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## CITY PLANS PANEL

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 12th October, 2017 at 1.30 pm

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### MEMBERSHIP

#### Councillors

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

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) 37 88662**

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>SITE VISIT DETAILS</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>	

Item No	Ward	Item Not Open		Page No
5			<b>APOLOGIES FOR ABSENCE</b>	
6			<b>MINUTES OF THE PREVIOUS MEETING</b>  To consider and approve the Minutes of the previous meeting held on 21 <sup>st</sup> September 2017.  (Copy attached)	3 - 12
7			<b>MATTERS ARISING</b>  To consider any matters arising from the minutes of the previous meeting.	
8	City and Hunslet		<b>APPLICATION NO. 17/02501/OT - OUTLINE APPLICATION (ALL MATTERS RESERVED EXCEPT FOR ACCESS) FOR A PHASED MIXED USE DEVELOPMENT COMPRISING DEMOLITION OF EXISTING BUILDINGS, UP TO 850 RESIDENTIAL UNITS (C3), BUSINESS USES (B1), FLEXIBLE COMMERCIAL USES (A1, A2, A3, A4, A5, B1, D1, D2), HOTEL USE (C1), PUBLIC REALM INCLUDING A CITY PARK AND VEHICULAR ACCESS AT FORMER TETLEY BREWERY, HUNSLET ROAD HUNSLET, LEEDS LS10 1JQ</b>  To consider a report by the Chief Planning Officer which sets out details of an outline application (all matters reserved except for access) for a phased mixed use development comprising demolition of existing buildings, up to 850 residential units (C3), business uses (B1), flexible commercial uses (A1, A2, A3, A4, A5, B1, D1, D2), hotel use (C1), public realm including a City Park and vehicular access at Former Tetley Brewery, Hunslet Road, Hunslet, Leeds LS10 1JQ  (Report attached)	13 - 54

Item No	Ward	Item Not Open		Page No
9	Cross Gates and Whinmoor; Harewood; Roundhay		<p><b>APPLICATION NO.17/04351/LA - POSITION STATEMENT - CONSTRUCTION OF A DUAL CARRIAGEWAY ORBITAL ROUTE INCORPORATING NEW ROUNDABOUTS, CYCLE AND PEDESTRIAN BRIDGES; UNDERPASS AND OVERBRIDGE; LAYING OUT OF COUNTRY PARK ON LAND BETWEEN RING ROAD SHADWELL AND THORPE PARK.</b></p> <p>To consider a report by the Chief Planning Officer which sets out a position statement in respect of Application No. 17/04351/LA for the construction of a dual carriageway orbital route incorporating new roundabouts, cycle and pedestrian bridges; underpass and overbridge; laying out of country park on land between Ring Road Shadwell and Thorpe Park.</p> <p>(Report attached)</p>	55 - 78
10	Temple Newsam		<p><b>APPLICATION NO.17/03974/RM - POSITION STATEMENT - RESERVED MATTERS APPLICATION FOR 292 DWELLINGS INCLUDING LAYOUT, SCALE, APPEARANCE, LANDSCAPE AND ACCESS. NORTHERN DEVELOPMENT POTS ON LAND SOUTH OF RAILWAY LINE AT THORPE PARK, LEEDS, LS15 8ZB</b></p> <p>To consider a report by the Chief Planning Officer which sets out a Position Statement: in respect of Application No.17/03974/RM for Reserved Matters application for 292 dwellings including layout, scale, appearance, landscape and access. Northern development pots on land south of railway line at Thorpe Park, Leeds, LS15 8ZB</p> <p>(Report attached)</p>	79 - 90

Item No	Ward	Item Not Open		Page No
11	City and Hunslet		<p><b>PREAPP/17/00604 - PRE- APPLICATION PRESENTATION FOR A 6 STOREY APART-HOTEL WITH GROUND FLOOR COMMERCIAL USES AND ACCESSES TO LEEDS CITY MARKET AT 4-32 GEORGE STREET, LEEDS 2.</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of a pre- application presentation for a 6 storey apart-hotel with ground floor commercial uses and accesses to Leeds City Market at 4-32 George Street, Leeds 2.</p> <p>(Report attached)</p>	91 - 100
12			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note that the next meeting will take place on Thursday, 2<sup>nd</sup> November 2017 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.

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: 29.9.2017

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 12th October 2017**

Prior to the meeting of City Plans Panel on Thursday 12<sup>th</sup> October 2017 the following site visits will take place. Please note that we will be walking to the sites from the Civic hall.

Time	Ward	Site
10.15 - 10.45am	City & Hunslet	17/02501/OT –Former Tetley Brewery Site, Hunslet Road
11.00 - 11.20am	City & Hunslet	PREAPP/17/00604 – 4-32 George Street

Please notify Daljit Singh (Tel: 3787971) if you will be attending and meet in the Ante Chamber at **9.55 am at the latest for a prompt start at 10am.**

Yours sincerely

Daljit Singh  
Central Area Team Leader

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## CITY PLANS PANEL

THURSDAY, 21ST SEPTEMBER, 2017

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

Councillors P Gruen, R Procter,  
D Blackburn, G Latty, T Leadley,  
N Walshaw, A Khan, C Macniven, E Nash,  
S Hamilton, D Ragan and B Cleasby

Member site visits were held in connection with the following proposals:  
PREAPP/17/00343 – Student Residential proposal at Symons House,  
Belgrave Street, Leeds 2 and PREAPP/17/00132 Mixed use proposal for land  
at St.Peters Buildings, York Street, Leeds 2 and was attended by the following  
Councillors: D Blackburn, S Hamilton, G Latty, T Leadley, J McKenna and N  
Walshaw

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

There were no appeals against the refusal of inspection of documents.

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

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

### **42 Late Items**

The Chair accepted the inclusion of a late item onto the agenda as referred to  
in Minute No. 47. The report entitled "Application No. 17/04055/FU: Detailed  
application for the Manston Lane Link Road (East – West Route) Thorpe  
Park, Leeds. The Chair reported that the report was being received as a late  
item in order to allow local Ward Members to have sufficient opportunity to be  
briefed on the proposal.

### **43 Declarations of Disclosable Pecuniary Interests**

There were no declarations of any disclosable pecuniary interests made at the  
meeting.

### **44 Apologies for Absence**

Apologies for absence were received from Councillors: C Campbell, A  
Garthwaite and B Selby

Councillors: B Cleasby, S Hamilton and D Ragan were in attendance as  
substitutes.

Draft minutes to be approved at the meeting  
to be held on Thursday, 12th October, 2017

#### **45 Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the previous meeting held on 31<sup>st</sup> August 2017 were accepted as a true and correct record.

#### **46 Matters Arising**

There were no issues raised under matters arising.

#### **47 Application 17/04055/FU: Detailed Application for the Manston Lane Link Road (East - West Route), Thorpe Park, Leeds, LS15 8ZB**

The Chief Planning Officer submitted a report which sets out details of an application for the Manston Lane Link Road (East - West Route), Thorpe Park, Leeds, LS15 8ZB

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

The Planning Case Officer addressed the Panel, speaking in detail about the proposal and highlighted the following:

- The application proposes approximately 650m of carriageway.
- The road ties into the existing Manston Lane at the western end of the proposal and the approved roundabout at the eastern end [approved under application reference 14/01216/FU], where it then joins the MLLR north south link.
- A northerly arm from the roundabout would form the start of the East Leeds Orbital Road which would create access to saved UDPR policy East Leeds Extension allocation H3-3A:33.
- The proposals involved road widening and changes in the horizontal and vertical alignment, and the provision of detailed accesses for the existing properties along the route.
- The road is designed for 30mph speeds and will comprise a 7.3m carriageway with a 2m footway to the northern side and a 3m shared cycle way/footpath to the southern side.
- The horizontal alignment generally follows the corridor of the existing highway as does the vertical alignment for most of its length, before rising to meet the roundabout at Lazencroft Farm.
- Drainage works are to comprise a closed conduit system of gullies, chambers and drains, to collect and carry surface water run-off. Filter drains are to be provided at the bottom of embankments where necessary, with kerbs proposed at the edge of the carriageway to facilitate drainage.
- In order to maintain continuity of the existing road network the MLLR is proposed to be lit by LED street lighting which is to be designed to reflect the type of usage on the road and to minimise impact on any adjacent dwellings and light pollution generally from upwards light spill.
- Tree and shrub planting is proposed to embankments.

Draft minutes to be approved at the meeting  
to be held on Thursday, 12th October, 2017

- The site is located to the north of the Leeds to Selby railway line to the east of the former Vickers tank factory. Austhorpe Lane is to the far west and Barnbow Social Club is situated south of the site. To the northwest are Longs of Leeds and a number of other businesses.
- Adjacent to the north of the road are a number of dwellings accessed from Manston Lane adjacent to which is a Grade II listed dovecote. To the northeast of the site is Lazencroft Farm which is also a Grade II listed building.
- In terms of the wider area Cross Gates centre is located to the west, Garforth to the east, and Colton Retail Park across the A63 to the southeast. In addition to existing development, the East Leeds Extension housing allocation (UDPR policy H3-3A.33) is located across the railway line to the north.
- It was reported that 4 letters of objection had been received and considered, there were no objections from statutory consultees.
- The scheme was policy compliant and highway officers were supportive of the scheme

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

- Had adequate discussions taken place with local land owners/ residents
- What would the construction hours be
- Had satisfactory drainage measures been incorporated within the scheme
- Should proposed condition no. 11 requiring a landscape mitigation scheme specifically refer to the need to provide mitigation for Lazencroft Farm
- The proposed road layout for the north-south link had too many roundabouts

In responding to the issues raised, the Planning Case Officer together with the applicant's representative provided the following responses:

- Discussions had taken place with local land owners/ residents and Ward Members, the areas of concern had been addressed and were considered satisfactory to all parties
- Officers confirmed that the wider bridleway and cycle network was connected via a green bridge over the approved north south section of the link road
- Precise details of preferred access arrangements for existing residents were being discussed between affected residents and the applicant and final highway details of these would be submitted under recommended condition no.4
- The Developer's representative confirmed that drainage implications had been fully considered with the required attenuation and storage measures incorporated in order to meet the Council's surface water run off requirements and conditions requiring a drainage scheme be submitted for the Council's final approval

- Officers confirmed that the proposed landscaping plans together with condition no.11 as drafted would provide a satisfactory landscape mitigation scheme for Lazencroft Farm and that condition no.11 did not need to specifically refer to the farm
- The plans show roundabouts for the already approved layout for the north-south section of the East Leeds Orbital Ring Road (ELOR). The current proposal was only for the East – West Manston Lane Link to ELOR and did not include any roundabouts

In offering comments Members raised the following issues:

- Noted that the Secretary of State had chosen not to intervene in the wider Thorpe Park application
- The application represented good strategic highway infrastructure
- Ward Members had been involved throughout the application process
- Detailed discussions had taken place with local land owners/ residents
- The proposals were considered satisfactory to all parties
- It was reported that discussions were ongoing for a “Local Centre Support Contribution” (package of funding for the Crossgates area) under the wider retail proposals at Thorpe Park

In summing up the Chair thanked the Developers for their attendance commenting that their engagement with local residents, land owners, Ward Councillors and officers was exemplary. Members appeared to be supportive of the scheme

**RESOLVED** – That the application be approved subject to the conditions specified in the submitted report.

**48 PREAPP/17/00343 - Pre-Application Presentation of Proposed Demolition of Existing Office Building and Construction of New Student Accommodation Building at Symons House, Belgrave, Street, Leeds**

The Chief Planning Officer submitted a report which sets out details of a Pre-application proposal for the proposed demolition of existing office building and construction of a new student accommodation building at Symons House, Belgrave Street, Leeds 2.

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

The City Centre Team Leader together with the applicant’s representatives addressed the Panel, speaking in detail about the proposal and highlighted the following:

- The existing site comprises a four storey, red brick, office block constructed in the late 1980’s. The building fronts Belgrave Street with its principal, recessed, entrance located in the north-west corner of the premises.

- It is proposed to demolish the existing building and to construct a new building with a similar, rectangular, footprint to that existing.
- The new building would have an “L shaped” form when viewed from the south. The taller element, approximately two thirds of the length of the building, would be 17 storeys in height, approximately 8 storeys taller than Fairfax House to the west. The lower eastern shoulder, approximately one-third of the building’s length, would be 10 storeys in height, a similar height to Fairfax House.
- The lower ground floor of the building would contain plant, bin and cycle stores, a laundry, transformer room and a small lounge area which would be accessed from a similar space at ground floor level. The ground floor would comprise the reception area, accessed from Belgrave Street, study areas, open lounge areas, a cinema room and a gym.
- The upper floors of the building would predominantly contain student studios. In total 325 studios are proposed. Three sizes of studio are identified: Bronze (21.3sqm); Silver (26.2sqm) and Gold (44.2sqm). There would be 286 Bronze studios; 32 Silver studios and 7 Gold studios. A student amenity room is proposed at level 9 with access from this point onto an external amenity terrace located on the roof of the lower shoulder of the building.
- The external appearance of the building is a lightly coloured brick as the primary building material. The main facades would have a grid of vertical windows with tapering reveals. The gable ends would be largely solid. A darker grey brick and glazing is proposed for the ground and lower ground level plinth.
- The building would be serviced from Belgrave Street making use of the existing layby across the street and from the parking court to the rear. The applicant has a desire to make Belgrave Street more pedestrian friendly and to improving accessibility to the St Alban’s Place green space. Similarly, there is an aspiration to improve the route through to Merrion Street.

In response to Members questions, the following were raised:

- Had the effects of wind been taken into consideration
- Would the proposed light coloured brick material discolour over time
- The desire to make Belgrave Street more pedestrian friendly, could this be extended to the rest of the street
- Was there any sustainable energy saving measures planned for the building
- The room size of the of the Bronze Standard studios (21.3sqm) was suggested to be too small
- There was concern that the building would oversail the highway

In responding to the issues raised, the applicant’s representatives said:

- Wind testing had been undertaken with no negative impacts

- The proposed external material would be a multi textured brick which should not discolour over time
- The applicants representative suggested there was a desire to improve the pedestrian connectivity to the building, discussions were ongoing with planning officers to look at this issue and if neighbouring properties could be encourage to participate this could be beneficial to the area.
- The proposal would aim to achieve a 10% carbon saving through the use of upgraded insulation materials and possible photovoltaic cells
- Commenting on the room size of the Bronze Studios, the Chair reported that this Panel had already granted planning permission for other purpose built student developments with similar room sizes
- The architect confirmed that the building oversail over the highway maintained an 8m clearance to the highway

In making a general comment, Councillor Gruen suggested that many of the applications coming before Panel were for Student Accommodation within the City Centre. Had any studies been carried out into the demand for student housing.

In responding the Chief Planning officer said that a review of student housing in Leeds would be undertaken. It was understood that the universities supported the need for more purpose built student accommodation within the City Centre.

Bill McDowell (Spring Creek Developments) reported that they had undertaken some research into the demand for student housing in Leeds which was strong and they would be agreeable to share their analysis with Planning Officers.

Councillor Gruen welcomed both responses, commenting that it would be useful to receive the data, this was a further 325 studios in addition to the ones that had already received planning permission. He suggested there was a perception that the City Centre was only for young people and there should be a wider choice of quality accommodation coming from the private sector.

The Chief Planning Officer said there was a need to talk to developers and press for wider house types, this was an emerging development market.

In offering comments Members raised the following issues:

- The proposed design of the building appeared to be inspired by the 1960's, grey in colour, square in design
- The proposed textured brick finish looked bland from a distance, sample materials would need to be provided
- The gable end of the proposal gave the appearance of a "cheese grater" could this be revisited
- The building appeared to be "too chunky"- a number of Members expressed a preference for a taller/slimmer tower element and a reduced mass for the lower element of the building

- The location was the right place for a tall building but a quality design would be required
- Members welcome the demolition of the existing building
- Neighbouring properties may be effected by the loss of light
- The size of the Bronze Studios remained a concern

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

- Members were of the view that the proposed student accommodation development was acceptable in principle
- Members considered that the proposed living conditions within the student accommodation would be acceptable for future occupiers
- Members expressed the view that the building should be taller/ slimmer in appearance
- Members supported the approach to the treatment at ground floor level including connectivity to the emerging street scene
- Members were supportive of the aspirations to improve and maximise the public realm and pedestrian connectivity surrounding the site.
- Further consideration of the impact of the existing bin stores on the pedestrian environment was required.

In summing up the Chair said there was general support for the scheme. If as suggested the building was to be increased in height, then a quality design would be expected.

#### **RESOLVED –**

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

#### **49 PREAPP/17/00132 - Pre-application Presentation for Proposed 8 storey Residential Development with first floor offices and ground floor Cafe/Bar at St. Peters Buildings, York Street, Leeds.**

The Chief Planning Officer submitted a report which sets out details of a Pre-application proposal for the proposed 8 storey residential development with first floor offices and ground floor Café/ Bar at St.Peters Buildings, York Street, Leeds 1.

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

The City Centre Team Leader together with the applicant's representatives addressed the Panel, speaking in detail about the proposal and highlighted the following:

- The site is currently a vacant cleared brownfield site on the north side of York Street, in the designated City Centre, close to the City bus station and the Quarry Hill cultural quarter.
- Vehicular access would be from St Peters Square at the rear.
- The vacant plot forms part of a larger early 20<sup>th</sup> Century block known as St Peters Buildings, which is generally 4 large-scale 'industrial' storeys in red-brick.
- The proposal is for an 8 storey residential block with a ground floor food and drink use.
- The building would be clad in red-brick to the York Street frontage, with standing seam zinc-type cladding and corten steel-type cladding to the upper levels, with glazing and look-a-like panels.
- The front doors to the flats would be arranged around a glazed atrium, allowing daylight into the flats from within the building, as well as outlook to the north and south.
- There would also be a rooftop amenity space for residents.
- The proposal is for 56 dwellings; 32 1 bed (41-55sqm), 21 2 bed (61-70sqm) and 3, 3 bed (78sqm)
- At ground floor there would be a 629sqm café/bar unit facing onto York Street, and there would be a 1<sup>st</sup> floor office unit facing into the courtyard.
- There would be 4 undercroft car parking spaces accessed from St. Peters Square, with bin storage and 56 secure cycle storage also at ground floor. The basement would be used for storage.
- A minimum of 10% energy generation would be developed through on site low carbon energy sources. The scheme would also deliver a reduction of at least 20% on building regulations carbon emissions.

In response to Members questions, the following were raised:

- There were a number of 3 bedroomed apartments proposed which suggested family accommodation, but there was no school provision in the area.
- Was a flood risk assessment required
- Had discussions taken place with neighbours to include the redundant end staircores

In responding to the issues raised, the City Centre Team Leader/ applicant's representatives said:

- In terms of the 3 bedroom accommodation, it was suggested that there was a market move for professional sharing in this area. There was a trend for family accommodation to be located in the South Bank where school provision could be accessed easier.
- Clarity was currently being sought from the City Council as to whether a flood risk assessment was required.
- The redundant staircores would be incorporated into the new building

In offering comments Members raised the following issues:



- Bringing a brown field site back into use was inspiring and welcomed
- Good positive scheme, well thought through, welcome the inclusion of the atrium
- The retaining of the two shards of the previous building was a welcome feature

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

- Members were supportive of the principle of the proposed upper floor for residential use and ground floor for commercial use
- Members were supportive of the proposed mix of residential accommodation and welcome the inclusion of 3 bedroomed accommodation within the City Centre
- Members were supportive of the proposed indicative layout, height and emerging design
- Members were supportive of the approach to car parking and accessibility and requested that consideration be given to disabled parking
- Members required the provision of 5% affordable housing on site in line with adopted policy

In summing up the Chair said Members were supportive of the proposal and welcomed the submission of a formal application

**RESOLVED –**

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

**50 Date and Time of Next Meeting**

**RESOLVED –** To note that the next meeting will take place on Thursday 12th October 2017 at 1.30pm in the Civic Hall, Leeds.

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Originator:	C. Briggs
Tel:	0113 2224409

## Report of the Chief Planning Officer

### City Plans Panel

Date: 12<sup>th</sup> October 2017

**Subject: Planning Application Reference 17/02501/OT Outline application (all matters reserved except for access) for a phased mixed use development comprising demolition of existing buildings, up to 850 residential units (C3), business uses (B1), flexible commercial uses (A1, A2, A3, A4, A5, B1, D1, D2), hotel use (C1), public realm including a City Park and vehicular access at Former Tetley Brewery, Hunslet Road Hunslet, Leeds LS10 1JQ**

**Applicant: Vastint Leeds BV**

#### Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the lifting of Highways England's holding direction regarding the impact of the proposed development on the strategic highway network and the specified conditions set out in Appendix 1 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:**

- 5% on-site affordable housing in accordance with policy for the area at a pro-rata mix, split 60:40 lower decile:lower quartile income
- Off- site highways works being a new pedestrian crossing on Crown Point Road between Bowman Lane and Sheaf Street £70,000, City Connect cycle scheme contribution £364,000 and Sovereign footbridge contribution £500,000
- Sustainable travel fund £162,488.75
- Car club contribution £69,350
- Travel plan monitoring fee £20,000
- City Park strategy plan
- Public access through the site including new pedestrian/cycle routes and the City Park
- Cooperation with local jobs and skills initiatives

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

## **Conditions**

Draft Conditions for 17/02501/OT are attached at Appendix 1 of this report.

### **1.0 Introduction**

1.1 This recommendation relates to the proposed major development of part of the former Tetley Brewery site, in the South Bank area of Leeds City Centre. The scheme would make a substantial contribution to the proposed City Park and planned new housing provision and place-making opportunities for the South Bank and Aire Valley. It would also provide significant employment and economic growth opportunities in a location close to the proposed High Speed Rail 2 (HS2) station.

### **2.0 Site and Surroundings**

2.1 The outline application is for the first part of Vastint's overall former brewery landholding, and relates to the redevelopment of the area of land including Crown Point Road to the east, Waterloo Street and Bowman Lane to the north, Meadow Lane to the west and Hunslet Road (A61) to the south, a total area of 9.7 hectares. 6.69 hectares of the defined application boundary is land within the applicant's ownership. The second part (1.98ha) of the applicant's ownership does not form part of this application and is the area between Crown Point Road, Black Bull Street and Hunslet Road (A61). Phase 2 will be the subject of a future planning application.

2.2 The site is located in the City Centre as designated in the Development Plan. It is also within the adopted South Bank Planning Statement 2011 and emerging Aire Valley Leeds Area Action Plan areas. The site has been under-utilised since 2011 when the brewery closed, and most of the brewery buildings were demolished. The site is currently in use as a temporary car park, temporary greenspace, temporary training facility for ASDA, and an art hub at The Tetley building.

2.3 The proposal has potential to contribute to planned new housing and jobs provision and place-making opportunities for the South Bank/Aire Valley area. The site is currently unallocated in the saved LDF Proposals Map, but is allocated for mixed use including residential in the emerging Aire Valley Area Action Plan under site reference Site AV94.

2.4 The site lies in flood risk zones 2 and 3.

2.5 The Tetley building and gatehouse are unlisted heritage assets in the phase one application site boundary. Outside the phase one site, the Grade II listed Salem Chapel lies to the west, between Hunslet Road and Hunslet Lane, and the Grade II\* listed Chadwick Lodge is to the east of the site at the junction of Crown Point Road and Black Bull Street. To the south east of the phase one boundary are the Grade II Listed former Alf Cooke Printworks, the Grade II Listed Buildings at Risk at Crown Point Road/Hunslet Road, and unlisted heritage assets at Duke Studios at Sheaf Street, the vacant Crown Pub, and the former malshouses at Waides Yard facing Cudbear Street and Crown Point Road. The City Centre Conservation Area boundary lies at the north-west edge of the site at Bridge End, and includes Grade II listed buildings such as Leeds Bridge House, the Adelphi Public House, the Old Red Lion Public House, and Leeds Bridge. Due to the scale of the proposed development, the significance and setting of heritage assets further away from the

site has been examined, including the Grade I listed Leeds Minster and views from within the Leeds City Centre Conservation Area.

- 2.6 The surrounding area features a wide range of existing land uses. To the north of the site along Bowman Lane and Waterloo Street are residential blocks ranging between 5 and 13 storeys including those at Brewery Wharf. To the east lies the mixed use residential development at Leeds Dock, and the education hub of Leeds College of Building, Ruth Gorse Academy, Leeds City College and Leeds University Technical College (UTC). To the south is a mixture of retail at Crown Point Retail Park, and offices at Leeds City Office Park. To the west lies the Asda office headquarters, New Lane office park and the River Aire corridor.

### 3.0 **Proposal**

- 3.1 The proposal is an outline planning application (all matters reserved except for access) for a phased mixed use development comprising demolition of existing buildings, up to 850 residential units (C3), business uses (B1), flexible commercial uses (A1, A2, A3, A4, A5, B1, D1, D2), hotel use (C1), public realm including a City Park and vehicular access. The application includes the following maximum floorspace and uses:

- Demolition of existing buildings - the five storey modern office building known as Tetley House (formerly Huntsman House), the former gatehouse adjacent to The Tetley and the single storey warehouse building and all existing boundary walls on a phased basis.
- Up to 850 residential units (use class C3) comprising the following mix;
  - 10% Studio: 85 units
  - 27% 1 Bed: 230 units
  - 43% 2 Bed: 365 units of which 12% are flexible residential units
  - 20% 3 Bed: 170 units of which 12% are flexible residential units
  - 5% of the residential units will comprise affordable housing
- 85,000 sqm of B1 office floorspace
- 15,000 sqm of flexible commercial uses floorspace providing up to the following maximum:
  - Retail (use class A1) up to 8,000 sqm with no unit larger than 1200 sqm
  - Financial and Professional services (use class A2) up to 500 sqm
  - Cafes and Restaurants (use class A3) up to 8,000 sqm
  - Drinking Establishments (use class A4) up to 4,000 sqm
  - Hot Food Take Away (use class A5) up to 300 sqm
  - Business (use class B1) up to 2,000 sqm
  - Non-Residential (use class D1) and Assembly and Leisure (use class D2) up to 4,000sqm
- Up to two hotels with a combined total of 400 beds (use class C1);

Vehicular accesses are proposed:

- Site Access with Crown Point Road (North)
- Site Access with Crown Point Road (South)
- Site Access with A61 Great Wilson Street
- Site Access with Meadow Lane

- Site Access with Waterloo Street
- Site Access with Hunslet Road (Stopping Up)
- Two main tree-lined access roads Street 'X' and Street 'Y'

Car and cycle parking proposed:

- Car parking up to 860 spaces (including 83 disabled parking spaces) in four basements
- Cycle Parking a minimum of 1,974 spaces
- Motorcycle Parking up to 221 spaces

City Park

- A minimum of 2 hectare of public realm as a contribution to the City Park (30% of the applicant's ownership within the application site area) plus additional public routes, semi-private and private open spaces

3.2 Vastint propose an indicative layout and scale of buildings and spaces in support of their outline planning application for this first phase. This would be formed in 8 principal blocks (see attached Proposed Block Plan at Appendix 1). For reference the indicative development plots and their maximum and minimum height parameters in metres would be (storey heights are approximate based on 3m storey height residential and hotel, and 4m storey heights for offices and other commercial use classes):

- MU1 13m to 90m (30 storey hotel with ground to fourth floor offices/other commercial uses)
- MU2 17.4m to 41.3 and 50.4m (up to 10 storeys along Great Wilson Street, rising to 17 storey residential or offices at eastern end)
- MU3 42.6m to 51.9 (10 storeys offices)
- MU4 34.2m (8 storeys commercial uses)
- R1 73.5m to 119.7 (24-39 storeys residential)
- R2 32.2m to 37.8m (10-12 storeys residential)
- R3 24.5m to 51m (8-17 storeys residential)
- R4 50.4m (16 storeys residential)

3.3 A series of perimeter blocks are proposed to define the plot boundaries, including the indicative positions for mandatory plot subdivisions which would form public pedestrian and cycle routes through the site. The Building Line Requirements Parameter Plan establishes a series of differing building line requirements to respond to the existing urban fabric and the intended layout of the proposed development. These are:

- Blue Building Line – is an indicative building line, overstepping acceptable to a maximum of 5 metres. Moving back or set-backs in the building lines are acceptable to create features, interest and variety
- Green Building Line - would form the linear edge to the park. The building line may be moved forward to a maximum of 3 metres with the exception of areas next to The Tetley and Salem Chapel. Further projections to form balconies, oriels or projecting bays at upper floors would be permitted.
- Yellow Building Line – is a fixed building line to streets and roads. Setbacks according to individual plot description in the Design Code. Bays, balconies and oriels projecting beyond the building line are allowable to a maximum of 2 metres.

- The Flexible Commercial Uses would be accommodated at ground and upper levels in order to provide active frontages including to the proposed City Park and two new proposed east/west streets.

3.4 The City Centre Park, created by a series of phased linked “stepping stones” as first identified in the South Bank Planning Statement 2011, is an important aspect of Vastint’s proposals. As envisaged by the Council’s adopted vision, the Park would be formed over time by an area of land starting along the River Aire embankment in the west, sweeping across the former Tetley brewery site, giving over 3.5 hectare of greenspace made up of linked elements, including the Council’s own land in Meadow Lane, and extending to the south east across Crown Point Road. Vastint propose in phase one of their scheme to contribute 2 hectares to the City Park, and would ultimately link to a further greenspace area to the south east in phase two (area 0.46ha). The park would be in an arc-shape across the former brewery site, principally running on a north-west to south-east orientation via a central space at The Tetley, with smaller areas of greenspace and courtyards between buildings, including a new greenspace facing Bowman Lane. From a planning perspective, detailed allocation of functions such as events, play, recreation, landscape design and planting proposals for the park would form part of future reserved matters application(s).

3.5 Vastint have adopted the following design philosophy, inspired by the Council’s adopted vision set out in the South Bank Planning Statement 2011, and subsequent ambitions for the area:

- Improve connectivity by linking communities to the south with the South Bank and the City Centre, linking the future HS2 to Leeds Dock, and linking the city centre to the South Bank and the Aire Valley;
- Provide a wide mix of uses creating a sustainable and vibrant neighbourhood within the City Centre;
- Contribute to the City Centre Park, with the Tetley Building as a central focal point, with active ground floor uses and frontages to frame it;
- Enable new city centre living by creating a sustainable mix and type of dwellings, and stable communities, through “flexible” dwellings, with residents being able to expand and contract the number of rooms within their flat or house without moving, so that residents can adapt their living spaces to meet their changing circumstances;
- Be a catalyst for the transformation of the South Bank, by connecting to the north, providing east to west movement into the Aire Valley and to communities to the south.

3.6 The outline planning application is supported by the following documents:

- Parameter Plans & Highways Access Drawings
- Design Strategy
- Design and Access Statement
- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeological Desk Based Assessment
- Built Heritage Statement
- Coal Mining Risk Assessment
- Coal Recovery Report
- Daylight and Sunlight Report
- Ecological Appraisal Report
- Employment Framework Travel Plan
- Energy and Sustainability Statement
- Flood Risk Assessment

- Flood Risk Assessment Sequential Assessment and Exceptions Test
- Geo-environmental Assessment (land contamination)
- Microclimate Wind Assessment
- Noise Assessment
- Planning Statement
- Residential Travel Plan
- Retail Assessment and addendum
- Statement of Community Involvement
- Sand and Gravel Recovery Report
- Sustainable Drainage Statement
- Townscape and Visual Appraisal and addendum
- Transport Assessment and addendum
- Utilities Assessment

3.7 For the purposes of environmental testing including townscape and visual assessment and wind, the “Rochdale Envelope” is an acknowledged approach for environmental testing when considering planning applications where full details of a project are not available at the time such as outline planning applications, and where subsequent applications will be submitted over time (such as the Reserved Matters applications). It represents the maximum extent set by the Parameter Plans to which the Reserved Matters must accord. However, this is also subject to the other limitations specified in the planning application such as the Design Strategy and the limitations set out in the proposed description of development which control the amount of floorspace, dwellings, car parking and the form of development, and therefore the maximum extent would not be possible in every combination.

#### **4.0 History of Negotiations and Relevant Planning History**

4.1 At pre-application stage the applicant presented their initial scheme to Members at City Plans Panel on 6<sup>th</sup> October 2016. In response to Members comments and questions, the following was discussed:

- The proposed development site was an important location and high design standards and aspirations were required including towards sustainable construction
- Important site for connectivity to other parts of the city
- Proposed development needs to be in context with adjoining areas
- Further details around pedestrian access required
- The creation of a City Centre Park was welcomed but needs to incorporate the highest quality of design which functions as an exciting multi-purpose space
- Possible water feature within the Park
- Members considered the principal of the proposal for a mixed – use residential, office and hotel scheme with ground floor retail, cultural and leisure uses, strong pedestrian routes and a new park was appropriate.
- Members were satisfied with the approach to flexible residential accommodation.
- The emerging scale and layout of the development, including the approach to the City Centre Park was generally acceptable
- Further understanding of the detailed car parking and access arrangements was required.

4.2 During the course of the application, a number of issues have been the subject of discussion, leading to revisions to the scheme and supporting information. Notably these have included a reduction made in the height of the tower in Plot R4 70.2m to 50.4m to take account of officer and Historic England concerns regarding the impact on the setting of the Grade I listed Leeds Minster. Technical matters have also been progressed including micro-climate wind impact, local and strategic highways



issues, flood risk, retail impact and birdstrike management with Leeds Bradford Airport.

- 4.3 Under planning reference 17/02718/FU planning permission was granted for the continued use of the site as temporary car parking. This permission expires in 2022.
- 4.4 Planning application 11/05031/FU for the change of use of part of brewery site to provide temporary long and short stay car parking, green space and alterations to existing surfacing and existing boundary treatments. Change of use of headquarters building to provide new cultural hub including ancillary café/bar (A3/A4) at ground floor and outdoor seating area was approved on 2nd August 2012, following a resolution to grant approval in principle at City Plans Panel 15th March 2012. The permission granted a temporary consent for car parking use with no more than 601 long stay spaces and 226 short stay spaces, and a cultural hub use, pedestrian route and temporary greenspace.

## **5.0 Public/Local Response:**

- 5.1 Planning application publicity
- Site Notices posted 28.04.2017
  - Press Notice published 28.04.2017
  - City and Hunslet Ward Councillors consulted by email 24.04.2017
- 5.2 Comments from Leeds Civic Trust (LCT) can be summarised as follows:
- The site is the largest in the South Bank and will have pivotal role in the future of the area, it is therefore important that the mix, layout and design of the proposed uses meet the aspirations for the area and are of the highest quality.
  - There is concern that with the approval to extend the time period of the temporary car parking at the site for a further five years, this suggests that there is no commitment to delivering the development soon.
  - The inclusion of the surrounding highway and other ownerships in the red-line is supported however no proposals are shown for this land, which leads to uncertainty around how the site will integrate with adjoining land and connect onwards across Meadow Lane to the waterfront for example
  - However, omitting the applicants' land to the east of Crown Point Road is a concern, with regard to the Park proposals and connections to the education hub on Black Bull Street, and the future of the listed buildings on Crown Point Road.
  - LCT support the ideas for the location, use and layout of the City Park, and makes suggestions for the detailed design stage such as informal landscaping, water features fed by sustainable drainage systems, allotments for local residents, for servicing there should be pedestrian dominated shared spaces for all users not conventional roads within the site.
  - Green roofs should be required not just optional
  - LCT states that ground floor active uses should be required not just optional throughout the development to ensure that the residential plots R1, R2, R3 and R4 are active during the day, and that the areas around commercial plots MU1, MU2 and MU3 are active during evenings and at weekends. Facilities for all ages from children to the elderly should be required. The idea of flexible lifetime homes is supported, however questions are raised regarding older people and families living in taller buildings. Without details on the design of the public and private realm it is difficult for LCT to comment on layout, scale and massing of proposed buildings. The design of the physical environment should help families and children flourish and interact.
  - LCT have no objections to tall buildings in principle, but questions how these would work when occupied by families. The impact of the development on wind

and overshadowing should be studied. There should be careful consideration of the impact of Block R4 on Leeds Minster [*now revised*].

- There is no indication of exact car parking ratios within the basements. In view of the site's sustainable location there should be a radical approach to the use of cars and to promote healthier alternative means, for example car club promotion.
- Flood risk levels mean that ground floor design needs careful consideration
- In summary LCT believes the scheme has the potential to create an attractive park, although they have reservations about how uses in the buildings would be mixed, how well the scheme would suit people of all ages, and whether it will achieve the aims of the South Bank Planning Statement 2011, of creating a sustainable place to live.

5.3 Comments on behalf of ASDA, who as owners of the petrol filling station on Meadow Lane and lessees of the temporary ASDA Merchandising Centre of Excellence warehouse at the site, request more information on the detailed phasing of the proposed development.

5.4 Comments from Duke Studios, Sheaf Street, to the east of the site, can be summarised as follows:

- As a local business to the east of Crown Point Road, they are concerned that the phasing of the development construction could cut-off their premises to pedestrians. They would be keen to see the 'Hunslet Stray' element of the scheme (on the old line of Hunslet Road between The Tetley and Crown Point Road) completed first, which would benefit not only themselves but the education hub to the south east (Ruth Gorse Academy, Leeds College of Building, Leeds City College Printworks and Leeds UTC).
- This planning application is only for phase one to the west of Crown Point Road. They wish to see measures in place to ensure that phase two is also delivered.
- The positive meanwhile use of vacant land in phase two should be linked to the approval of phase one. This could be a partnership between Vastint, local businesses and the Council.
- The design of the park should be edgy, ground-breaking and daring, not bland, and not just a compilation of ideas from other cities.
- As local residents of Brewery Wharf also, they would like to see a small park area along Bowman Lane delivered before the taller buildings to the south of it, as these flats will be subject to years of development work close by.
- They would be keen to see additional affordable underground public car parking for visitors to the area, as the existing on-street car parking in the area may be lost in the future due to downgrades in the highway network
- Construction hoardings are an inevitable part of development, these are a major opportunity for public art for local community groups and artists, and an opportunity to sign post attractions in the area.

5.5 Objections were received from two local residents at Brewery Wharf to the north of the site, in summary relating to the following concerns:

- the excessive overbearing scale, height, form and position of the proposed buildings MU4 and R1 would significantly affect amenities of flats at One Brewery Wharf, in particular overshadowing, loss of light and overlooking, affecting the peaceful enjoyment of their property,
- Building R1 would also look out of place and out of character due to its height.
- potential noise, disturbance and odour from a hotel, restaurants and cafes, and hot food takeaway outlets, that would significantly increase the foot traffic and consequent noise levels in the area, particularly in the late evening and through the night.

- the Council has responsibilities under the Human Rights Act, in particular Protocol 1, Article 1. This states that every person has the right to peaceful enjoyment of all their possessions, which includes the home and surroundings, and the State must not interfere with this - if MU4 and R1 were to be developed in the scale and position as laid out in the outline planning application, this would result in the loss of a human right to the peaceful enjoyment of property at One Brewery Wharf.
- there will be a large increase in road traffic along Waterloo Street and turning into the newly proposed Street "X" (the turn-off being directly outside an objector's property), which will significantly raise levels of noise, disturbance and dangerous exhaust fumes. This would have a detrimental impact on enjoyment of the property by affecting the use of the balcony and opening of windows for ventilation.
- an open park area should be relocated along the entire breadth of Waterloo Street and Bowman Lane, so that permanent local residents can continue to enjoy the privacy and peaceful enjoyment of their homes and not be adversely affected by the new development.

5.6 City and Hunslet Ward Councillor Nash supported the 2 residents' concerns that an open space should be in front of Brewery Wharf for the benefit of local residents.

## **6.0 Consultations Responses:**

### **6.1 Statutory:**

#### 6.1.1 Leeds City Council (LCC) Transport Development Services

Although some further information is awaited regarding the modelling and distribution impact on the local road network, Highways officers consider that there is unlikely to be significant detrimental impact. Planning conditions are recommended regarding the level of uses/floorspace, level of car parking, cycle parking, electric vehicle charging points, car park management and access control, refuse strategy and servicing management plan, 3m wide footway to Crown Point Road, car club bays, all associated Traffic Regulation orders, and Section 106 obligations regarding off-site highways works including a pedestrian crossing to Crown Point Road and off-site pedestrian and cycle improvements in the vicinity of the site, Travel Plan Monitoring, car club trial provision and sustainable travel fund.

#### 6.1.2 Highways England

Holding recommendation – further information is required on the impact of the application proposal on the strategic road network (SRN):

a) Junction assessments and merge/diverge assessments should be undertaken for the following SRN junctions in the morning and evening peak hours at opening year and 10 years post registration of the planning application (i.e. 2027):

- M621 junctions 1, 3, 4 and 7
- M1 junctions 44 and 45

These assessments should include the trips associated with the flexible use element of the proposed development and the committed developments. A sensitivity test should also be undertaken to assess the cumulative impact of the proposed development and the other committed developments.

b) Should junction assessments and merge/diverge assessments indicate that there is insufficient capacity to accommodate the proposed development, appropriate mitigation would need to be identified and agreed with Highways England.

Discussions to address the above comments between the applicant, the Council and Highways England are ongoing at the time of writing the report.

### 6.1.3 Historic England

Historic England welcomes the regeneration of this large and important site but has concerns regarding the application on heritage grounds. This development would affect the setting and significance of several heritage assets in the City Centre. Historic England have made detailed comments on the impact of the proposal on heritage assets which can be summarised as follows:

- Plot R4 - Historic England welcomes the reduction in height of the tower R4 to a maximum of 50m as revised. This addresses their previous advice regarding the harmful impact of the previously proposed height of R4 on the setting of Leeds Minster by detracting from the prominence of the Minster tower.
- Plot R1 – R1 is sufficient distance away from the Minster to avoid harming its setting and significance.
- Plot MU1 – MU1 would have an impact on the City Centre Conservation area and setting of listed buildings in views north to south along Briggate, in particular the gentle sloping topography, open vista to the ridge to the south, an enclosed historic commercial streetscape and a varied and characterful roofscape which includes elaborate detailing and decoration in terracotta, cupolas and finials. A block of the proposed height and width would not preserve or enhance the conservation area. If minded to accept a tower of this height in this prominent location, Historic England would advise that careful attention is paid to ensuring that the design is of an appropriate quality befitting its landmark status in this key view to create a subtle design with a slender silhouette.
- Plot MU3 has an impact on dynamic views of the Grade II listed Bridge House and Grade II listed Adelphi Public House and the City Centre Conservation Area. MU3 would cause harm to the significance of Bridge House by detracting from its distinctive triangular form in this key view. Historic England advise that the eastern section of MU3 is cut back westwards and that its height is reduced to reduce the height of Bridge House. If minded to accept the edge of this block in the position proposed and for it to be set at the height proposed, the Local Planning Authority (LPA) should be convinced that there is adequate justification. Architectural form and detailing in this location would need careful consideration at the reserved matters stage in order to ensure that the setting of Bridge House is preserved and enhanced. It will be important for this issue to be addressed fully at the reserved matters stage.
- The Gatehouse has group value with The Tetley and has an important part to play in telling the story of how the brewery operated and if possible it should be incorporated into the public realm scheme, for example as a small commercial /retail unit serving the space. If minded to accept the proposal for the demolition of the gatehouse, the LPA should be satisfied that there is a clear and convincing justification and that the public benefits would outweigh the loss. If minded to accept this loss then the applicant should explore opportunities to retain some of the heritage significance of the gatehouse and interpret it through the public realm scheme, for example marking out the loading bays that would weigh the beer lorries on their way out of the brewery. Demarcating the weighbridge and walls would retain some sense of definition of the Brewery layout on the site.
- City Centre Park – Historic England welcome the proposal to use the old Hunslet Road as part of the new urban grain of the site to connect to the south. The central area of the park with The Tetley as its centrepiece is also supported. These aspects of the scheme have been designed to respond positively to the historic grain, form and layout of the area, however it is important to ensure active ground floor frontages here and along the Crown Point Road frontage to the park.

- Historic England is concerned about the dilapidated condition of the Grade II listed buildings on Crown Point Road. These buildings will form part of the phase two proposals.

#### 6.1.4 Environment Agency

No objection subject to conditions regarding the implementation of the measures identified in the revised Flood Risk Assessment, details of surface water drainage, and details of land contamination remediation in relation to the aquifer that lies below the site.

#### 6.1.5 Canal and Rivers Trust

Although at an outline stage, with layout and scale both reserved matters, the application has been accompanied with a series of indicative sightlines from different parts of Leeds City Centre, including Fearn's Island pedestrian bridge. Notably, they show that development on the site will be visible from areas next to the waterway in both the southern part of the City Centre Conservation Area and the Eastern Riverside Conservation Area. In line with Leeds Core Strategy policy P11, there is a need to enhance or at least conserve the setting of heritage assets, which includes industrial heritage connected with the waterway corridor and the conservation areas. Given that the proposal would remove a site currently used for surface parking, redevelopment here provides a very good opportunity to improve the setting of the immediate surrounding area. The Townscape & Visual Appraisal Doc (appendix 5, part 2) provides information on the setting of the buildings from Fearn's Wharf, within the East Riverside Conservation Area. The existing character of the majority of new buildings in this area has respected the historic longitudinal block form, alluding to the bonding warehouses of c.19th Century construction. As such, there are risks that the form of the new development shown in the indicative views (with regards to blocks R1 and R4), with tall and more slender elements in proximity to the waterway would not allude to the character and setting of the adjacent conservation area and 19th Century dockside buildings. The form of new development and its impact on the setting of the historic character of the waterside and conservation area should therefore be considered as the scheme is developed further. It is noted that the 2011 South Bank Planning Statement provides design principles for the site that buildings should be approximately 6-8 stories in height (page 29), with a form comprising of longitudinal blocks to complement the historic form of waterside development. The Trust believes that account of this document should be made during the assessment of the proposals as they develop.

#### 6.1.6 Coal Authority

No objection. The Coal Mining Risk Assessment states that whilst coal was found as part of the site investigation works, based on the quality / thickness of the coal the author has concluded that 'given the lack of voids it is considered highly unlikely that coal has been extracted under the site'. No specific mitigation measures are required as part of this development proposal to address coal mining legacy issues. The Coal Recovery Report indicates that based on the site investigations undertaken with the application site it is considered that the coal seams shown to be present are of poor quality and therefore would not be considered economically viable to extract.

### 6.2 Non-statutory:

#### 6.2.1 LCC Flood Risk Management

No objection subject to the implementation of the development in accordance with the submitted flood risk assessment, and a condition regarding details of sustainable surface water drainage.

- 6.2.2 LCC Environmental Studies (Air Quality)  
The air quality assessment submitted with this application suggests that part of the building envelope along Crown Point Road may be exposed to levels of NO<sub>2</sub> exceeding the National Air Quality Strategy (NAQS) annual mean objective, potentially exposing future residents to harmful levels of air pollution. We recommend that a further air quality assessment is undertaken at the reserved matters stage (when details of the site layout are established) to ensure that residential accommodation is not subjected to NO<sub>2</sub> levels which would fall below the NAQS objective level of 40ug/m<sup>3</sup>. This would preferably be by means of site design but if this is not feasible through the incorporation of mitigation measures. The proposal to include electric vehicle charging points is welcomed.
- 6.2.3 LCC Environmental Protection  
No objection in principle subject to conditions regarding details of the sound insulation scheme of the dwellings, construction practice, details of sound insulation and noise limits on mechanical plant and equipment including odour filters, details of sound insulation for any entertainment or bar use, restrictions on commercial unit opening and delivery hours, and external lighting.
- 6.2.4 LCC Licensing  
The Licensing Authority have no concerns with the planning application, however they note that some of the proposed uses will require premises licences under the Licensing Act 2003.
- 6.2.5 LCC Nature Conservation  
There should be no significant nature conservation issues provided that conditions are attached to protect nesting birds and provide biodiversity enhancements.
- 6.2.6 LCC Public Rights of Way  
No definitive or claimed rights of way affect this application site.
- 6.2.7 West Yorkshire Combined Authority (WYCA)  
WYCA support the principle of mixed use development in this location and the significant contribution it will make to increasing house growth and employment opportunities, together with new green infrastructure and pedestrian and cycle connections, in a location close to existing and future public transport hubs. The red line boundary of the application includes land owned by WYCA along Waterloo Street/Bowman Lane and at Meadow Lane on the safeguarded former NGT route. The detailed design of the development which will be the subject of a reserved matters application needs to ensure that the site integrates into the existing walking and cycling provision in the immediate area. Any new provision must be designed to the same standard and quality of the City Connect programme. In addition, the council should seek contributions from this site for the planned improvement to the connectivity of the site to the city centre particularly for the proposed footbridge over the River Aire. WYCA are satisfied that the accessibility of the site is at an acceptable standard. The site is located within the South Bank regeneration area of the city and therefore benefits from a number of public transport services to a range of destinations. The development is likely to generate additional public transport users to the area and therefore the developer should ensure that the layout of the site is linked into the existing bus stops surrounding the site, and they should provide a new bus shelter and a real time passenger information display at Crown Point Road. WYCA also recommend that the developer purchases a URL web-link to display multi stop bus information which costs £500 for five years and covers set up costs and licence fees. To encourage the use of sustainable transport, the

developer needs to fund a package of sustainable travel measures. WYCA recommend that the developer contributes towards sustainable travel incentives to encourage the use of public transport and other sustainable travel modes through a sustainable travel fund, such as residential metrocards. Other uses could include personalised travel planning, car club use, cycle purchase schemes, car sharing promotion, walking/cycling promotion.

#### 6.2.8 Leeds Bradford Airport

The proposal may lead to an increase risk of bird strike on approaching aircraft to Leeds Bradford Airport. There is potential that the roofs of the buildings may be a very attractive nesting site for large gull species. A Bird Hazard Management Plan is recommended to prevent breeding gulls from utilising the roofs of the buildings.

#### 6.2.9 Yorkshire Water

No objection subject to conditions regarding sewer easements and drainage details.

#### 6.2.10 West Yorkshire Police

Recommend that further consultation takes place at the detailed design stage with regard to lighting, CCTV, door and window security and Secured by Design measures.

#### 6.2.11 West Yorkshire Archaeological Advisory Service

Given the type of activity within the application site from a wide range of periods the site's archaeological potential should be fully evaluated prior to development taking place and an appropriate level of archaeological mitigation designed around the surviving physical evidence. A suitable condition is recommended to secure a programme of archaeological recording prior to any works taking place.

## 7.0 Relevant Planning Policies

### 7.1 Development Plan

7.1.1 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).

7.2.1 The Leeds Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. Relevant Core Strategy Policies include:

- Spatial policy 1 location of development
- Spatial policy 2 hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture
- Spatial policy 3 role of Leeds City Centre
- Spatial policy 4 regeneration priority programme areas
- Spatial policy 5 Aire Valley Leeds urban eco-settlement
- Spatial policy 6 housing requirement and allocation of housing land
- Spatial policy 7 distribution of housing land and allocations
- Spatial policy 8 economic development priorities
- Spatial policy 9 provision for offices, industry and warehouse employment land and premises

- Spatial policy 11 transport infrastructure investment priorities
- Spatial policy 13 strategic green infrastructure
- Policy CC1 City Centre development
- Policy CC2 City Centre south
- Policy CC3 improving connectivity between the City Centre and neighbouring communities
- Policy EC1 general employment land
- Policy EC2 office development
- Policy P8 sequential and impact assessments for main town centre uses
- Policy H3 density of residential development
- Policy H4 housing mix
- Policy H5 affordable housing
- Policy EN1 carbon dioxide reduction
- Policy EN2 sustainable design and construction
- Policy EN4 district heating
- Policy EN5 managing flood risk
- Policy G9 biodiversity improvements
- Policy P10 design
- Policy P11 heritage
- Policy P12 landscape
- Policy G1 enhancing and extending green infrastructure
- Policy G5 open space provision in the City Centre
- Policy T1 transport management
- Policy T2 accessibility requirements and new development

The City Park concept is identified within the Leeds Core Strategy 2014 at paragraph 2.39 'Our Green Environment', para 3.2, para 4.3.2, and in Policies SP3, CC2 and para 5.1.18, Policy G5 and para 5.5.20

#### 7.2.2 **Leeds Unitary Development Plan Review 2006 Saved Policies**

Relevant policies include:

- Policy GP5 all relevant planning considerations
- Policy BD2 new buildings
- Policy BD5 residential amenity
- Policy LD1 landscaping

#### 7.2.3 **Leeds Natural Resources & Waste Plan**

The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Relevant policies include:

- Minerals 2 minerals safeguarding area sand and gravel
- Minerals 3 mineral safeguarding area coal
- Air 1 management of air quality through new development
- Water 1 water efficiency
- Water 2 protection of water quality
- Water 4 development in flood risk areas
- Water 6 flood risk assessments
- Water 7 surface water run-off
- Land 1 contaminated land
- Land 2 development and trees

#### 7.4 **Emerging Aire Valley Leeds Area Action Plan**



7.4.1 The site lies within the boundary covered by the emerging Aire Valley Leeds Area Action Plan (AVLAAP) which is being prepared in accordance with Core Strategy Spatial Policy 5 and will form part of the LDF when adopted. The AAP has been the subject of public consultation and examination by the Secretary of State, and it signals the Council's aspirations and priorities for the future development of the area. The Planning Inspectorate issued the Council with the Aire Valley Leeds Area Action examination Inspector's Report and Main Modifications on 8 August 2017. The report concludes that subject to the agreed modifications being made, the plan is sound. It satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase 2005 Act and it provides an appropriate basis for the planning of the city. Executive Board agreed on 20<sup>th</sup> September 2017 that the plan be recommend to Full Council for adoption with the agreed modifications, and this will be considered on 8<sup>th</sup> November 2017 for formal adoption. Upon adoption the AVLAAP will form part of the Development Plan for Leeds. Therefore significant planning weight can be given to its policies.

The AVAAP has relevant policies regarding strategic transport infrastructure for the area, green infrastructure, pedestrian connectivity, and specific guidance for the South Bank sub-area which will formalise the aspirations of the South Bank Planning Statement 2011 into the Development Plan. The area covered by the South Bank Planning Statement 2011 and the corresponding relevant specific planning policies are contained with the South Bank sub-area (SBPSA Spatial Vision and Policies SB1, 2, 3 and 4):

- Policy SB1 Pedestrian and cycle connectivity in the South Bank relates to measures to improve connectivity in the area, links to other locations in the city centre and surrounding communities and measures to reduce the physical and visual impact of vehicular traffic infrastructure.
- Policy SB2 sets out the objectives for the City Park (as first set out in the South Bank Planning Statement 2011)
- Policy SB3 relates to new and enhanced green routes and spaces in the South Bank, including the provision of new greenspace, and the planting of street trees along pedestrian/cycle routes and major road frontages.
- Policy SB4 sets out appropriate uses in mixed use sites within the City Centre as including housing, office, hotel, small scale retail, cafes, bars, bars, leisure and entertainment, community uses and cultural uses

7.5 **Relevant Supplementary Planning Guidance/Documents includes:**

SPD Street Design Guide  
SPD Travel Plans  
SPD Building for Tomorrow Today: Sustainable Design and Construction  
SPG Neighbourhoods for Living  
SPD Parking  
SPD Tall Buildings  
SPD Accessible Leeds

7.6 **South Bank Planning Statement 2011**

The South Bank Planning Statement was adopted at Executive Board following public consultation in 2011 as informal Supplementary Planning Guidance (SPG) for development management purposes, which will be formalised in due course through the adoption of the Aire Valley Area Action Plan (AVLAAP). The area covered by the planning statement is now contained within the South Bank sub-area of the

AVLAAP, and its objectives covered by SBPSA Spatial Vision and Policies SB1, 2, 3 and 4. The adopted vision for this site is to enable the delivery of a project that will contribute towards the transformation of Leeds South Bank into a distinctive, vibrant, well connected, sustainable neighbourhood, which has at its heart a new City Centre Park. The planning statement offers guidance on mix of uses (which remain in accordance with the Core Strategy and AVLAAP), and sets out an illustrative framework for building layout and form.

The new park will act as a catalyst for the regeneration and place-shaping of the South Bank of Leeds City Centre, by creating a vibrant public space that provides the context for the broader redevelopment of the area, and will help to improve connections from the City Centre core to the surrounding communities in the Aire Valley, Hunslet, Richmond Hill, Beeston Hill and Holbeck. The Council's ambition is to develop a major new City Centre Park just south of the River Aire, with strong pedestrian links across the river into the heart of the shopping and commercial area, and the Aire Valley. The key principles to guide the development of the Park can be summarised as follows:

- The park will reach approximately 3.5 hectares when phased over time in order to be a meaningful high quality green public space of a type not currently provided in Leeds City Centre or its fringes, which balances the passive and active recreational needs of day visitors, office workers and City Centre residents and add to the critical mass of the City Centre's cultural and visitor attractions.
- An accessible, safe and child-friendly secure space with improved connectivity within the City Centre for pedestrians and cyclists to adjoining areas;
- Integrate the functionality of the space for different types of recreation, of a park landscape with substantial large canopy trees and extensive grassy spaces as major green infrastructure, and a civic "people" event space, with positive interfaces with surrounding ground floor building uses;
- Attract and facilitate the delivery of new commercial and residential developments with a design character that helps to frame the new greenspace, and also support its financial viability, by acting as a catalyst for new development;
- Create opportunities for public art and cultural attractions;
- Create opportunities for biodiversity enhancement;
- Be designed with sustainability, climate change and flood alleviation in mind, e.g. incorporating surface run-off in greenspace design;
- Spur regeneration and enhance employment opportunities in the southern part of the City Centre, and beyond.

## 7.7 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so. Relevant paragraphs include:

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

- Proactively drive and support sustainable economic development to deliver homes...
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land)
- Promote mixed use developments and encourage multiple benefits from the use of land in urban areas
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

Paragraphs 23 - 27 relate to town centre uses. The NPPF sets out two key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accordance with an up to date Local Plan – the sequential test and the impact test. These are relevant in determining individual decisions and may be useful in informing the preparation of Local Plans. The sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy).

The NPPF states that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres (para 23).

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50).

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. Paragraph 59 states that Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic

environment.

Paragraph 131 states that in determining planning applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 of the NPPF 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 assets conservation, and that the more significant the asset the greater the weight should be. It also states that significance can be harmed through development within its setting, and that substantial harm to or loss of designated heritage assets of the highest significance (Grade I and II\* listed buildings and Scheduled Ancient Monuments) should be wholly exceptional.

Paragraph 134 states that 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.

Paragraph 137 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

## 7.8 **Other material considerations:**

### **The Leeds Standard 2014 and the Nationally Described Housing Standards**

The Leeds Standard was adopted by the Council's Executive Board on 17th September 2014 to ensure excellent quality in the delivery of new council homes. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council's Neighbourhoods for Living guidance. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has been adopted as formal planning policy and only limited weight can be attached to them, given their evidence base in determining the minimum space requirements, they are currently used to help inform decisions on the acceptability of development proposals.

## 8.0 **Main Issues**

8.1 Principles of the scheme

8.2 Housing quality

8.3 Approach to sustainability

8.4 Indicative layout and scale (including the City Park), and the impact on the special character of nearby Listed Buildings and the character and appearance of the nearby Conservation Area (Planning (Listed Buildings and Conservation Areas) Act 1990)

8.5 Amenity of existing residents

8.6 Highways, transportation and access

- 8.7 Wind
- 8.8 Flood Risk and sustainable drainage
- 8.9 Other considerations
- 8.10 Section 106 planning obligations

## **9.0 Appraisal**

### **9.1 Principles of the scheme**

- 9.1.1 The site is unallocated in the current Development Plan, however now that the Aire Valley Leeds Area Action Plan (AVLAAP) is at a very advanced stage, having been subject to public consultation, independent examination, and the Planning Inspectorate has declared it as sound, it has significant weight in decision-making. The AVLAAP shows the site as part of the South Bank Planning Statement Area (SBPSA, Site AV94). This is a housing and mixed use allocation made under Policy AV7 which applies across a wider area than the former Tetley Brewery site. Policy SB2 of the AVLAAP sets out a proposal for a 3.5 hectare new city park within site AV94, and this application would make a significant 2 hectare contribution towards this. The estimated capacity for the wider SBPSA site (AV94) is 1,635 dwellings, which includes the entire Tetley Brewery site (including Phase 2) and potentially other sites in the vicinity. The provision of 850 units in this application for phase one of the former brewery site is considered to be in accordance with Policy CC1 and Spatial Policies 5 and 7 of the Core Strategy, and emerging Policy AVL7 for site AV94. The B1 employment uses proposed in this application (85,000 sq m of floorspace) is above the estimated level stated within the draft AVLAAP for site AV94 (73,500 sq m of office floorspace allocated). This level of provision is appropriate given the focus on the area as an office location in the Core Strategy and its location close to existing public transport connections (Leeds Station Southern Entrance, local bus stops and the bus station) and future public transport (HS2), and because it is not likely to prejudice delivery of housing targets. The proposals would make a significant contribution to delivery of the Core Strategy office target under Policy CC1, and employment growth in such a sustainable and accessible location is supported. Based on the overall maximum non-residential floorspaces, the applicant forecasts that approximately up to 6500 jobs could be created by the proposed development.
- 9.1.2 Policy CC2 of the Core Strategy promotes town centre uses south of the river in the City Centre including office, cultural and leisure uses. In addition to the significant office uses discussed above, there are 15000sqm of flexible ground floor uses proposed. These are necessary to provide active frontages to the Park and the surrounding streets, for urban design, place-making and community safety reasons. They would also serve the needs of workers, residents and visitors at different times of the day and night, not just within the new development but also within the surrounding area. This is considered to be in accordance with Core Strategy Policy SP3 and emerging AVLAAP policy SB4. The flexible uses proposed are all acceptable within the City Centre, however as the site is outside the primary shopping area, a retail sequential test and impact assessment was undertaken in accordance with Core Strategy Policy CC1 to demonstrate the acceptability of the level of A1 retail proposed. It is considered that there are no sequentially preferable sites within a five minute drive of the site that would be available, suitable, or viable for the development as proposed. It is therefore considered that the sequential test has been passed. With regard to retail impact assessment, it is considered necessary to limit the size of any A1 retail unit to be no larger than 1200sqm (net) to reduce the risk of the entire floorspace being taken up with high value convenience uses such as large supermarkets. The scheme is therefore unlikely to have a significant adverse impact on the convenience function of the Primary Shopping

Area and Hunslet Town Centre. It is considered that one of the positives of the scheme is that it will provide high quality convenience facilities for residents and workers on the South Bank, increasing the attractiveness of the location and the likelihood of its regeneration. On balance, the retail element of the scheme is not likely to have a significant adverse impact on the retail function of the City Centre Primary Shopping Area or other nearby local centres such as Hunslet, and is acceptable subject to a maximum limit on overall quantity of A1 retail use at 8000sqm Gross Internal Area (GIA) and a maximum A1 retail unit size of 1200sqm trading area. In summary, this application for a mixed-use development with significant greenspace in this prominent City Centre location, would meet the regeneration, housing and economic objectives of the Leeds Core Strategy, Aire Valley Area Action Plan, the South Bank Planning Statement 2011 and the National Planning Policy Framework.

## 9.2 Housing Quality

- 9.2.1 The applicant has committed to meeting the affordable housing Core Strategy Policy H5 for this area, with 5% of the total dwellings to be provided as affordable housing in a pro-rata mix, split 60:40 lower decile:lower quartile incomes. The total provision would be up to 43 affordable units (subject to the exact number provided in the reserved matters phases). This would be controlled through the S106 agreement.
- 9.2.2 This application is in outline only, but Vastint have confirmed that they would meet the Council's requirements to provide an adequate size and mix of accommodation, with appropriate consideration of good amenities such as private external amenity space, outlook, daylight/sunlight and privacy, at the detailed reserved matters stage.
- 9.2.3 In particular the applicant has confirmed the following mix of dwelling sizes to meet the objectives of Policy H4 for a balanced provision of dwelling sizes, including the provision of at least 20% of the units as 3-bedroom dwellings:
- 10% Studio: 85 units
  - 27% 1 Bed: 230 units
  - 43% 2 Bed: 365 units of which 12% are flexible residential units
  - 20% 3 Bed: 170 units of which 12% are flexible residential units

Vastint would also like to introduce an innovative way of residents being able to expand and contract the number of rooms within their flat or house without moving, so that residents can adapt their living spaces to meet their changing circumstances. 12% of the two and three-bedroom units would be flexible, designed to the minimum standard for the larger unit size, but capable of having walls removed to allow for different functions of living space. This is considered to be an interesting concept that could help to make the City Centre a place for families of all ages to move to and stay throughout their lives.

## 9.3 Approach to sustainability

- 9.3.1 Vastint have committed to meeting the Council's sustainable construction objectives in Core Strategy EN1 and EN2 to reduce the total predicted carbon dioxide emissions to achieve 20% less than the 2013 Part L Building Regulations target emission rate for residential buildings, and BREEAM Excellent accreditation for non-residential premises. Policy EN1 also requires applicants to provide a minimum of 10% of the predicted energy needs of the development from low carbon energy. At this outline application stage, Vastint are not able to commit to this target as it would depend on the detailed design of each building and the exploration of the potential to connect to the proposed District Heating Network (policy EN4), use on-site

measures such as Combined Heat and Power (CHP) or renewable technology. It is recommended that the exact details of how policies EN1, EN2 and EN4 are met is controlled by planning condition to be discharged at Reserved Matters stage.

#### **9.4 Indicative layout and scale (including the City Park), and the impact on the special character of nearby Listed Buildings and the character and appearance of the nearby Conservation Area (Planning (Listed Buildings and Conservation Areas) Act 1990 Sections 66(1) and 72)**

##### **Indicative Layout and the City Park**

- 9.4.1 The South Bank Planning Statement 2011 highlights that a new park will act as a catalyst for the regeneration and place-shaping of the South Bank of Leeds City Centre, by creating a vibrant and outward-facing public space that provides the context for the broader redevelopment of the area, with a high quality environment which balances the recreational needs of day visitors, office workers and residents. The proposed maximum layout and form of the buildings in this future outline planning application will shape the extent of the central area of the City Centre Park and the important new pedestrian/cycle connections in all directions. Vastint's strategy positively takes account of the Council's place-making aspirations, and makes some slight changes to the shape and distribution of proposed greenspace around the site, so that it would run broadly from north-west to south-east in a curve from the River Aire to Hunslet Road. This is considered to be a positive interpretation of the Council's illustrative vision for the Park, because it would help link the park to the communities to the south. Representations to the application have suggested a park along the whole length of Waterloo Street and Bowman Lane and for the early delivery of the north park element to mitigate the impact of the development on residents at Brewery Wharf. However, it is considered appropriate that as a City Park which would act as a strategic city-wide destination, it takes a more central location which better connects to the wider pedestrian and cycle network, and enhances the setting of heritage assets. It would also enable extension of the park towards the riverside across Meadow Lane using the Council's landholding, and towards the south east across Crown Point Road. As part of the Reserved Matters considerations it is considered reasonable to require temporary treatment of the remainder of the application site (including the north park element), ahead of its permanent redevelopment and this would be controlled by planning condition. The total area of the park on Vastint's land ownership at approximately 30% public space would exceed Core Strategy Policy G5's requirement of 20%, and would represent a minimum 2 hectare contribution to the overall 3.5 hectare ambition in the South Bank Planning Statement 2011. However, it is acknowledged that consideration of the City Centre Park needs to be more than an allocation of quantity of areas around potential building plots, and that this is an early stage in the overall process of developing the City Park. A strategy for the functions of the park, its detailed management and maintenance is being developed in collaboration with the Council, and the full details of this and its delivery would be controlled through the Section 106 agreement. This would address detailed issues such as the requirement to provide family-friendly facilities for all ages including children and older people.
- 9.4.2 The development floorspace proposed through maximum parameter building footprint plans, and the spaces between them, demonstrate a series of linked free-flowing and continuous spaces, which can respond positively to heritage assets and express new high quality design and activity around the park-facing ground-level frontages. The Design Strategy requires buildings to be modelled to provide a human scale at their bases to the park.

The key indicative areas of space include:

- A green 'Central Park', the centrally located soft-landscaped space, the main body of the City Park, including native tree planting, grassed areas, and play and exercise equipment for all ages
- 'Tetley Triangles', three adjoining event spaces, two at grade and predominantly hard paved, one grassed with raised banking
- 'North Park' at the north east of the site between the proposed residential development plots and Bowman Lane.
- 'Commercial Square' at the south east corner of the site enclosed by office buildings
- Residential courtyards, areas of communal private space for residents
- Pedestrian and cycle connectivity – new routes north to south and east to west

The submitted Design Strategy would be an approved document, which would act as design code for the future reserved matters applications for both the buildings and the spaces in between, including the park.

- 9.4.3 Landscaping would be a Reserved Matter for future consideration, however the provision of new street trees will be fundamental to the transformation of the South Bank and the quality of the proposed development, including along Great Wilson Street, and other principal streets around and within the site. There is unlikely to be an opportunity to plant trees in the current highway space due to underground services. The Design Strategy promotes tree planting around and within the site, with the exception of Crown Point Road. In this case, it is expected that street trees would be proposed within Vastint's ownership in phase two to soften the built (not park) frontage on Crown Point Road from Chadwick Lodge to Cudbear Street, and along Black Bull Street, in accordance with the South Bank Planning Statement and Aire Valley Action Plan aspirations for the area for tree-lined streets in the South Bank.
- 9.4.4 **Heritage and indicative layout and scale**  
Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that Local Planning Authorities (LPAs) must 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, and the act also advises that LPAs pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The indicative layout and scale of the proposed buildings and the linked park spaces between them, have the potential to enhance the setting of the Grade II listed Salem Chapel, and the unlisted heritage asset The Tetley building.
- 9.4.5 With regard to Historic England's concern in relation to visual prominence in the termination of views from Briggate to the south by the proposed tower MU1, it is considered that this building has the potential to enhance the vista at the southern end of Briggate, and act as a marker for the regeneration of the South Bank and the location of the City Park. Additional provisions have been made in the Design Strategy to ensure design quality and the importance of providing a new landmark feature at the end of this long view. Assessment at the detailed Reserved Matters stage would ensure that the detailed design of MU1 is a high quality tall building with an appropriate stepping form and facade design. This is the subject of specific guidance in the Design Strategy.
- 9.4.6 The proposal for MU3 will form a distinct new visual element in the background to the listed building Leeds Bridge House. However, the new building would be around



175m behind the listed building and the extent to which it will be visible in approaches along Leeds Bridge and Bridge End would vary given the dynamic nature of the view. The detailed design would be subject to assessment at Reserved Matters stage, to ensure that it has an appropriate complementary architectural treatment and does not unduly detract from the setting of Leeds Bridge House or the Adelphi Public House.

- 9.4.7 The key view from Leeds Bridge across the site towards the Crown Hotel with the Leeds City College Printworks (former Alf Cooke) clock tower in the distance is preserved, offering a visual link to the education hub, and to the envisaged future re-use of the Crown in phase two.
- 9.4.8 Regarding Plot R4, the proposed indicative height of this plot has been reduced during the course of the application from 70.2m to 50.4m to remove any potential interruption to the silhouette of the Leeds Minster or weakening of its skyline prominence. It is therefore considered that this plot would not adversely affect the setting or significance of Leeds Minster.
- 9.4.9 Plot R1 is shown indicatively as the tallest element on the site, up to a maximum of 39 residential storeys. This central location within the site would act as a marker for the City Park. It would act as a counterpoint for Plot MU1 to the south west of the park. Taller buildings could not be located to the east due to the setting of the Leeds Minster, which has led to the reduction in height of R4. Without taller buildings in the indicative layout, the development would not be able to achieve the dwelling numbers envisaged in the plan, or the 2 hectares of public park, routes and other spaces. The development as proposed could be lower in height, but it would result in less useable greenspace, or less dwelling numbers which would affect scheme viability and the delivery of the homes anticipated in the site allocation.
- 9.4.10 On balance, it is considered that the proposal would enhance the character and appearance of the Eastern Riverside and City Centre Conservation Areas, the setting of the Grade II\* listed Chadwick Lodge, and setting of the Grade II listed buildings including the Adelphi Public House, Leeds Bridge House, Salem Chapel, Old Red Lion Public House, and the unlisted The Tetley and Crown Hotel.
- 9.4.11 **Loss of the gatehouse**  
The indicative masterplan proposes the demolition of the former gate lodge, a complementary building to The Tetley identified as having historic importance, and adding meaning to the legibility, historic and communal value of the site including The Tetley itself. It was where workers and visitors reported to on a daily basis. However, the building is a later addition to the site believed to have been constructed in the 1950s, and altered in the 1980/90s. The building was not part of the original 1930s designed layout of The Tetley headquarters building. Therefore it is considered that the historic and architectural interest is limited, and its demolition would have a minimal impact on the setting of The Tetley, and nearby listed buildings. Its loss would be less than substantial harm to the setting of The Tetley, Salem Chapel and Bridge House, and the overall delivery of the park itself would be an enhancement to the setting of these heritage assets. It is considered that with reference to Paragraph 134 of the NPPF, the public benefit of opening up the park at the north-western end to allow it to flow around The Tetley as a standalone centre-piece and a focal point would outweigh the loss of the gatehouse.
- 9.4.12 In summary, it is considered on balance that the indicative building layout and scale parameters that support this outline scheme would create a positive relationship between new buildings, existing heritage assets, new pedestrian/cycle routes, and

greenspaces. Together, these factors would improve connectivity and set out the approach to this first phase of the future City Park, which would on balance enhance the setting of the nearby heritage assets The Tetley, Salem Chapel, Leeds Bridge House and the Adelphi Public House.

## **9.5 Amenity of existing residents**

- 9.5.1 The indicative parameter plans show development set back from Waterloo Street and Bowman Lane. There is potential for the proposal to impact on daylight and sunlight and outlook on the flats to the north of the site, which range between five and thirteen residential storeys in height. The minimum gap between Block MU4 to the 5 storey Waterfall apartments would be approximately 21m. The minimum gap between Block MU4 to 1 Brewery Wharf would be approximately 21m, widening to 31m. The minimum gap between Block R1 to Brewery Wharf would be approximately 31m at its closest distance, widening to over 60m. It is considered that these relationships would be acceptable, as these distances would be wider than many City Centre streets, and would be appropriate to the scale of the buildings as indicatively proposed. The maximum parameters in height and footprint may also not be expanded to their widest and tallest extent, which would mean that assessment has been made of the worst case scenario. It is therefore considered on balance that this relationship is acceptable in privacy, visual dominance, outlook and overshadowing terms. It is considered that in the more densely built character of a City Centre location, the maximum parameter building lines in the proposal would give appropriate space between buildings, and not have significantly adverse effects on the amenities of neighbouring properties.
- 9.5.2 The greenspaces proposed would be publicly accessible for all, all elements of the City park, Tetley Triangles and north park would benefit not only residents of this development, but those at Brewery Wharf, and the wider area.
- 9.5.3 Regarding other amenity matters raised by objectors, it is considered that these potential amenity impacts can be appropriately mitigated through the imposition of planning conditions including restrictions on hours of delivery to non-residential premises, plant and machinery noise and odour, and bins. Alcohol, entertainment and late night food licensing controls would control the management and opening hours of flexible use units where applicable. During the construction stages, a condition would require the applicant to submit a works management plan for each phase which would include restrictions to hours of operations, restrictions on construction deliveries, workforce parking, cabins, noise, dust, mud, traffic management, and communication with local residents and businesses.
- 9.5.4 It is considered that the proposed development would not generate vehicle traffic to such an extent that it would materially add to noise and disturbance within the existing context of a busy City Centre environment.

## **9.6 Access, highways and transportation**

- 9.6.1 Residential parking is considered acceptable at up to 46% of the level of proposed dwellings. Office parking would also be below maximum standard, however the site is in a very sustainable accessible City Centre location close to public transport links including the City station, future HS2, existing (Elland Road and Temple Green) and proposed (Stourton) park and ride bus stops and city centre bus interchanges. The surrounding area is an enforced and controlled parking zone, and public car parking is available at Leeds Dock. The scheme is also supported by Travel Plan measures

including a sustainable travel fund of £162,488.75, and a car club trial provision contribution of £69,350

9.6.2 Off-site highways works have been agreed for inclusion in the Section 106 agreement to improve the pedestrian and cycle connections in the vicinity of the site and support the approach to sustainable travel and low car use. The required off-site works would be:

- Pedestrian crossing on Crown Point Road between Bowman Lane and Sheaf Street £70,000
- City Connect cycle scheme from The Calls to Hunslet Lane contribution £364,000
- Sovereign footbridge contribution £500,000

9.6.3 Conditions are also recommended to control the maximum permitted levels of car parking at the site, the allocation of car parking between uses, car park management plan, electric vehicle charging points, cycle and motorcycle parking, staff showers and lockers, and car club parking space provision.

#### 9.6.4 **Impact on the Strategic Road Network (Highways England)**

The applicant's highways consultant states that the development would lead to an increase in vehicles on the strategic road network (M1 and M621). Highways England have requested modelling work to understand this impact further and determine if any mitigation is necessary, and if any is required what that mitigation might be. Highways England therefore request that the application is not approved until the outcome of this work is understood. The Local Planning Authority cannot determine the application against Highways England advice without referral to the Secretary of State for Transport. Members are therefore requested to defer and delegate approval to the Chief Planning Officer pending the outcome of this consultation.

### 9.7 **Wind**

9.7.1 The proposals will have an impact on the wind micro-climate in and around the site. The applicant has committed to carry out a wind tunnel assessment at each phase of the reserved matters to inform the massing and form of the development, and determine detailed wind mitigation measures. The wind mitigation measures could comprise:

- Reduced massing of buildings
- Podium structures at low level of mid to high rise blocks
- Rounded corners to reduce wind accelerations
- Canopies
- Covered walkways
- Screens – solid and/or perforated
- Clustered trees
- Recesses to the cladding / facades
- Draught lobbies, screens or revolving doors at entrances
- Balconies and roof terraces – with balustrades and/or screens

9.7.2 The Council's wind consultant has advised that the applicant will need to provide a site-wide strategy which allows for any necessary redistribution of massing to be agreed prior to the consideration of any Reserved Matters for first phase of development. The applicant would retain responsibility for the whole site development and is able to control redistribution of massing around the site as necessary. It is therefore considered appropriate to control the requirement for further wind impact assessments at the detailed design stage and the requirement for a site-wide strategy for any necessary redistribution of massing by planning condition.

## **9.8 Flood Risk and sustainable drainage**

- 9.8.1 A sequential assessment has been carried out in accordance with the National Planning Policy Framework. On the basis of the assessment provided, there are no alternative, deliverable, sequentially preferable sites within the Aire Valley Leeds area capable of accommodating the proposed development that are available and could achieve the mixed use community and regeneration benefits proposed, at a lower risk of flooding than the application site. On the basis of the above, the Flood Risk Sequential Test is considered to have been satisfactorily addressed for the application site. National policy then requires that the Exceptions Test be carried out. The applicant has provided information to demonstrate that the sustainability benefits of the site outweigh flood risk, addressing part 1 of the exception test. Part 2 of the exception test makes reference to the mitigation measures set out the Draft Aire Valley Leeds Area Action Plan exception test which supports the proposed housing allocation on the site.
- 9.8.2 The applicant proposes the following acceptable flood risk measures, which would be reviewed at each reserved matters application:
- Finished floor levels and basement entrance thresholds would be set at least 100mm above the undefended 1 in 100 chance in any year flood level, taking the impacts of climate change into account (upper end 50% allowance)
  - Flood exclusion measures are included across the development, between the proposed finished floor levels and 600mm above the design flood level.
  - Signing up to flood warning and evacuation plans.
- 9.8.3 The submitted Surface Water Drainage design for the project applies the principles of Sustainable Urban Drainage (SuDS) design and also meets the Council's Minimum Development Control Standards for Flood Risk where possible. Infiltration soakaway tests have been undertaken on-site and are not considered to be a practical or efficient means of disposal, but would be considered further at detailed design stage. The existing surface water drainage discharges into Yorkshire Water public sewers. As infiltration or watercourse discharging are not considered practical by the applicant's drainage engineers, the proposed surface water would discharge into the existing public sewers at agreed restricted rates. The proposed discharge rate off site would be reduced by a minimum of 50% compared to existing, with consideration given to SuDS features, to reduce flows as close to greenfield rates as practicable, subject to reserved matters applications and the recommended conditions.
- 9.8.4 The Environment Agency and Leeds City Council Flood Risk Management have no objection to the application proposal on this basis subject to conditions regarding the implementation of the measures set out in the flood risk assessment, ground water site investigation and remediation, and details of surface water drainage schemes. It is considered that any opportunities for green roofs as part of the sustainable drainage solutions can be considered at Reserved Matters stage.
- 9.8.5 It is therefore considered that the submitted flood risk and drainage proposal would comply with the requirements of the NPPF, Core Strategy policy EN5 and NRWDPD policies Water 4, 6, and 7.

## **9.9 Other considerations**

- 9.9.1 With reference to West Yorkshire Combined Authority's comments, the applicant would need to agree access over WYCA's land off Waterloo Street, and any grant of planning permission would not over-ride this. It is not necessary for WYCA to be party to the Section 106 agreement as no buildings would sit on their land. Third party land is also not included in the consideration of the City Park. WYCA also request that the applicant provide a new bus shelter with real-time display on Crown Point Road, and subscribe to a multi-stop information system at a cost of £500 for five years. These measures may or may not be necessary to mitigate the travel impact of the development. The Travel Plan requires monitoring and support of sustainable travel initiatives and if required these measures could be funded using the Sustainable Travel Fund sum.
- 9.9.2 A Birdstrike Risk Assessment which was requested by Leeds Bradford Airport was submitted and found to be acceptable by the Airport subject to the detailed design of the roofs which can be considered at the Reserved Matters stage. A condition is recommended to control the details of a birdstrike management plan for the proposed building roofs.
- 9.9.3 In relation to the reference to the Human Rights Act by the objector at One Brewery Wharf, the consideration of this planning application represents a fair balance between the public interest, the rights of individuals and the residential amenity of existing properties, as discussed above.
- 9.9.4 With reference to Duke Studios' request that the development of this landholding be tied to the permanent redevelopment or temporary treatment of the applicant's land on the eastern side of Crown Point Road, it is considered that this cannot be reasonably requested under this application as it relates to land outside the scope of the application. However, a condition can be recommended to ensure the appropriate temporary treatment of land within this application boundary, including any opportunities for public art on hoardings. It is understood that the remaining land within Vastint's control will come forward as a second outline application, and the temporary treatment of land within that phase can be secured through any permission subsequently granted under that application. With reference to Duke Studio's comments for the need to ensure the safeguarding of the pedestrian and cycle connection across the site along the existing Hunslet Stray route, it is agreed that this route is important and should be retained during construction works. This will be controlled by condition.
- 9.9.5 The area is already served by public car parks at Leeds Dock, Criterion Place, Trinity, in addition to numerous on-street public car parking spaces, and is served by the new Park and Ride routes. The Council's strategy is to promote more sustainable means of travel in this central location and to downgrade the highway network to achieve better quality public realm. It is therefore considered that it would be unreasonable and unnecessary to require the development to provide additional public car parking.
- 9.9.6 Canal and Rivers Trust commented in their representation that the proposal should reflect the longitudinal layout and scale (generally 6-8 storeys) of the historic waterside buildings encouraged in the South Bank Planning Statement 2011. Although the proposal includes the potential for some taller buildings, it still safeguard appropriate pedestrian connectivity routes, sufficient allocation of public space, and the delivery of the mix of uses envisaged in the planning statement. The overall indicative heights of the proposed development does differ from the guidance, however the area is in transition with ambitious infrastructure projects planned such as HS2 and would form part of an extended dense City Centre

environment. In this context the proposal has demonstrated that buildings can be modelled with bases of a more human scale whilst recognising that taller elements of the buildings would not have an adverse impact on the wider townscape environment as discussed at section 9.4 of the appraisal above. It is therefore considered that on balance the proposal would lead to an appropriate townscape and urban form, subject to the provisions of the submitted Design Strategy and future Reserved Matters applications.

- 9.9.7 With regard to comments about the phasing of the proposed development, including how it would affect ASDA's interests, the phasing details are to be controlled by condition. However, the impact on ASDA's interests is considered to be a civil matter between ASDA and the applicants Vastint, and does not affect the merits of the planning considerations.
- 9.9.8 With reference to the condition of the listed buildings on Crown Point Road, these do not fall within this application boundary. However the applicant has made the buildings watertight and is in the process of preparing an application for the second part of their landholdings which will include long term proposals for these buildings.
- 9.9.9 The most recent consent for temporary car parking on the site expires in 2022. However it is conditional to a phased reduction of the total parking numbers by 50% by the end of the period. It is considered that along with the art hub, temporary greenspace and routes, that the temporary car parking can provide an acceptable and active meanwhile use which would not deter permanent redevelopment in this case.

## **9.10 Section 106 Obligations and CIL**

- 9.10.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms,
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.

Adopted Development Plan policies would result in the following necessary obligations which it is considered meet the legal tests:

- 5% on-site affordable housing in accordance with policy for the area at a pro-rata mix, split 60:40 lower decile:lower quartile income
- Off- site highways works being a new pedestrian crossing on Crown Point Road between Bowman Lane and Sheaf Street £70,000, City Connect cycle scheme contribution £364,000 and Sovereign footbridge contribution £500,000
- Sustainable travel fund £162,488.75
- Car club contribution £69,350
- Travel plan monitoring fee £20,000
- City Park strategy plan
- Public access through the site including new pedestrian routes and the City Centre Park
- Cooperation with local jobs and skills initiatives

The proposal would be subject to the Community Infrastructure Levy (CIL) and this would be calculated for each of the detailed reserved matters applications.

## **10.0 Conclusion**

10.1 In conclusion, it is considered that the applicants have provided a balanced planning case whereby the following matters would outweigh other matters such as the loss of the unlisted heritage asset, the Gatehouse.

- Up to 850 dwellings with a range of flat sizes and types (including 5% policy compliant affordable housing)
- Significant employment floorspace provision, which would promote new jobs, businesses, innovation and economic growth
- appropriate indicative dwelling sizes which meet the national and Leeds standards
- an appropriate level of on-site resident amenity space and public greenspace, including a significant 2 hectare contribution to the City Park.
- the provision of active ground floor uses around the City park and the streets around the development
- improved pedestrian connectivity in all directions through the site, leading to a new pedestrian bridge link to Sovereign Square and the Leeds Station Southern Entrance, with improved east-west connectivity to Leeds Dock and the education hub.
- Highways enhancements to Crown Point road through off-site highways works to be delivered as part of this application scheme, which could be added to with Vastint's phase two application in the future, to improve connectivity east to west to Leeds Dock and the education hub.

10.2. The Planning (Listed Buildings and Conservation Areas) Act 1990 states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings and pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area. On balance, for the reasons set out above, it is considered that the proposal would enhance the character and appearance of the Eastern Riverside and City Centre Conservation Areas, the setting of the Grade II\* listed Chadwick Lodge, and setting of the Grade II listed buildings including the Adelphi Public House, Leeds Bridge House, Salem Chapel, Old Red Lion Public House, and the unlisted The Tetley and Crown Hotel.

10.3 This scheme is a significant regeneration opportunity that will contribute to the delivery of the Council's adopted place-making vision for the transformation of the South Bank, including a new City Park, and high quality sustainable enabling development which will bring with it a large number of new homes, jobs and opportunities for investment and innovation. The scheme would provide a range of house types and sizes suitable for residents of all ages, provide jobs, and reduce carbon emissions. The proposed redevelopment of the site would also enhance the character of the surrounding area, by regenerating a large and prominently located under-utilised brownfield site that has been vacant for many years, with significant new housing and employment uses, and a substantial contribution to the delivery of the City Park. The proposal is on balance in accordance with the Development Plan and national planning policy as described above. Therefore, it is considered that the proposal is acceptable subject to a section 106 agreement, the specified conditions and the lifting of Highways England's holding direction regarding the impact of the proposed development on the strategic highway network.

**Appendix 1**

Draft Conditions for 17/02501/OT

**Appendix 2**

Proposed Parameter Layout Plan

**Background Papers:**

Application file 17/02501/OT



## Appendix 1

### Draft Conditions for 17/02501/OT

- 1 Application for approval of all reserved matters for the first phase of development shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.

Application for the approval of all reserved matters for all of the plots in the second phase shall be made within five years of the date of this permission.

Application for the approval of all reserved matters for all the plots in the third phase shall be made within two years of the approval of all reserved matters for phase two.

Application for the approval of all reserved matters for all the plots in the fourth phase shall be made within two years of the approval of all reserved matters for phase three.

Application for the approval of all reserved matters for all the plots in the fifth phase shall be made within two years of the approval of all reserved matters for phase four.

Development of each plot shall commence no later than two years from the approval of all reserved matters for that phase.

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

- 2 Approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority, for each plot (or part thereof) before that plot (or part thereof) of the development is commenced.

- a. Layout
- b. Scale
- c. Appearance
- d. Landscaping (including the temporary treatment of future phases of the development and the retention of a pedestrian and cycle connection through the site from the junction of Waterloo Street and Hunslet Road to Crown Point Road)

Plans and particulars of the reserved matters shall be submitted utilising a planning application form and shall be carried out as approved.

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

- 3 The development hereby approved shall not exceed the following maximum gross internal area (GIA) floorspace or unit levels at any time:

- a. 850 residential dwellings (use class C3)
- b. 85,000sqm business floor space (use class B1)
- c. 15,000sqm flexible uses including retail (use class A1); financial and professional services (use class A2); restaurants and bars (use class A3 and A4); hot food takeaway (use class A5); business floor space (use class B1); non-residential institution (use class D1) and assembly and leisure (use class D2).
- d. The total amount of A1 retail shall not exceed 8000sqm

- f. The total amount of use class A5 hot food takeaway shall not exceed 300sqm
- g. Two hotels with a maximum of 400 beds (use class C1)
- h. 860 car parking spaces with no more than 391 spaces for residential use, no more than 409 spaces for commercial use (comprising B1, C1 and Flexible Commercial Uses). All car parking shall be ancillary to this development only.

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

- 4 The net sales area of any of the retail units (within Use Class A1) hereby approved shall not exceed 1,200 sqm

In order to ensure that large scale retail units are prohibited

- 5 A phasing plan for the development (not to exceed a maximum of five phases) showing the anticipated sequencing of the various areas within the development shall be submitted to and approved in writing by the local planning authority prior to the submission of any application for the approval of reserved matters or any application for the approval of details required by conditions on this permission. The sequencing of the development shall thereafter be carried out in accordance with the approved plan, unless otherwise approved in writing by the local planning authority, and any reference to `phase` or `phases` in the conditions below shall refer to the phases detailed in the plan thereby approved.

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

- 6 The development hereby permitted shall be carried out in accordance with the plans listed in the Plans Schedule. Reserved Matters applications shall be submitted in accordance with the limits specified in the approved Parameter Plans and the principles in the approved Design Strategy.

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

- 7 Below ground works shall not commence within a plot until a Remediation Statement demonstrating how that plot of the site development 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, including a template for the form and content of such 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' and to protect the water environment.

- 8 If remediation is unable to proceed in accordance with the approved Remediation Statement for that plot, 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 plot/site shall cease unless otherwise agreed in writing by the Local Planning Authority, pending approval of an amended or new Remediation

Statement designed specifically to address the relevant issue or unexpected contamination. That amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works for that plot 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 and to protect the water environment.

- 9 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 and format pursuant to Condition 6 or 7 (as applicable). The plot or relevant part of the development shall not be brought into use until such time as all verification information in relation to that plot or relevant part of the development 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 and that the site does not pose any further risk to the water environment.

- 10 No development including demolition works shall commence within each plot (or part therein), until a Works Management Plan for that plot has been submitted to and approved in writing by the Local Planning Authority. The works management plan 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 demolition and construction
- c. location of site compounds and plant equipment/storage
- d. location of contractor and sub-contractor parking
- e. traffic management of deliveries and waste removal
- f. demolition and construction activities and deliveries to site shall be restricted to 0800-1800 hours Monday to Friday, 0800-1300 hours on Saturdays, with no demolition or construction activities on Sundays and Bank Holidays.
- g. how this Statement of Works Practice will be communicated by the developer to local residents and businesses.

The approved details shall be implemented at the commencement of work on each plot, and shall thereafter be retained and employed until completion of works on that plot. The Works Management Plan shall be made publicly available for the lifetime of the demolition and construction phase(s) of the development in accordance with the approved method of publicity.

In the interests of amenities of road safety and amenity.

- 11 No development including demolition works, shall commence within each plot (or part therein) until a programme of archaeological recording is undertaken in line with a written scheme of investigation which has been produced for that plot or other such wider area as may be necessary to suit any archaeological remains. The written scheme of investigation for that plot should be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the details and timescales thereby approved.

To ensure appropriate archaeological recording.

- 12 Prior to the commencement of development a site-wide wind strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall show how any necessary redistribution of massing can be accommodated within the limits of the approved Parameter Plans and Design Strategy. The detailed design of each phase shall be in accordance with the approved wind strategy.

In the interests of the comfort and safety of pedestrians, cyclists and vehicles, and to ensure that the spaces between buildings are suitable for their intended purpose.

- 13 Prior to the commencement of development within each plot (or part therein), a quantitative wind tunnel assessment for the whole development, including that plot, shall be submitted to and approved in writing by the Local Planning Authority with each Reserved Matters application. Any necessary mitigation measures considered necessary by the approved quantitative wind tunnel assessment shall be incorporated into the design of the scheme and constructed prior to occupation of that plot. Any necessary mitigation measures shall be retained as such thereafter.

In the interests of the comfort and safety of pedestrians, cyclists and vehicles, and to ensure that the spaces between buildings are suitable for their intended purpose.

- 14 Prior to the commencement of below ground works within each plot (or part therein), a scheme detailing surface water drainage works for that plot shall be submitted to and approved in writing by the Local Planning Authority. The scheme should be sufficiently detailed with supporting calculations to confirm the pre and post development discharges as well as attenuate storage requirements for the development. Surface water from the development will be subject to balancing of flows to achieve a minimum 30% reduction of the existing peak flow rates from the site up to the 1 in 100 year storm with climate changes. The site shall be developed with separate foul and surface water drainage systems, and no piped discharge of surface water shall take place within a plot until works to provide a satisfactory outfall for surface water drainage have been completed in accordance with details to be submitted to and approved by the local planning authority before development of that plot commences. The works shall be implemented in accordance with the approved scheme before the relevant plot is brought into use.

To ensure sustainable drainage and flood prevention

- 15 No building or other obstruction shall be located over or within:
- a) 3 metres either side of the centre lines of the 229mm/350mm/381mm diameter public combined sewers and 229mm/305mm/381mm diameter public surface water sewers i.e. protected strip widths of 6 metres per sewer, that traverse the site;
  - b) 3.5 metres either side of the centre lines of the 450mm/610mm diameter public surface water sewers i.e. protected strip widths of 7 metres per sewer, that traverse the site;
  - c) 4 metres either side of the centre lines of the unknown diameter, 300mm/305mm/330mm diameter public combined , 533mm diameter rising main and the unknown diameter , 457mm/675mm diameter public surface water sewers i.e. protected strip widths of 8 metres per sewer, that traverse the site;
  - d) 5 metres either side of the centre lines of the 533mm diameter public combined , 406x305mm diameter brick egg combined sewer centre -lines i.e. protected strip widths of 10 metres per sewer, that traverse the site ; and
  - e) 6.5 metres either side of the centre lines of the 2438mm diameter public combined, 991x711mm/1219x610mm/3658x2743mm diameter brick egg combined sewer and the

2362mm diameter public surface water sewer i.e. protected strip widths of 11 metres per sewer, that traverse the site.

If the required stand off distances are to be achieved via diversion or closure of any or all of the sewers, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and development within a plot shall not commence until the necessary works have been undertaken. Any landscaping within the areas identified in points (a-e) shall be agreed with the local sewerage undertaker prior to commencement of landscaping works.

In order to protect the public sewer network and allow sufficient access for maintenance and repair work at all times.

- 16 Unless otherwise agreed in writing with the Local Planning Authority, as part of a reserved matters application, finished floor levels and basement entrance thresholds will be set at least 100mm above the undefended 1 in 100 chance in any year flood level, taking the impacts of climate change into account (upper end 50% allowance), as set out in Table 3.1 and Table 3.2 of the Flood Risk Assessment hereby approved. All proposals for alternative finished floor levels will need to be submitted to and approved by the Local Planning Authority at the reserved matters stage and will need to be supported by detailed assessments and modelling studies, as appropriate. All future models to inform finished floor levels will need to be submitted for review, as part of the reserved matters application. The following mitigation measures as detailed within the approved Flood Risk Assessment shall also be carried out:
- a. Flood exclusion measures shall be included across the development, between the proposed finished floor levels and 600mm above the design flood level, as set out in Table 3.1 and Table 3.2 of the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
  - b. The preparation of flood warning and evacuation plans for the occupants and users of the site prior to first occupation of the relevant plot or phase.

To ensure safe access and egress from and to the site, to ensure the satisfactory storage of/disposal of surface water from the site, and to reduce the risk of flooding to the proposed development and future occupants.

- 17 Prior to the commencement of above ground works within each plot an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme comprising:
- a. a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit)
  - b. a Site Waste Management Plan (SWMP)
  - c. an energy plan showing the amount of on-site energy produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand, unless otherwise agreed in writing by the Local Planning Authority
  - d. for residential buildings, details that demonstrate a minimum of 20% carbon dioxide emissions reduction against Part L of the 2013 Building Regulations,
  - e. for residential buildings the implementation of the low water usage target 110 litres/person/day, unless otherwise agreed in writing by the Local Planning Authority.
  - f. for non-residential buildings, a construction stage pre-assessment to meet at least BREEAM Excellent standard

The development of each plot shall be carried out in accordance with the detailed scheme approved for that plot, and

g. Within 6 months of the final occupation of each plot a post-construction review statement shall be submitted to the Local Planning Authority including demonstration that the building(s) have achieved the relevant certification.

The development and buildings comprised therein shall be maintained thereafter and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

In the interests of sustainable development

- 18 Prior to the commencement of above ground works within each plot(or part therein), a large-scale sample panel of all external facing materials, roofing and glazing types to be used for that building work shall be constructed on-site and approved in writing by the Local Planning Authority. The external materials shall be constructed in accordance with the sample panel(s) which shall not be demolished prior to the completion of the building works.

In the interests of visual amenity and the character of the surrounding area

- 19 Prior to the commencement of above ground works within each plot (or part therein) full 1 to 20 scale working drawing typical details of the following shall be submitted to and approved in writing by the Local Planning Authority for that building work:
- a. soffit, roof line and eaves treatments
  - b. junctions between materials
  - c. each type of window bay proposed
  - d. ground floor frontages

The works shall be carried out in accordance with the details thereby approved.

In the interests of visual amenity and the character of the surrounding area.

- 20 Prior to the commencement of above ground works within each plot (or part therein), a Bird Hazard Management Plan for that plot, shall be submitted to and approved in writing by the Local Planning Authority where Reserved Matters proposals incorporate features that might attract nesting birds, as detailed in the Bird Hazard Report (dated June 2017). Works and measures shall be carried out in accordance with the approved plan thereafter.

In the interests of preventing birdstrike to aeroplanes.

- 21 Landscaping works shall not commence within each plot (or part therein) until full details of both hard and soft landscape works, including an implementation programme for that plot, 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. external car parking layouts,
  - d. other vehicle and pedestrian access and circulation areas,
  - e. hard surfacing areas including samples to 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.

- f. minor artefacts and structures such as visitor cycle stands, furniture, play equipment, signs, CCTV and lighting
- g. proposed and existing functional services above and below ground such as drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports

Soft landscape works shall include, where relevant:

- 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.
- k. details of tree pits, grilles, irrigation systems, underground root cells and soil volumes
- l. soil method statement including soil quality to BS 3882 or equivalent quality.
- m. Green sustainable urban drainage system open water features (where relevant)
- n. implementation programme

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

In the interests of the provision and establishment of acceptable landscape, visual amenity, community safety, highways safety and sustainable travel.

- 22 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use. A methodology for testing these soils shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto site within each plot. The methodology shall include information on the source of the materials, sampling frequency, testing schedules and criteria against which the analytical results will be assessed (as determined by risk assessment). Testing shall then be carried out in accordance with the approved methodology. Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site for each plot.

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use with respect to land contamination.

- 23 A landscape management plan for the development or each relevant phase or plot, 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 first occupation of each phase or plot of the development. The landscape management plan shall be carried out as approved thereafter.

To ensure successful aftercare of landscaping

- 24 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.

- 25 No works to or removal of trees or shrubs, or built structures with bird-nesting potential shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation or built structures for active birds' nests immediately before (within 48 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 7 days of such works commencing.

To protect nesting birds in vegetation and built structures.

- 26 Prior to the commencement of above ground works within each plot (or part therein) a site wide plan shall be submitted to and approved in writing by the Local Planning Authority which includes details of:
- a. bat roosting features within buildings and, or public realm
  - b. integral bird nesting features within buildings and, or public realm for House Sparrow, Starling and Swift.
- 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 dwelling on which they are located and retained thereafter.

To maintain and enhance biodiversity.

- 27 Prior to the commencement of development including site clearance a Method Statement for the control and eradication of the Invasive Species identified in section 4.4.1 of the submitted Ecological Appraisal Report dated April 2017 by PBA (hereafter referred to as the Target Species) shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement will include post-treatment monitoring of the site to ensure a continuous 12 month period of time occurs where none of the Target Species is identified growing on the whole site, if any Target Species is identified as growing on-site during the 12 month monitoring period then treatment shall resume and continue until a continuous 12 month period with no Target Species occurs. The agreed Method Statement shall thereafter be implemented in full.

To control the spread of non-native invasive plant species.

- 28 Prior to the occupation of each plot (or part therein) of the development all areas shown on the approved plans to be used by vehicles (including relevant parking areas) within that plot have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway

To ensure the free and safe use of the highway.

- 29 The gradient of all pedestrian ramps shall meet BS8300:2009+A1:2010 or as amended. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of accessibility for all.



- 30 Prior to the occupation of each plot (or part therein) of the development hereby approved, details of a car park and servicing management plan for that plot including where relevant to that plot:
- access security measures
  - pick-up drop off arrangements
  - servicing and delivery arrangements
  - disabled car parking spaces
  - non-residential staff cycle and motorcycle parking
  - non-residential car share spaces
  - non-residential electric vehicle charging points
  - residential cycle and motorcycle parking
  - residential electric vehicle charging points
  - at-grade surface car club spaces
  - at-grade surface car parking spaces

shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the approved details for that plot prior to the first occupation of that plot. The plot of the development shall be operated in accordance with the approved management plan thereafter.

In the interests of sustainable travel, air quality, amenity, and vehicular and pedestrian safety.

- 31 Prior to the commencement above ground works within each plot (or part therein) construction details of the proposed footway crossings along the site frontage, and details of the proposed method of closing off and making good any redundant accesses, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be constructed in accordance with the approved details and be fully implemented prior to the first occupation of that plot of the development to the satisfaction of the Local Planning Authority.

In the interests of the free and safe use of the highway.

- 32 Prior to the installation of any extract ventilation system or air conditioning plant within each plot (or part therein), details of such systems, including where relevant details of odour and smoke filtration for hot food uses, shall be submitted to and approved in writing by the Local Planning Authority. Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The systems shall limit noise 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 visual and residential amenity

- 33 Prior to the commencement of above ground works within each plot (or part therein) that includes residential dwellings until a detailed acoustic assessment of buildings and a noise insulation scheme, including details of any necessary mechanical ventilation equipment have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to protect the amenity of the residents of the proposed dwellings from noise from surrounding roads, nearby mechanical plant, nearby late-night entertainment uses and any plant or equipment associated with the approved building. The noise insulation scheme for the development shall be designed to achieve internal noise levels in living spaces not exceeding 35dBLAeq and 30dBLAeq in bedrooms at night, with peak levels kept below 45dBLAmax. The

approved scheme shall be implemented prior to occupation of the dwellings and retained thereafter

In the interests of residential amenity.

- 34 Any A3 food, A4 drinking establishment, leisure or entertainment-type use hereby approved shall not commence unless a scheme to control noise emitted from the premises has been approved in writing by the Local Planning Authority and installed as approved. The scheme shall provide that the LAeq of entertainment noise does not exceed the representative background noise level LA90 (without entertainment noise), and the LAeq of entertainment noise will be at least 3dB below the background noise level LA90 (without entertainment noise) in octaves between 63 and 125Hz when measured at the nearest noise sensitive premises. The approved scheme shall be retained thereafter.

In the interests of residential amenity

- 35 The hours of delivery to and from the non-residential premises shall be submitted to and approved in writing for each plot (or part thereof) prior to occupation.

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

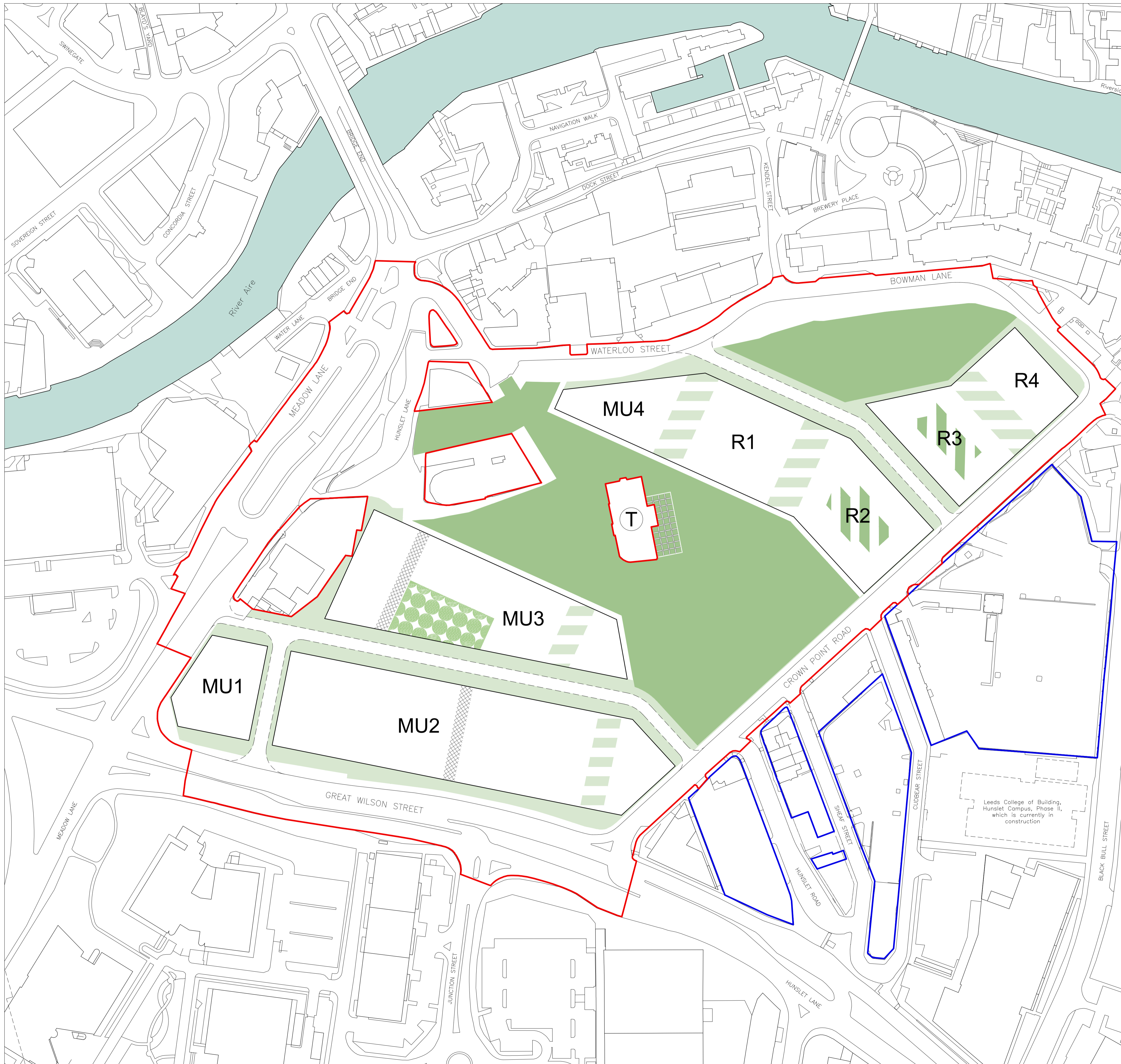
- 36 Prior to first occupation of each plot or part therein, a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, shall be submitted to and approved in writing by the Local Planning Authority for each type of use in the building(s). The approved scheme shall be implemented before the relevant plot 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, pedestrian and vehicular safety and to promote recycling.

- 37 Prior to the occupation of any non-residential use hereby approved in each plot (or part therein), details of staff shower facilities and lockers for staff for each unit in that phase shall be submitted to and approved in writing by the Local Planning Authority. Showers and lockers shall be available for all units/floorspace prior to its occupation and retained as such thereafter.

In the interests of promoting walking, running and cycling as more sustainable means of travel to work.

- 38 Prior to the commencement of above ground works within each plot (or part therein) excluding demolition, site clearance, remediation works, environmental investigation, site and soil surveys, erection of a contractor's work compound, erection of a site office and erection of fencing to the site boundary that includes residential dwellings, an updated air quality assessment shall be submitted to and approved in writing to ensure that residential accommodation is not subjected to NO2 levels which would fall below the NAQS objective level of 40ug/m3. The assessment should specify mitigation measures if necessary. Works shall be carried out in accordance with the approved details prior to the first occupation of dwellings in that plot.  
In the interests of residential amenity.



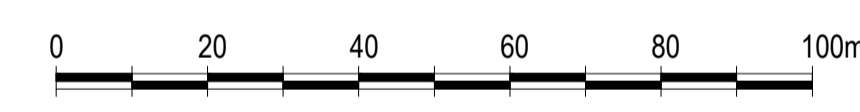
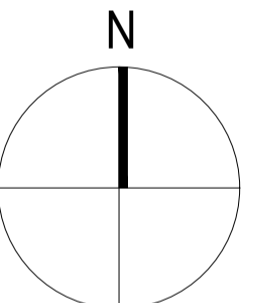
**Purpose**

To identify a hierarchy of external spaces and the linking of these and to identify the location and minimum area of park contribution.

**Key**

- Outline Planning Application Boundary
- Minimum Park Area (2ha) Hard & soft landscaping
- Plot
- T The Tetley
- Indicative Pedestrian Priority Zone
- Indicative location of linking way/ shared space
- Semi-private garden court - indicative location & size
- Public square - indicative location & size
- Indicative location of enclosed or open pedestrian way
- Roads
- Outlines a notional space which may be used for a future extension of The Tetley.
- Land Outside the Application Site in the Applicants Control

Client: VASTINT  
 Project: VASTINT LEEDS PROJECT  
 Location: LEEDS, LS10 1JQ

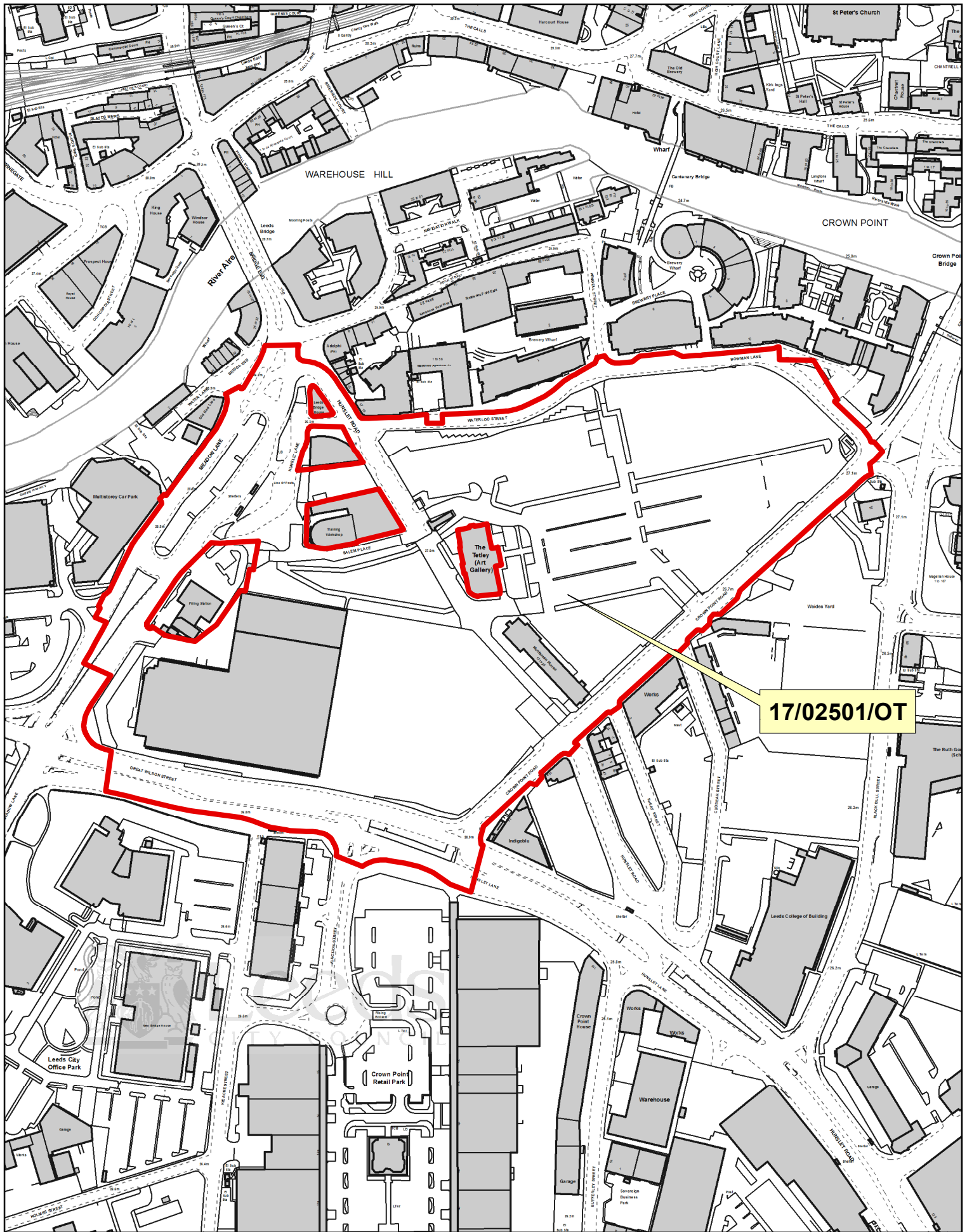


Revisions		
No.	Description:	Date:

Drawing Status  
**FOR APPROVAL**  
 ARC-ML Project Number      Scale: 1:2,000@A3 / 1:1,000@A1  
 Date: 26.09.2017  
 (Original drawing sheet is A1)

**1502**  
 Drawing Title  
**PARAMETER PLAN**  
 Plan identifying Building Plots, the Park, linking ways, and other open space in addition to the Application Site Red Line and other Land in the Applicants control but outside the Application Site.

Drawing Number      Revision  
**1502-AML-ARC-PP-1-109**



# CITY PLANS PANEL





Originator: David Jones

Tel: 0113 3788023

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 12<sup>th</sup> October 2017

**Subject: POSITION STATEMENT – 17/04351/LA - Construction of a dual carriageway orbital route incorporating new roundabouts, cycle and pedestrian bridges; underpass and overbridge; laying out of country park on land between Ring Road Shadwell and Thorpe Park.**

**APPLICANT**  
Leeds City Council

**DATE VALID**  
19 July 2017

**TARGET DATE**  
7 November 2017

**Electoral Wards Affected:**  
**Crossgates & Whinmoor**  
**Roundhay, Harewood**

**Yes** Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**Members are requested to note this report on the proposal and give views in relation to the questions posed in the conclusion to aid the progression of the application.**

## 1.0 INTRODUCTION

- 1.1 The application seeks full planning permission for the East Leeds Orbital Road (ELOR), a new dual carriageway which will run north to south around the north-eastern and eastern fringes of the Leeds urban area.
- 1.2 The application is reported to City Plans Panel as it concerns a strategic infrastructure project. It forms an integral part of the East Leeds Extension (ELE), identified as a major development area to the east of Leeds to deliver circa 5000 new homes. The ELOR is a critical element in the delivery of the ELE to provide strategic transport and movement improvements in this part of the city providing connections to Thorpe Park and a potential new rail station to the south.
- 1.3 The proposed development constitutes Environmental Impact Assessment (EIA) development as defined by the Town and Country Planning (Environmental

Impact Assessment) Regulations 2011 as amended by the Town and Country Planning (Amendment) Regulations 2017. Under the regulations, the applicant, Leeds City Council, have submitted an Environmental Statement as part of the application submission.

## 2.0 PROPOSAL

- 2.1 The application is for the East Leeds Orbital Road (ELOR), a two lane dual carriageway 7km in length, connecting the A6120 (Outer Ring Road Shadwell) in the north to Manston Lane in the south where it will connect to the Manston Lane Link Road (MLLR) which is to be delivered as part of the Thorpe Park development. The proposed dual carriageway will comprise two 7.3m wide carriageways with a 3.5m wide verge on both sides and a maximum 4.5m wide central reservation. Lighting is to be provided at the junctions with low level lighting along the segregated pedestrian and cycle route on the southern and western side. The proposed dual carriageway includes five new roundabouts at the A6120, A58, Skeltons Lane, the A64 and Barwick Road. Five new crossing facilities are also proposed:
- Red Hall Bridge
  - Country Park Underpass
  - Wood Lane/Middle Quadrant Bridge
  - Southern Quadrant Bridge
  - Cock Beck Overbridge
- 2.2 Along the southern and western edge of the ELOR a 2.5m wide cycleway and 2m footway is to be provided along the length of the carriageway. A 2m high screening bund is to be provided to separate the carriageway from the cycle and pedestrian routes. Along the majority of the ELOR north and eastern boundaries a leisure route/ bridleway comprising a rolled stone surface is to be provided for walking, cycling and horse-riding. The leisure route will connect to the existing Public Right Of Way network. The leisure route would be separated from the ELOR by mixed shrub and woodland planting.
- 2.3 As part of the ELOR proposals, a 9.8ha country park is also to be provided on the land north of the A64 (York Road) and will be to the east of the ELOR. The country park underpass will provide access from the west with the park providing green infrastructure to the road itself and also significant local recreational space for existing and future residents. The country park is also intrinsic to the drainage proposals for ELOR as a series of SuDS features are proposed. ELOR itself is to be set within extensive landscaping to enhance the existing environment and retain existing trees and vegetation where possible. New habitats are proposed including wildlife corridors and planting. Five ponds are proposed along the route and a wet woodland habitat adjacent to Cock Beck.
- 2.4 The proposed scheme can be divided into four main sections:
- Red Hall – between the proposed A6120 roundabout and the proposed A58 roundabout
  - Northern Quadrant – between the proposed A58 roundabout and proposed A64 roundabout
  - Middle Quadrant – between the A64 roundabout and the new Barwick roundabout

- Southern Quadrant – between the new Barwick Road roundabout and the tie in to the Manston Lane Link Road

### Red Hall

- 2.5 The proposed scheme includes the provision of a new 3 arm roundabout to connect the ELOR to the Outer Ring Road Shadwell (A6120). The proposed ELOR will abut the southern boundary edge of Red Hall Wood in an easterly direction and pass to the north of Red Hall Lane through the A58 (Wetherby Road).
- 2.6 A pedestrian and cycle bridge crossing (Red Hall Bridge) is proposed over the main carriageway over the A6120 junction to maintain a link from Red Hall Lane to Whinmoor Lane. This provides access to the pocket park.

### Northern Quadrant

- 2.7 A 5 arm roundabout is proposed to join the proposed ELOR to the A58 (Wetherby Road). To the east of the junction the proposed dual carriageway will cross Coal Road. However the ELOR is not proposed to connect to Coal Road and the highway will be stopped up in this location. Further east the carriageway will link into Skeltons Lane, via a new 4 arm roundabout. The western arm of the Skelton's Lane roundabout will include an access into the future ELE Northern Quadrant development. The ELOR will then continue in a south easterly direction until it intersects with the A64.
- 2.8 The leisure route/bridleway will run along the north and eastern side of the proposed carriageway from the A58 to the junction with the A64 and provide access to a second pocket park. A pedestrian and cycle underpass (Country Park Underpass) is also proposed to the south of Skelton's Lane. This will provide access for pedestrians and cyclists to the proposed country park, which is to be located on the eastern side of the proposed carriageway between Skelton's Lane and the A64.

### Middle Quadrant

- 2.9 The ELOR will join the A64 at a new 6 arm signalised roundabout. The proposed 'through' roundabout will allow traffic travelling from north/south along the proposed dual carriageway to travel through the junction. Vehicles travelling east/west along the A64 will travel around the roundabout. Access to the Northern and Middle Quadrant developments will be provided from the proposed A64 junction.
- 2.10 The ELOR will continue south from the junction with the A64. An additional screening bund is proposed along part of the eastern side of the carriageway to provide visual screening of the ELOR from the village of Scholes. The proposed carriageway will be close to existing levels with two exceptions; it will cut into the north of Wood Lane and along a section to the north of Leeds Road.
- 2.11 The Wood Lane/Middle Quadrant Bridge, a pedestrian and cycle bridge crossing, is proposed crossing Wood Lane, maintaining the existing right of way between Swarcliffe and Scholes.

### Southern Quadrant

- 2.12 The proposed ELOR will join Barwick Road/Leeds Road at a new 4 arm roundabout and continue in a south easterly direction towards Manston Lane. The Southern Quadrant Bridge will provide a shared cycle/pedestrian link on an existing PROW to the Southern Quadrant.
- 2.13 A three span bridge (Cock Beck Overbridge) is proposed over Cock Beck and will maintain the vertical alignment of the ELOR across the valley within which Cock Beck sits. The proposed bridge will accommodate a carriageway width of 27.9m including a 4.5m central reservation, two 7.3m wide carriageways and 3.5m wide verge. Alterations to the new roundabout that is being formed in connection with the MLLR on Manston Lane to add a fourth arm are proposed.

#### Other works

- 2.14 In addition to the ELOR there are further transport improvements proposed including:
- Outer Ring Road Junction improvements: Improvements to four junctions on the A6120 (Roundhay Park Lane, Harrogate Road, King Lane and Stonegate Road)
  - Enhancements to public realm, cycling and walking environment along the A6120 between Red Hall and the M1.
  - Manston Lane Link Road Expansion (widened to three lanes and roundabout junctions signalised)

#### Construction/Phasing

- 2.15 Construction is anticipated to take approximately 3 years and the proposed dual carriageway is expected to be operational by the end of 2021. Work on the Country Park is also expected to be undertaken concurrent with delivery of the road.

#### Public Consultation

- 2.16 In November 2015 the Council launched an extensive public consultation exercise for the ELE and the ELOR Package. This ran for 12 weeks from 20<sup>th</sup> November until 29 January 2016 and sought the views for local people, businesses and key stakeholders. The consultation exercise included the distribution of leaflets to 20,000 local residential properties and emails to stakeholders and community groups/interested parties notifying them of the consultation. Seven drop in events were held in Swarcliffe, Scholes, Fieldhead Carr, Crossgates and Wellington Hill in November and December 2015, where questionnaires were distributed. Ward and Executive members were also consulted and updated throughout the progress of the scheme. A subsequent public consultation exercise was carried out in July 2017, following the submission of this application. The purpose of this exercise was to provide a summary and feedback from the 2015/16 consultation and provide details of the ELOR planning application. Drop in events and presentations were held in seven venues and were attended by over 600 people.

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

- 3.1 The proposed ELOR route is located within the rural urban fringe, approximately 7km from Leeds City Centre. The route is bounded by the suburbs of Red Hall, Whinmoor, Stanks, Swarcliffe and Manston to the west and southwest. Shadwell



village is located to the north of the route, the village of Scholes is located approximately 400m to the west and Barwick-in-Elmet is located further east. The northern end of the route adjoins the Outer Ring Road Shadwell (A6120) at the eastern boundary of the Leeds Golf Club. Manston Lane marks the southern end of the route.

- 3.2 The route runs through open countryside and farmland and abuts the boundary of the designated Green Belt to the north and east of Leeds, although the route does encroach onto Green Belt land in some parts. There are isolated farm holdings located in close proximity to the route including Bramley Grange Farm, to the north west of the route on Thorner Lane, Morwick Farm which lies to the south of the A64 and Lazencroft Farm which is located to the north of Manston Lane.
- 3.3 Leeds City Council nursery/depot, Red Hall Playing Fields (now used as recreation space) and Grade II listed Red Hall, the headquarters for the Rugby Football League are located to the north of Red Hall Lane and east of the A6120. A grade II listed building, Pigeon House, is located to the north west of the playing fields. There is also a Scheduled Monument, surviving features of the First World War munitions factory at Barnbow and a former railway line which provided access to the factory, located towards the south of the ELOR route.
- 3.4 There are several roads which radiate to the north and east of the urban area including the A58 to Wetherby, A64 to York and Leeds Road/Barwick Road. The southern end of the route terminates to the north of the Leeds/Selby railway line. To the south of the route the Manston Lane Link Road is currently under construction.
- 3.5 Cock Beck, a tributary to the River Wharfe, runs from the south west to the south east of the proposed ELOR route. There are several PROW which cross the route in the middle and southern sections of the ELOR. The northern section of the route is relatively flat. Heading south the the landscape becomes more undulating and falls gently towards Cock Beck.

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

- 4.1 There is no specific planning history for the entire route although under the proposals for the Northern Quadrant the same basic infrastructure is proposed in the form of a new dual carriageway accessed via two roundabouts at the A58 and the A64 junctions. The country park is also proposed under the Northern Quadrant planning application. Relevant planning history is therefore as follows:

Manston Land Link Road:

**17/04055/FU:** Detailed application for the Manston Lane Link Road (East - West Route), Thorpe Park, Leeds, LS15 8ZB. Resolved to grant permission at City Plans Panel on 21<sup>st</sup> September 2017.

**14/01216/FU** – Detailed application for the Manston Lane Link Road (North-south route). Approved on 14 July 2014 and under construction

Northern Quadrant:

**16/05095/FU:** New roundabout and road layout at A58 Wetherby Road/ELOR junction. Under consideration (pending the outcome of this application)

**12/02571/OT** – Outline application for means of access and erect residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping for land between Wetherby Road, Skeltons Lane and York Road (Northern Quadrant). Resolved to grant permission at City Plans Panel on 9<sup>th</sup> June 2016 and detailed discussions regarding the S106 are nearing completion.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 As referenced in paragraph 2.16 above, extensive pre-application discussions have taken place with officers and the relevant consultees prior to the formal submission of the application.
- 5.2 Officers have also sought to resolve requests for further technical information from consultees and to respond positively to the issues raised by third parties, albeit many of the matters raised are more readily addressed via the imposition of planning conditions which are yet to be finalised.

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

- 6.1 In terms of statutory consultation, the application has been advertised by a significant number of site notices posted along the route (dated 4 August 2017) and in the Yorkshire Evening Post, also on 4 August 2017.
- 6.2 In addition to the above, individual notifications have also been sent to the neighbouring properties located off Manston Lane in accordance with previous commitments given - due to the interrelation with the MLLR, which has also been the subject of a recent planning application.
- 6.3 As a result of the public consultation exercise, to date 88 letters of objection have been received. The main objections made are summarised as follows:
- No equestrian provision for Elmet Greenway crossing
  - Poor provision and limited access points for pedestrians and cyclists
  - The old railway route north of Wood Lane would be compromised
  - Severance of Crossgates, Swarcliffe, Scholes and Thorner
  - Wood Lane will need surface improvements if to be effective link to Swarcliffe
  - Severance of key PROWs
  - Opportunity for Elmete Greenway to provide a safe cycling route for local residents
  - Design of roundabouts will encourage rat running
  - Rat running is already evident on Coal Road, Stanks Drive, Main Street (Shadwell) and Scholes Village
  - Building on Green Belt will destroy the green space.
  - Loss of trees at Cock Beck
  - Loss of greenspace
  - A full public Inquiry and consultation is required before any decision is made
  - Increased noise levels
  - Lack of landscaping in parts of the route to reduce noise
  - Harm to air quality

- Landscaping is inadequate to mitigate the effects of traffic pollution
- Local residents are unlikely to benefit
- Increased congestion and bottle necks moved to different area
- Wildlife habitats will be destroyed
- Elmet Greenway should be reinstated
- Focus should be on improving and investing in sustainable modes of travel e.g. Park and Ride and affordable bus services
- Development will encourage use of cars
- New housing development will lead to more vehicles and increased congestion
- Junctions without traffic management measures are considered negative to existing road users
- Too many roundabouts are proposed
- Destruction of Red Hall Playing Fields
- Existing speed limits should remain in place
- Speed limits should be reduced to 40mph or less
- Speed limit along Wetherby Road should be reduced to 30mph
- Speed limit on new road should be 70mph
- Better solutions can be achieved at lower cost by improving current infrastructure
- Design needs to incorporate safety improvements at junctions, particularly Scholes Lane/York Road
- Crossings are needed at several locations including Thorpe Park and Manston Lane
- The evidence/case for the new road is not sufficient
- Comparisons to Manchester is unwarranted as Leeds is smaller
- Consultation is inadequate and information too technical
- Road is not needed due to the M1 link road from Colton to A64
- New road needs to be a dual carriageway between Shadwell Lane and new junction
- New carriageway cuts across many services which will need to be diverted
- Single carriageway and upgrade to the existing Ring Road and junctions would allow better traffic flow.
- The A64 should be turned into a dual carriageway between Old Red Lion and new junction to avoid bottlenecks
- All bridges should be widened to accommodate 3 lanes either directions
- Crossing between Thorner and Crossgates required
- Scholes will be inaccessible during rush hour
- Conflict of interest as Leeds City Council is applicant
- Impact on house prices
- Roof tax funding model is flawed

6.4 Consultation responses have also been received from landowners as follows:

Rushbond PLC: Concerns over the impact of the development on capacity and safety and traffic flow at the junction with Scholes Lane and the changes in traffic flow.

Morwick Farm: Object to relocation of entrance and the impact on the garden and driveway, increase in volume of traffic, safety, lack of surface water drainage provision

6.5 In total 7 representations in support of the scheme have been submitted on the following grounds:

- ELOR provides an opportunity to improve traffic management at the junction of Scholes Lane and the A64.
- The ELOR would significantly reduce the volume of traffic using residential roads
- Existing infrastructure cannot cope with the substantial additional traffic the ELE will generate
- Need to upgrade the junction of the A58/A6120 roundabout to incorporate a filter road from Wetherby Road onto the Ring Road
- Support the provision of the segregated cycle and pedestrian route
- Encourage a bridge crossing to maintain the continuity of the disused railway line
- Encourage improvements to pedestrian crossings on the Ring Road

6.6 Councillor Walker has objected to the scheme for the following reasons:

- There is a conflict of interest as Leeds City Council are the applicant and the Secretary of State should call in the application
- Insufficient details submitted regarding the carriageway surface
- Junctions without traffic management, Leeds/Barwick Road are considered negative to existing road users both east and west bound.
- The Construction Management Plan has not been made available
- There screening and country park will result in a loss of amenity and visual impact on Whinmoor Cemetery
- Increase in noise levels
- The new road should be integrated with the new Park and Ride facilities (land allocated at Grimes Dyke)
- The ELOR application is premature until work on the ELE is finalised

6.7 Councillor Peter Gruen has stated that he supports the principle of a strategic orbital road to add capacity to the road network and as a necessary prerequisite of the new housing proposals but raises the following matters (many of which have been expressed to him directly, as Chair of the Whinmoor Community Forum):

- At present there are no improvements to the Ring Road/Wetherby Road junction proposed, works to make this junction more efficient (a left turn lane, maximising lane discipline) needs to be considered given traffic is banned from turning left onto Coal Road
- Clarification and definition of the location of the Coal Road closure is required
- Design of the bridge in the Southern Quadrant in terms of aesthetic quality needs to be transformational, contemporary as well as functional
- The park is not deemed to be genuinely usable space as it is isolated from the settlements and the access via the underpass could result in anti-social behaviour. These misgivings have been expressed strongly from the very early days as part of the consideration of the Northern Quadrant application
- Further work is required regarding traffic circulation and management of potential rat runs. No demonstration of 'the model' has been provided for local people so this remains a concern to many

## 7.0 CONSULTATIONS RESPONSES:

### 7.1 Statutory Consultees

Highways England: No objection subject to conditions

Environment Agency: Holding Objection received. Concerns over the works to straighten Cock Beck, insufficient information on the impact on the watercourse including biodiversity [*Ongoing discussions with EA and the applicant are taking place*].

Historic England: No objection subject to provision of a mitigation strategy for the impact on the Scheduled Monument (Railway line) and Grade II listed Pigeon House at Red Hall

Health and Safety Executive: Objection – development has been identified as being within consultation distance of a Major Hazard. [*The applicant is responding to the HSE on this matter as it relates to the finalisation of diversion works for the high pressure gas pipeline currently underway in connection with construction of the MLLR*].

Coal Authority: Further information is required. [*A Ground Investigation Factual Report has been subsequently submitted to the Coal Authority for review and a revised response is awaited*].

Natural England: No objection

### 7.2 Non Statutory Consultees

Transport Development Services: No objection

Landscape Team: No objection

Contaminated Land: Further information required for potential contamination of receptors at the Country Park

Air Quality: No objection

Public Rights of Way: No objection subject to diversion of footpaths and bridges to be designed at a suitable height

Nature Conservation: Further information required. Concerns over the severance of bio-diversity connectivity. Insufficient green crossings proposed. More ponds should be provided and safety issues can be designed out. Concerns over the impact of artificial lighting.

Environment and Housing: No objection subject to condition

Flood Risk Management: Principles of surface water to be agreed prior to determination.

Travel Wise: No comments

West Yorkshire Archaeological Advisory Service: Further information required on

the impact on heritage assets including an archaeological evaluation. Conditions recommended.

Elmet Greenway Group: Concerns the ELOR could sever the communities of Crossgates, Swarcliffe, Scholes and Thorner. Concerns over the impact on the disused railway and the design of bridges

Leeds Civic Trust: Do not support or object to the scheme but encourage a 50mph speed limit and cyclists should be prevented from using the dual carriageway. Further consideration required on the severance of the former rail line. Encourage the preservation of this link. Park and Ride facilities and bus priority measures should be incorporated into the scheme.

West Yorkshire Police: No objection

Yorkshire Wildlife Trust: Concerns over the impact of artificial light on bats. The Bat Survey is insufficient. Mitigation is required for bats and barn owls. Welcome the Country Park but further information required in terms of species and habitat Management. Encourage additional tree planting and fully segregated cycle lanes. Raise concerns regarding the impact on the A6120 north of Roundhay Park between the junction with ELOR and Roundhay Park Lane

British Hedgehog Preservation Society: Scheme should make allowances for hedgehogs crossing

Leeds Local Access Forum: No objection

Rail Group of West and North Yorkshire: Objection – volume of traffic; failure to consult on other transport options; inadequate provision of cycling and open space provision; there should be provision for light rail transit; will promote car dependency; air quality; ELE does not constitute sustainable development in accordance with NPPF

Barwick in Elmet & Scholes Parish Council: Concerns regarding air pollution, difficulty for residents of Scholes to enter and exit the village, rat running in Scholes and Barwick-in-Elmet, houses in the ELE will be too expensive to buy

Thorner Parish Council: Objection – insufficient landscaping and no bund proposed on section of route nearest to Thorner.

## **8.0 PLANNING POLICIES:**

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013). The majority of the site is allocated in the UDPR as the ELE under saved policy H3-3A:33).

### Local Planning Policy

8.2 The most relevant Core Strategy policies are outlined below:

Spatial Policy 1	Location of Development
Spatial Policy 8	Economic development priorities
Spatial Policy 10	Green Belt
Policy EN1	Sustainability targets
Policy EN2	Sustainable design and construction
Policy EN5	Managing flood risk
Policy G1	Enhancing and extending green infrastructure
Policy G8	Protection of important species and habitats
Policy G9	Biodiversity improvements
Policy T1	Transport management
Policy T2	Accessibility requirements and new development
Policy P10	Design
Policy P11	Heritage considerations
Policy P12	Landscape

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

8.3	Policy H3-3A:33	East Leeds Extension
	Policy E4 (6)	Austhorpe Business Park allocation
	Policy GP1	Land use and the proposals map
	Policy GP5	General planning considerations
	Policy N23/25	Landscape design and site boundaries
	Policy N24	Transition between development and the Green Belt
	Policy N29	Sites of Archaeological Importance
	Policy N32	Green Belt and the Proposals Map
	Policy N35	Development and Agricultural Land
	Policy N29B	Watercourses and New Development
	Policy T20	Major Highway Highway Schemes
	Policy ARC1	Scheduled Ancient Monuments
	Policy ARC4	Presumption in favour of physical preservation
	Policy ARC5	Planning decisions affecting monuments or their setting
	Policy ARC6	Preservation by record
	Policy LD1	Landscape schemes

Natural Resources and Waste Local Plan (adopted):

8.4	AIR 1	Management of air quality through development
	WATER 1	Water efficiency
	WATER 4	Effect of proposed development on flood risk
	WATER 6	Provision of Flood Risk Assessment
	WATER 7	Seeks to ensure no increase in the rate of surface water run-off and the incorporation of sustainable drainage techniques.
	LAND 1	Lands contamination to be dealt with
	LAND 2	Tree retention and replacement planting where necessary

Relevant Supplementary Planning Guidance:

8.5	SPG22	Sustainable Drainage (adopted as a material planning consideration in July 2004)
	SPD	Street Design Guide (adopted as a material planning consideration in August 2009)
	SPD	Sustainable Design and Construction (adopted as a material planning consideration August 2011)
	SPD	East Leeds Extension and East Leeds Transport Strategy (consultation to commence soon)

## National Planning Policy Framework

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

Achieving sustainable development via:

Section 1	Building a strong, competitive economy
Section 4	Promoting sustainable transport
Section 8	Promoting healthy communities
Section 9	Protecting the Green Belt
Section 10	Meeting the challenge of climate change and flooding
Section 11	Conserving and enhancing the natural environment
Section 12	Conserving and enhancing the historic environment

- 8.7 National Planning Policy Guidance (NPPG) sets out the procedures for dealing with Planning applications for EIA development.

## **9.0 MAIN ISSUES**

- 9.1 The main issues in respect of this proposal are as follows:

1. Principle of the Development
2. Impact on the Green Belt
3. Highways
4. Visual Impact and Heritage
5. Residential Amenity and Noise
6. Air Quality
7. Ecology and nature conservation
8. Flood Risk
9. Representations

## **10.0 APPRAISAL**

### The principle of the development

- 10.1 The Core Strategy was formally adopted by the Council on 12<sup>th</sup> November 2014. The long term ambition of the Core Strategy (and the UDPR before this) is to maintain and strengthen Leeds' position as the economic hub at the heart of the City Region, and to provide new jobs and appropriate locations which meet the needs of future employers. The focus of this approach is to continue the growth of a strong, diverse and successful urban and rural economy, with skilled people and competitive businesses which are sustainable, innovative, creative and entrepreneurial, and which support the delivery of the Council's Growth Strategy.
- 10.2 In Policy H3-3A,33 of the UDPR the East Leeds Extension is identified for housing, employment uses and green space (Phase 3 for the purposes of housing delivery). The allocation is subject to an assessment of the need for an orbital relief road. Spatial Policy P4 Regeneration Priority Programme Areas identifies



East Leeds as a key area where priority will be given for regeneration funding and resources.

- 10.3 At a meeting in January 2013, the Executive Board noted the importance of delivering the ELOR which is a critical element of the transport infrastructure required in the delivery of the East Leeds Extension which will deliver circa 5000 new homes on green field land and support the allocated and approved development in the ELE. The scheme will make a significant contribution to the the city's housing growth targets up until 2028 as set out in the Core Strategy. A feasibility study was carried out in March 2013 which recommended that the ELOR should be a dual carriageway with a 50mph speed limit with junctions connecting to the main existing routes. Indeed, this assessment work has informed the Northern Quadrant planning application in terms of the design criteria relating to that particular section of ELOR.
- 10.4 The proposal therefore represents a key component of a wider highway infrastructure that is central to delivering Core Strategy Objectives. The need for the ELOR has been established and the delivery of the proposed infrastructure is in accordance with the UDPR H3-3A.33 and Core Strategy Policy P4.

#### Impact on the Green Belt

- 10.5 The NPPF attaches great importance to Green Belt land to prevent urban sprawl and keep the land permanently open. Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.6 Paragraph 90 identifies certain forms of development which is not inappropriate in the Green Belt provided it preserves the openness of the Green Belt. Local transport infrastructure is identified as appropriate if the requirement for the infrastructure in the Green Belt location can be demonstrated.
- 10.7 The proposed scheme has been designed to limit the impact on the Green Belt to the north and east of Leeds. The vast majority of the route lies to the south and west of the Green Belt boundary as it tracks the ELE housing allocation, however some parts of ELOR do encroach onto Green Belt land. The areas of encroachment are largely for the provision of the landscaped areas to the north and east of the route and the proposed ponds which form part of the drainage system. Some limited sections of the road, junctions and the Wood Lane/Middle Quadrant pedestrian/cycle bridge also encroach onto Green Belt land. The biggest area of encroachment however relates to the county park itself but by its very nature this is considered to be an acceptable use within the Green Belt. It also replicates the same proposals advanced as part of the Northern Quadrant application. As such, whilst some concerns about the siting of this area of green infrastructure in relation to the future housing development continue to be expressed, this basic approach has already been accepted and the detailed design of the park will be secured b condition.
- 10.8 The proposed dual carriageway is located for the most part at ground level and while there are some engineering works (screening bund and bridges) it is not considered the development would have significant harm on the openness of the Green Belt. The route of the ELOR has been designed to provide the optimum route to enable delivery of housing on the land allocated for the ELE but has still considered the Green Belt boundary with only limited encroachment proposed.

Mitigation in the form of detailed landscape proposals will also be secured by attaching appropriate planning conditions.

- 10.9 For the reasons set out above it is considered therefore that the proposed development will not have a significant impact on the openness of the Green Belt. The provision of transport infrastructure is considered necessary to enable the delivery of housing and does not therefore constitute inappropriate development in the Green Belt. The scheme is in accordance with the Core Strategy Spatial Policy P10 and Saved UDPR policy N32 and the NPPF. Given the scheme does not include significant encroachment into the Green Belt (and where encroachment does occur it would either only have a limited impact on openness or in the case of the country park represent appropriate development) the application does not need to be referred to the Secretary of State. With this in mind officers also do not consider it is necessary to 'self-refer' the application to the Secretary of State as has been suggested in some of the third party representations.

**1. Do Members accept the principle of the road and country park proposals including the impact on the Green Belt?**

Highways

- 10.10 The ELOR application follows earlier feasibility work that established the principle of the road as being an urban dual carriageway with a 50mph design speed with roundabout junctions where the route crosses the existing main roads. The Councils Executive Board has noted the outcome of the feasibility study.
- 10.11 A key objective of the ELOR scheme is to allow sustainable housing growth, facilitate regeneration and support growth in the ELE. A requirement of the ELE allocation is the ELOR and the Northern Quadrant planning application includes the delivery of its section of ELOR.
- 10.12 In addition to achieving the above objections, ELOR would help to alleviate traffic congestion on the existing A6120, by removing the more strategic traffic and cross-city movements, thus providing the opportunity to improve the environment through areas such as Crossgates and Seacroft.
- 10.13 In terms of quantifying the above, strategic modelling in the TA indicates that in year 2021, peak hour traffic levels on ELOR will be between 1249 and 2111 trips in the AM (depending on which part of ELOR is considered), and 1599 and 1791 in the PM. In 2036 this rises to between 2022 and 2372 trips in the AM, and 1945 and 2286 in the PM. The corresponding reduction in trips on the A6120 is between 462 and 1588 trips in the AM (depending on which part of A6120 is considered), and 653 and 1220 in the PM. In 2036 this reduction is between 386 and 1454 trips in the AM, and 516 and 1222 in the PM.
- 10.14 The above assessment clearly demonstrates that without intervention traffic congestion on the existing A6120 will continue to increase. Given that the high traffic flows on the A6120 constitutes one of the main concerns for the public in this part of the City, it is considered that the level of traffic relief is a suitable measure of clear public benefit of the ELOR. This reduced level traffic on the A6120 would represent a significant improvement on orbital improvement and the detailed design of ELOR has been developed to achieve these improvements. At a strategic level ELOR will therefore provide clear benefits.

- 10.15 The main line of ELOR has been designed in accordance with the Design Manual for Roads and Bridges (DMRB) which is a series of documents that provide standards, advice notes and other documents relating to the design, assessment and operation of trunk roads, including motorways, i.e. strategic roads. ELOR is intended to be a strategic route that will enable the city to grow and provide opportunities to improve existing problems on other parts of the highway network. The use of DMRB is therefore considered appropriate.
- 10.16 The proposed A58 roundabout gives direct access to the Northern Quadrant and the proposed A64 gyratory gives access to both the Northern Quadrant and Middle Quadrant. This is in accordance with the emerging SPD which officers are currently developing for the ELE and as part of a wider East Leeds Transport Strategy.
- 10.17 In terms of physical changes to the existing highway network, new junctions along ELOR are proposed. In addition, the application includes the closure of Coal Road (where it is intersected by ELOR) and Thorner Lane (to traffic) at the A64 with traffic able to divert onto the ELOR. It is considered that this could improve safety at the existing A58/Coal Road junction (by removing cross road movements), and improve safety at the A64/Thorner Lane by removing conflicts entirely where exiting the junction is currently difficult. The closures will also change the character of the effected lengths of Coal Road and Thorner Lane for the better by removing traffic and improving conditions for Non Motorised Users (NMUs).
- 10.18 The following off-site highways works are also proposed:
- Off site mitigation at the M1 J46
  - Off site mitigation at A58/Wetherby Road/Boggart Hill Drive junction
  - Off site mitigation at A64/Scholes Lane
  - Off site mitigation at Leeds Road/Main Street Scholes
  - Off site footway construction at the A6120 at Red Hall and A58 between ELOR and Red Hall Lane.
- 10.19 In terms of other highway and access considerations, the concerns expressed in a number of the third party representations about local impact and in particular the issue of rat running are acknowledged and ELOR itself cannot respond to all of these concerns. As stated above, some works beyond the actual ELOR route are proposed but further detailed analysis is still necessary to understand the overall traffic impact (both orbital and radial) and will inform the SPD that is currently being developed. It is also important to remember that detailed assessment of individual planning applications for the ELE will continue to take place as and when they are submitted, as has already happened with the Northern Quadrant. As such, many of these local concerns can still be addressed through these more detailed proposals.
- 10.20 In terms of linkages, the area currently encompassed by the ELOR site boundary has relatively limited pedestrian, cycle and leisure infrastructure. Clockwise, the A6120 at Red Hall has no provision on either flank, the eastern flank of the A58 has no footway provision within the site, Coal Road has no footway provision on either flank, and Red Hall Lane and Skeltons Lane have limited provision and along some lengths no provision, the northern flank of the A64 has no footway provision within the site, the southern flank of Barwick Road has no footway

provision within the site, and Manston Lane currently has no provision on either flank. There is limited existing leisure provision crossing the route.

- 10.21 The proposed pedestrian and cycle route to the south and west of the carriageway and the proposed leisure route and bridleway running along the north and east of the carriageway are welcomed and will help to encourage active modes of travel in the area. Future housing, when that comes forward in the ELE, would be able to make suitable connections to the ELOR pedestrian / cycle route.
- 10.22 Crossing facilities have been provided at all the ELOR junctions, though a combination of at-grade uncontrolled and traffic signal controlled facilities. In addition there are a number of grade separated crossings for NMUs including:
- Red Hall Bridge – A proposed NMu bridge connecting Red Hall and Whinmoor Lane.
  - Country Park Underpass – A proposed NMu underpass connecting Whinmoor and the Northern Quadrant with the proposed country park.
  - Wood Lane / Middle Quadrant Bridge – A proposed NMu link maintaining the existing PROW along Wood Lane between Swarcliffe, the proposed Middle Quadrant and Scholes.
  - Southern Quadrant Bridge – A proposed NMu link on existing PROW to the Southern Quadrant
  - Cock Beck Overbridge – A proposed overbridge structure spanning Cock Beck in the Southern Quadrant and retaining local public footpath linkages
- 10.23 It should be noted that within the Middle Quadrant ELOR crosses three leisure routes/potential routes that are in close proximity. The proposed Wood Lane bridge provides a segregated crossing opportunity for all of these routes. The ELOR scheme would provide the necessary minor diversions of these routes to tie-in with the proposed NMu bridge over ELOR, and all these routes are connected on the outside of ELOR by the proposed orbital leisure route. The three routes would also be connected to the orbital ELOR pedestrian / cycle route via the Wood Lane Bridge.
- 10.24 With respect to the country park underpass, the siting of this green infrastructure to the east of ELOR has already been accepted as part of the Northern Quadrant proposals. The challenge is therefore to ensure the means of access from the west is high quality and the concerns about anti-social activity are designed out. With this in mind, the underpass is identified to have a minimum width of 35m and a height of just under 4m. As such, the space will be generous and the detailed design of this space will be subject to condition. All the bridge/overbridge crossings will be subject to detailed conditions.
- 10.25 The proposed scheme will also provide the following package of highways works to aid connectivity:
- A shared use footway/equestrian path on the eastern flank of the A6120 linking ELOR and Red Hall with proposed bus stops and leisure routes into and north of Roundhay Park, including signal controlled crossing across the A6120.
  - A shared use footway/cycleway on the western flank of the A6120 linking ELOR and Red Hall with proposed bus stops and leisure routes into and

north of Roundhay Park and Elmete Lane Bridleway, including signal controlled crossing across the A6120.

- A footway on the eastern flank of A6120 (south of ELOR) to tie-in with existing provision to the south.
- A shared use footway/cycleway on both flanks of the A58 linking ELOR with signal controlled crossing on the A58 (to the south of ELOR) and existing footway provision.
- South of the above a footway on the eastern flank of A58 to tie-in with Red Hall Lane.
- A footway on both flanks of the A58 linking ELOR with signal controlled crossing on the A58 (to the north of ELOR), proposed bus stops and existing footway provision
- The stopping up of Coal Road to provide a significantly quieter environment for NMUs linking to existing leisure routes.
- The stopping up of the southern end of Thorner Lane to provide a significantly quieter environment for NMUs linking ELOR with the Thorner Lane, Whinmoor and A64 via the Country Park.
- A footway on both flanks of the A64 linking ELOR with signal controlled crossing on the A64, proposed bus stops and existing footway provision (both east and west of ELOR).
- A shared use footway/cycleway on both flanks of the Barwick Road linking ELOR with signal controlled crossing on Barwick Road (to the west of ELOR) and existing footway provision.

- 10.26 Many of the above measures are identified in the emerging SPD/East Leeds Transport Strategy. These measures will need to be secured through planning conditions where necessary, but will provide a well-connected development with good infrastructure for pedestrians and cyclists and help to integrate ELOR and future development into the existing environment. These routes / infrastructure will also help to encourage movement by sustainable modes of transport.
- 10.27 It is considered that ELOR will generally improve public transport services opportunities in the area, due to the future reduction in traffic on the A6120 with ELOR in place and improved connectivity that ELOR and the development sites will provide. As noted above the proposed NMU routes give access to bus stops. It is not proposed that any bus stops will be provided on ELOR itself. This is because bus stops are to be provided through the proposed housing sites to maximise walk on catchment and reduce walking distances for existing and future residents. This approach is identified in the emerging SPD/strategy where a spine road connecting each quadrant is required, acting as a bus route and a local distributor of traffic. However bus stops are proposed on the Ring Road (Shadwell) to the west of Red Hall. Final details will need to be agreed through conditions and/or obligations.
- 10.28 The above approach has been established already with indicative plans for the Northern Quadrant application. As part of the proposals for the Northern Quadrant development, a number of measures are proposed which relate to bus services. These include the extension of existing services into the development and the provision of new bus stops at regular intervals. As the proposals for the other development quadrants are progressed, it is expected that similar provision will be made within those sites. Furthermore the removal of traffic which is forecast to occur on the existing A6120 will benefit local bus services by improving reliability and journey times.

10.29 In concluding on the highway/access considerations, ELOR is considered to bring substantial public benefits in terms of relieving traffic in Cross Gates and the Ring Road. The application represents a key piece of strategic highway infrastructure which is central to achieving Core Strategy policy ambitions and objectives including enabling the delivery of housing development as part of the ELE.

**2. Do Members accept the design approach for ELOR (e.g. 50MPH, limited junctions) in terms of addressing the strategic objectives for facilitating housing growth/traffic relief in this part of the City?**

**3. Do Members accept the proposed crossing measures to address connectively issues for None Motorised Users?**

#### Visual Impact and Heritage

10.30 The Leeds Landscape Character Assessment was undertaken by Leeds City Council in 1994 and reviewed in 2011. The assessment identified a number of Local Character Areas (LCAs). The ELOR lies within LCA 2 – Barwick and Austhorpe Open Arable Farmland. The ELOR component of the development is considered to alter the character of this area albeit the country park element will be designed to complement it.

10.31 A landscaping strategy is proposed to mitigate the visual impact of the ELOR. This includes the 2m high screening bunds, the retention and reinstatement of existing planting and additional planting in the form of woodland. It is considered the proposed screening would minimise the visual impact of the development. Some details of the design of the bridge structures have been provided. However detailed materials and final appearance are still subject to final agreement and would be secured by conditions.

10.32 There are several Grade II listed buildings and unlisted buildings of historical significance in the proximity of the proposed ELOR route. The most significant impact would be on two listed properties; Lazencroft Farmhouse and Pigeon House at Red Hall, the latter is located a few metres from the ELOR. Whilst there will clearly be some adverse impact on the setting of these buildings, Historic England have not raised any objection subject to mitigation to ensure their survival.

10.33 It is also recognised that the proposed development would also affect other heritage assets: The newly Scheduled Barnbow First World War Munitions Factory site with railway loop which provided access to the factory. WYAS and Historic England have been aware of the ELOR and ELE proposals prior to scheduling and have not raised an objection to the scheme subject to a mitigation strategy.

10.34 In considering the above, whilst officers have given some weight to the less than substantial harm that would occur to the above heritage assets, in accordance with paragraph 134 of the NPPF, it is considered that the public benefits associated with the delivery of this key highway infrastructure demonstrably outweigh the limited harm that would occur. Appropriate mitigation in the form of landscaping and design conditions are also proposed to ensure the wider visual impact of the development is acceptable.

#### **4. Do members consider the visual impact of the ELOR and the impact on heritage assets is acceptable?**

##### Residential Amenity and Noise

- 10.35 It is not considered that the proposed scheme will have a significant impact on the amenity of nearby properties in terms of light, outlook and privacy in accordance with Saved UDP Policy GP5. The proposed siting for all the bridge structures are also such that there would be no significant amenity impacts.
- 10.36 The provision of a new major road is likely to result in an increase in noise levels from traffic using the ELOR. However noise mitigation measures are proposed as part of the scheme including the screening bund which will provide noise attenuation for properties to the west and south. An additional bund will provide noise attenuation for residents of the village of Scholes. Furthermore, 1.8m high noise barriers are proposed along the country park underpass, along the western screening bund and along the western edge of the Cock Beck overbridge. These measures, combined with the intended use of tarmac for the road surface are considered to be sufficient to mitigate the noise impact of the road.
- 10.37 With respect to the country park, the provision of such a facility will clearly have recreational benefits and its inclusion within the ELOR programme not only improves the green credentials of the road proposals but also helps to ensure this infrastructure is delivered early. As such, residents, both existing and future will have access to a new country park in advance of the timescales anticipated if it were to be delivered as part of the Northern Quadrant proposal.

##### Air Quality

- 10.38 An Air Quality Assessment has been undertaken to assess the impact of the ELOR on local air quality. This has been assessed by Air Quality Management Officers who have raised no objection to the scheme. Officers have concluded that air quality is not at risk of falling below the relevant UK standards at sensitive receptors close the route. Air Quality objectives for Nitrogen Oxide and particulate matter are not likely to be breached in the vicinity of the site. Relieving traffic congestion elsewhere on the network also has air quality benefits.

##### Ecology and Nature Conservation

- 10.39 Core Strategy policy G9 and the NPPF seek to secure not only biodiversity protection but habitat creation. Under policy G9 development is required to demonstrate that there will be an overall net gain for biodiversity, commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement.
- 10.40 An Ecology Assessment has been undertaken and identified the presence of a bat roost at Pigeon House at Red Hall and bat commuting routes will be crossed by the ELOR.
- 10.41 Nature conservation officers have reviewed the ecology assessment and have requested further information is submitted including details of the impact on the Leeds Habitat Network, details of connectivity at locations including Wood Lane and the disused railway to allow species to cross. Officers have also requested the provision of dedicated bat roosting and hibernating features on each side of

the route in areas with a high level of bat activity. Officers are still assessing the proposed mitigation measures and seek to resolve these detailed issues.

#### Flood Risk and impact on watercourses

- 10.42 A Flood Risk Assessment has been undertaken for the proposed development. The Environment Agency Flood Map identifies the majority of the ELOR site is located within Flood Zone 1. Parts of the route are located in Flood Zone 2 and 3 along Cock Beck, where there is a higher probability of flooding.
- 10.43 Flood Risk Management officers have requested that surface water drainage design principles are agreed prior to determination of this application.
- 10.44 The Environment Agency (EA) have provided a holding objection. They have raised concerns over the proposed straightening of Cock Beck and the impact on the ecological environment. Officers are still assessing the proposed impact and seek to resolve the EA's concerns.

#### Contaminated Land

- 10.45 Contaminated Land officers have requested further information regarding the potential for land contamination to impact upon sensitive receptors in the location of the country park although no serious concerns in respect of this issue is raised.

#### Response to objections

- 10.46 There have been a wide range of issues/concerns raised in relation to the scheme. Most of the issues including impact on green belt, greenspace, traffic, air quality, noise, biodiversity and heritage have been addressed within the report.
- 10.47 The objections regarding to the encroachment of the route on Red Hall Playing Fields have also been considered. Whilst the historic use of this area for playing pitches is acknowledged, the playing fields have not been set out as formal pitches since 2006 and has subsequently only been maintained as informal recreation space. The land is not allocated as protected playing pitch land and even in UDPR it is identified as a future business park. It is now proposed for housing as part of the Site Allocations Plan. The ELOR route runs along the northern edge of the allocation but in recognition of the historic playing pitch use the development brief for the Council owned Red Hall site does seek to maintain some on-site pitch/green space provision – albeit this is separate to the consideration of ELOR.
- 10.48 The aspirations of the Elmet Greenway Group have been considered in the development of this scheme which aims to ensure that access to the disused railway line is maintained. The Wood Lane Bridge will be compliant with the needs of pedestrians and cyclists. Furthermore new bridleway and equestrian crossing facilities will be provided on the eastern side of ELOR.
- 10.49 Objections have been raised on the grounds the ELOR will result in the severance of the Crossgates, Swarcliffe, Scholes and Thorner. These concerns are acknowledged, however the scheme does include several crossings and connections to PROWs.
- 10.50 Objectors have been received regarding the adequacy public consultation. A Statement of Community Involvement has been provided to support the



application. The level of consultation which has been ongoing since 2015, including workshops, Stakeholder Consultation and a 12 week public consultation exercise on the ELE and ELOR which sought the views of local people, businesses and other key stakeholders.

- 10.51 The objections regarding the potential for conflict of interest have also been noted. It is not considered that there is any conflict of interest and it is appropriate for the local authority to determine the application. Subject to addressing the concerns of the Statutory Consultees the scheme does not need to be referred to the Secretary of State.
- 10.52 The objections to the scheme have been considered and any harm to arise as a result of this scheme must be balanced against the public benefits of the development. In this case the significant public benefits that the ELOR would deliver are considered to clearly and demonstrably outweigh the matters that have been raised.

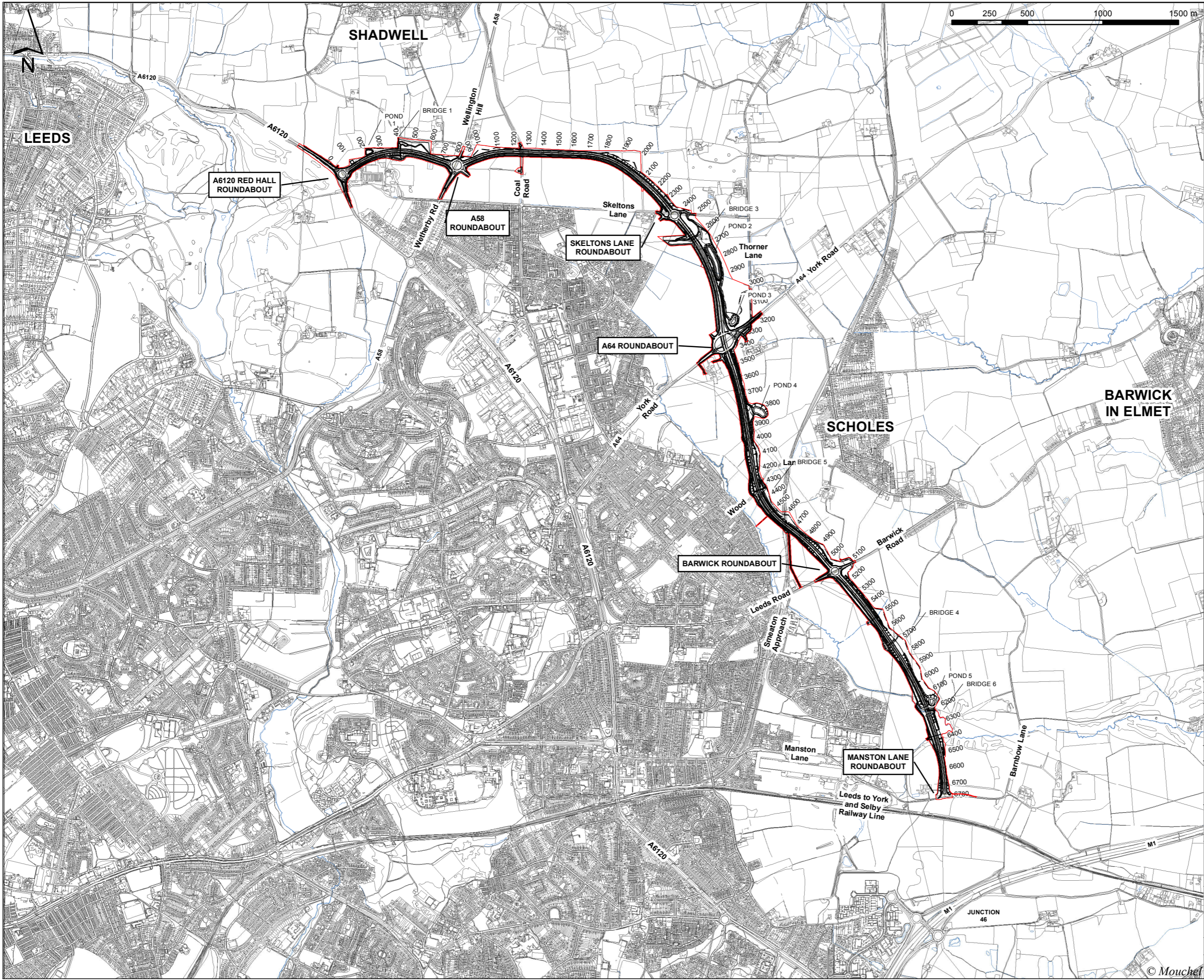
## **11.0 CONCLUSION**

- 11.1 Members will note from the report that some further work is still necessary to resolve all matters, particularly those that have been raised by statutory consultees. Notwithstanding this, the application has now been under consideration for a reasonable length of time and the formal publicity period and complimentary consultation events that have been held have now all concluded. As such, most representations are likely to have been received by now.
- 11.2 Whilst many Members will be no doubt be familiar with the ELOR proposal as a concept, either through consideration of the Northern Quadrant application or more recently as part of the Thorpe Park MLLR proposals, officers consider this is an appropriate point in time to bring a position statement to the Panel which sets out the main issues and requests feedback. Members are therefore requested to provide feedback on the questions posed in the main body of this report, all of which are reproduced below for ease of reference and to offer any additional comments that they consider are appropriate regarding this development proposal:
- 1. Do Members accept the principle of the road and country park proposals including the impact on the Green Belt?**
  - 2. Do Members accept the design approach for ELOR (e.g. 50MPH, limited junctions) in terms of addressing the strategic objectives for facilitating housing growth/ traffic relief in this part of the City?**
  - 3. Do Members accept the proposed crossing measures to address connectivity issues for Non Motorised Users?**
  - 4. Do members consider the visual impact of the ELOR and the impact on heritage assets is acceptable?**




### **Background Papers:**

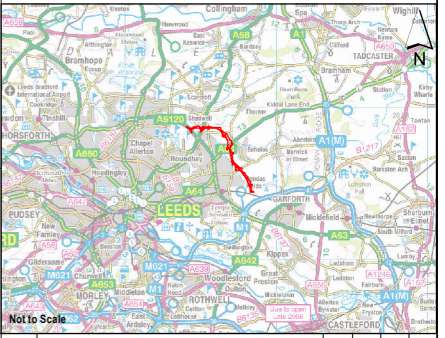
Application files: 17/04351/LA

Certificate of ownership: Certificate C signed and served on Leeds Council as owners of the application site.





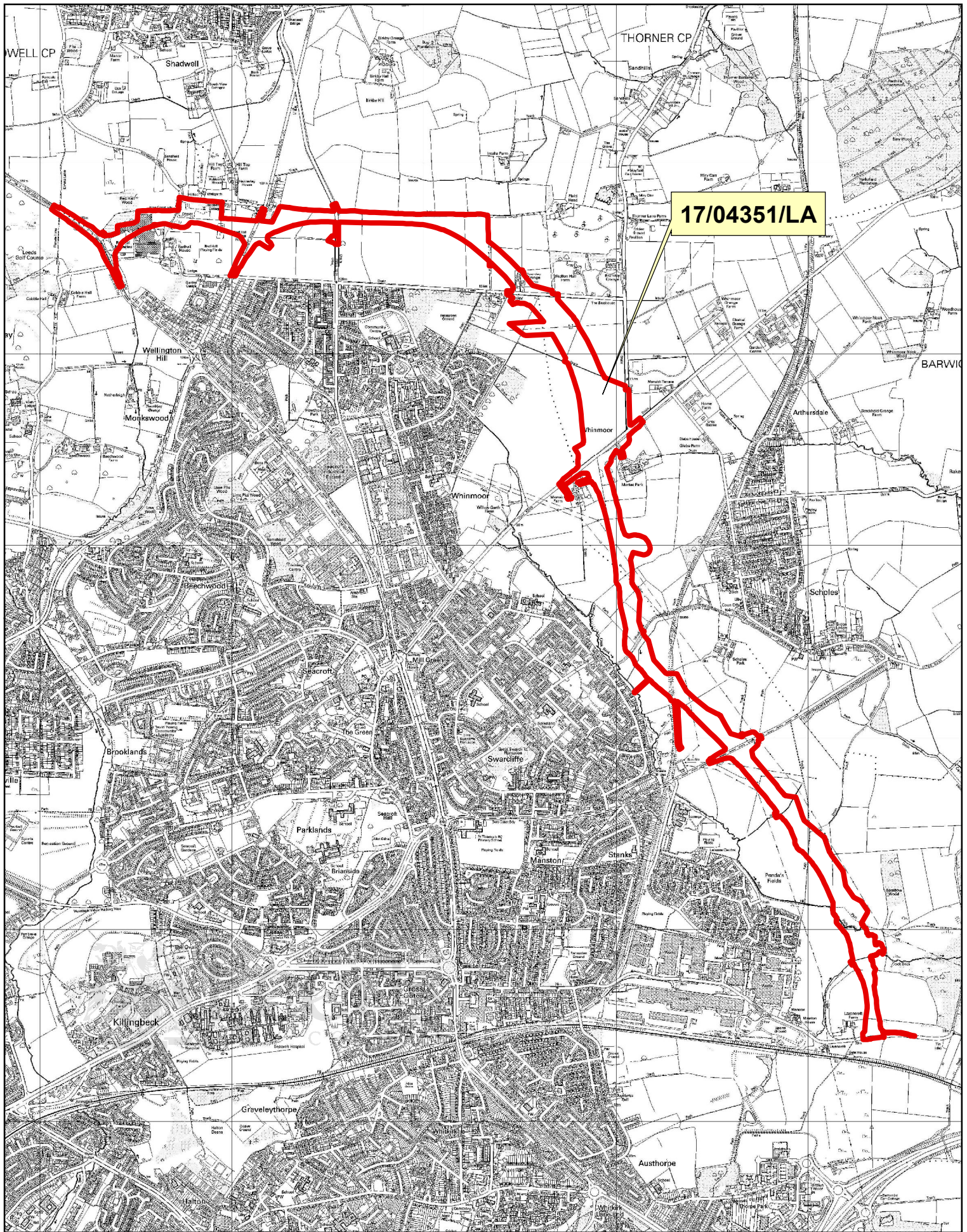
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- LEGEND**
-  Proposed Scheme Alignment
  -  Proposed Redline Boundary
  -  4900 - Chainage



P1	FIRST ISSUE	DAW	HR	HR	NOV 2016
Ver	Amendment	By	Checked	Approved	Date
Authorised For Issue:	H.ROBERTS	Purpose of Issue:		INFORMATION	

  
 building great relationships  
 Client:   
 Project: EAST LEEDS ORBITAL ROAD  
 Title: THE PROPOSED SCHEME  
 File No. 169024-MOU-EGN-XX-DE-E-0007 Scales @ A3 Ver. 1.24,000  
 Mouchel Drawing No. FIGURE 5.1 P1



# CITY PLANS PANEL





Originator: Daniel Child  
 Tel: 0113 378 7988

**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

**Date: 12<sup>th</sup> October 2017**

**Subject: Position Statement: 17/03974/RM Reserved Matters application for 292 dwellings including layout, scale, appearance, landscape and access. Northern development pots on land south of railway line at Thorpe Park, Leeds, LS15 8ZB**

APPLICANT	DATE VALID	TARGET DATE
Redrow Homes (Yorkshire) Limited	19/06/17	18/09/17 (Agreed extension of time until 18/10/17)

**Electoral Wards Affected:**

**Temple Newsam**

Yes Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**Members are requested to note this report on the proposal and give views in relation to the questions posed in the conclusion to aid the progression of the application.**

**1.0 INTRODUCTION:**

1.1 This position statement is presented to the Panel because the proposal is a significant one in terms of its relative size, at 292 dwellings, and when the Panel initially granted outline planning permission it requested that the reserved matters detail be brought back to the Panel for its determination.

- 1.2 On 2<sup>nd</sup> February this year the development was the subject of a pre-application presentation by Redrow ref: PREAPP/16/00661. Members made a number of detailed comments about the scheme and Redrow have sought to respond to them positively. In view of these considerations it is considered expedient to report the current position and seek Members' views on the response and broad design principles now proposed.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The application relates to the northern half of the employment allocation at Thorpe Park that totalled approximately 65 hectares. The site is located to the south of the Leeds-York railway line and Manston Lane, west of the M1 (junction 46), north of the A63 Selby Road and the existing Thorpe Park buildings. Austhorpe Lane is to the west. The site covers Zone B of the Thorpe Park masterplan but excludes what it termed 'Central Park', which is an important landscaping and open space feature running east to west across the site and which contains the SUDS attenuation/balancing ponds.

## **3.0 PROPOSAL**

- 3.1 The application seeks approval of the detailed reserved matters relating to layout, scale, appearance, landscaping and detailed access arrangements for dwellings [the main access from a signalised junction from the north south Manston Lane Link road is approved].

## **4.0 PLANNING HISTORY**

- 4.1 Outline planning application reference 14/05481/OT for up to 300 dwellings was the subject of a position statement at the 20<sup>th</sup> November 2014 meeting of City Plans Panel at which Members resolved to visit Derwenthorpe, York, images of which had been displayed at the meeting. Member visited Derwenthorpe, York in late December, to view it as an example of a contemporary, waterside residential development.
- 4.2 The outline application was subsequently considered at the 22<sup>nd</sup> January 2015 meeting, where it was resolved to grant planning permission subject to conditions and a S106 legal agreement. Planning permission was subsequently granted on 2nd April 2015, following the decision of the Secretary of State not to call in the application (referred as it was a departure from the employment allocation) and following completion of the requisite legal agreement. A consequential variation to the quanta of uses for a reduction in the amount of B1 office uses was also approved under application reference 14/05483/FU.
- 4.3 Under the extant outline planning permission for the residential element all matters were reserved, save for the main access point which as approved incorporates a single access point off a signalised junction from the Manston Lane Link Road. An approved masterplan for the wider Thorpe Park development establishes the broad layout of the residential development and includes the provision of greenspace in the form of Central Park, which is also to contain SUDS drainage ponds that serve all of Thorpe Park. The masterplan envisaged three 'green fingers' which would project northwards from Central Park into the residential development and active frontages facing central park.

4.4 The S106 agreement under the outline permission covers the following areas and is provided for information:

- **Affordable Housing:** 15% provision (of which 60% to be sub market/intermediate affordable units and 40% social rented affordable units, the type and mix to be agreed).
- **Education:** An interim education contribution of £357,286.50 prior to first occupation, a further £357,286.50 prior to occupation of 75 units, a further £357,286.50 prior to occupation of 150 units (total £1,071,859.50), and a further final payment prior to occupation of 225 dwellings (in accordance with an education contribution formula depending on the number of family units ultimately provided on the site).
- **Greenspace:** A new area of public open space within Central Park and public access to it, to include the continuation of a 4 metre wide tarmacked and illuminated footpath (prior to first occupation of any Dwelling), and a residential contribution of towards Green Park of £106,080 (upon commencement of the residential development).
- **Transport:** Residential Public Transport Contribution of £300,000 (prior to first occupation of more than 49 dwellings); a thirty minute frequency bus service; a Residential Bus Infrastructure contribution of £10,500 (prior to first occupation of any dwelling); a Car Club Contribution of £15,000; a Metrocard Contribution of £4,350, and; a Travel Plan and Travel Plan monitoring fee \*

*\*Total contributions in relation to transport are capped at £2million for Thorpe Park as a whole.*

- **Employment:** Requirement to work with Employment Leeds from the start of the tendering process, throughout the period when the residential development is under construction, and to use reasonable endeavours to develop a scheme to promote employment opportunities for Local People.
- **Expansion Land:** Requirement not to permit first occupation of any dwelling until the owner has entered into a Section 38 Agreement and has dedicated the expansion land required for ELOR as highway pursuant to the agreement.

4.5 Conditions of the outline planning permission cover:

- A maximum of 300 dwellings (4).
- Adherence to the submitted masterplan (5).
- Landscaping implementation programme, management and maintenance arrangements for each phase (6) & (7).
- Removal of permitted change of use rights for the complimentary uses to the east of the residential development [which are outside the redline area of this pre-application enquiry] (8).
- External materials and excrescences to be agreed (9) & (10)
- External surfacing materials to be agreed (11)
- No occupation of any unit until the N/S and E/W sections of the Manston Lane Link Road have been practically completed and opened to traffic (12).
- Precise access, junction and crossing details/maximum gradient (13) & (14).
- Surfacing of highways prior to occupation (15).

- Details of rights of way, cycle routes and bridge detail, including implementation timetable, prior to occupation (16) & (17).
- Travel Plans prior to occupation of a phase (18).
- Measures to suppress dust and mud on haul and circulation routes (19) & (20).
- Contractor parking provision and management (21).
- Parking provision including for city car club [2 spaces] and cycle/motorcycle storage (22) & (23).
- Quarterly updates on delivery of Manston Lane Link Road (24).
- Sustainability Statement/BREEAM assessment, including low and zero carbon measures to generate 10% on-site energy and a target of 20% above Building Regulations (25).
- Surface and foul water drainage, SUDS pond detail and early cultivation/seeding of Central Park prior to commencement (26), (27) & (30).
- Adherence to 'Secured by Design' principles (28).
- Demonstration prior extraction of coal has been considered (29).
- Site levels (31).

## **5.0 HISTORY OF NEGOTIATIONS**

- 5.1 Discussions and meetings have taken place between the applicant and officers following consideration of the pre-application scheme and also during the consideration of this current submission. A number of detailed considerations are currently being responded to.

## **6.0 PUBLIC/LOCAL RESPONSE**

- 6.1 The application was publicised by way of a site notices placed around the site and on neighbouring residential streets in the wider area, and in the Yorkshire Evening Post on 21<sup>st</sup> July 2017. In response one letter of objection has been received from Leeds Civic Trust. Points raised therein can be summarised as follows:

- We do not object on design grounds but have a number of comments:
  - I) The division of the site into groups of “modern” style houses and retro “garden village” style houses seems arbitrary.
  - II) The flats seem bulky and boxy in contrast with the houses.
  - III) The energy plan suggests that the means of meeting Condition 35 of the outline will be solar photo-voltaic panels on south facing roofs however none are shown on the drawings; these should be integrated into the roofs using photo-voltaic tiles rather than added on as panels.
- Any development located next to a transport hub should be at higher densities than further away to reduce travel distance for more people, and the proximity of the proposed station suggests that the developer should be striving for a higher standard of sustainability in this respect.
- The Design and Access Statement makes no mention of the proposed railway station and park and ride which will immediately adjoin the site. This is an important element in the Leeds Transport Strategy, without which the development of this site is unsustainable as there is no guarantee the bus services as part of the S106 agreement will be available in perpetuity.



- Consideration of the location of the proposed station would radically alter the proposed layout.

6.2 Ward Members have been advised of the application and more recently offered a briefing prior to panel. Any comments received will be reported at the meeting as part of the officer presentation.

## **7.0 CONSULTATION RESPONSES:**

### **7.1 Statutory:**

Health and Safety Executive: Do not advise against the grant of permission.

Coal Authority: Objection; concern in relation to coal mining legacy.

Network Rail: No objection.

### **7.2 Non Statutory:**

Yorkshire Water: No objections.

Contaminated Land: No objections.

Highways: Changes to the proposed internal road layout will be required before the proposal would be regarded as fully acceptable in highway terms.

Landscape: Recommends revision to layout in relation to the green fingers and requests further technical information on soils and planting.

Nature Team: Recommend revised boundary treatment along west boundary and an appropriate meadow mix/maintenance regime for specified area to allow for better connectivity for amphibians from central park to the banks of the railway. The open water flow from central park northwards should not be culverted in accordance with Saved UDP policy N39.

Environment and Housing: No objection subject to further information on noise mitigation from the Railway.

## **8.0 RELEVANT PLANNING POLICIES**

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan Review (2006) and the Natural Resources and Waste Development Plan Document (2013), and any made Neighbourhood Development Plan.

8.2 Thorpe Park is formally allocated by saved UDP (Review) 2006 policy E4:6 as employment land and is afforded further policy support within the Core Strategy under policies SP9 and EC2. Combined, these policies seek to ensure Leeds retains an adequate supply of employment land (including office accommodation) up to the year 2028.

Adopted Core Strategy:

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

Spatial policy 1 Location of development  
Spatial policy 9 Provision for offices/employment land  
Spatial policy 13 Strategic green infrastructure  
Policy H3 Density of residential development  
Policy H4 Housing mix  
Policy H5 Affordable housing  
Policy P10 Design  
Policy P12 Landscape  
Policy T1 Transport management  
Policy T2 Accessibility requirements and new development  
Policy G1 Enhancing and extending green infrastructure  
Policy G4 New greenspace provision  
Policy G8 Protection of important species and habitats  
Policy G9 Biodiversity Improvements  
Policy EC2 Office Development  
Policy EN1 Sustainability targets  
Policy EN2 Sustainable design and construction  
Policy EN5 Managing flood risk

Saved Leeds Unitary Development Plan (UDP) (Review) Policies:

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

Policy GP5 Requirement of development proposals  
Policy N23/ N25 Landscape design and site boundaries  
Policy N24 Development proposals next to green belt/ corridors  
Policy N32 Green Belt  
Policy N39B Watercourses and new development  
Policy BD5 Design considerations for new build  
Policy LD1 Landscape schemes

Natural Resources and Waste Local Plan:

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

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

Supplementary Planning Guidance / Documents:

- 8.6 SPG10 Sustainable Development Design Guide (adopted).  
SPG13 Neighbourhoods for Living (adopted).  
SPG22 Sustainable Urban Drainage (adopted).  
SPD Street Design Guide (adopted).  
SPD Designing for Community Safety (adopted).

SPD Sustainable Design and Construction (adopted).

National Planning Guidance:

- 8.7 The National Planning Policy Framework (NPPF) identifies a number of core planning principles which include for planning to be genuinely plan-led with plans kept up-to-date and to provide a practical framework within which planning decisions can be made; proactively drive and support sustainable economic development and seek to secure high quality design. In this case the following sections are most relevant:

Achieving sustainable development

Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of quality homes

Section 8 Promoting healthy communities

Section 7 Requiring good design

Section 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Decision taking

Annex 1: Implementation

## **9.0 THE MAIN ISSUES**

- 9.1 The main issues that fall to be considered are:

- Principle of the development
- Detailed technical issues including highways and parking layout
- Appearance, layout and landscaping
- Representations
- Other considerations

## **10.0 APPRAISAL**

### **Principle of the Development:**

- 10.1 Outline permission has been granted and the primary access is as approved from a signalised junction westwards off the Manston Lane Link Road (north – south section). The broad layout follows the masterplan approved at outline and at pre-application stage, and Members have already resolved that they are broadly content with the amount and scale of development. The comfort offered by the detail required under the conditions of the outline permission, summarised above, still applies, and the principle is therefore well established. What falls to be considered is the appearance, layout and landscaping of the scheme, together with any housing need and other policy requirements.

### **Detailed Technical Issues including Highways and parking layout:**

- 10.2 In these regards there are a number of outstanding technical issues in relation to detailed highways layout on a plot by plot basis, such as road/footway width and position, access positions, radii curves and parking issues. There is also a question over the arrangement of accesses from the spine road immediately off the MLLR, where it passes the approved mixed uses on the masterplan adjacent to the east of the site. This is perhaps unsurprising on a development of this type, and in the context

of the wider mixed use development. There are also some detailed planning policy issues to resolve, however subject to the receipt of amend plans/information these matters should be resolved relatively easily. Discussions with Redrow are ongoing and positive in all of these areas and an update will be provided at the meeting.

### **Appearance, Layout and Landscaping:**

10.3 The main purpose of this position statement is to seek Members views regarding Redrows response to the various design concerns that were highlighted at the pre-application presentation stage. As already described above, there are still some outstanding issues that officers are working to resolve but fundamentally some feedback regarding matters of design and layout is requested as the initial approach, particularly regarding house types was not well received. To assist Members with this request, a summary of the comments made during the pre-application presentation is provided below. The minutes of the 2<sup>nd</sup> February meeting of the Panel record the following discussion points:

- Members made reference to the outline Design Code Addendum for the site, earlier Member consultation on the proposals, and the expectation for a contemporary design of house types.
- The design of the proposed house types was not inspiring.
- This was a unique location, and traditional house types was unacceptable in this context, and “incredibly disappointing”, members wish to see a contemporary, highly sustainable design to complement the design features of the wider Thorpe Park development.
- Members queried if there were any ongoing discussions about transport links.
- The easternmost green finger was weak and needed to be enhanced to connect into the site and the adjacent park in line with the approved masterplan.
- There were concerns about the small size and northern orientation of the gardens to the railway line.

10.4 In responding to the issue of transport links officers clarified that there was a £300,000 contribution under the legal agreement relating to the outline permission and the wider Thorpe Park permission, and that this enabled a 30 minute frequency bus service to be established. The minutes go on to record the following conclusions and feedback of Members, with an update following after each:

- Members expressed the view that the house types be of a modern/contemporary design to complement the design features of the wider Thorpe Park development.

*[The applicant's design response and a series of questions are set out below]*

- Subject to addressing the aural amenity concerns affecting the gardens adjacent to the railway line to the north, there were no adverse comments/concerns in respect of this aspect of the layout of the development.

*[Redrow confirm details of this will flow under condition discharge applications]*

- The development should have active frontages at ground floor and the development should follow the approved masterplan facing central park in this regard.

*[Flats over garages are being removed from the scheme]*

- Members were “relaxed” at the scale (height) and amount of development (number of dwellings) however, highway capacity was an important consideration and would be a determining factor for any amount in excess of the 300 figure approved as conditioned at outline stage.

*[The scale and amount of development are within the approved parameters]*

- It was noted that little additional detail was provided of landscaping and that green infrastructure and greenspace provision required improved “green finger” connectivity between the different phases and also to Central Park, in respect of the easternmost ‘green finger’

*[This concern has been reiterated by officers, the layout plan is being amended, and this will be reported at the meeting]*

10.5 In responding positively to these comments Redrow have sought to introduce a more contemporary design of dwelling facing central park and the main Thorpe Park developments. Two broad character areas are now proposed. That which faces central park and running up the ‘green fingers’ which project into the development now makes use of a more contemporary design, using brick, light render and timber cladding with grey windows, similar to the style of dwellings which members saw at Derwenthorpe. Design colleagues comment that they are more contemporary in appearance and are considered to be based on simplicity, having a balanced order in terms of window to wall ratios and window proportions, making use of a simple palette of materials in a disciplined manner. Some of the palette of materials continues into the second character area bringing overall cohesion and consistency to the development as a whole.

10.6 In responding to Members’ concerns Redrow have also agreed to remove the flats over garage units (6 No.) to ensure a continuous active frontage with the park. Whilst officers had expressed some concerns about the easternmost ‘green finger’ as initially shown, Redrow have now revised this detail in view of the concern of Members expressed earlier, and it is now in more in line with the approved masterplan.

### **Representations:**

10.7 The Civic Society has no objection to the design per se though they comment that the division into two character areas is arbitrary. They also comment that the flats seem bulky and boxy in contrast with the house and that any solar panels should be within the planes of the roofs, and not bolted on later. In response and following the advice of design consultees Redrow are removing the parapets from the flats to reduce their massing, and are addressing other more detailed design concerns. In relation to the solar panel comments Redrow have been advised of the need to demonstrate the incorporation of solar panels into roof planes. With regard to the objection to the relationship with the proposed station and the sustainability of the density of the development, there is a limit to the number of dwellings that can be accommodated from a single access from the MLLR (300), and the outline permission with approved masterplan and parameters pre-date any planned station.

### **Other Considerations:**

10.8 The applicant is responding to the housing mix and housing type policy concerns and the comment of the Coal Authority, and the revised housing mix will be reported to the meeting. In relation to nature conservation the Great Crested Newts have already been relocated from the site to receptor ponds to the west under licence from Natural England. The boundary treatment detail to the west is being revised to ensure no unauthorised access to the ponds is made by future residents, in order to protect them. The approved water features in central park require a biodiversity enhancement plan by condition and existing conditions cover the requirements for a Great Crested Newt Licence.

## **11.0 CONCLUSION AND QUESTIONS**

11.1 Permission in principle has been granted with a single access off the MLLR and Members are content with the scale and amount of development. Whilst there are a number of detailed policy considerations in relation to housing mix and type, and technical aspects to consider on a plot by plot basis, Redrow are currently responding positively to requests to address these points. At this stage therefore officers would be grateful if, having received the Panel presentation and any update the Panel could provide its views in response to the following questions:

**Question 1: Are members content with approach of having two character areas and the more contemporary design now proposed?**

**Question 2: Are members content with the active frontages with central park?**

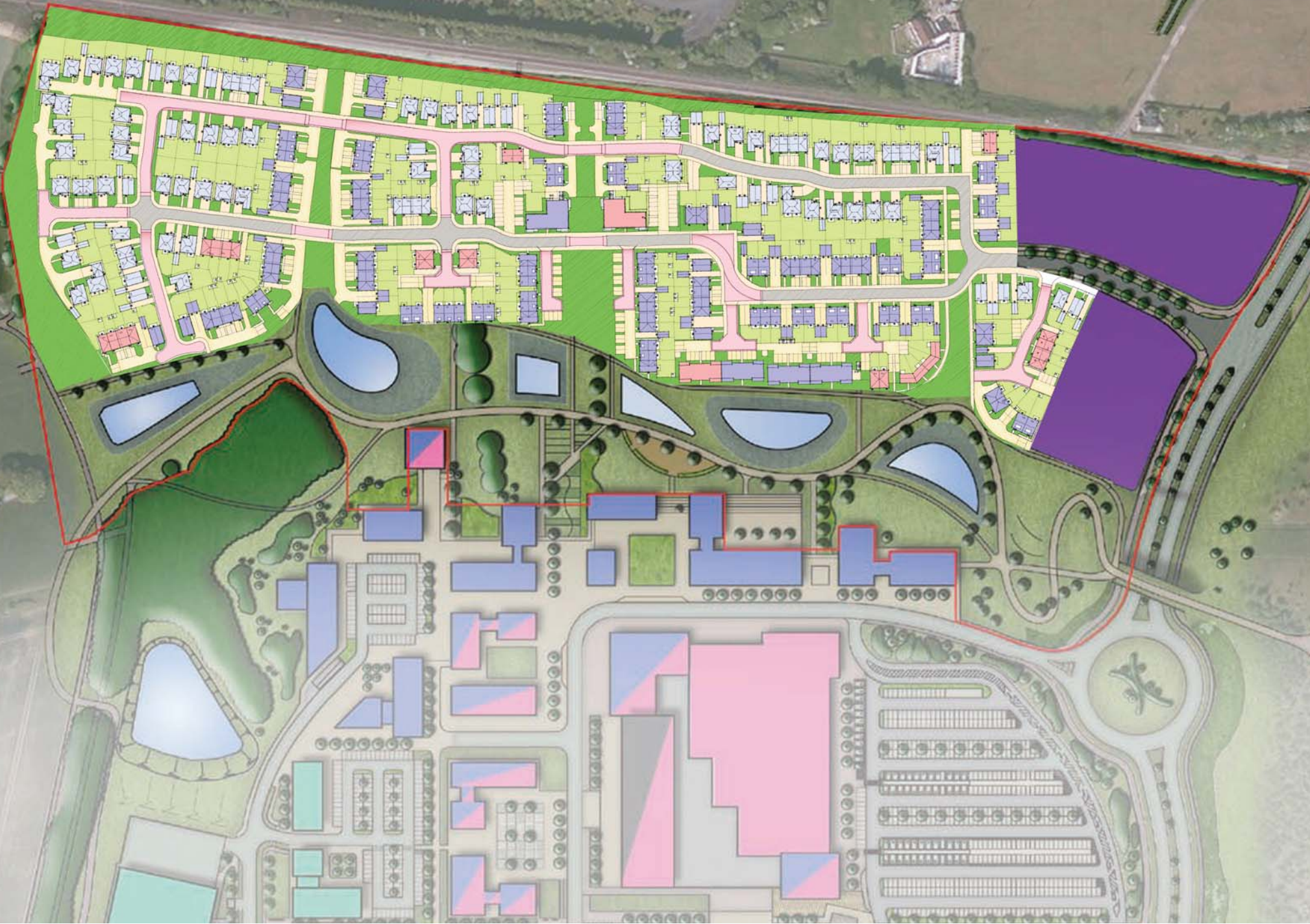
**Question 3: Are members content with the overall masterplan in relation to the green infrastructure, and specifically the easternmost green finger?**

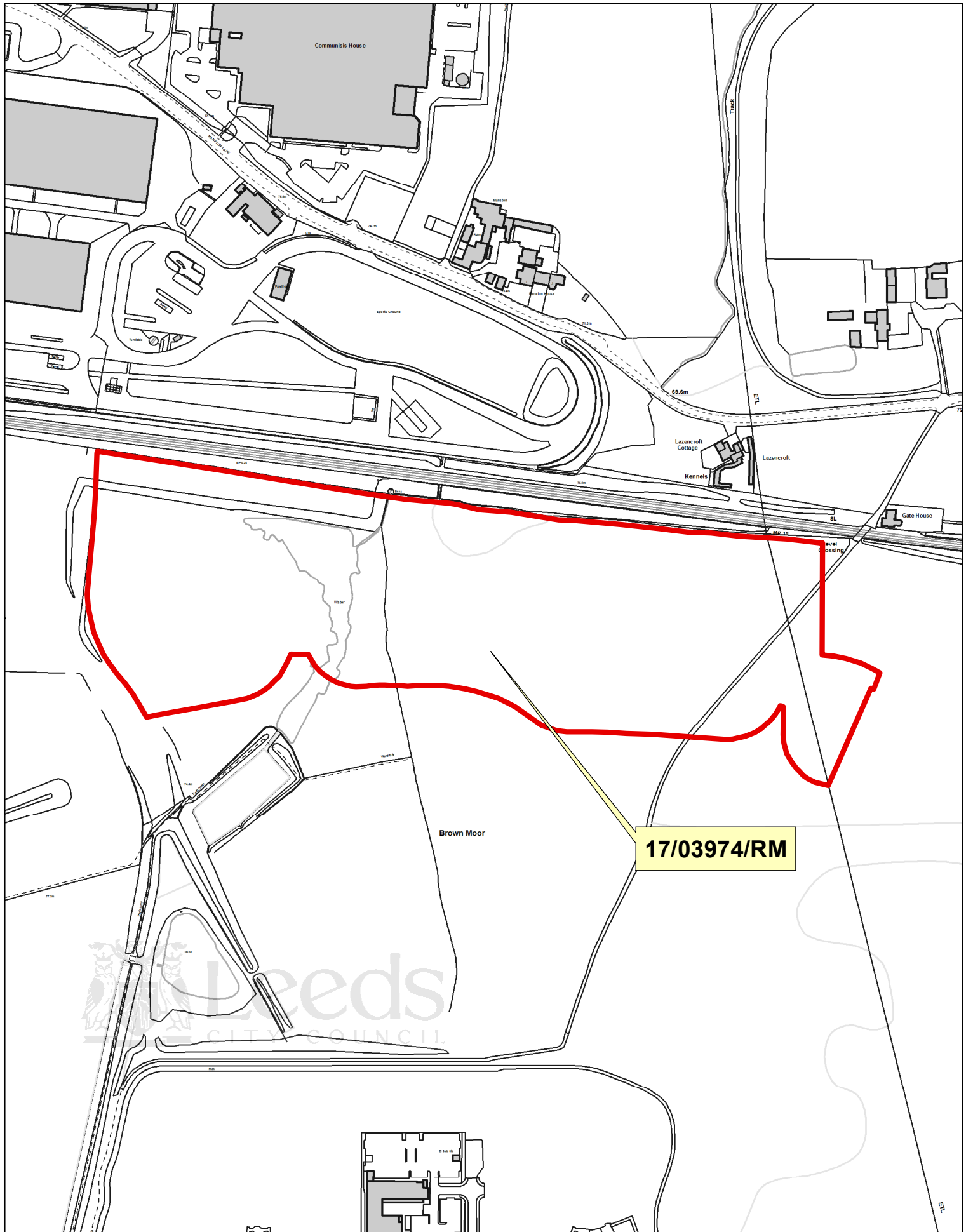
**Question 4: Are there any other issues Members would like to raise?**

### **Background Papers:**

Case files: 14/05481/OT  
PREAPP/16/00661  
17/03974/RM

- Typology A Contemporary
- Typology B Traditional
- Affordable Housing Plots





# CITY PLANS PANEL







Originator: Paul Kendall

Tel: 3783999

## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

Date: 12<sup>th</sup> October 2017

**Subject: PRE-APPLICATION PRESENTATION FOR 117 UNIT APART-HOTEL WITH 9 GROUND FLOOR COMMERCIAL UNITS AND ACCESS POINTS TO LEEDS KIRKGATE MARKET - SITE AT GEORGE ST, ADJACENT LEEDS KIRKGATE MARKET. PREAPP/17/00604 GEORGE ST**

**Applicant: Town Centre Securities**

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

City and Hunslet

No

Ward Members consulted

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

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

## **1.0 INTRODUCTION:**

1.1 Now that the Victoria Gate development has been completed on the northern side of George Street, the proposal is to redevelop the southern side, which is currently occupied by 1930's and 1980's shops and office buildings. These are outdated and out of proportion both with the scale of the adjacent Grade I Listed Market building, Leeming House, and the Victoria Gate development opposite.

1.2 The site is in the ownership of Leeds City Council and therefore officers prepared a development brief which was approved by Members at City Plans Panel in April 2014. This was used for guidance as part of the process to deliver the proposal to be presented.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The site is located on the southern side of George Street, backing on to the former Butchers Row and the adjoining modern market hall. It is currently occupied by 1930's single storey rendered, flat roofed, commercial units on its western half and 1980's two storey shops and office buildings to the east. Between these sits an entrance to the market building.
- 2.2 To the west the site abuts the Grade I listed Leeming House and to the east is a further entrance to the modern market hall and an electricity sub-station and toilet block. To the north, on the opposite of George Street, is the new Victoria Gate development. The western end of the site is within the City Centre Conservation Area.

### **3.0 PROPOSAL**

- 3.1 The proposal is for a single building which fronts the back edge of footpath. The upper floors of the building are proposed to be used as an apart-hotel which would be accessed via at a point in the centre of the façade. This would contain approximately 117 separate units of accommodation with 82 studios, 31no. one bedroom and 4no. two bedroom units. The ground floor is to contain 9 units for a range of commercial uses - retailing (A1), café/restaurant (A3), bar (A4) and take-away (A5).
- 3.2 The elevations are primarily of brick, however, given the total length is approximately 120m the building is punctuated approximately halfway along by a recessed 'slot' which is clad in glass. This is the location of the replacement entrance to the northern side of the market hall and contains a double storey height void which is designed to mirror the existing Leeming House market entrances. In addition the brick part of the building terminates 5m from Leeming House where a 2 storey glass addition makes the transition between the old and the new. This allows the stone gable of Leeming house to remain visible as well as retaining a view through to the dome of the market roof beyond.
- 3.3 The elevations to George Street divide the building into a definite base, middle, top with the base consisting of a double height arch to reference the height of the base of Leeming House, the middle being 3 storeys of brick with paired windows set into shallow reveals and decorative brickwork pattern, and the top being a metal clad mansard with feature dormer windows, again paired to relate to the elevations below. In addition the building steps down the hill, emphasised by the ground floor unit configuration and the eaves line, which is stepped once within each wing. The southern elevation, which faces out over the market roof, is of a much simpler design but is also in brick with regular window pattern, standing seam zinc slots and louvre detail.
- 3.4 A number of the ground floor commercial units would have the ability to be accessed from both George Street and the former Butchers Row, which offers the opportunity to access the market from multiple points along George St. This also retains the commercial unit frontages along the northern side of Butcher's Row, a number of which would be able to be accessible at-grade, an improvement over the current situation. The requirement to provide a fire exit at one point along Butchers Row results in the inability to provide a commercial frontage. At this point the elevation has a dummy retail frontage which can be used to advertise market events & produce and house art installations. The apart-hotel also has a frontage directly into the market from this elevation which will help to drive increased footfall and provide further life and activity.

- 3.5 The upper floors incorporate both plant areas and vertical risers within the envelope of the building which means that there are no requirements for flues or air-conditioning units to be located on the outside of the building. Refuse storage area are also included within the ground floor footprint and accessed from discreetly located doorways.
- 3.6 At the eastern end of the site cycle storage is proposed to be contained behind the commercial frontages and so would not impact significantly on the elevational treatment. The market entrance is marked by a high-level 'Leeds Market' signage arch. This is designed to swing open to allow vehicles to access the area in order to service the adjacent electricity sub-station. Servicing and drop-offs would all occur from George St which was reconfigured as part of the recent Victoria Gate scheme. This proposal would also bring forward the final treatment of the footway, as a temporary blacktop treatment was laid in advance of the necessary construction works.

#### **4.0 RELEVANT PLANNING POLICIES**

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

The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (para.57)

- 4.2 Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.

- 4.3 Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping. (para.58)

- 4.4 Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (para.61)

##### **4.5 Development Plan:**

Section 38(6) of the Planning and Compulsory Purchase Act states that, for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise. The Development Plan comprises the Leeds Core Strategy (Nov 14), saved policies of the UDPR (2006); The Natural Resources & Waste Local Plan (NRWLP Jan 13) and any Neighbourhood Plan once adopted.

#### 4.6 Leeds' Core Strategy

##### Spatial Policy 3 – Leeds City Centre

The importance of the City Centre as an economic driver for the District and City Region will be maintained and enhanced by:

- (i) Promoting the City Centre's role as the regional capital for major new retail, leisure, hotel, culture and office development.

Policy CC1 (g) 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 line with all other Core Strategy policies

Policy CC1 (h) A concentration of shops with ground floor frontages should be maintained in the Prime Shopping Quarter for reasons of vitality. Proposals for non-retail use should not result in the proportion of retail frontage length falling below 80% in primary frontages or below 50% in secondary frontages. Proposals outside the 'A' use classes will not be permitted within designated ground floor frontages.

##### Policy P10: Design

New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function. New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

Proposals will be supported where they accord with the following key principles;

- (i) The size, scale and layout of the development is appropriate to its location and respects the character and quality of the external spaces and the wider locality,
- (ii) The development protects the visual, residential and general amenity of the area including useable space, privacy, noise, air quality and satisfactory penetration of daylight and sunlight,
- (iii) The development protects and enhance the district's historic assets in particular existing natural site features, historically and locally important buildings, skylines and views,

##### Policy P11: Conservation

The historic environment, consisting of archaeological remains, historic buildings townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved. Innovative and sustainable construction which integrates with and enhances the historic environment will be encouraged.

## Policy T2: Accessibility Requirements and New Development

New development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility:

### 4.7 Saved Unitary Development Review 2006 Policies

BD2 - the design of new buildings should complement and where possible enhance existing vistas, skylines and landmarks

BD4 - all plant to be contained within the envelop of the building

BD6 - all alterations and extensions to respect the scale, form, detailing and materials of the original

N14 - assumption in favour of retention of listed buildings

N17 - all listed building features to be retained and repaired

N19 - all buildings within or adjacent to a conservation area to enhance character or appearance

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

GP5 - Applications to account for all other material considerations.

SF2 – within primary shopping frontages 80% of the frontage is expected to be in retail use

### 4.8 Site Allocations Plan (SAP)

This site is allocated as a primary shopping frontage in the draft SAP

### 4.9 Natural Resources and Waste Local Plan

The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way

### 4.10 Supplementary Planning Guidance/Documents

SPD Building for Tomorrow Today: Sustainable Design and Construction  
City Centre Urban Design Strategy

### 4.11 George St Development Brief

The Brief sets out planning and urban design objectives for this site. The contents are not prescriptive and contain sketch elevations and street scene imagery which have been included for guidance only. Background plans and documents are also appended to the document to provide further guidance

## 5.0 ISSUES

- 5.1 The proposed use of the site as an apart-hotel is an acceptable city centre use and will bring a new and changing body of occupiers to this part of the city centre. This would bring pedestrian movement outside normal working hours and a degree of natural surveillance. This is added to the by the inclusion of the ground floor commercial units, which may also be open into the evening, if uses and policy frontage requirements permit. These uses will also help to filter pedestrians into the market, given they are designed as through units which complies with the requirement of the brief. A number of the Butchers Row units would also be accessible at grade which is an improvement over the current situation.

- 5.2 The primary frontage shopping policy seeks retention of a minimum 80% of the frontage length to be retained in A1 retail use. As part of the current proposal, 7 of the 9 ground floor commercial units would have frontages onto George St. However, the existing policy pre-dates the development of the Victoria Gate Shopping Centre. In addition, prior to the commencement of the current project, the level of A1 retailing on the George St frontage was approximately 60%, with a newsagent and hair-dresses in the western blocks and school uniform shop and food retailer to the east. The Fisherman's Wife fish restaurant and vacant units occupy all other parts of the frontage.
- 5.3 It is considered that this proposal represents an opportunity to regenerate this frontage, opposite the new Victoria Gate scheme, and to reconfigure the site on the basis of the apart-hotel and the commercial units, both of which provide the opportunity to access the northern side of the market at multiple points. There is planning merit in promoting a presence of uses which open late into the evening to complement the existing retail offer within Victoria Gate and Kirkgate Market and provide vibrancy into the evening. Given the positive changes which would be brought about by this proposal, on balance, it is considered that the requirement to retain flexibility in the occupiers of these units across the range of 'A' use classes, outweighs the policy requirement to provide 80% of the frontage as A1. Therefore it is considered that a flexible approach to A1 retail content is justified here and a lower minimum A1 content figure will be agreed with the applicant at the formal application stage.

#### **1. Do Members consider that the proposed uses are acceptable?**

- 5.4 The George Street elevation has been designed to reflect the topography of the site by stepping down the hill, to break down the length of the building into two sections and to mark the point where the market entrance is to be located with the glass fronted slot. It is considered that the building successfully achieve these 3 objectives which were set out in the design brief. The detail of the brickwork adds relief to the elevation and is reflective of the Victoria Gate building on the opposite side of the road. The building has a definite base, middle and top and, in this context adjacent a Grade I listed building which also has this format, this is considered to be acceptable and also complies with the brief.
- 5.5 The brief set out that the height of the building should be 5 storeys including the roof. However, this was advisory not prescriptive. Through working up the detailed design, the proposal uses the strong horizontal features of Leeming House to set the heights of both the base and the top of the brickwork. This is a robust architectural approach and the proposal is now considered to be of the correct scale to be located adjacent Leeming House. George St is approximately 20m wide and is considered capable of accommodating a six storey building in this city centre location. The units to the north are retail with bar/restaurant uses on the roof. Therefore there are no residential or other sensitive uses which would be impacted upon by the proposal.

#### **2. Do Members consider that the design for the George St elevation is acceptable?**

- 5.6 A majority of the southern elevation would only be visible from a restricted number of ground level locations and from some elevated positions within buildings to the south. It is of a simple functional aesthetic which reflects the same principle as the rear elevation of Leeming House. This approach is considered to be acceptable here. This elevation is visible at ground floor level as part of the former Butcher's

Row. Most of the elevation here is given to commercial unit frontages, which are a replacement of the existing units. In the 2 cases where the apart-hotel's requirements have meant a different treatment, these have been designed to offer the opportunity to display produce, advertising for events or art work. In these circumstances, it is considered that the proposed arrangement strikes the right balance between the functional requirements of the apart-hotel and the creation of a lively and active frontage.

**3. Do Members consider that the design for the elevation to Butchers Row is acceptable?**

5.7 At this stage it is not known whether the roof to Butchers Row will be retained in situ or removed and reconstructed. This will be better understood at full application stage although it is clear that it is in all parties interests to understand this aspect of the proposal in order to be able to implement an efficient construction programme. It is not currently anticipated that the existing basement toilets, at the eastern end of Butcher's Row, will be retained as part of the proposal.

5.8 Parking is not required for the uses proposed and the site is well served by public transport, being close to the bus and coach stations and less than a kilometre from the railway station. Cycle parking will be provided on site and around the building and a Travel Plan will also be required as part of the full application. The existing TRO's will be reassessed to ensure they are appropriate to accommodate vehicle related drop-offs and servicing.

**6.0 CONCLUSION**

6.1 George St has seen significant changes in the last year since the completion of Victoria Gate. The northern side is populated with some of the best modern architectural expressions in the city and the southern side now represents an opportunity to finish the street with a building which is also of high quality, with a range of uses which can assist in bringing life and vibrancy to this part of the city centre, thereby activating the market still further.

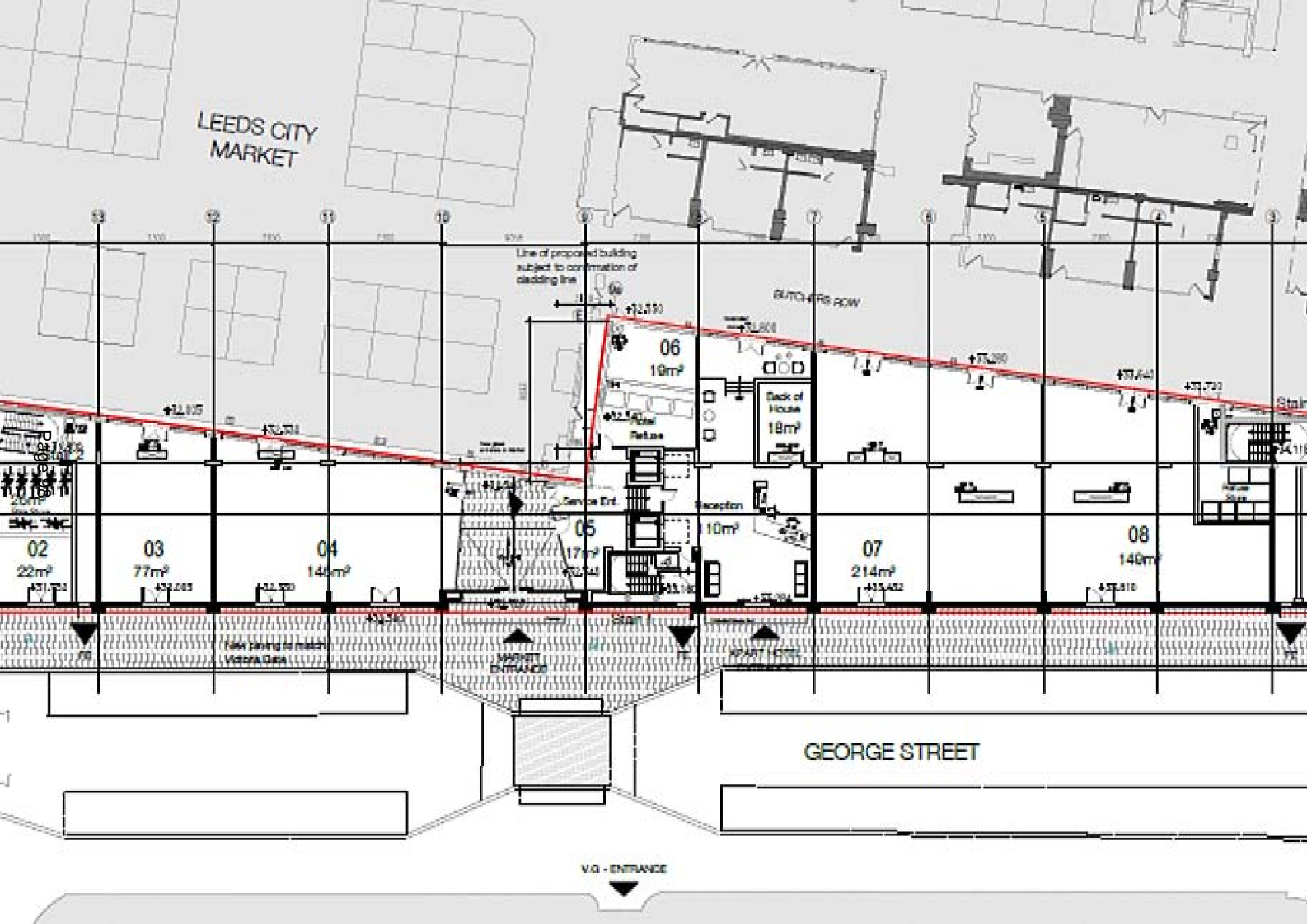
6.2 The key questions asked in the report above are as follows:

**1. Do Members consider that the proposed uses are acceptable?**

**2. Do Members consider that the design for the George St elevation is acceptable?**

**3. Do Members consider that the design for the elevation to Butchers Row is acceptable?**

LEEDS CITY MARKET



Line of proposed building  
subject to confirmation of  
cladding line

BUTCHERS POW

06  
10m<sup>2</sup>

Back of House  
18m<sup>2</sup>

05  
17m<sup>2</sup>

Reception  
10m<sup>2</sup>

07  
214m<sup>2</sup>

08  
140m<sup>2</sup>

02  
22m<sup>2</sup>

03  
77m<sup>2</sup>

04  
140m<sup>2</sup>

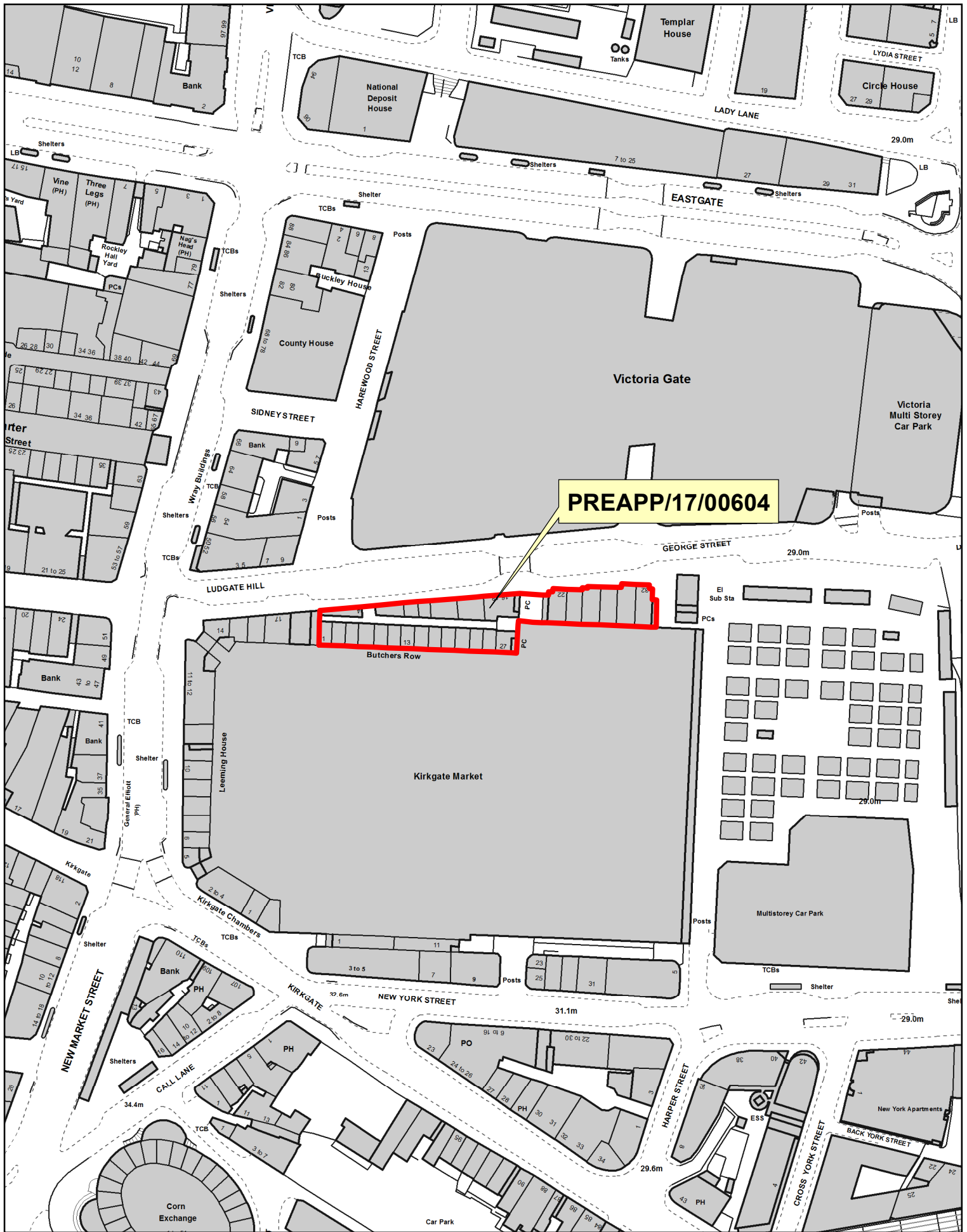
Take paving to match  
Victoria Gate

ENTRANCE

GEORGE STREET

V.G - ENTRANCE





# CITY PLANS PANEL



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