recreate the original decorative scheme.
- 8.10 In addition to the above, the Council's Conservation Advisor has provided the following comments on the impact of the proposals on the significance of the listed building.

The starting point for assessing the impact on the proposal on the listed building is the existing condition of the building post fire and not the pre-existing pre-fire condition of the building. The impact of the proposals can be summarised as:

Glazed roof extension:

This is a well-mannered and a fitting addition, cleverly tapering the sides to give the impression of a dome. It will correct the squat proportions of the roofless fire-damaged building and is beneficial to the aesthetic value of the listed building.

External alterations:

The new openings are set within existing recessed panels within the external elevation (continuing the approach of the previous part implemented scheme) but will harm the historical value of the listed building as an introverted “black box” cinema distinguished by few penetrations through the external envelope.

Internal alterations:

The proposals will effectively hollow out the interior of the building, removing any features that survived the fire including the concrete sub-structure of the gallery and fragmentary decorative plasterwork. It will also remove the Palm Court at the rear which survived the fire almost intact and as such assumes an importance (historically and aesthetically) which it previously did not have as an ancillary space to the main auditorium. The proposed replacement stair core is a high quality and sensitive response which is critical to viability of the proposed use, but it is no substitute for the authenticity of the existing Palm Court.

8.11 It is clear from the above that the Council’s Conservation Advisor agrees with the HE conclusion that the harm to the building is less than substantial in this case and therefore agrees with the requirement to demonstrate a strong justification that the proposal is the optimum viable use and justifies the level of harm to the building identified to the special character of the building.

8.12 In this respect there are a number of stages which are addressed below which need to be considered to come to a conclusion:

- What alternative uses could the building be put to and are they viable?
- What is the optimum viable use?
- Why cannot certain features be retained and what is the level of harm arising?
- What are the public benefits arising?
- Do the public benefits outweigh any harm i.e. the balancing exercise?

8.13 What alternative uses could the building be put to and are they viable?

The building, in its pre-fire damaged condition was the subject of extensive marketing. Despite this it had lain vacant for a number of years. This is despite the fact that it had received planning permission for a range of generally leisure related uses and also had received listed building consent for various external and internal interventions. A number of these had been carried out to the exterior of the building to make it more attractive to as wide a range of potential occupiers as possible, but clearly this exercise had not been successful and no tenant had been secured at the time of the fire in 2014.

8.14 Up to date evidence has also been provided from an industry expert (JLL) which states that large scale leisure spaces are now not as attractive to the market as they were in the last couple of decades and are unlikely to be viable. It could be argued that the Majestic itself is evidence of this trend. Even comments from the interest groups set out above do provide some support for the use of the building as offices and indeed the location of the site, close to the main office core and train station of the city, and therefore the region, does lend itself well to office use.

8.15 The applicant has made it clear that an office use is capable of being funded speculatively. Whereas, in respect of a leisure-led scheme, the applicant has stated that:

'in contrast, any leisure-led proposal could only be developed following known specific interest given the very specific requirements of the sector and individual aims and objectives of specific operators. The option of a leisure use would mean waiting to identify a possible lead operator, with an unknown operational model, and with unknown interventions, where there is no current market interest, with considerable concern over the fabric of the building over such a time. Indeed such an approach could place the building at serious risk.

Viability requires the values associated with a use to outweigh the costs of development. It is virtually impossible to prepare a viability assessment for an unknown leisure use. Fundamentally, without evidence of market demand, there is no evidence to support a value based on a leisure use and putting heritage assets to a viable use is an objective set out in national policy.'

- 8.16 Of the obvious uses for this area that have not yet been addressed, residential and hotel uses are also in evidence in this part of the city centre. However, for a conversion to either of these uses to take place, it is clear that new floors would also need to be inserted and that the requirement for natural lighting would require new windows and the possible use of a light-well (given the restrictions which a deep floor plan brings with it as explained above). It is the case that the level of intervention in the building for these uses would almost certainly be greater than that proposed for the office scheme.
- 8.17 From this it is concluded that that there are a range of uses which the building could be put to, however, there is only one (offices – with a range of supporting secondary uses) which is actually capable of justifying the level of investment required. Especially if this is being carried out on a speculative basis. Therefore it is considered that an office led scheme is the most viable way forward.
- 8.18 What is the optimum viable use?  
The NPPF Planning Practice Guidance says that where there is only one viable use this is the optimum viable use. It follows from the discussion above that office use is the optimum viable use.
- 8.19 Why can't certain features be retained and what is the level of harm arising?  
The harm to the listed building results overwhelmingly from the internal changes, principally the removal of Palm Court and the north staircase. As explained above the harm to the significance of the listed building is "less than substantial". Justification for these works is set out below.
- 8.20 New floor plates have to be inserted into the building to create the office floors. The location of these floors is restricted by the impact the floor-slab ends would have on the external elevation as they manifest themselves against the outer wall. The positions of the new windows are governed by the existing detailing of the building and so there is little room for manoeuvre when it comes to varying the positions of the floor slabs.
- 8.21 Before the fire the proportions of the building were balanced by the presence of the original roof. After the fire there is a requirement to re balance the appearance by the recreation the original substantial form of the roof structure. This provides an opportunity to insert additional floor space and maximize the letting potential and therefore viability of the site.

8.22 Since the building is being extended vertically the existing Palm Court would also need to be extended vertically to provide light and circulation to the additional floors. It has been stated that:

- the existing Palm Court is not capable of being extended vertically without extensive structural alteration, which would itself cause damage to the circular structure.
- the levels which the new floors would have to be located at do not align with the levels of the existing floor levels in the Palm Court of the vaulted rooms and staircases to either side.

8.23 As the floor plan is so deep, there is a genuine requirement to gain natural light in the central/rear area of the building. In order to obtain the level of lighting required, a full height shaft is the best way to achieve this with an open/glazed side to the office floor plates. In order to carry the large amount of glazing necessary, this requires the sides of the shaft to have structural integrity - especially the case as the structure also needs to carry circulation stairs as well. The only way to achieve a structure which could accommodate this new set of demands to be placed on it would be through the construction of an entirely new feature. As the adjacent staircases tie in to this then it follows that they must also be lost.

8.24 Therefore, it is considered that clear and convincing justification for the removal of the parts of the building proposed by this scheme has been made. In these circumstances the NPPF states that:

‘the harm should be weighed against the public benefits of the Proposal, including securing its optimum viable use’.

8.25 Therefore the next step is to establish the public benefits arising from the scheme, so they can be assessed against the harm to the building, which in this case is considered to be ‘less than substantial’.

8.26 What are the public benefits arising?

National Guidance states that public benefits may be anything that delivers economic, social or environmental progress. The following benefits are considered to be a direct result of the proposed development and are of a nature and scale that are considered to be a benefit to the general public:

8.26.1 Economic Benefits

- The creation of new Grade A office floor space close to the heart of the city’s office core in a highly sustainable location. The applicant has used the industry term ‘super-prime’ to describe the location of the Majestic for office use.
- Reinforces the City’s role as the regional office capital
- Construction and skilled conservation jobs throughout the build process
- Estimated permanent job creation of between 465 and 605, which would provide opportunities for all sectors of the community

- Supply chain jobs to sustain the building through servicing, deliveries and maintenance

### 8.26.2 Social Benefits

The proposal would bring a notable local building back into productive use and deliver a feel good factor to the benefit of all those who pass the building. Reports after the fire represented a genuine feeling of loss within the community. The rebirth of this much loved local landmark would provide the following social benefits:

- Increased wealth through increased employment bring a better standard of living
- Bringing a range of new opportunities to improve the city's leisure offer
- Reliance on non-car related transport systems which, if involving walking running or cycling, would improve general levels of fitness in the population
- Improved natural surveillance resulting from day and night time uses and resultant increased vision both out from and in to the building.

### 8.26.3 Environmental Benefits

The building would present an improved appearance on all of its elevations. The environmental improvements of this are considered to be:

- Supports regeneration effects
- Improve the Conservation Area and setting of the neighbouring listed buildings
- Giving the building a viable future to ensure its maintenance – removing risk
- Bringing sustainable building techniques and methods of running and maintaining the building to improve energy efficiency
- Provision of a highly recognizable landmark building in Leeds in a very prominent location.
- Better interaction with the street due to the increased amount of glazing in the facades.
- Opportunities for lighting at night to improve the inter-action with this part of City Square
- Use from early morning until late at night which all previous uses of this building have not been able to provide.

Also, in this case, there is no conflict between the above public benefits and the potential benefits from other viable uses since it has been demonstrated that, at this time, there are likely to be no other viable uses.

### 8.27 Do the public benefits outweigh any harm i.e. the balancing exercise?

Legislation and guidance do not say how harm and public benefits should be weighed. However, it is clear that there are public benefits which can be set against the 'less than substantial harm' to the fabric of the building referred to above, along with a range of other minor benefits. Also, the intent of the developer to carry out the development as soon as practically possible and deliver a high quality sustainable development after a long period of vacancy is also noted. It is considered that in combination these factors provide a compelling reason to support the proposal and outweigh the less than substantial harm caused by the loss of the original fabric proposed.

### **8.28 Amenity**

The submitted Noise Impact Assessment considers the existing noise climate within the vicinity of the application site, the potential noise impact of the proposal on nearby noise sensitive receptors and recommendations for attenuation measures. The most recent use of the site was as a nightclub which clearly brings with it the potential for a significant amount of disruption to the local area. Therefore, the proposed uses are far less likely to have a detrimental impact on occupiers in the vicinity of the site and are acceptable. The proposed height, coupled with the distances away from neighbouring properties, is considered to protect the amenity of occupiers of the neighbouring properties, given this city centre environment.

### **8.29 Sustainability**

The development is located in a highly accessible location, which will support the objective of reducing potential travel emissions. Measures have been incorporated to improve the energy efficiency of the building. Conversions of historic buildings offer a number of challenges in the application of BREEAM which in some cases preclude the implementation of certain design measures, systems or materials and restricts the achievement of the required 'credits'. In this case a rating of 'very good' has been targeted. Officers consider that it is unrealistic in this case to require BREEAM 'Excellent' to be achieved and that the applicant's commitment to the sustainable measures outlined above is acceptable in this case.

### **8.30 Transport and Servicing**

The proposal is located within a highly accessible area. The site is located on two major bus corridors and is within close proximity of Leeds City Railway Station and other public transport facilities in the City Centre. It has excellent pedestrian and cycling connectivity to amenities and facilities including the City connect cycle route which is proposed to pass immediately in front of the building. This will make public transport and pedestrian and cyclist journeys far more attractive and will help to reduce the use of the private car. As a result of this there is expected to be limited traffic generation and consequent impact on the highways network.

The scheme will provide some 40 cycle parking spaces in the basement. In addition, showers, changing areas and lockers will be provided to encourage walking, jogging and cycling. The lay-by in front of the Majestic building, on the north side of Wellington Street, will be reinstated and be utilised for servicing.

In this case, where there is no possibility of providing parking on site, and public transport routes are in such close proximity, the transport and servicing provision for the site is considered to be acceptable.

### **8.31 Employment**

The applicant has advised that 'in terms of the construction jobs, it is estimated that the construction period will last for 18 months and 30-50 people will be on site at any one time. In terms of the proposed office use of the building itself, *it is* estimated that around 88% of the estimated jobs would be full time, with the remaining 12% part time. Therefore, taking the lower end of the estimated job creation figure, 465 full time employment jobs would equate to 520 actual jobs created.

### **8.32 CIL**

The calculation in respect of the Community Infrastructure Levy is £299,415

## **9.0 CONCLUSION**

Given the considerable number of advantages which this scheme would bring to both the building and the area in general it is considered that, on balance, these outweigh the less than substantial harm to the original fabric of the building to which objections have been raised.



**CONDITIONS FOR MAJESTIC FULL APPLICATION**  
**16/04913/FU**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

- 3) No external materials shall be used on the building until details and samples of that external walling or roofing material has 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.

- 4) Prior to works commencing on site full details, to include materials, elevations and sections of the following shall be submitted to and approved in writing by the Local Planning Authority:
- entrance steps
  - external doors
  - windows
  - external light fittings

These items shall then be constructed in accordance with the approved details and using the approved materials

In the interests of visual amenity

- 5) Construction of any new external terracotta block work shall not be commenced until a sample panel of the blockwork to be used has been approved in writing by the Local Planning Authority. The panel shall be erected on site to establish the details of the type, bonding and coursing of the block and colour and type of jointing material. The blockwork shall be constructed in strict accordance with the sample panel(s), which shall not be demolished prior to the completion of the development.

In the interests of visual amenity and to ensure that the blockwork harmonises with the elevations of the building.

- 6) There shall be no external storage of refuse, plant, materials or products in any area which is external to the building either on private land or on the public highway, whatsoever.

In the interests of amenity and visual amenity

- 7) Prior to the commencement of the internal works of fit out required to facilitate the uses hereby approved, a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, 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.

- 8) The rating level of the noise emitted from non entertainment sources (e.g. plant and machinery), shall not exceed 5dB below the existing background noise level (L90). Between the hours of 23.00 and 07.00 the peak noise levels from non-entertainment sources shall also not exceed a maximum of 58dB LAmax external to noise sensitive premises. The noise level shall be determined at the nearest noise sensitive premises, with windows open in a typical manner for ventilation. The measurements and assessment shall be made in accordance with BS4142:1997.

In the interests of the amenity of surrounding occupiers

- 9) Development shall not commence until a drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use.

To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP

- 10) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

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

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

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

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

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

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

- 13) No construction works shall begin until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:
  - a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
  - b) measures to control the emissions of dust and dirt during construction;
  - c) location of site compound and plant equipment/storage;

- d) access to, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles (including workforce parking)
- d) how this Statement of Construction Practice will be made publicly available by the developer.

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

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

- 14) Notwithstanding the approved details, before development is commenced full details of cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Leeds UDP Review (2006) policy T2 and T7A

- 15) Development shall not commence until details of works comprising reinstatement of the loading bay on Wellington St, including improvements to the City Connect cycle route along the Wellington St frontage, along with installation of short stay cycle parking and motorcycle parking, all shown in principle on drawing ref. 16-04913-2 at Wellington St and City Sq, have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully implemented prior to occupation.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

### **CONDITIONS FOR MAJESTIC LISTED BUILDING APPLICATION 16/04914/LI**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3) No external materials shall be used on the building until details and samples of that external walling or roofing material has 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.

- 4) Prior to works commencing on site full details, to include materials, elevations and sections of the following shall be submitted to and approved in writing by the Local Planning Authority:
  - entrance steps
  - windows
  - external doors
  - external light fittings

These items shall then be constructed in accordance with the approved details and using the approved materials

In the interests of visual amenity in accordance with the objectives of the NPPF

- 5) Construction of any new terracotta block work shall not be commenced until a sample panel of the blockwork to be used has been approved in writing by the Local Planning Authority. The panel shall be erected on site to establish the details of the type, bonding and coursing of the block and colour and type of jointing material. The blockwork shall be constructed in strict accordance with the sample panel(s), which shall not be demolished prior to the completion of the development.

In the interests of visual amenity and to ensure that the blockwork harmonises with the elevations of the building.

- 6) No method of repairing any damaged terracotta blockwork shall be used on the building until a method statement for its reparation has been submitted to and approved in writing by the Local Planning Authority. No repair works shall take place to the building until a sample area of the building has been repaired in accordance with the approved method statement and approved in writing by the Local Planning Authority and the remainder of the damaged areas of the building shall be repaired using the approved methods.

In order to ensure that the building is appropriately repaired.

- 7) No demolition or development shall take place on site until the applicant, or their agents or successors in title, has secured the implementation of a programme of architectural and archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological/building recording consultant or organisation, in accordance with a written scheme of investigation which shall first have been submitted to and approved in writing by the Local Planning Authority.

In the interests of the recording of this Grade II listed building.

- 8) The works of demolition and alteration to the interior and exterior of the listed building hereby permitted, shall not be undertaken before a contract for the carrying out of the refurbishment of the building has been let and a copy produced to the Local Planning Authority and planning permission has been granted for the refurbishment to which the contract relates. If this work is to be carried out on a phased basis then plans and a written statement detailing the extent of each of the phases shall be submitted to and approved in writing prior to the commencement of each phase and the relevant contract provided to the Local Planning Authority prior to the commencement of each phase.

To ensure the retention of important elements of the listed building and an orderly progress of work.

- 9) Notwithstanding the submitted plans hereby approved, full details of the new City Sq internal entrance area and the sections and materials to be used in the construction of the replacement proscenium arch feature, shall be submitted to and approved in writing by the Local Planning Authority. These items shall then be constructed in accordance with the approved details and thereafter retained on site.

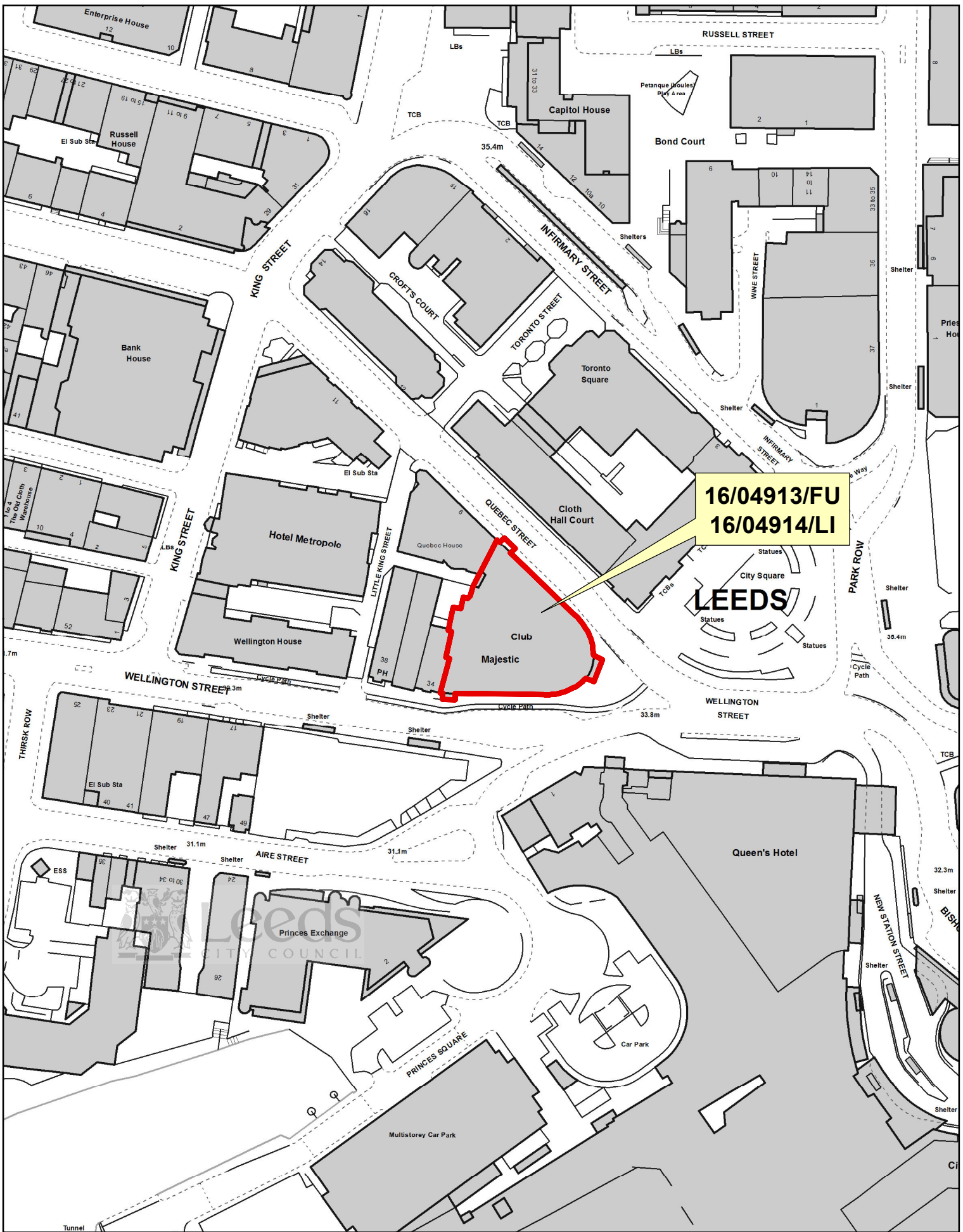
In order to protect the character of the interior of this Grade II listed building.

- 10) Notwithstanding the submitted plans hereby approved, details of the following internal features to be provided as part of the new internal light-well (remodelled Palm Court) to be inserted in the western side of the building shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
  - (i) Internal paint scheme to include sample and coloured elevations
  - (ii) Balustrading
  - (iii) Glazed dome and decorative surrounds
  - (iv) Flooring materials
  - (v) Underside of staircases and balconies

- (vi) Lighting
- (vii) Framing to full height glazing

These items shall then be constructed in accordance with the approved details and thereafter retained on site unless otherwise agree in writing by the Local Planning Authority.

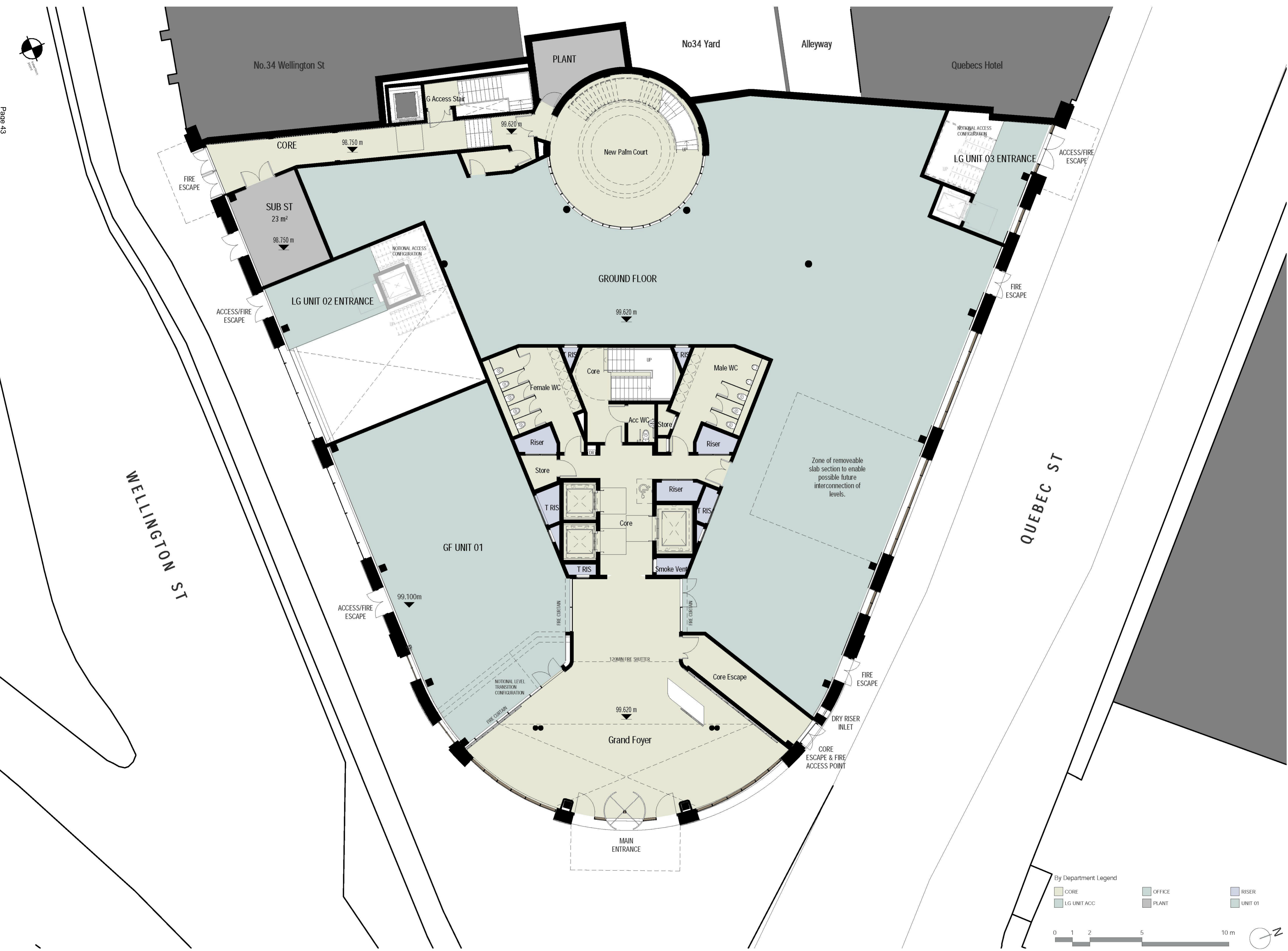
In order to ensure the interior of the building is constructed to the highest possible standards in accordance with NPPF and Core Strategy objectives



# CITY PLANS PANEL







PLANNING

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**PROJECT**  
 The Majestic Leeds

**TITLE**  
 Proposed Ground Floor Plan

**SCALE**  
 1 : 100 @ A1

**DATE**  
 27/07/16

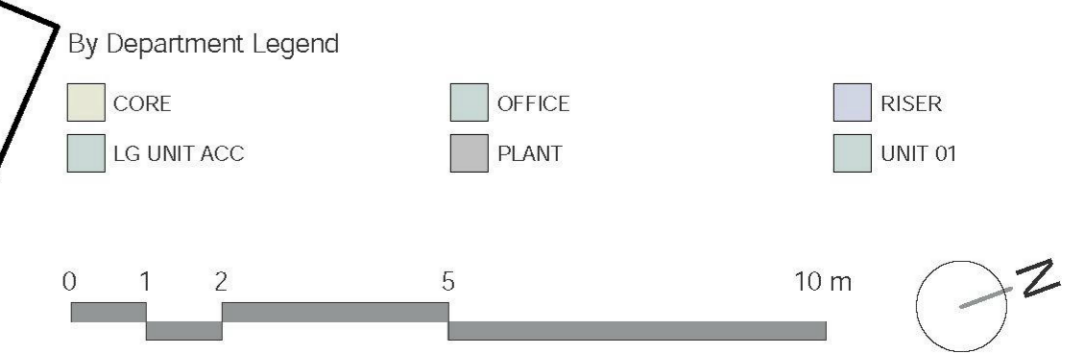
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**REVIEWED**  
 RCT

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 2015-233\_202

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Originator: Paul Kendall

Tel: 2478000

## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

Date: 17th November 2016

**Subject: 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 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**

**Applicant: Leeds City College**

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

**City and Hunslet**

Yes

Ward Members consulted

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: DEFER AND DELEGATE to the Chief Planning Officer subject to resolution of the outstanding matters**

- 1) Highways circulation, drop-off and servicing layout**
- 2) Wind impact conditions**
- 3) Travel Plan measures**

**and subject to the conditions specified at the end of this report (and any other conditions which he may consider necessary)**

## **1.0 INTRODUCTION:**

- 1.1 Leeds City College is the largest further education establishment in the City and has pursued an estate rationalisation and re-investment strategy since 2009. Their ultimate goal is to have two campus sites in Leeds based at the Printworks, Hunslet Road and one other. The College originally considered a remodelled Park Lane site as the second site but have now moved to their preferred option to deliver a purpose built campus in the heart of what the College consider to be an education/cultural

area based around Quarry Hill. The project will be funded in part by the College and in part by a bid through the Local Enterprise Partnership (LEP). The College programme schedules opening of the new campus for the 2018 academic year.

- 1.2 The Development Plan policies support educational development on this site. The proposal provides for the redevelopment of previously developed land within a main urban area, in a way that respects and enhances the local character and which will help integrate the site into the area, particularly the scheme approved in principle for the Quarry Hill site to the east. It would provide new public space and facilitate the opportunity to link to the network of routes and spaces within this area of the City Centre and beyond.
- 1.3 The site is sustainably located and the scale and high quality of the design will contribute positively to the character of the area especially in the context of the new Victoria Gate development to the west. It is expected that the regeneration of this prominent site, which has been vacant for a number of years, will encourage further investment into the local area and could have wider regeneration benefits for the city. It would deliver a use which will benefit surrounding uses and the wider community. The construction and operation of the college will create jobs and contribute towards building a strong economy.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The site is 0.64ha (1.58 acre) and is located on the northern side of the entrance to Quarry Hill. The site is bound by Eastgate (A61) to the north-west, the access road within Quarry Hill serving Playhouse Square to the east and an area of open space to the north of the West Yorkshire Playhouse known as Gateway Court. The site contains a steep grassed bank plus a number of trees and at present is enclosed by hoardings. The existing trees on site comprise a mixture of self-seeded vegetation principally located around the perimeter of the site (south and west) and three rows of trees which appear to have been more formally planted as an interim measure following demolition of the Quarry Hill flats in 1978
- 2.2 The site to the east (owned by Caddick Developments Ltd ) has received approval in principle from members at Panel. The nearest building, of this proposed scheme, to the application site is a residential block (Building F) which would be some 14.5m to the east of the Phase 2 (outline) element of the College proposal. The wider Caddick scheme is for a mixed use redevelopment including office, residential and retail floorspace in 6 buildings with large pedestrian dominated routes and public open space areas. To the south of this are Leeds College of Music (LCM) and its associated student residential tower, the Northern Ballet/Phoenix Dance HQ and Skyline apartment building. To the west of the site is the Eastgate roundabout which houses the Grade II listed former petrol station and then the car park for the new Victoria Gate development.

## **3.0 PROPOSAL**

- 3.1 Leeds City College are proposing a new build college facility which will be delivered in two phases. The floor spaces proposed under each part of the application are set out in the table below:

Phase 1: Proposed Development (detailed)

<u>Use</u>	<u>Floor Space</u>
Digital and Creative Arts	7,500m <sup>2</sup>

Leeds College of Music	1,170m <sup>2</sup>
Health and Social Caring	6,673 m <sup>2</sup>
Total	15,480m <sup>2</sup>

#### Phase 2: Proposed Future Development (Outline)

<u>Use</u>	<u>Floor Space</u>
Sixth Form /Higher Education	10,000m <sup>2</sup>
Total	10,000m <sup>2</sup>

- 3.2 This application is a hybrid with the proposals relating to Phase 1 of the scheme submitted in detail and Phase 2 submitted in outline. Phase one floor space is intended to have a student enrolment total of 2,700 students, although the College has advised that only two thirds of this number are likely to be on site at any one time.
- 3.3 The building remains a series of linked building blocks sitting on a plinth which follows the curved frontage to Eastgate. The blocks step up in height (5 storeys up to a maximum of 10 storeys) from the lowest point in the south-western corner of the site, when the proposal is at its closest to the Grade II listed former petrol station in the centre of Eastgate roundabout, to the highest point in the north-east, where it relates to the heights of the neighbouring scheme which has previously been approved by Members. The indicative envelope for the phase 2 outline buildings also steps down from north to south and would act as a back-drop to the detailed buildings described above. This has been submitted as an 11 storey building at its northern end, dropping to 10 storeys to the south. At the time of writing this report the college were reviewing their floorspace requirements and were considering reducing the height of the lower, 10 storey element. The position on this will be reported verbally to Members at Panel.
- 3.4 The proposals have been developed to align on key vistas and respect the entrance to the Quarry Hill site from Eastgate at Gateway Court. The buildings are progressively stepped back on the east/west axis to create a tiered effect. This also facilitates the delivery of an external terrace area which provides the opportunity to integrate with Gateway Court. A publicly accessible route through the buildings, to the main central area of open space, is also proposed on this southern elevation to provide pedestrian permeability and an even greater integration with the public realm to the south. This central area is looked over by a first floor terrace which will provide a facility for the students and the opportunity to provide further visual interest by animating this raised space. It is proposed that 22 trees are planted on the site.
- 3.5 The design of the building was generally supported by City Plans Panel at pre-application stage although there was some criticism of its lack of finesse. Therefore, the architects have made a series of changes to the scheme. Most notably these include:
- The removal of the vertical column from the leading corner of the building and the reduction in the number of mullions to increase the glass to solid ratio in the other primary glazed elevations.
  - The sloping of the parapet roofs of the elements which sit around the radius fronting Eastgate so that they create a gradual curved fall from the highest

northern point facing up Regent St, around and down to the corner. This has the added advantage of providing a taller screened area for the location of rooftop plant and equipment which has enabled the lowest corner building to be freed from plant and equipment and given over to a roof top recreation zone which can be planted and landscaped accordingly.

- Amendments to the plinth including the introduction of curved corners, the insertion of greater amounts of glazing and lighting, show cases for the display of students work and sections of green wall.
- Consideration of a more curved organic and less geometric pattern to the lazer cut metal screens to the flank walls of each element, in order to give a more flowing backdrop to each element.

3.6 The Travel Plan sets out that the scheme is intended to promote a car free development, proposing to make provision for servicing and disabled parking only on site. Ten car parking spaces large enough to accommodate the requirements of disabled badge holders vehicles are proposed in the location of the Phase 2, outline proposal. These would be accessed from Playhouse Square. The intention is that these would be incorporated into the lower level of the subsequent Phase 2 reserved matters submission and would therefore be a permanent feature on the site.

3.7 The site is highly accessible on foot or by bike from a range of local transport hubs (main bus, coach and railway stations) and there are excellent public transport options available for journeys from further afield. Cycle parking will also be provided on site within purpose built enclosures. A Travel Plan coordinator will be appointed and they will promote the use of public transport, cycling walking and other non-car modes of transport. The Travel Plan sets out that travel packs will be provided containing relevant information on public transport and that Student Bus Passes will provide a strong incentive to use public transport. These measures, coupled with the proximity to the bus station will result in a high percentage of trips to be made using this mode.

3.8 An extended Phase 1 Habitat Survey has been undertaken for the site. This sets out the measures to be put in place to protect wildlife species during clearance of the existing trees on the site and the potential for replacement tree planting and the creation of new habitats.

3.9 A Phase 1 Geo-environmental Desk Study has been undertaken to inform the development proposals. Previous ground investigation has confirmed the presence of Made Ground across the site, which predominately comprises building rubble and demolition material with some clays and sands. This is most likely the remnants of the Quarry Hill flats which stood here until the early 1970's.

3.10 In respect of sustainable features included in the building:

- The building has been designed with the following sustainable features
- Developing the design to achieve BREEAM Excellent
- Energy efficient plant and equipment to be utilised including LED lighting which provides up to 50% saving on energy consumption as opposed fluorescent lamps
- Photo-voltaic technology to be incorporated in to roof top areas

- Incorporation to energy efficient lifts, IT equipment and white goods to ensure optimum performance and energy savings in operation
- Minimising solar heat gain through passive measures including solar control glazing and architectural features
- Maximise natural daylight within occupied areas to promote wellbeing
- Use of low water using sanitary appliances
- Use of low Global Warming Potential (GWP) cooling where feasible
- Control of external plant noise
- High standard of building fabric thermal insulation and reduced air permeability to reduce heat losses

3.11 In addition, there is the potential for the building to be served by the proposed Leeds City Council district heating network, served by the new recycling and energy recovery facility at Cross Green. This provides a more sustainable source of heat for the building as opposed to the burning of fossil fuels such as natural gas or oil and also supports the use of the new district heating network.

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

4.1 This application was brought to Members for a Pre-application presentation by the developer team in July this year. The minutes of the meeting state the following:

- Mixed views were expressed about the appearance of the proposed plinth, the use of good quality materials, arrangement of windows and an LED lighting scheme may address some of the issues raised
- Further consideration was required to the connectivity with neighbouring sites: Victoria Gate, the West Yorkshire Playhouse and the Caddick development site. For example would it be possible for a footbridge to be provided linking Victoria Gate to the college/ Gateway Court.
- There were mixed views that the building blocks appeared to lack finesse, “they were too masculine”
- Members welcomed the fact that the aim was to achieve BREEAM Excellent for the development
- Greater emphasis on soft landscaping and the use of trees was highlighted Further details around the need for roof top plant and the opportunities for providing green roofs and/or using roof mounted solar panels was required
- The preparation of a travel plan for staff transferring from the Park Lane site to the new Quarry Hill site was required

In response to questions outlined in the report, Members considered that:

- the proposed uses for the building to be acceptable,
- further consideration was required around the detailed form of the building and architectural treatment
- further consideration was also required in respect of achieving an enhanced public realm provision, particularly along Eastgate adjacent to the building plinth

- Members agreed in principle with the approach to providing limited car parking on the phase 2 site

Overall Members were generally supportive of the proposal

4.2 The site has an extensive planning history and of particular relevance are the following:

- a. A multi-level hotel development up to 13 storeys, with, casino, bars/restaurants and basement car parking, (Application 07/04522/FU) was approved on 7 August 2009. The permission was extended in October 2012 (Application 12/03111/EXT) but has now lapsed in October 2015.
- b. Caddick have recently obtained approval in principle for an outline permission for mixed use office residential, restaurant, bars, retail and educational uses on the majority of the land between the proposed college site and Quarry House to the east. App. Ref. 14/06534/OT.
- c. The site between the Caddick scheme and the A64 has an extant permission for the construction of a mixed use office and multi-storey car park development up to 14 storeys. This was originally approved by application ref. no. 08/06093/FU and then extended by app. ref. 12/03110/EXT. This permission lapses in October 2017.

## 5.0 CONSULTATION RESPONSE

### 5.1 Statutory Consultation Responses

**Environment Agency:**

No objection

**Coal Authority:**

This site is not within the defined high risk area.

### 5.2 Non-Statutory Consultation Responses

**Highways Services**

Highways Services have requested further information and clarification in relation to the potential traffic impacts of the development. In particular they have highlighted the need for a robust drop-off, delivery and servicing strategy as well as clarification and a proper assessment of the expected travel patterns associated with the development.

**Travelwise (Travel Plans):**

The details of this remain to be agreed. A Travel plan Review fee of £2,400 has been agreed. Travelwise have advised that the plan needs to make reference to the overarching Travel Plan which exists for other City College sites. The Travel Plan needs to be extended to make reference to the age range of the students, the opening and closing times, the results of staff and student surveys on travel modes. Also, there is no evidence of how staff and student drop-offs will be managed. More detail on the provision of cycle parking should be included. An action plan should be provided and travel targets set for a 5 year period with appropriate monitoring and review.



**Yorkshire Water:**

No objection. Details of surface water drainage to be agreed by condition.

**Flood Risk Management**

Note that a very small section of the south-west of the site is within a Flood Zone 3 flood risk area. No objection subject to condition requiring submission of surface water drainage works.

**Policy – Sequential test (flooding)**

The area of search for the sequential test is the 10 minute walking isochrone from the Leeds bus and train stations and this is entirely appropriate for an educational college which will be attracting people from all over the district, largely arriving by bus and train. Furthermore they have taken a sequential approach to the layout of the site so that the built development avoids the small part of the site that is in flood zone 3a. The applicant has adequately demonstrated that the flood risk sequential and exception tests have been passed.

**Sustainability - Contaminated Land**

The submitted reports are acceptable and remediation requirements can be adequately controlled by condition.

**Sustainability – Bio-diversity:**

A Bat Roost survey has been submitted and shows that no roosts have been identified in trees. Recommend conditions to protect nesting birds and provide bio-diversity improvements including the use of integrated bat roost and bird nesting features in the final built structure and the carrying out of a detailed check of vegetation prior to removal, if it is to be taken away during the bird nesting season.

**Air Quality Management Team:**

No objection. If a mechanical ventilation system is proposed then this should not be fed from the Eastgate elevation. Also recommend Electric Vehicle charge points be included in the proposal. (The applicant has confirmed that the ventilation system will not be fed from the Eastgate elevation)

**WYAAS:**

Note that on historic maps the location of a Roman Camp is identified to the east of the application site. Realise that much of this land has been disturbed by the previous construction of the Quarry Hill flats and that the Roman Camp is only a 'supposed site' rather than one which has any hard evidence. However, wish a watching brief to be agreed such that the site is attended by a qualified professional whilst ground works are taking place.

**WY Police Architectural Liaison Officer:**

No objection: The building incorporates a range of security measures including: access control; protection of large glass frontages; CCTV; Lighting and on-site security. The development creates a safe and secure environment that reduces the opportunities for crime without compromising community cohesion.

**Wind:**

Arup have been requested by the council to carry out a Peer Review of the submitted wind study. Arup have requested clarification on some aspects of the methodology and data used by the applicant's consultant to demonstrate that the wind impact will be acceptable. In addition, Arup consider that due to the height of the proposed development and the fact that the site is exposed to the south-west, there will be a risk of exceedance of distress conditions near the buildings corners

and recommend that more information on the numerical simulations carried out by the applicants should be provided to justify that the development would not result in unsafe wind conditions.

## 6.0 REPRESENTATIONS

### 6.1 Leeds Civic Trust (LCT)

LCT are pleased to see this use on the site as it will add to the existing educational and cultural uses providing greater life and activity. The scheme breaks up the mass of the building well into discreet but coherent sections with emphasis given to the corner due to its different cladding. LCT have concern about the detail of the filigree screen, which should be considered at this stage. They also have concerns that the base will look too austere even though it contains windows. Given the desire to improve the St Peter's St crossing more should be made of opening the building up to the street to make the pedestrian environment more open, active and accessible.

### 6.2 Caddick Developments Ltd

A letter of representation has been received from the agent representing the owners of the site to the east, Caddick Developments Ltd. They support the proposal in principle as it would add further vitality and viability to the overall Quarry Hill area. However, they consider that the following should be amended:

- Make the plinth to Eastgate less solid
- Provide an entrance to the building through the plinth.
- Reduce the scale of the buildings fronting Gateway Court
- Reduce the height of phase 2 at its southern half and increase the height in the northern half to reduce the canyon effect between the proposal and the nearest building on the Caddick site. (Building F)

They wish to protect the amenity of the future occupiers of buildings included on their outline proposal and want the scale, mass, height, footprint, access, landscaping and materials to be appropriately controlled by condition. They would like parameter plans and a design guide to be approved as part of this proposal. Also ask what timescales would be placed on the outline element for the submission of reserved matters and request that the treatment of the interim parking area and bin storage facilities be of a good quality, as this interim state may exist for a period of time prior to the erection of the second phase of development.

Question what public realm is to be delivered by this proposal as part of the wider Quarry Hill site.

Believe that access arrangements to the site impact on disabled car parking in playhouse square.

Caddicks S106 agreement is required to provide contributions towards off-site highway works, public transport improvements and cycle improvements. They consider the college should make a proportionate contribution in respect of these elements given the scale of the college proposal and the fact that it is relatively car free.

### 6.3 Occupier of a residential property on Ladybeck Close

Objects to the proposal on the following grounds:

Wishes the site to be left as it is and preserved as a wildlife area. Many types of bird and animals have been observed including bats (which are a protected species). Also points out that an ecology report is required. Makes it clear that trees also help to clean the air. Objects to the noise and disturbance the building would bring and considers an eleven storey building is too tall in this location and would block light from their unit.

#### 6.4 2 no. additional representations

Two further letters of objection from named objectors of unknown addresses raise the following points:

- Loss of wildlife habitat – also to the detriment of the environment
- Would result in a worsening of air quality
- Add to traffic congestion in the area
- Detract from the appearance of the Playhouse
- Should be located on a truly brownfield site

#### 6.5 Letter of support from occupier of Hope House Mabgate

A letter of support has been received from the occupier of Unit 9 Hope House who considers that the area needs redeveloping and bringing into use and that an education use is the best possible use for this site.

#### 6.6 A Statement of Community Involvement

A public exhibition was held on Thursday 4th August 2016 at West Yorkshire Playhouse from 3:00pm to 7:00pm. The event was advertised in the Yorkshire Evening Post prior to the event on Friday 29th July. Twenty site notices were also put up in locations near to the Site on Friday 29th July 2016. Local Stakeholders were also notified by letter.

There was an attendance sheet available at the event which was signed by 34 people. Of the responses gathered 20 out of 21 (1 uncertain) said that the site was suitable for Leeds City College. 17 out of 21 (4 uncertain) said that they thought the architectural treatment was acceptable.

The majority of responses received were supportive of the overall proposals and did not warrant any significant changes to the proposals presented. Some responses did provide comments about improvements to the scheme, mainly referring to the design, layout, scale and massing of the proposals, parking provision, open space and the public realm.

## 7.0 **RELEVANT PLANNING POLICIES**

### 7.1 **The Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

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

## 7.2 National Planning Policy Framework (NPPF)

The NPPF identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development;
- Seek high quality design and a good standard of amenity;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and the reuse of land that has previously been developed.

Section 7 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments; and
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

## 7.3 Core Strategy

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

### *Spatial and economic policies*

Spatial Policy 1: Location of Development prioritises the redevelopment of previously developed land within the Main Urban Area, prioritising urban regeneration and taking advantage of existing services and high levels of accessibility.

Spatial Policy 3: Role of Leeds City Centre seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region through a number of criteria. These criteria include comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space; enhancing streets and creating a network of open and green spaces to make the City Centre more attractive; and improving connections between the City Centre and adjoining neighbourhoods.

Spatial Policy 8: Economic Development Priorities supports a competitive local economy through promoting the development of a strong local economy through enterprise and innovation; job retention and creation, promoting the need for a skilled workforce, educational attainment and reducing barriers to employment opportunities and by supporting training/skills and job creation initiatives via planning agreements.

Spatial Policy 11: Transport Infrastructure Investment sets out a series of spatial priorities for the delivery of an integrated transport strategy for Leeds. One priority is

related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre.

#### City Centre policies

Policy CC1: City Centre Development sets out the planned growth within the City Centre. University, and college facilities are to be retained in the City Centre. All other town centre uses will be supported in the City Centre providing the use does not negatively impact on the amenity of neighbouring uses.

Policy CC3: Improving Connectivity between the City Centre and Neighbouring Communities sets out the requirement to improve routes connecting the City Centre with adjoining neighbourhoods and improve connections within the City Centre through developer contributions.

#### Design, conservation, transport and other policies

Policy P9: Community Facilities and Other Services recognise the importance of local community facilities and services, such as education, in relation to health and well-being. New community facilities and services should be accessible by foot, cycling or by public transport. The scale of the facility or service should be relative to the level of need within the community and its proposed location within the Settlement Hierarchy.

Policy P10: Design requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function. New development is also required to deliver high quality inclusive design. Policy P10 sets out a series of key design principles for new development, in relation to size, scale, design, layout, existing assets, amenity and accessibility.

Policy P11: Conservation states that the historic environment and heritage assets will be conserved, including their settings, particularly those elements which help to give Leeds its distinct identity.

Policies T1: Transport Management and Policy T2: Accessibility Requirement and New Development identify transport management measures and accessibility measures to ensure new development is adequately served by highways and public transport, and provides safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policy G5 requires sets out the requirement for open space as part of major schemes. Note 20% on-site requirement in City centre where site is over 0.5 Ha.

Policy G9: states that development will need to demonstrate biodiversity improvements resulting in an overall net gain for biodiversity.

Policies EN1: Climate Change – Carbon Dioxide Reduction and EN2: Sustainable Design and Construction set targets for CO2 reduction and sustainable design and construction, and a minimum requirement for 10% of the predicted energy needs of the development to be provided from low carbon energy.

Policy EN5: Managing Flood Risk identifies a series of requirements to manage flood risk.

Policy EN6: Strategic Waste Management requires development to demonstrate measures to reduce and re-use waste both during construction and throughout the life time of the development.

Policy ID2: Planning Obligations and Developer Contributions sets out the requirement for Community Infrastructure Levy and S106 planning obligations and developer contributions.

#### **7.4 Leeds Unitary Development Plan Review 2006 – Saved Policies**

The UDPR saved policies of relevance to this scheme are:

GP5 All relevant planning considerations (including access, drainage, contamination, stability, landscaping and design) are to be resolved.

BD2 New buildings should complement and enhance existing skylines, vistas and landmarks.

BD6 alterations and extensions should respect the scale, form, detailing and materials of the original building.

LD1 Sets out criteria for landscape schemes.

#### **7.5 Natural Resources and Waste Local Plan**

The Natural Resources and Waste DPD sets out where land is needed to enable the City to manage resources, such as minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding drainage, air quality and land contamination are relevant to this proposal.

Policy AIR 1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated.

Policy WATER 4 - All developments are required to consider the effect of the proposed development on flood risk, both on-site and off-site.

Policy WATER 6 - All applications for new development will be required to consider flood risk, commensurate with the scale and impact of the development.

Policy LAND 2 – Development and Trees – requires a 3 for 1 replacement of trees lost on site. Off-site planting or a financial contribution will be required if this is not possible.

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

SPD Parking

SPD Street Design Guide

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPG City Centre Urban Design Strategy

### **8.0 APPRAISAL**

#### **8.1 Use**

Both local and national policy is in support of educational use in this city centre location. It is also part of the much larger Quarry Hill site on which a wider mix of uses has already been agreed in principle. This use would complement those other uses as well as those educational uses which already exist on the southern side of Quarry Hill. Therefore, officers consider that the use of this site as an educational establishment for Leeds City College is acceptable.

#### **8.2 Design**

The building has been set out in a number of blocks and officers consider that this enables it to respond well to the unusual shape of the site, as well as the topography, as it rises up the hill and around the curved Eastgate frontage. This

approach has also provided the opportunity for an architectural treatment which is consistent across the site but which contains subtle variations to produce an overall scheme which reads well together and does not look like one large mass. This block approach also enables pedestrian penetration to be achieved between the buildings and this is particularly evident at the southern elevation on to Gateway Court, where access through to the central open space area is proposed.

- 8.3 The solid plinth has been opened up considerably with clear and translucent glazed elements and green walls introduced to improve visual interest and permeability. This environment fronts Eastgate which is heavily trafficked and therefore some element of protection has to be afforded to the sensitive uses within the plinth. The introduction of an entrance way in the plinth does not align with the college's management of the site with the main entrances being at courtyard level. Officers considered that the plinth design, as now proposed, is acceptable.
- 8.4 The plinth also manages the levels change between Eastgate and Playhouse Square and offers the opportunity for an external space on the terrace which will be publicly accessible. It will also be used by the café in the lower level of the corner unit which will help to animate the building and the space. The ability of the public to access these spaces will be controlled by condition.
- 8.5 The buildings are stepped progressively up on the east/west axis to create a tiered effect which reflects the buildings on the northern side of Eastgate. This creates a view from Eastgate which draws the eye into the main body of Quarry Hill. It is for this reason that the roofs of the blocks facing south have been kept horizontal so that they follow the pattern of horizontal stepping parapet heights which are in evidence along the length of both sides of Eastgate and the Headrow. This also provides some distinction between these and the blocks which curve round the Eastgate frontage.
- 8.6 The opportunity is being taken to introduce lighting to the facades and this is being achieved using the vertical fin mullions incorporated within the glazing system. This approach is supported and the illumination of the building in this prominent location will provide an impressive appearance during the hours of darkness visible over considerable distances.
- 8.7 The design of the building was generally supported at pre-application stage although there was some criticism of its lack of architectural finesse. Therefore the architects have made the series of changes to the scheme outlined above in order to address the comments made by Members and also to refine and improve the scheme. It is considered that these changes, whilst not impacting on the basic format of the building, have considerably improved the form and elevational detailing to the extent that it is now considered to be a high quality piece of contextual architecture and is acceptable.
- 8.8 The height and plan of the Phase 2 element of the scheme are set out on the submitted plans and these will form part of the approved package of drawings. This is subject to the review of the height of the lower element of the building currently being undertaken by the College at the time of writing this report. The outcome of this review will reported verbally to Members at Panel. The stepping down to the

south follows the principle adopted for the Caddick scheme to the east which also steps down in this way and is acceptable. Final details of the elevational treatment and layout will be the subject of an application for reserved matters. All other details will be subject to the conditions set out at the end of this report.

## **8.9 Landscaping and Tree Loss**

8.10 The site was landscaped to provide a visually pleasing appearance following the demolition of the Quarry Hill flats. However, it has taken so long to bring this site to the point of development that this temporary treatment has matured and has been supplemented by self-seeded plants and trees, such that the resultant appearance is of a small densely treed area. This site has always been designated as a site for development and has had a series of permissions which are in line with this allocation.

8.11 The trees have been reviewed as part of the current proposals and in total there are 29 trees that form part of this group, some of which have major defects (6), including fire damage. The trees with defects necessitated further bat survey work given their bat roost potential. The health and amenity value of these 6 trees is therefore questionable. Therefore, there are only 23 of the originally planted trees which have some amenity value that are required to be removed as part of the proposals.

8.12 Policy Land 2 requires a 3 for 1 replacement of trees lost on site. Based on the 23 healthy trees identified above this would mean a replacement of 69 no. trees. Clearly due to the size of the site, and the scale of the development, it would be impractical to provide this number of replacement trees. However, as part of the proposals 22 no. potential tree locations have been identified on site, which are likely to provide a good opportunity for robust planting to take place with potential to realise high amenity value in the future.

8.13 In addition a financial contribution of £586,000 to the setting out and landscaping of Gateway Court has already been secured as part of a previous land transaction on this site. This is likely to result in opportunities for additional tree planting, although the exact numbers can't be identified at this stage. The opportunity for off-site street-tree planting in the vicinity of the site is likely to be prohibitive and limited due to the likely presence of underground infrastructure.

8.14 It is also the case that, as part of the redevelopment of this site, approximately 30 % of the site area will be laid out as publicly accessible open space. This area will also be directly accessed from Gateway Court leading to a series of linked spaces which will provide for an interesting environment and creation of a sense of place.

8.15 The loss of the existing trees also has to be balanced against the wider benefits to the City which have been referred to in this report.

8.16 Therefore, in this case, the provision of open space, extensive landscaping and a long standing financial sum for the setting out of Gateway Court is considered to offset the loss of the existing trees and the failure to provide a 3 for 1 tree replacement is not considered sufficient reason to resist the proposal.

## **8.17 Amenity**



- 8.18 The tallest buildings will be on the northern part of the site, a format approved as part of the previous hotel scheme. This is some 35m away from the existing residential units on the western side of Eastgate and in this city centre context, this is considered to be an acceptable relationship. It is also noted that there is an existing line of trees set inside the boundary wall along the Eastgate frontage which provides an additional level of visual screening to a number of the residential units, particularly when the trees are in leaf.
- 8.19 To the east, the Phase 2 building would be a minimum 14.5m away from Building F on the adjacent Caddick development site. The tallest part of the building is at the northern end of the site and is reduced in height opposite Building F. The opportunity to control the design and detailing of both of these buildings will exist at reserved matters stage in order to avoid the potential for over-looking and loss of privacy. The proposed distance between the buildings and their position relative to each other is reflective of the tight urban grain of the city centre context and is considered to be acceptable.
- 8.20 **Highways**
- 8.21 The scheme has been designed to be car free, albeit that 10 spaces are allocated on site as disabled bays. The information provided by the college from evidence taken from their existing sites is that 72% of students travel by bus, 12% by train, 7% walk/run, 1% cycle and 0.5% use a motorcycle. 3% drive and 4% are a passenger in a car or taxi. These figures relate to existing sites which are on the edge of the city centre and have a small amount of car parking. This site is much closer to the central bus station and has no car parking and therefore a greater proportion of bus travel may be expected. Therefore the attempt to shift behaviour patterns towards sustainable modes of transport does not apply here as that already occurs due to factors such as the age of the students and their lack of car ownership. Indeed it is precisely because of the proximity of the site to the bus station that the College selected this site.
- 8.22 The College states that drop-offs are expected to be a relatively small number and can be accommodated by the on-site facility. This is likely to be at its peak in the morning, prior to the commencement of lectures, and therefore well outside the times when the Playhouse would be in operation. The college advises that students leave the site on a gradual basis rather than all at one time and so any pick-ups would be expected to be well accommodated.
- 8.23 Playhouse Sq would be reduced in size when the Caddick scheme comes forward but would remain of a size which would allow large vehicles to be able to turn. Coach drop-off for the Playhouse would be accommodated on another part of Quarry Hill when Playhouse Sq is reduced in size and this arrangement is being coordinated by LCC as part of a separate agreement.
- 8.24 Servicing will take place from the access route within the site and cycle parking and refuse storage facilities would be provided in an accessible location to make it practical and easy to access from this route.

Notwithstanding the above, Highways Services have requested a more robust assessment of the expected travel patterns associated with the development, further details of the drop-off arrangements and the precise layout of the interim parking and servicing area. In addition, the Travelwise team have requested clarification and changes to the Travel Plan as summarised above. Members will be updated verbally at Panel on the outcome of these discussions.

#### **8.25 Sustainability**

The scheme is targeting BREEAM excellent which is welcomed. The site is clearly in a highly sustainable location and has a very low reliance on the private motor vehicle. The measures being included ranging from low energy light fittings and photo-voltaic technology to the potential connection to the district-wide heating system are all to be fully supported and are considered to be acceptable.

#### **8.26 Bio-diversity**

Bat activity surveys have shown that there is no roosting on the site. If site clearance is to be undertaken during the bird nesting season then it is advised that a nesting bird check should be carried out by a suitably experienced ecologist immediately prior to works being undertaken. A condition will ensure that this takes place and that bird and bat roosts are provided as part of the final scheme

#### **8.27 Flooding and Drainage**

A Flood Risk and Foul Drainage Assessment has been undertaken to inform the development proposals. Whilst the EA Flood Map indicates a small proportion of the proposed development site is in Flood Zone 3, the technical FRA confirms that there is no actual impingement of Flood Zone 3 into the site. The Sequential Test has demonstrated that there are no reasonably available sites which are appropriate for the proposed development in areas with a lower probability of flooding. The Exception Test has demonstrated that the development provides significant wider sustainability benefits to the community that outweigh any flood risk. A site specific Flood Risk Assessment has also been prepared which demonstrates that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. The development can be connected to the existing drainage network and a condition will be used to control details of this. Therefore, in respect of flooding and drainage, the proposal is considered to be acceptable.

#### **8.28 Noise and ventilation**

In order to achieve the recommended indoor ambient noise levels it is expected that enhanced glazing will be required with standard glazing acceptable on less exposed facades. This will ensure that the development is designed such that it is suitable and fit for purpose for teaching and learning activities. Additional consideration is to be provided for specialist spaces, which include music studios and recording facilities.

8.29 With regard to the proposed ventilation strategy, it is expected that full mechanical ventilation will be provided throughout the building and the recommendations of the LCC Air Quality team taken in to account, in that fresh air intake will be from the part of the building which does not front Eastgate.

8.30 The site is some distance away from residential units across Eastgate although units are proposed to the east on the adjacent Caddick development site. Despite this,

noise levels from new plant and equipment will be designed to meet the LCC criteria of a noise rating level of 5 dB below the background noise level at the nearest existing sensitive residential receptors.

8.31 Given the city centre location, the site already experiences high levels of background noise. The proposal is not expected to cause an unacceptable impact on existing sensitive receptors and is therefore acceptable.

### **8.32 Wind**

As stated above the Peer Review by Arup has resulted in a request for clarification on some aspects of the methodology and data used by the applicant's consultant to demonstrate that the wind impact will be acceptable. In addition, they have advised that due to the height of the proposed development and the fact that the site is exposed to the south-west, there will be a risk of exceedance of distress conditions near the buildings corners. Arup have recommended that more information on the numerical simulations carried out by the applicants should be provided to demonstrate that there will not be a safety issue resulting from the development. Officers have asked the applicant to address these matters and Members will be updated on this matter verbally at Panel.

### **8.33 Employment**

The consolidation and concentration of the College functions on the key City Centre sites at the Printworks and the new Quarry Hill site proposed will contribute to a competitive local economy, promoting opportunities for a skilled workforce, educational attainment and reducing barriers to employment opportunities and by supporting training/skills and job creation

### **8.34 CIL**

As this is a publicly funded education establishment the proposal is exempt from the payment of the Community Infrastructure Levy

## **9.0 Conclusion**

9.1 The Development Plan policies support educational development on this site. The proposal provides for the redevelopment of previously developed land within a main urban area, in a way that respects and enhances the local character and which will help integrate the site into the area, particularly the scheme approved in principle for the Quarry Hill site to the east. It would provide new public space and facilitate the opportunity to link to the network of routes and spaces within this area of the City Centre and beyond.

9.2 The site is sustainably located and the scale and high quality of the design will contribute positively to the character of the area especially in the context of the new Victoria Gate development to the west. It is expected that the regeneration of this prominent site, which has been vacant for a number of years, will encourage further investment into the local area and could have wider regeneration benefits for the city. It would deliver a use which will benefit surrounding uses and the wider community. The construction and operation of the college will create jobs and contribute towards building a strong economy.

**CONDITIONS FOR QUARRY HILL LEEDS CITY COLLEGE  
16/05468**

- 1) Phase 1 of the development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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) Development shall not commence on Phase 2 as defined on plan ref. XXXX until approval of the following details (hereinafter referred to as the reserved matters) have been obtained from the Local Planning Authority,
  - a. Appearance
  - b. Landscaping
  - c. Layout

Plans and particulars of the reserved matters shall accord with the approved design parameters set out in doc. ref. XXXX and shall be submitted utilising a planning application form and shall be carried out as approved.

Because Phase 2 of the application is in outline only and the above details have not been submitted, they are reserved for subsequent approval by the Local Planning Authority

- 3) Application for approval of reserved matters for Phase 2 of the development as shown on plan ref. A04 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The Phase 2 development shall be implemented either within 5 years of the date of this permission or no later than 2 years from the date of approval of the reserved matters whichever is the later.

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

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

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

- 5) No building works shall take place for each phase of development until details and samples of all external walling and roofing materials to be used in that phasee

have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site prior to the commencement of building works for that phase, for inspection by the Local Planning Authority which shall be notified in writing of their availability. The building works for that phase shall be constructed from the materials thereby approved.

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

- 6) No building works for the first phase of development shall take place until details and samples of all surfacing materials to the terrace and courtyard area have been submitted to and approved in writing by the Local Planning Authority. The surfacing works shall be constructed from the approved materials.

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

- 7) No works to or removal of trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation or built structures for active birds' nests immediately before (within 24 hours) the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority within 3 days of such works commencing.

In order to protect nesting birds in vegetation and built structures in accordance with the Wildlife & Countryside Act 1981 (as amended) and BS 42020:2013.

- 8) Prior to the commencement of development for each phase of development, a plan shall be submitted to and approved in writing by the Local Planning Authority of: integral bat roosting features within buildings; and bird nesting features (for species such as House Sparrow and Starling) to be provided within buildings and elsewhere on-site for that phase. The agreed plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a commitment to being installed under the supervision of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the phase of development on which they are located and retained thereafter.

In order to maintain and enhance biodiversity in accordance with Core Strategy Policy G9, NPPF, and BS 42020:2013.

- 9) Development shall not commence on each phase of development 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. 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 (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- j) schedules of plants noting species, planting sizes and proposed numbers/densities.

All hard and soft landscaping works shall be carried out for each phase 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 for each phase and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

- 10) 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 adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 11) A landscape management plan for each phase of development, 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 each phase of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 12) Development shall not commence in each phase of development until a scheme detailing surface water drainage works for that phase, including hydraulic calculations, has been submitted to and approved in writing by the Local Planning Authority. A 5 l/s allowable rate of discharge shall be permitted by the Local Planning Authority and surface water attenuation system shall be provided which ensures that the allowable discharge rate is not exceeded for the 1 in 100 year event including a 30% uplift for climate change. The works for each phase shall be implemented in accordance with the approved scheme before that phase of the development is brought into use.

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

- 13) No development shall take place for each phase of the development until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording for that phase. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

In order to ensure any historic artefacts and or evidence is correctly recorded in accordance with the objectives of the NPPF and adopted Leeds Core Strategy 2014

- 14) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence on each phase of development until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development shall not commence on that phase until a Remediation Statement demonstrating how the site to be developed as part of that phase 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 in respect of that phase.

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

- 15) If remediation is unable to proceed for each phase of development in accordance with the approved Remediation Statement, or where significant unexpected

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

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

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

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

- 17) There shall be no playing of amplified sound in any external area within the curtilage of the building.

In the interests of the amenity of residential occupiers of nearby residential and commercial occupiers in accordance with policy GP5 of the Leeds UDP (Review) 2006 .

- 18) No mechanical ventilation or air conditioning system shall be installed or operated within each phase of the development 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 policy GP5 of the Leeds UDP (Review) 2006.

- 19) The areas indicated on the submitted plans hereby approved to be made available for use by the public shall be retained as accessible to the public at all times of the day and night save for 1 day in each calendar year to prevent the creation of public rights of way. This access shall run for the lifetime of the development.

In order to provide publicly accessible open space in accordance with the requirements of policy G5 of the adopted Leeds Core Strategy 2014



- 20) All noise from mechanical plant shall be attenuated to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997

In the interests of the amenity of occupiers of the hotel rooms and nearby premises in accordance with adopted Leeds UDP Review (2006) Policy GP5 and the National Planning Policy Framework

- 21) No development of any phase, excluding any works of demolition or site clearance, shall take place until details of a Training and Employment Management Plan for that phase, have been submitted to and approved in writing by the Local Planning Authority. The plan will aim to promote training and employment opportunities for local people at all stages of the development and once the education use commences and shall include:

- (i) Measures to ensure the owner and contractors work directly with local employment and training agencies;
- (ii) Targets for employing local labour
- (iii) Targets for work experience opportunities
- (iv) Measures to provide training opportunities in respect of any new jobs created
- (v) requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority

The development shall be carried out in accordance with the agreed plan and any amendments to the plan shall be agreed in writing by the with the Local Planning Authority.

In the interests of promoting economic and training opportunities in association with approved developments in accordance with Leeds UDP Review (2006) Policy R5 and the National Planning Policy Framework.

- 22) The provisions of the Travel Plan Statement hereby approved, which demonstrates the measures to encourage alternative modes of transport for staff other than the single occupancy of vehicles, shall be put into place in accordance with the timescales set out in that document and thereafter operated in accordance with the approved timescales.

In the interests of encouraging the use of transport other than single car occupancy in accordance with the principles of sustainable transport and adopted Leeds Core Strategy 2014 Policy T2.

- 23) Prior to works commencing on site, details of a method of controlling vehicular access to the car park access and egress ramp, to include a written statement of its method of operation and the physical works required, shall be submitted to and

approved in writing by the Local Planning Authority. The method of control shall then be installed in accordance with the approved details prior to the first use of the building for the use approved by this permission.

In the interests of the safety of highway users and to prevent the abuse of the parking and servicing area hereby approved.

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

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage; and
- d) how this Statement of Construction Practice will be made publicly available by the developer.

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

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

- 25) Notwithstanding the approved details, before development is commenced full details of cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Leeds UDP Review (2006) policy T2 and T7A

- 26) Development shall not commence until details of access, storage, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles (including workforce parking) have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided for the duration of construction works.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

- 27) Development shall not be occupied until details (including location and size) of proposed In and Out signage, clearly visible to motorists, have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed before the development is occupied and retained for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with the adopted Leeds UDP Review (2006) policy T2.

- 28) No development shall take place until a plan showing details of the new vehicular junctions, including plans, location of signing and lining and sections to include details of the vertical alignment of the access have been submitted to and approved in writing by the Local Planning Authority. The new junctions shall then be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

In the interests of free and safe use of the highway in accordance with policy T2 of the adopted Leeds Core Strategy 2014

- 29) Construction of external walling shall not be commenced for that phase until a sample panel of all the materials to be used in the external walling for that phase has been approved in writing by the Local Planning Authority. The sample panel shall be erected on site to establish its detail. The external walling shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to the completion of the development.

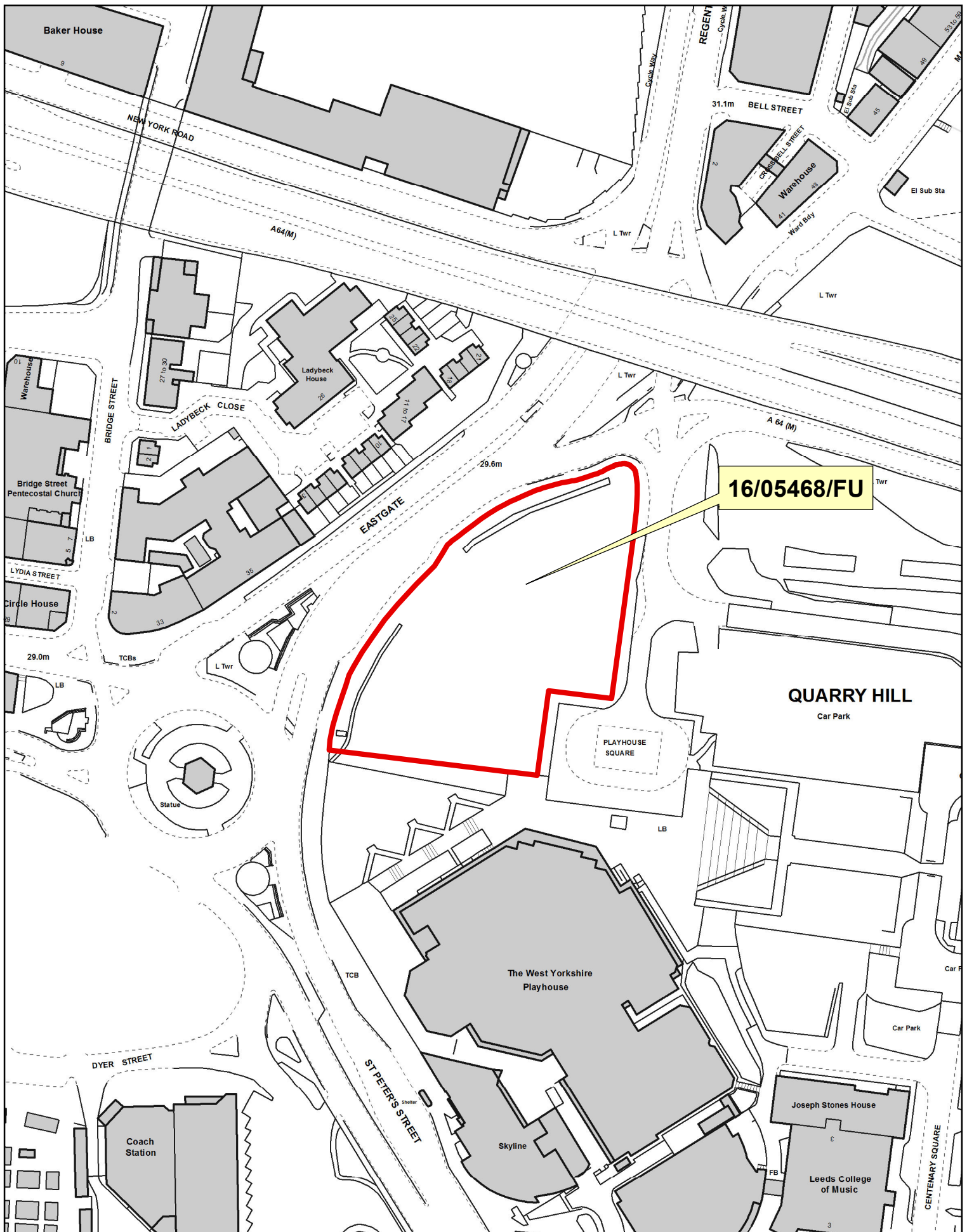
In the interests of visual amenity in accordance with saved policy BD6 of the Leeds UDP Review (2006)

- 30) No development shall take place until details of the position, design, materials and type of all walls and/or fences or permanent boundary/screening treatment, whether or not shown to be erected on the approved plans, have been submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected in accordance with the approved details, before the land/buildings to which they relate are occupied, and shall thereafter be retained

In the interests of residential and visual amenity and in accordance with adopted Leeds UDP (2006) policies GP5 and BC6 and the National Planning Policy Framework.

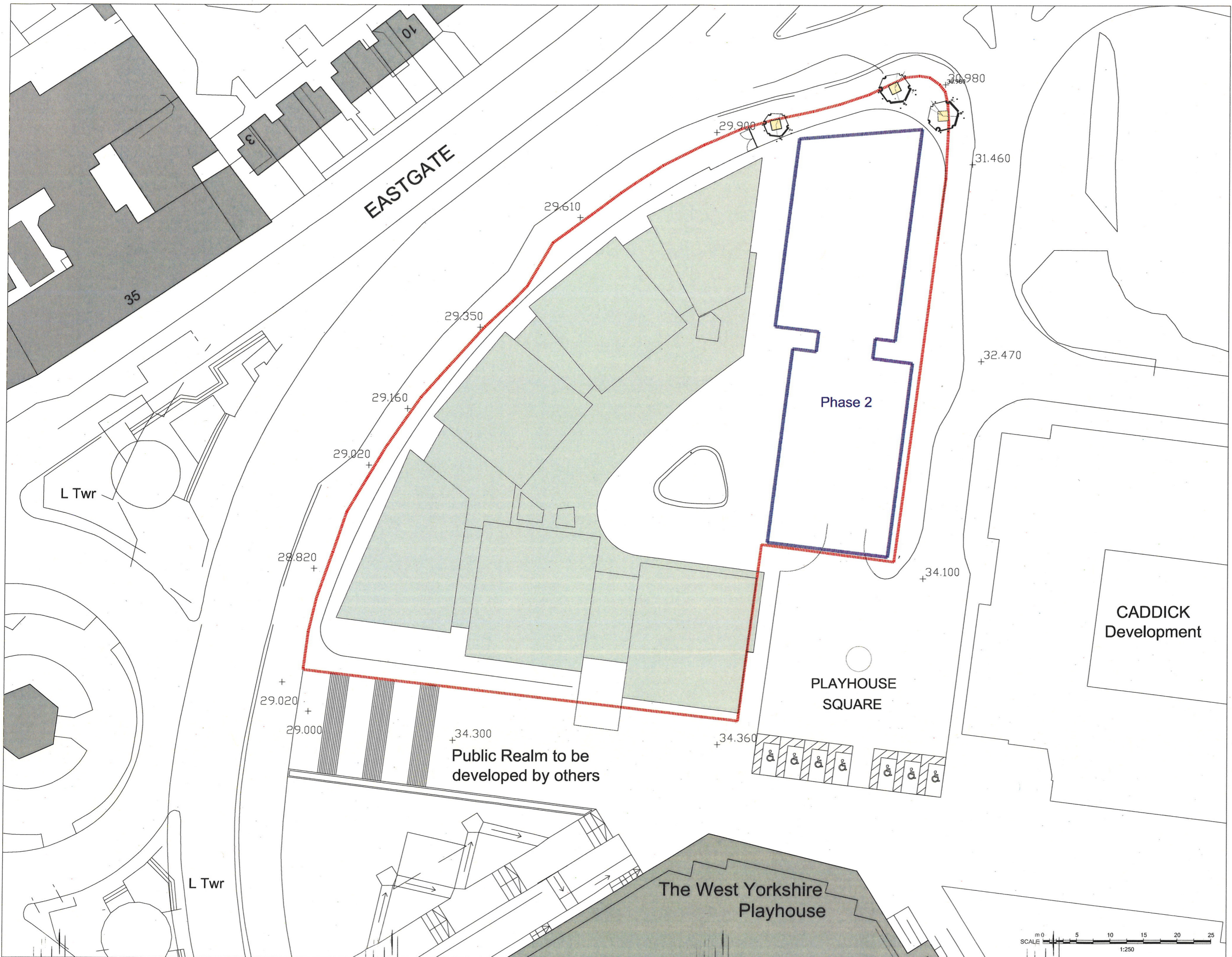
- 31) Development shall not be occupied until all areas shown on the approved plans to be used by vehicles have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2 and Street Design Guide SPD (2009).



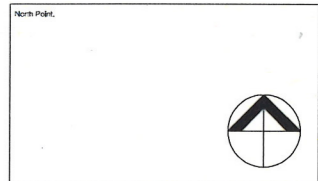
# CITY PLANS PANEL





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- Site Boundary  
(area 6383m<sup>2</sup> / 1.58 Acre)
- Phase 2 footprint 1039m<sup>2</sup>
- Phase 1



Key Plan:

Rev. Date: Revision Note By: Check:

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Job title <b>LEEDS CITY COLLEGE - QUARRY HILL</b>			
Drawing title <b>Phase 2 Parameter Plan</b>			
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