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## CITY PLANS PANEL

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 29th March, 2018 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 data-bbox="678 322 970 353"><b>SITE VISIT LETTER</b></p> <p data-bbox="678 465 1401 533"><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p data-bbox="678 613 1380 757">To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p data-bbox="678 797 1385 936">(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	

Item No	Ward	Item Not Open		Page No
5			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive apologies for absence (If any)</p>	
6			<p><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>To consider and approve the Minutes of the previous Meeting held on 8<sup>th</sup> March 2018.</p> <p>(Copy attached)</p>	3 - 14
7			<p><b>MATTERS ARISING FROM THE MINUTES</b></p> <p>To consider any matters arising from the Minutes.</p>	
8	Garforth and Swillington		<p><b>APPLICATION NO. 17/08435/RM - APPROVAL OF RESERVED MATTERS - (LAYOUT, SCALE AND LANDSCAPING OF THE SITE), PURSUANT TO APPROVAL 16/02757/OT (ERECTION OF A MOTORWAY SERVICE AREA) (AS AMENDED BY NON-MATERIAL AMENDMENT 17/00058/MOD) FOR PHASE 2 (FACILITIES BUILDING) AT LAND OFF JUNCTION 45, M1 MOTORWAY.</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of a reserved matters application - (layout, scale and landscaping of the site), pursuant to approval 16/02757/OT (erection of a motorway service area) (as amended by non-material amendment 17/00058/MOD) for Phase 2 (facilities building) at land off Junction 45, M1 Motorway.</p> <p>(Report attached)</p>	15 - 28

Item No	Ward	Item Not Open		Page No
9	City and Hunslet		<p><b>PREAPP/17/00353 - PRE-APPLICATION PRESENTATION FOR A CHANGE OF USE FROM A1 RETAIL UNITS TO ONE COMBINED A3 RESTAURANT AND INTERNAL ALTERATIONS TO THE BASEMENT, GROUND FLOOR AND UPPER FLOORS IN THE HOWARD ASSEMBLY ROOM OF OPERA NORTH AND AN OFFICE REFURBISHMENT INCLUDING FACADE RE-MODELLING AND TWO STOREY REHEARSAL STUDIO EXTENSION TO ROOF OF EXISTING 5 STOREY PREMIER HOUSE BUILDING, AND THE PROVISION OF GROUND FLOOR EDUCATION SUITE, AT THE HOWARD ASSEMBLY ROOM AND PREMIER HOUSE AT OPERA NORTH, NEW BRIGGATE AND 8 HARRISON STREET, LEEDS, LS1 6PA.</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of a pre-application presentation for a change of use from A1 retail units to one combined A3 restaurant and internal alterations to the basement, ground floor and upper floors in the Howard Assembly Room of Opera North and an office refurbishment including facade re-modelling and two storey rehearsal studio extension to roof of existing 5 storey Premier House building, and the provision of ground floor education suite, at the Howard Assembly Room and Premier House at Opera North, New Briggate and 8 Harrison Street, Leeds, LS1 6PA.</p> <p>(Report attached)</p>	29 - 40
10	City and Hunslet		<p><b>PRE-APPLICATION PRESENTATION - PREAPP/16/00303 FOR THE ERECTION OF 100 APARTMENTS IN TWO BUILDINGS BETWEEN 5 AND 7 STOREYS WITH GROUND FLOOR CAR PARKING LOCATED BETWEEN MELBOURNE STREET AND LOWER BRUNSWICK STREET, LEEDS.</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of a pre-application presentation for the erection of 100 apartments in two buildings between 5 and 7 storeys with ground floor car parking located between Melbourne Street and Lower Brunswick Street, Leeds.</p> <p>(Report attached)</p>	41 - 50

Item No	Ward	Item Not Open		Page No
11	City and Hunslet		<p><b>PRE-APPLICATION PRESENTATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING APPROXIMATELY 750 APARTMENTS IN BUILDINGS OF BETWEEN 8 AND 23 STOREYS, OPEN SPACE AREAS, A MIX OF COMMERCIAL UNITS AND CAR PARKING SPACES ON LAND AT WHITEHALL ROAD/GLOBE ROAD, LEEDS (PREAPP/17/00675)</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of a pre-application presentation for proposed residential development comprising approximately 750 apartments in buildings of between 8 and 23 storeys, open space areas, a mix of commercial units and car parking spaces on Land at Whitehall Road/Globe Road, Leeds</p> <p>(Report attached)</p>	51 - 64
12			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note that the next meeting will take place on Thursday, 19<sup>th</sup> April 2018 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: 16.3.2018

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 29<sup>th</sup> March 2018**

Prior to the meeting of City Plans Panel on Thursday 29<sup>th</sup> March 2018 the following site visits will take place.

Time	Ward	Site
11.10 - 11.40am	City & Hunslet	PREAPP/17/00353 –Opera North, Harrison Street, Leeds

Please notify Daljit Singh (Tel: 3787971) if you will be attending and meet in the Ante Chamber at **10.55 am at the latest for a prompt start at 11 am. We will be walking to the site.**

Yours sincerely

Daljit Singh  
Central Area Team Leader

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## CITY PLANS PANEL

THURSDAY, 8TH MARCH, 2018

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

Councillors P Gruen, D Blackburn, G Latty,  
T Leadley, N Walshaw, C Campbell,  
A Khan, A Garthwaite, E Nash and  
M Coulson

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

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

### **124 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 confidential nature of the business to be transacted.

### **125 Late Items**

There were no late items of business to be considered.

### **126 Declarations of Disclosable Pecuniary Interests**

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

### **127 Apologies for Absence**

Apologies for absence were received from Councillors: C Macniven and B Selby.

Councillor M Coulson was in attendance as a substitute Member.

### **128 Minutes of the Previous Meeting**

The Minutes of the previous meeting held on 15<sup>th</sup> February 2018 were submitted for consideration and approval.

**RESOLVED** – That the Minutes of the previous meeting held on 15<sup>th</sup> February 2018 be accepted as a true and correct record.

### **129 Matters Arising from the Minutes**

Draft minutes to be approved at the meeting  
to be held on Thursday, 29th March, 2018

Proposed pedestrian improvements to be provided at the junction of Portland Crescent and Woodhouse Lane, Leeds 2 (Minute No. 120 referred) – With reference to the previous meeting when it was agreed that further details about the design/ appearance of the junction should come back to Panel in due course. Members sought an indication when that was likely to be.

In responding the City Centre Team Leader said it was intended that a report/ presentation would be brought back to the meeting in April.

**130 Application No. 17/07710/FU - external alterations including reinstatement of the west wing, new covered courtyard with atrium, new circulation core to rear, new shopfront and flexible use as A1 retail, A2 financial and professional services, A3 cafe, A4 bar and/or B1 offices and Listed Building Consent Application reference 17/07711/LI for internal and external alterations including reinstatement of the west wing, new covered courtyard with atrium, new circulation core to rear and new shopfront at the First White Cloth Hall, 98-100 Kirkgate, Leeds LS2 7DJ**

The Chief Planning Officer submitted a report which set out details of an application for external alterations including re-instatement of the west wing, new covered courtyard with atrium, new circulation core to rear, new shopfront and flexible use as A1 retail, A2 bar and /or B1 office and Listed Building Consent, Application reference 17/07711/LI for internal and external alterations including re-instatement of the west wing, new covered courtyard with atrium, new circulation core to rear and new shopfront at the First White Cloth Hall, 98-100 Kirkgate, Leeds, LS2 7DJ.

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 proposal seeks to repair and restore the First White Cloth Hall and provide a viable space for a new shop, financial or professional service, café/restaurant, bar or office workspace (791 sqm).
- The main elements of the proposals are:
  - Carry out essential repairs
  - Restore the existing arcading to the East Wing inner courtyard
  - Mirror the restored east wing on the west wing, re-using salvaged fabric from the demolished west wing where possible
  - Repair of the Kirkgate frontages including new shopfronts
  - Introduce high quality modern design in the form of a glazed atrium
  - Introduction of a modern polycarbonate rainscreen and modern windows on the southern elevation
  - Reinstatement of the cupola

The Panel heard from Joanne Needham, the Society for the Protection of Ancient Buildings (SPAB) who spoke in opposition to the proposal.

Members were informed that the Society were keen to see a positive outcome but without spoiling the character of the building. The building was currently in a vulnerable state and a full structural report was necessary to understand the extent of the demolition required. What was being proposed was a highly risky restoration, the Society were of the view that further consideration should be given as to whether what was being proposed was the right solution.

It was reported that the Society had come forward with an alternative solution but details had only been received within the past few days.

The Legal Officer to the Panel advised Members that there was only one proposal before Members today and determination of the application should be based on that proposal alone.

Members raised the following questions:

- Who is this development for, who will receive the most benefit from its restoration
- The Society are suggesting an alternative solution but this was not put forward at the appropriate time
- It would appear that there is not a lot of the original building remaining so you are not going to get back and use those materials

In responding to the issues raised, the SPAB representative said:

- The restoration of the building would benefit the citizens of Leeds
- The Society would prefer to engage with the City Council to explore alternative options
- The proposals before Members would cause substantial harm to the building, the society wish to see the remaining building conserved

The Panel then heard from: Mark Finch, the applicant, Grant Prescott, Architect and Martin Hamilton from the Leeds Civic Trust who spoke in support of the application.

Members were informed that the First White Cloth Hall was a very important/significant historic building within the city centre and its restoration had been a challenge for many years. In total 14 options had been put forward, due consideration had been given to them all but only one solution could be taken forward. The views of SPAB were respected but there was a difference in conservation philosophy.

Martin Hamilton from Leeds Civic Trust said the trust welcomed the restoration scheme and the fact that the building would be brought back into use. The proposal that had been put forward appeared to strike the right balance between conservation and restoration.

Members raised the following questions:

- Was there enough sufficient historical interest being retained
- Who is this development for, who will receive the most benefit from its restoration
- Could more have been made of the South West face
- Could the cupola be retained
- What would be the timescale for the restoration works
- Were the Leeds Civic Trust content with the design of the shop fronts
- What materials would be used on the roof

In responding to the issues raised, the applicant's representative/ Leeds Civic Trust and council officers said:

- It was the view of the applicant that enough of the original building had been retained, all of the elements we wish to see had been included. If the building was left any longer there may be nothing to salvage
- A lot of groups would benefit from the restoration of the building; the Citizens of Leeds, the Leeds Civic Trust and other historical societies but this development would assist in the wider regeneration of the Kirkgate area.
- Due consideration was given to the design of the South West face but there was not enough documentary evidence remaining to assist with the reconstruction.
- It was confirmed that a cupola would be provided with details of the works to be controlled by condition
- Subject to receiving planning permission it was intended that work would begin on site summer 2018 with a 12 month build period
- The Leeds Civic Trust were "not delighted" with the design of the shop fronts and would prefer to see an alternative design but on balance were supportive of the application. The full details of the shopfronts would be controlled by condition
- It was confirmed that the materials to be used on the roof would be Westland Slate

In offering comments Members raised the following issues:

- Members were of the view that restoration of the building was important and bringing the building back into use would be welcomed
- A number of Members expressed the view that the shopfronts need to be dealt with sympathetically
- One Member suggested to preserve what is best but include some modern/ contemporary elements  
Welcome the re-instatement of the cupola
- The view was expressed that a progress report needs to come back to Members in six months-time

In summing up the Chair thanked all parties from their attendance and contributions commenting that a useful discussion had taken place.

The Chair said Members appeared to be of the view that restoration of the building was important and bringing it back into use would be welcomed by all parties but there was some concern about the design of the shop fronts.

#### **RESOLVED –**

- (i) That in respect of Application No.17/07710/FU, determination of the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in Appendix 1 of the submitted report (and any others which he might consider appropriate).
- (ii) That in respect of Application No. 17/07711/LI determination of the application be deferred and delegated to the Chief Planning Officer for approval subject to referral to the Secretary of State for Housing, Communities and Local Government, and subject to the conditions specified at Appendix 2 of the submitted report (and any others which he might considered appropriate).
- (iii) That a progress report be brought back to Members in six months-time (September 2018)

**131 Application No. 17/07579/FU - Retrospective demolition of 101-104 Kirkgate, the demolition of 9-13 Crown Court, and the construction of new residential buildings with ground floor A1 retail, A3 café/restaurant uses and D1 leisure uses, basement car parking and associated public realm at 101-104 Kirkgate, 9-13 Crown Court and Crown Street Car Park, Leeds 2.**

The Chief Planning Officer submitted a report which set out details of an application which sought retrospective demolition of 101 - 104 Kirkgate, the demolition of 9 -13 Crown Court and the construction of new residential buildings with ground floor A1 retail, A3 café/restaurant uses and D1 leisure uses, basement car parking and associated public realm at 101 – 104 Kirkgate, 9 – 13 Crown Court and Crown Street Car Park, Leeds 2.

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 consists of two new buildings with associated public realm. At 101- 104 Kirkgate and 9-13 Crown Court (at the rear), a part 4, part 5 storey building in red-brick and vertical metal cladding is proposed, with A3 café/bar at basement level, A1 retail at ground floor,

with flats above. The application also proposes the demolition of the existing 9-13 Crown Court.

- The proposal also includes the re-development of the Crown Street car park, with a new red-brick part 4/5/6/7 storey residential building, with ground floor A3 café/restaurant units.
- The proposal is for Private Rented Sector (PRS) flats, across the two buildings. 80 flats are proposed in total, consisting of:
  - 33 one-bed flats
  - 42 two-bed flats
  - 6 three-bed flats
- The buildings would be constructed to exceed 2013 Building Regulations Part L by 20%. 10% on-site low carbon energy demand would be met by using air source heat pumps.
- 28 car parking spaces including 3 disabled bays are proposed at basement level below the Crown Street car park building. This basement would also include provision for 74 cycle parking spaces. The car park would be accessed via Pine Court (one-way in) and egressed via the Waterloo House access road. Bin storage would also be located inside the building, accessed from the Waterloo House access road. All refuse and recycling would be managed by private collection.

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

- The alleyways running through the site, were these public rights of way
- Would there be lighting in the alleyways
- The proposed choice of brick was a little disappointing
- Where were the dustbins located
- Why had the Private Rented Sector (PRS) flats model been selected by the developers
- Would the affordable housing provision be located within the development
- The public realm would include seating areas but who would be using these areas and how would they be managed
- There appeared to be a lack of co-ordination with the developers of the neighbouring First White Cloth Hall site which may have assisted in the digging out of a route through both sites

The Planning Officers together with the applicant's representatives provided the following responses:

- The City Centre Team Leader confirmed that it would be for the Public Rights of Way Team to include each of the alleyways on the definitive

map but late night closure of these alleyways was acceptable in planning terms to help prevent anti-social behaviour

- It was confirmed that lighting of the alleyways would be included as part of the landscaping controls and would be subject to condition
- The applicants representative reported that the final choice of brick had yet to be selected but generally the car park building would be constructed in a lighter material with the historic frontage being darker
- It was confirmed that there were several bin storage areas located throughout the site
- PRS flats had been chosen to allow one funding model for the whole of the scheme and the residential element would not be directly managed
- The City Centre Team Leader reported that the applicant intended to deliver affordable housing on site as a first option. The use of a commuted sum would only be pursued if on-site provision was not possible and would have to be agreed with the Council
- The public realm areas had been designed to create active use, security was important to residents and on-site management would control the access to the public realm areas
- The applicant's representative confirmed that discussions had taken place with Rushbond, the developers of the First White Cloth Hall site. Members were informed that any digging out would have created a 1.5m step resulting in the loss of the through route.

In offering comments Members raised the following issues:

- Members would prefer the provision of on-site affordable housing
- It was the view of Members that once completed the scheme would deliver a very much improved Kirkgate façade

In summing up the Chair thanked the Developers for their attendance, suggesting Members appeared to be supportive of the proposals.

**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in Appendix 1 of the submitted report (and any others which he might consider appropriate) and following the completion of a Section 106 agreement to include the subsequent obligations:

- 5% Affordable housing to be provided in accordance with details set out in section 10.6 of the submitted report
- Sustainable travel fund £14,803
- Car club contribution £10,000
- Travel plan monitoring fee £2500
- Cost of TRO work and compensation for loss of parking bay revenue of £25,215
- Public access to routes and spaces within the site: Crown Court, Crown Square and access road to Pine Court at all times, pedestrian route to the north of the building and the alleyways 8am-8pm 7 days a week

- Co-operation with local jobs and skills initiatives

In the event of the Section 106 Agreement having 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.

**132 Application No.17/07963/OT - Outline Application for residential development and associated basement parking at Sweet Street, Holbeck, Leeds LS11 9AA**

The Chief Planning Officer submitted a report which set out details of an outline application for residential development and associated basement parking at Sweet Street, Holbeck, Leeds 11.

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 maximum height of the building would be 10 residential storeys, approximately 33m. The maximum footprint would be U-shaped, fronting onto Sweet Street and Siddall Street and the new pedestrian/cycle route to the north, forming a west facing courtyard amenity space. The indicative building footprint would be set back approximately 10.5m from the boundary to the north, which would allow the provision of a 2.5m wide public pedestrian/cycle route and not prejudice the development of the sites to the north. There would be a residents' gym and communal lounge at ground floor
- The proposal is for an indicative maximum of 215 flats in outline only, likely to be provided in the following combination and size:

No. Type Mix H4 target mix Size

33 Studio (included in one-bedroom target and size below)  
 103 1 bed 60% Min 0-Max 50% 35.58-43.5sqm  
 75 2 bed 35% Min 30-Max 50% 61.9-67sqm  
 10 3 bed 5% Min 20-Max 70% 85-90sqm

- A pedestrian route is proposed along the northern edge of the site, this would be a minimum of 2.5m wide and would feature tree planting. This route would be added to if neighbouring sites to the north and west were to come forward for redevelopment at any time in the future, in order to achieve the aspirations for enhanced connectivity within Holbeck from Siddall Street to Marshall Street.



- Basement car parking for the block would be accessed from Siddall Street. This would provide 68 car parking spaces to serve the development, including 2 disabled bays and 6 electric vehicle charging points. The basement would also provide secure cycle parking for 215 cycles, 16 motorcycle spaces and bin 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. As this scheme is in outline only, further details will follow regarding how this might be achieved, however the applicant has indicated that this would include roof-top solar panels. The external appearance of the building would include material such as: brick, glazing, and metal cladding.

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

- Previously Members had suggested that the development of the adjacent Council owned site be explored in conjunction with this site, had such enquiries been made.
- There appeared to be a number of one bedroom studio apartments which were below the required space standards

The Planning Case Officer/ applicant representatives provided the following responses:

- It was reported that discussions had taken place with the Director of City Development who had confirmed the LCC site was not available at the current time but that both sites could be developed independently on the basis of the current proposals.
- It was confirmed there were likely to be 33 studio apartments which were just below the required space standards, but this detail would be fully considered at reserved matters stage.

In offering comments Members raised the following issues:

- The Panel would be robust in seeking adequate affordable housing provision
- A number of Members expressed the view that the indicative design of the building was unimaginative
- The developers need to bring forward a “statement of quality” which would provide a legacy for the future
- The proposed use of red brick was dull and uninspiring
- It was suggested that inspiration be taken from the proposals planned for the South Bank
- Explore southern aspect for amenity space, space is required which is usable.
- The C Plan form does not appear to provide the quality of space required.

- The area needs to have a sustainable population, more larger family apartments are required
- There was concern that some of the studio apartments were below the required space standards

In summing up the Chair said although this was an outline application there was concern from a number of Members about the shape/ design and footprint of the development.

**RESOLVED** – That the application be deferred for further discussions around the shape/ design and footprint of the development

**133 PREAPP/17/00288 - Pre-Application Presentation for a stepped block of part 11 storeys, part 18 storeys (with roof top plant and lower ground floor) providing student accommodation comprising some 98 units with ground and lower ground floor communal spaces and a landscape scheme around the building at land to the north of Brunswick Point/Q One, Wade Lane, Leeds, LS2 8DS.**

The Chief Planning Officer submitted a report which sets out details of a pre-application presentation for a stepped block of part 11 storeys, part 18 storeys (with roof top plant and lower ground floor) providing student accommodation comprising 98 units with ground and lower ground floor communal spaces and a landscape scheme around the building at land to the north of Brunswick Point/ Q One, Wade Lane, Leeds 2.

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

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

The proposed scheme would comprise of 98 studio dwellings, for occupation by students, ranging in internal floorspace from 21 sq. metres to 31 sq. metres. These are currently proposed to be set out as follows:

- 10 studios of 21 sq metres
- 17 studios of 22 sq metres
- 37 studios of 23 sq metres
- 17 studios of 29 sq metres
- 17 studios of 31 sq metres

The proposal would include a range of high quality communal facilities within the ground and lower ground floor levels of the proposed building, comprising a lounge, reception area with TV, a breakfast room and study rooms/pods. The Developer advises that occupiers would also be able to make use of the lower ground floor of the existing Q One building, which would provide a cinema room (c. 30 – 40sqm), a games room (c.80sqm), a storage area for students (c. 30-40sqm) and additional cycle stands. In addition the Developer

also stated that student occupiers would be given free annual membership of the nearby Pure Gym at the Merrion Centre.

Members raised the following questions:

- The communal space would be located in two different buildings, had consideration been given to the provision of an extension to link the two buildings together.
- Could further details about the security of the building be provided

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

- It was proposed that the façade to the existing building would be redeveloped and new landscaping would be provided that would give the impression the two buildings were linked.
- Entrances to the building would be gated and there would be a managed reception at the main entrance

In offering comments Members raised the following issues:

- A number of Members expressed the view that the design / proposals was an improvement on the earlier scheme.
- A number of Members expressed concern about the size of some of the studio apartments.
- Had cluster apartments been considered
- Further details of the landscaping proposals were required
- There was concern that some of the communal facilities were to be located in the neighbouring property, could consideration be given to linking the two buildings

Responding to the comment as to whether cluster apartments had been considered, the Chief Planning Officer said Members needed to be mindful about the type of student accommodation that was being proposed, there were distinct markets for both studio flats and cluster flats.

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

- The majority of Members supported the revised scale, massing, layout and design of the proposals

(Under the provisions of Council Procedure Rule 16.5 Councillors: C Campbell required it to be recorded that he considered the living conditions within the student accommodation to be unacceptable)

The Chair thanked the developers for their attendance and presentation.

**RESOLVED –**

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

**134 Date and Time of Next Meeting**

**RESOLVED** – To note that the next meeting will take place on Thursday, 29<sup>th</sup> March 2018 at 1.30pm in the Civic Hall, Leeds.



Originator: James Bacon  
Tel: 0113 222 4409

**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

**Date: 29<sup>th</sup> March 2018**

**APPLICATION 17/08435/RM- Approval of reserved matters - (layout, scale and landscaping of the site), pursuant to approval 16/02757/OT (erection of a motorway service area) (as amended by non-material amendment 17/00058/MOD) for Phase 2 (facilities building) at land off Junction 45, M1 Motorway.**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Extra MSA Group	22 <sup>nd</sup> December 2017	23 <sup>rd</sup> March 2018

**Electoral Wards Affected:**  
**Garforth and Swillington**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: GRANT PERMISSION subject to the following specified conditions:**

1. In accordance with approved plans

**1.0 INTRODUCTION:**

1.1 This planning application is brought to the Plans Panel as the proposed development is a major application and the outline application to which this reserved matters application relates was presented to Members on 27<sup>th</sup> October 2016.

**2.0 PROPOSAL:**

2.1 This reserved matters application relates to Phase 2 of the development (covering the Facilities Building). This phase also includes the hotel (100 bedrooms), landscaping and car parking within that phase and addresses matters associated with the layout, scale, appearance and landscaping of the site for this phase. These works use the development platforms set by the Phase 1- Enabling Works (Phase 1) which is

subject to a separate reserved matters application (Ref: 17/08434/RM). Phase 3- Fuel Filling Station will form the basis of a further reserved matters application.

- 2.2 The proposed Facilities Building is positioned towards the southern portion of the site and comprises a series of interlinked buildings with a partial living/green, oversailing roof form.
- 2.3 The principal building has a broadly rectilinear footprint which contains a double height central atrium space (elevating to a highest point of 13.5m) which is surrounded by tenant units and service areas. The community space and viewing areas situated above can be accessed internally via a feature glazed staircase to its southern elevation. This building is the tallest building element and provides direct access to the rear. It is to be constructed in natural sandstone and incorporates large glazed openings.
- 2.4 Off-set from the central atrium space is the pavilion building element which is two storey and of lower height (around 7.3m high) and constructed of dark stained timber cladding.
- 2.5 The hotel is two storey and the lowest height building element (around 6.2m high) and utilises a T shaped footprint which extends eastwards from the main Facilities Building, being connected through a link building. The hotel element is positioned behind the front ribbon of the roof form and is to be constructed in grey/buff brickwork.
- 2.6 The proposed living roof reads as the primary design feature and comprises a series of undulating ribbons with the building elements located underneath. The roof ribbons accommodate meadow planting and are supported by a timber glu-lam structure. Flanking the ends of the two front roof ribbons is a 'ha-ha' detail designed to provide a visual connection between the roof and ground. The undulating form of the roof allows for the introduction of clerestory glazing to provide natural light into the atrium.
- 2.7 Additional design details incorporated include the use of dark zinc cladding to higher portions of the proposed building (e.g. roof mounted plant) and the flashings, use of a timber brise soliel (to minimise solar gain to southern/ western glazed areas).
- 2.8 The associated service yard is located to the eastern side of the Facilities Building with the parking and vehicle circulation areas sited to the building's northern side. The parking provision includes 550 car parking spaces (incl. 30 disabled bays); 50 HGV spaces; 1 abnormal load HGV space; 12 motorcycles spaces and 12 caravan parking spaces. A bus only access from Knowsthorpe Lane and an associated bus lay-by are also detailed.
- 2.9 The proposal includes the retention of vegetation around the site's perimeter (although not in its entirety) with supplementary and mitigation planting to be provided across the site. Outdoor amenity areas and play space are to be created with connections given to the existing public footpaths and bridleways to the south. The ground remodelling works will accommodate surface water attenuation ponds and make provision for flood compensation.

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

- 3.1 The application site lies to the southern side of the junction 45 of the M1 motorway and comprises restored agricultural land. The site was previously in use as an open cast mine but has since been backfilled. The site comprises two agricultural fields bordered by hedges and vegetation. The site also extends over wooded areas located to the north and south of the site. An electricity pylon stands to the western part of the site and the power lines run roughly east-west across the site.

- 3.2 The M1 motorway runs along the site's northern and western boundaries and junction 45 is located directly to the north of the site. Knowsthorpe Lane (access currently blocked) runs from the junction along the northern and western edge of the site and continues under the M1 to the west. Public Bridleway (No.259) runs to the east and within the southern portion of the site.
- 3.3 The application site is set at a lower ground level to the adjacent motorway and connecting slip roads and the land levels generally fall to the south towards Skelton Lake. However, there is a mounded area beyond the south-east of the site which is elevated above the site. Skelton Lake lies to the south with Colton Beck and associated ponds located beyond the eastern boundary which feed into the northern side of the lake. Wyke Beck runs beyond the south-western boundary and joins with the River Aire to the south of Skelton Lake. The Aire and Calder Navigation corridor is located further south of the River Aire.
- 3.4 Temple Newsam Park and Golf Course is located 160m to the north of the site, beyond the M1 Motorway. Temple Newsam is a Grade II Registered Park and Garden and includes the Grade 1 Listed Temple Newsam House which is located 1km to the north of the site. The estate also contains a range of other Grade II\* and II Listed Buildings although the area closest to the motorway junction is excluded from the listing. The Grade II\* Listed Leventhorpe Hall is also located 1.9km to the west with Newsam Green Farm and Lawn Farm House (both Grade II) situated nearby.

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

- 4.1 17/08434/RM Approval of reserved matters - (landscaping of the site), pursuant to approval 16/02757/OT (erection of a motorway service area) (as amended by non-material amendment 17/00058/MOD) for Phase 1 (Enabling Works)- *decision pending*.
- 4.2 Non-material amendment Ref: 17/00058/MOD to allow for the submission of reserved matters and condition details on a phased basis- Approved (29/03/17).
- 4.3 Subsequent planning condition discharge applications:
- 17/06440/COND (condition 39- Remediation Strategy) discharged 19<sup>th</sup> December 2017; 17/05922/COND (condition 43- Phasing plan) discharged 4<sup>th</sup> November 2017 and 17/08092/COND (condition 34- Lighting) discharged 17<sup>th</sup> January 2018.
- 17/08229/COND (condition 8- Highway works); 17/08429/COND (condition 19- Surface water drainage); 17/08430/COND (condition 21- Landscaping works); 17/08431/COND (condition 26- Construction arrangements). All pending decision.
- 4.4 Non-material amendment Ref: 17/9/00294/MOD to allow for an increase in the floor space of the Facilities Building- Approved (14/12/17)
- 4.5 Outline planning permission Ref: 16/02757/OT for the erection of a Motorway Service Area including means of access and: Facilities Building with viewing platform, up to 100 bedroom Hotel, Skelton Lake Visitor Centre, Fuel Filling Station, vehicle circulation and parking areas, landscaping and amenity spaces, pedestrian and cycle links, pumping station, retaining structures and associated mitigation, infrastructure and earthworks- Approved (23/12/16).

4.6 The land to the east of the application site was granted outline planning permission (Ref:15/07655/OT) for a new community comprising 1,100 dwellings, a new food store, a new local centre, a new school and areas of public open space together with a means of access. All matters are reserved for future consideration except for means of access.

## **5.0 HISTORY OF NEGOTIATIONS**

5.1 The applicant has engaged in pre-application discussions with LCC officers (planning, highways, flood risk management, landscape) following the grant of outline planning permission. As part of these discussions, officers have met with the applicant to discuss the appearance of the Facilities Building and the need for further refinements to the roof form, to utilise a less undulating and shallower roof ribbon to the front of the building and these suggestions have been incorporated within the submitted design.

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

6.1 This application was advertised as a Major application by 3 site notice displays posted adjacent to the site on 26<sup>th</sup> January 2018.

6.2 No letters of representation have been received in response to the public notification process.

## **7.0 CONSULTATION RESPONSES:**

### **Statutory:**

7.1 Coal Authority: Comments awaited.

7.2 Environment Agency: No objection.

7.3 Highways England: No objection.

7.4 Historic England: No comments to make.

7.5 Natural England: No objection, encourage enhanced green infrastructure.

7.6 Highways (LCC): No objection subject to amendments to the internal layout to delete an internal HGV route; bus lay-by dimension; clarify access to HGV parking area.

### **Non-statutory:**

7.7 Contaminated Land: No comments to make, conditions on outline permission remain relevant.

7.8 Flood Risk Management: No objections, conditions on outline permission remain relevant.

7.9 National Grid: Holding response, awaiting substantive reply.

7.10 Leeds Civic Trust: Support but with caveats as curved roof does not extend over hotel, expect subsequent submission of fuel filling station to follow same innovative consideration.



- 7.11 Public Rights of Way: No objection, Public Bridleway No.259 Leeds not directly affected.
- 7.12 Canal and River Trust: No comments to make.
- 7.13 SDU (Nature Conservation): No objection.
- 7.14 SDU (Landscape): No objection, details previously considered within associated condition discharge applications.
- 7.15 SDU (Design and Conservation): No objection.
- 7.16 West Yorkshire Police (architectural liaison): No objection, offer to discuss site security matters with applicant if they require.
- 7.17 Neighbourhoods & Housing (air quality): No comments to make.
- 7.18 Neighbourhoods & Housing (environmental studies): No objection.
- 7.19 Yorkshire Water: No objection.
- 7.20 West Yorkshire Archaeological Advisory Service: No comments to make.

## **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), the Aire Valley Area Action Plan (2017) and any Neighbourhood Plans.

### Adopted Core Strategy:

8.2 The Core Strategy is the development plan for the whole of the Leeds district. The Core Strategy (CS) was adopted in November 2014. The outline application proposal was assessed against the policies within the Development Plan and are not repeated here, except where they are directly relevant to the Facilities Building (Phase 2) subject to this reserved matters application:

Policy P9 Community facilities and other spaces  
 Policy P10 Design  
 Policy P11 Conservation  
 Policy P12 Landscape  
 Policy T2 Accessibility requirements and new development  
 Policy G1 Enhancing and extending green infrastructure  
 Policy G8 Protection of important species and habitats  
 Policy G9 Biodiversity Improvements  
 Policy EN1 Sustainability targets  
 Policy EN2 Sustainable design and construction  
 Policy EN4 District heating networks  
 Policy EN5 Managing flood risk

### Leeds Unitary Development Plan (UDP) Review:

8.3 The relevant saved UDP Review (2006) policies are listed below:

Policy GP5 Requirement of development proposals  
Policy N23 Development and incidental open space  
Policy N24 Development proposals next to green belt/ corridors  
Policy N25 Development and site boundaries  
Policy N28 Historic parks and gardens  
Policy BD5 Design considerations for new build  
Policy T29a Lorry parking and coach layover facilities  
Policy LD1 Landscape schemes

Natural Resources and Waste Local Plan:

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

AIR 1	Management of air quality through development
WATER 1	Water efficiency
WATER 2	Protection of water quality
WATER 4	Development in flood risk areas
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.

Aire Valley Area Action Plan (AVLAAP):

8.5 The site lies within the boundary of the Aire Valley Leeds Area Action Plan (AVLAAP) and the site is identified for housing and other specified developments (AV11). The following policies are considered to be of relevance:

<u>AVL4:</u>	General employment development in Aire Valley Leeds.
<u>AVL8:</u>	Improving public health in Aire Valley Leeds.
<u>AVL12:</u>	Strategic Transport Infrastructure Improvements in Aire Valley Leeds.
<u>AVL13:</u>	Green Infrastructure Network.
<u>AVL15:</u>	Tourism and recreation in Aire Valley Leeds
<u>AVL17:</u>	Heat Networks in Aire Valley Leeds.

Supplementary Planning Guidance / Documents:

8.6 SPG10 Sustainable Development Design Guide  
SPG22 Sustainable Urban Drainage  
SPD Street Design Guide  
SPD Designing for Community Safety  
SPD Travel Plans  
SPD Sustainable Design and Construction  
Leeds Parking Policy (adopted)

National Planning Guidance:

8.7 In terms of national policy, the National Planning Policy Framework (NPPF) identifies a number of core planning principles of 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.

- 8.8 Chapter 1 sets out the need to build a strong competitive economy in order to create jobs and prosperity and that the planning system does everything it can to support sustainable economic growth.
- 8.9 Chapter 4 confirms that transport policies have an important role to play in facilitating sustainable development. In particular reference to this application proposal, para. 31 advise that *'the primary function of roadside facilities for motorists should be to support the safety and welfare of the road user'* and the advice contained within this chapter deals with sustainable transport modes and avoiding severe highway impacts.
- 8.10 Chapter 7 advises that the Government attached great importance to the design of the built environment stating 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.
- 8.11 Chapter 10 identifies planning's key role in supporting the delivery of renewable and low carbon energy. Inappropriate development in areas at risk of flooding should be avoided.
- 8.12 Chapter 11 advises the planning system should contribute to and enhance the natural and local environment and prevent unacceptable risks from pollution and land stability as well as avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 8.13 Chapter 12 considers where a development proposal will lead to a less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

## **9.0 MAIN ISSUES**

1. Principle of development
2. Layout, design and appearance
3. Landscaping and ecology
4. Highways implications
5. Flood risk and drainage
6. Community Infrastructure Levy (CIL)
7. Other matters

## **10.0 APPRAISAL**

### **Principle of development**

- 10.1 The principle for development for a Motorway Services Area (MSA) has been established through the grant of outline planning permission, with matters being reserved, including details of layout, scale, appearance and landscaping.
- 10.2 The MSA proposal represents a significant investment that will generate substantial new employment opportunities. The proposal lies at a strategic eastern gateway of the city and will help attract investors and occupiers and will make a positive contribution to the delivery of economic development, assisting the adjacent Leeds City Region Enterprise Zone, the Aire Valley and the wider East Leeds area.

### **Layout, design and appearance**

- 10.3 At outline planning stage (Ref: 16/02757/OT) a series of indicative design details to show the site layout and the details of the proposed MSA facilities were provided. It was recognised at that time that the various site constraints (incl. significant ground level changes, former coal mining groundworks, flood risk areas, electricity pylon easements etc) were strong influences on the indicative site layout presented and offered a degree certainty as to the likely layout to be advanced at reserved matters stage. The detailed design maintains the principles of the outline permission and adheres to the parameters set and assessed at that stage with regard to the configuration of the uses/ buildings within the site, the building heights, access and internal circulation, landscaping works, surface water drainage and flood compensation proposals.
- 10.4 The proposed development is accessed from the east via the approved highway access roundabout from Junction 45 of the M1 Motorway. The proposed internal road layout of the site provides a direct route to distinct parts of the site with the fuel filling station and service yard accesses positioned adjacent to the site entrance. The HGV parking is located to the north where it will be screened from views due to the higher ground levels and landscaping that it is to border.
- 10.5 The main car parking area lies immediately to the front of the Facilities Building and provides legible pedestrian routes to the building entrances of the main building and the adjoining hotel. The car park layout follows the curve of the Facilities Building and soft landscaping (incl. tree planting) is incorporated within the car park to break up the expanse of hardsurfacing and contribute towards an attractive setting for the development. By virtue of the building position, its oversailing roof design and the associated planted bunds will screen much of the service yard area, keeping this functional activity away from view.
- 10.6 To the south of the Facilities Building is a generous external amenity area which contains an appropriate mix of tree, shrub and flower planting and offers views to the wider landscape (Skelton Lake). Positive connections with this existing green infrastructure have been achieved with on-site footpaths linking in with the existing bridleway networks affording access to the wider Aire Valley and the planned residential areas nearby.
- 10.7 Overall, the site layout advanced within this reserved matters proposal carries forward the design principles indicatively illustrated within the outline permission and result in a logical and thoroughly well considered site arrangement.
- 10.8 As with the proposed site layout, the design and appearance of the Facility Building reflects the design principles and parameters presented at outline planning stage. The Facilities Building adopts a bespoke design, providing an innovative, landmark building that will successfully integrate with the surrounding landscape.
- 10.9 The Facilities Building comprises a series of interconnecting buildings which lie beneath a large oversailing roof. The roof is the primary design feature and is formed by a series of undulating ribbons that extend over the building (on an east-west axis). The ribbons use 'glu-lam' timber structure supports and framework to reference the surrounding natural landscape. The heights of the roof respond to the relative heights of the buildings below, for example, the high points being at the viewing area and low points at building entrances. The roof ribbons accommodate meadow planting which are to provide variety and help assimilate the building with the ground level planting around the site. The ends of the front ribbons include a 'ha-ha' detail, building up the ground levels to provide a visual connection between the roof and the ground, integrating the building within the landscape. The undulating form of the roof allows

for the introduction of clerestory glazing to be inserted which will provide natural light into the central atrium.

- 10.10 During the detailed design stage the footprint of the hotel was increased and re-configured (to respond to likely operator requirements) and the undulating roof ribbons do not now extend over the hotel element, as indicatively illustrated at outline planning stage and as picked up in comments received from Leeds Civic Trust. The front roof ribbons do however extend across the full width of the Facilities Building (incl. hotel) taking account of the primary views available from within the site and from the motorway carriageway and junction to the north. Views of the hotel building from the motorway to the south-west are extremely limited owing to the elevated position of the carriageway, the direction of travel and the established intervening landscaping to the verges and site boundary. Moreover, views of the hotel building from the bridleways to the south of the site will be filtered by tree planting and this element will be seen as a subservient building when viewed in context with the larger main facilities building and living roof above.
- 10.11 The footprint of the Facilities Building has been simplified since the presentation of the indicative details at outline planning stage. A hierarchy has been applied to the height, scale and the external material finishes of the interconnected building elements contained beneath the oversailing roof form. The tenant accommodation block and atrium is the most prominent building, constructed in natural stone, providing an obvious point of entry and access to the rest of the building. The glazed double height atrium space is open to the oversailing roof and is to provide a light, airy internal space. The pavilion building element is positioned to the southern side of the atrium and provides access to the outside space, and this is referenced in the choice of dark stained timber wall cladding to reflect the natural landscape beyond. The hotel is a subservient element, set behind the front roof ribbons, incorporating simple detailing and a light coloured brickwork.
- 10.12 In accordance with the outline proposal, the Facilities Building floor layout includes community space for the provision of a visitor centre and the details associated with the terms of use for the visitor centre facility are to be addressed separately under the planning condition discharge process. In addition, a viewing area is also incorporated at second floor level and will provide views of the wider area from an elevated position. Moreover, a multi-faith room is located on the first floor and all these facilities will be conveniently accessed by lift.
- 10.13 Overall, the design approach advanced within this reserved matters is considered to be of high quality and represents an innovative form of development that warrants planning officer support.

### **Landscaping and ecology**

- 10.14 This reserved matters submission includes landscaping proposals associated with Phase 2- Facilities Building and the wider site (except the extent of the highway access road which is separately considered under Ref:17/08434/RM) and are considered to accord with the landscape framework proposals advanced under the outline permission Ref: 16/02757/OT.
- 10.15 The range of hard and soft landscaping proposals are considered to positively integrate the development into the surrounding area, creating an attractive setting for the proposed development, providing generous usable amenity spaces, suitable on-site screening, enhance access to existing green infrastructure (e.g. Skelton Lake) whilst also addressing the needs of biodiversity and creation of habitats. The proposals provide an appropriate mix of planting, as well as a suitable use of hard

surfacing materials to complement the proposed development and its wider locality. The living/ green roof of the Facility Building is an important landscape and ecological design feature and is considered to be well integrated with the proposed ground level landscape scheme.

- 10.16 Alongside details of the proposed soft landscaping works this submission is accompanied by appropriate tree protection measures, which have since been agreed by officers through planning condition discharge Ref: 17/07949/COND. Other related landscape and ecological details covering a construction environment management plan, a biodiversity enhancement and management plan, ecological surveys, lighting designs and a landscape management plan have also been accepted by Landscape and Nature Conservation officers through separate planning condition discharge process.

### **Highways implications**

- 10.17 It has been previously demonstrated that there is adequate provision for access from the highway network for all users of the site and the proposed development will not adversely impact on the safety or operation of the highway network. Minor amendments are to be undertaken to the internal road layout and configuration to address the Highway Officer requests and an update regarding these will be provided as part of the officer presentation. The precise details of the electric vehicle charging points and cycle parking are to be included under a separate planning condition discharge process.

### **Flood risk and drainage**

- 10.18 A drainage strategy has previously been agreed in principle for the site and a planning condition discharge application Ref: 17/08429/COND is currently being assessed by the Flood Risk Management officer in respect of this phase of development.

### **Community Infrastructure Levy (CIL)**

- 10.19 CIL was adopted by Full Council on the 12<sup>th</sup> November 2014 and was implemented on the 6<sup>th</sup> April 2015. Phase 2 of this phase of this development incurs a liability at the rate of £5 per square metre (plus the yearly BCIS index). Based upon the floorspace involved a contribution of £49,619.48 is generated. This information is not material to the planning decision and is provided for Panel Member's information only.

### **Other matters**

- 10.20 Condition 38 of the outline permission (Ref: 16/02757/OT) requires any subsequent reserved matters application to be accompanied by further information relating to the investigation and treatment of coal mining legacy. Comments from the statutory consultee, The Coal Authority, are awaited and the response will be reported verbally to Members at the Panel meeting.
- 10.21 This reserved matters application provides design details of the Facilities Building and an assessment of incorporating measures to help reduce energy consumption and deliver reductions in CO2 emissions and the feasibility of establishing connections with the district Heating Network are secured by planning conditions under the outline permission.

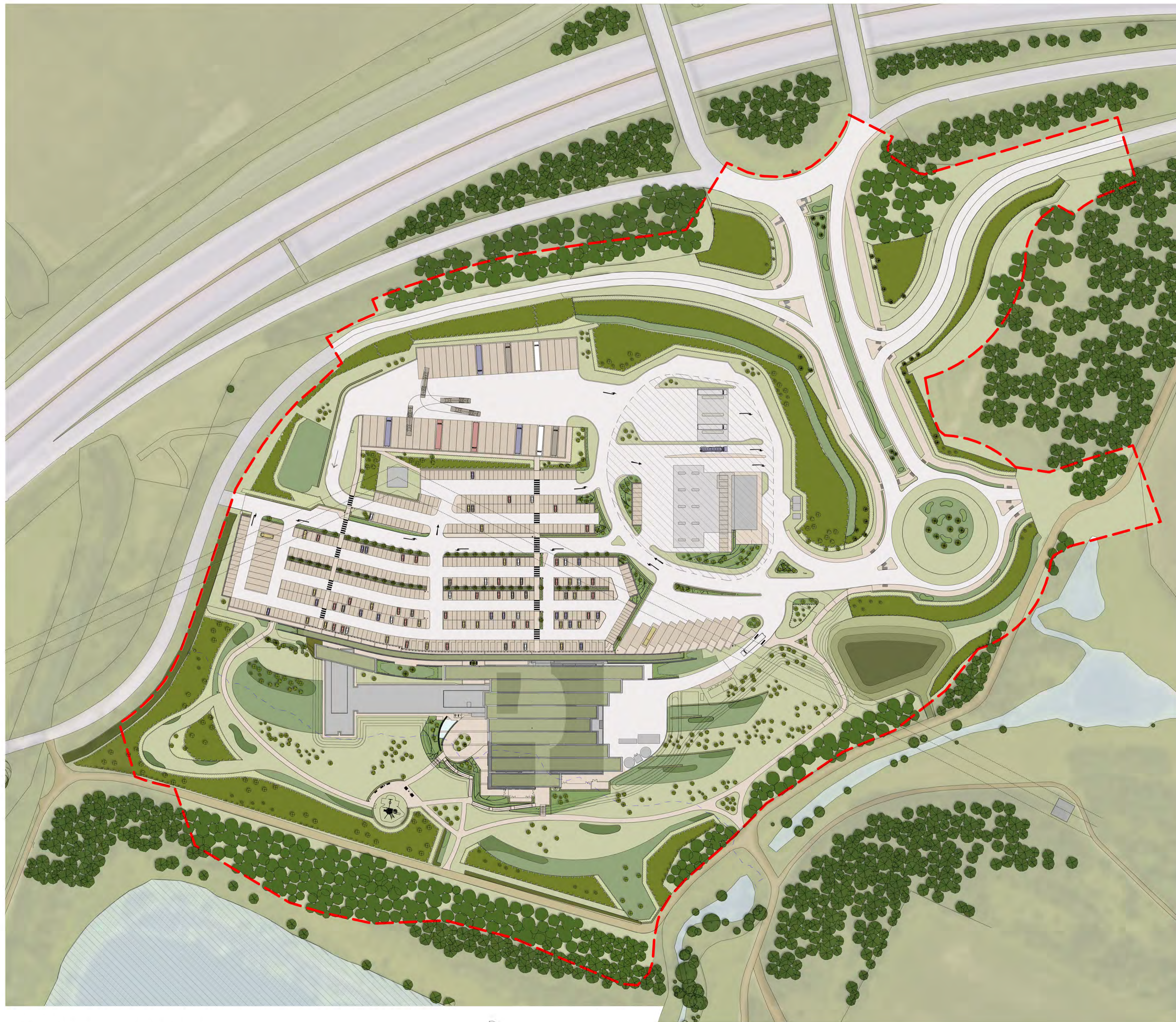
## **11.0 CONCLUSION:**

- 11.1 The details accompanying this reserved matters application relate to Phase 2 (Facilities Building), including the landscaping and car parking for this MSA development proposal.
- 11.2 The detailed design of the site layout, Facilities Building and landscaping maintain the principles of the outline permission and adheres to the parameters set and assessed at that stage. The resultant design has produced an innovative form of development that successfully integrates the building with the local landscape and provides a high quality and attractive setting for users of the MSA and those who use the area surrounding Skelton Lake as an amenity. The details provide a consolidation of the hard and soft landscaping, drainage and groundwork details that have been included within separate planning condition discharge applications following the grant of outline permission 16/02757/OT. The proposed development is considered to accord with the adopted Core Strategy (2014), the saved policies of the Unitary Development Plan (Review 2006), the Natural Resources and Waste Plan (2013) and the Aire Valley Area Action Plan (2017) and this reserved matters application, in respect of Phase 2 of the MSA development proposals, is recommended for approval.

**Background Papers:**

Application file Ref: 17/08435/RM





**General Notes:**

1. The site boundary is shown as Spaworth's drawing P-3834-3D-C-0000-0007- Revision M.
2. The proposed site layout is subject to input from Curtins regarding the site levels, attenuation pond layout and flood attenuation area.
3. All proposed landscaping information is based on drawings provided by Smeeden Forman.
4. Information relating to the hard landscaping and boundary treatments is based on drawings provided by Smeeden Foreman.
5. The layout of the fuel filling station is shown indicatively and is subject to a separate reserved matters application by the fuel filling station design team.
6. Contouring information around the south of the building is based on information provided by Curtins and Smeeden Forman.
7. For Hatches Key, refer to Smeeden Forman landscape drawings.

- - - - - Indicates Approximate Site Boundary
- - - - - Indicates Location of Existing Flood Plain

**SITE PLAN KEY**

[Red dashed line]	Site Boundary
[Green circle]	Existing Trees to be Retained
[Green line]	Existing Hedge to be Retained
[Green circle]	Proposed Trees
[Green line]	Proposed Hedge
[Green circle]	Proposed Woodland Tree Mix
[Green circle]	Proposed Woodland Shrub Mix
[Green circle]	Proposed Wildflower Mix
[Green circle]	Proposed Wildflower Wetland Mix
[Green circle]	Proposed Low Maintenance Grass Seed
[Green circle]	Proposed Bulb Planting Drifts
[Green circle]	Proposed Flower Planting

**SITE PLAN KEY**

1. Junction 45
2. Knowsthorpe Lane
3. Pontefract Road
4. Skelton Lake
5. Facilities Building
6. Link Building
7. Hotel
8. Main Forecourt (Stage 1)
9. HGV Forecourt (Stage 1)
10. Attenuation Pond
11. Attenuation Pond
12. HGV Parking
13. Car Parking
14. Coach Parking
15. Caravan Parking
16. Motorcycle Parking
17. Cycle Parking
18. Long Load
19. Bus Stop
20. Bus Only Access
21. Service Yard
22. Children's Playground

**Parking Numbers**

Car Parking (2.5 x 5.0m)	550 (30No. DDA)
HGV's (4.0 x 17.0m)	50
Motorcycles (1.7 x 5.0m)	12
Caravans (3.25 x 12.7m)	12

P2 18.12.17 Substation relocated to client comment  
 P1 14.12.17 Updated in accordance with VE exercise

Rev: Date: Description: By: Rvw:

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Project  
 2259 LEEDS SKELTON LAKE SERVICES

**Document**

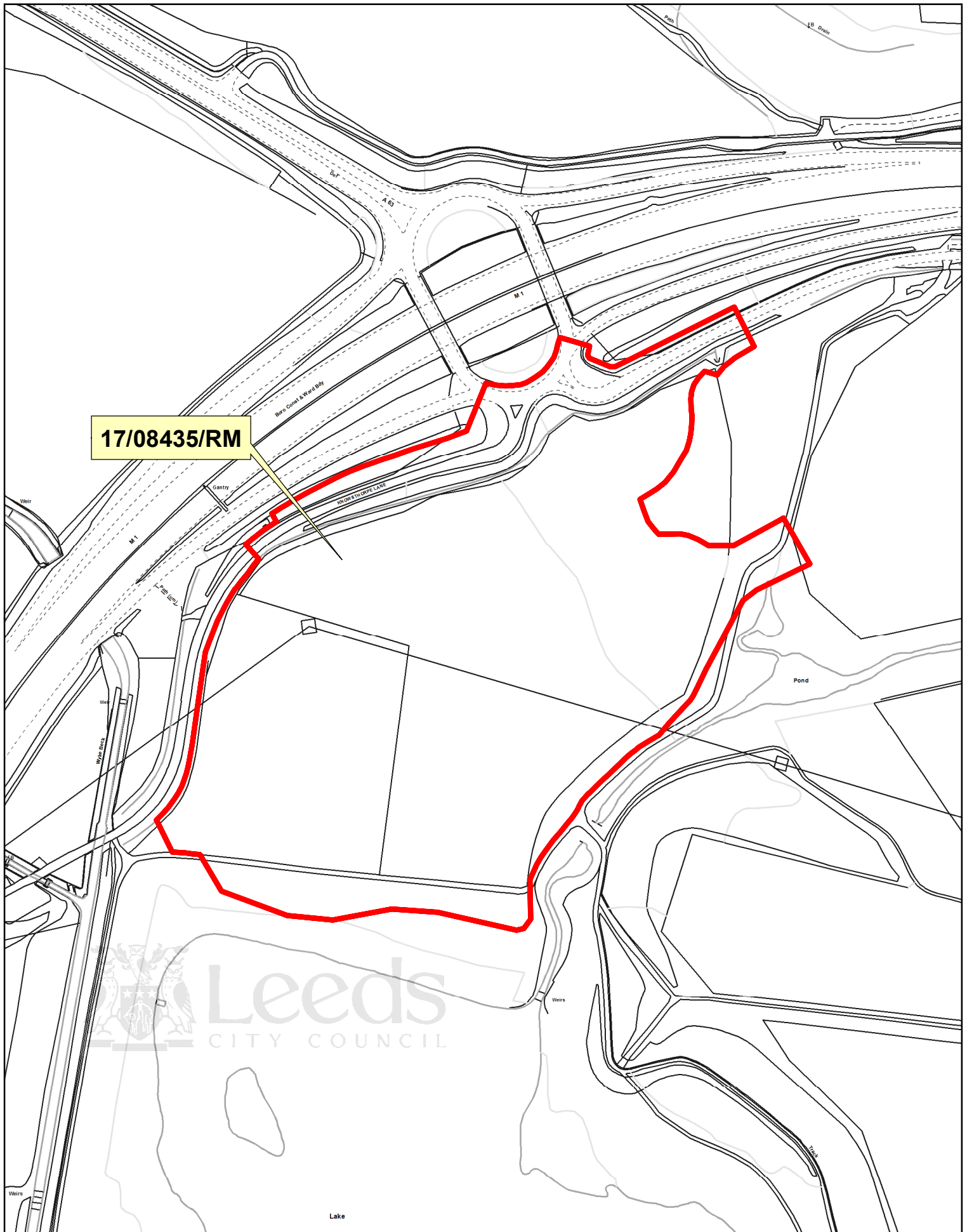
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<b>PROPOSED COLOURED SITE PLAN</b>						
Status	Code	Suitability				
	S2	Suitable for Information				
Revision	Code	Revision				
	P2	Planning				

Created Reviewed Date: Scale at A1:

KA	SB	11.12.17	As indicated
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17/08435/RM

# CITY PLANS PANEL



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Originator:	Sarah McMahon
Tel:	0113 2224409

## Report of the Chief Planning Officer

### CITY PLANS PANEL

**Date: 29 March 2018**

**Subject: PREAPP/17/00353 - Preapplication presentation for a change of use from A1 retail units to one combined A3 restaurant and internal alterations to the basement, ground floor and upper floors in the Howard Assembly Room of Opera North and an office refurbishment including facade re-modelling and two storey rehearsal studio extension to roof of existing 5 storey Premier House building, and the provision of ground floor education suite, at the Howard Assembly Room and Premier House at Opera North, New Briggate and 8 Harrison Street, Leeds, LS1 6PA.**

### Developer- Opera North

<p><b>Electoral Wards Affected:</b></p> <p><b>City &amp; Hunslet</b></p> <p><input type="checkbox"/> Yes    Ward Members consulted (referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity    <input type="checkbox"/></p> <p>Community Cohesion    <input type="checkbox"/></p> <p>Narrowing the Gap    <input type="checkbox"/></p>
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**RECOMMENDATION: This report is brought to Plans Panel for information. The Developer will present the details of the emerging scheme to allow Members to consider and comment on the proposals at this stage.**

## 1.0 INTRODUCTION:

1.1 This presentation is intended to inform Members at an early stage of the emerging proposals for a change of use and enhancement works to the Howard Assembly Room and the remodelling and enhancement of Premier House both of which are important performing arts buildings in the designated City Centre. The proposals are brought to City Plans Panel as the development involves major investment in Opera North, which is an important cultural destination within Leeds City Centre.

## 2.0 SITE AND SURROUNDINGS:

2.1 The site is located within the defined City Centre but is not allocated for a specific use on the Local Development Framework Policies Map. The shop frontages to the New Briggate elevation of the Grand Theatre and Opera North building are currently

part of a designated Secondary Shopping Frontage. This designation is proposed to be removed in the draft Site Allocations Plan.

- 2.2 Harrison Street is a one way link route with a steep incline from Vicar Lane to New Briggate. The site is within the boundary of the Grand Quarter Conservation Area and close to, but outside of the boundary of the City Centre Conservation Area. The site is also within the setting of the Grade II Listed St Johns Church, courtyard and railings. The Grand Theatre and Opera North main building which houses the Howard Assembly Room are Grade II\* Listed.

### **3.0 PROPOSAL:**

- 3.1 The proposed development seeks a change of use of the ground floor vacant former shop units from A1 retail units to one combined A3 restaurant, with internal alterations to the basement, ground floor and upper floors in the Howard Assembly Room of Opera North and an external terrace to the rear of the former shop units. In addition the proposal also involves an office refurbishment including facade re-modelling and two storey rehearsal studio extension to roof of existing 5 storey Premier House building, and the provision of ground floor education suite.

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

- 4.1 Consent was granted for a change of use of retail units to 2 restaurant a3 unit & 2 retail units on 9 September 2005, planning reference 20/340/05/FU.
- 4.2 Consent was granted for an extension of time period for planning application 20/340/05/FU for a change of use of the retail units to 2 restaurants (class A3) and 2 retail units on 14 July 2010, planning reference 10/02300/LA.

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

- 5.1 The proposals have been the subject of pre-application discussions between the Developers, their Architects, and Local Authority Officers since May 2017. These discussions have focused on the change of use, heritage matters, scale, massing and design.

- 5.2 Ward Members were consulted on 21 June and 22 December 2017.

- 5.3 The following comments were received from Councillor Davey on 4 January 2018 and were supported by Councillor Iqbal on the same date:

1. This (*the proposal*) is not acceptable as it takes away the theatre's income and costs the theatre extra to man another entrance for tickets. Access to the auditorium must be maintained through the theatre's main entrance to prevent pre and interval drinks being taken in a new bar.

*Officer response - The management of the movement of patrons between areas of the Grand Theatre (LGT) and Opera North (ON) for commercial reasons is not a matter that should be subject of Planning control. However the concern has been raised with the applicant's team who advise that "LGT Access to the auditorium will remain via the theatres main entrances.*

2. Whilst they are just design drawings, the idea of using the pavement for tables and chairs would have a significant impact on patrons arriving at the theatre, pedestrian flow is an important issue anyway and the area will still suffer from the "rat run" up Harrison Street and crossing towards the street by the Opera North reception is dangerous. Extra foot fall will only add to this. –

*Officer response - Officers have raised this point with the applicant's team and made*

*them aware that on street tables and chairs would not be considered acceptable on the basis of the current footway width but could be looked at again when the footway is widened as part of the more wide scale regeneration proposals for New Briggate. They have also been informed that this would require a street café licence. The applicant's team have confirmed that they understand this position.*

3. Consideration needs to be given to amending the taxi / loading ranks to facilitate drop offs to both the Theatre and the restaurant. We also have to consider deliveries as the theatre already suffers from blocked entrances and difficulties with lorries parking on Harrison Street. Extra services deliveries to the restaurant and more shows are only going to add to this.

*Officer response – Officers have made the applicant's team aware of this and Highways have also stated that a transport assessment will be required to allow us to fully understand how the changes will affect transport flows in the area, taxi ranks, movement of people, servicing and deliveries, etc. The applicant's team have confirmed that they understand this requirement.*

4. External signage is important so there is no customer confusion as patrons feel that it is a Theatre restaurant and that they can gain access to the Theatre from the bar. I do not want signage that impacts on the aesthetics of the building and restrictions on the size and nature of advertising is important.

*Officer response – Signage is something officers have also been in discussion with the applicant's team about and we have asked that, although there is no end user yet known for the restaurant, consideration needs to be given to setting out parameters for signage now, in respect of type of signs, likely types of materials and detailing that would be supported and defining signage zone locations on the building. The applicant's team have confirmed that they understand this requirement.*

5. I assume that planning will consider the nature of the restaurant and the positioning of the bar. From my perspective this should be a restaurant with a small bar at the back. If they put the bar up front this would act as further competition and would have a financial impact on pre show drink sales. Anyone running the restaurant will want to offer pre show drinks as well as a food option.

*Officer response – The proposed uses are considered appropriate as town centre uses. There are limitations in respect of the level of control Planning can apply to the levels of each type of use and how the internal layout would be come forward based on potential competition with the Grand Theatre but we will work with the applicant to obtain the maximum information available on the matter at the time of the application submission.*

6. Whilst the theatre has a stage door for workers and artists it still needs a main reception on New Briggate for guests. The provision of a proper business entrance is a current requirement of the Opera North lease. The theatre should not have to bear the additional costs of both creating and manning a new reception.

*Officer response – The management of entrances and reception areas for Grand Theatre (LGT) and Opera North (ON) is not a matter Planning can control but a civil matter for the two parties. However this has been raised by Officers with the applicant's team.*

Councillor Davey has also raised concerns on 19 March 2018 with regard to the proposed perforated metal screen to the alleyway and advises that there are a number of changing and shower and office room windows facing on to the yard area to the side on which the screen would be placed.

*Officer response – the applicant has advised that they are aware of the uses in these rooms and the proposed perforated screen will be designed to be built around, rather than over these window openings.*

- 6.1 National Planning Policy Framework (NPPF)
- 6.2 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and paragraph 14 goes on to state that there should be a presumption in favour of sustainable development.
- 6.3 Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 4th principle listed states that planning should always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.4 Paragraphs 56 and 57 of the NPPF state that good design is a key aspect of sustainable development, is indivisible from good planning and contributes positively to making better places for people., and that design should be of a high quality and inclusive.
- 6.5 Paragraph 126 states that it is desirable to sustain and enhance the significance of heritage assets and that new development should make a positive contribution to local character and distinctiveness.
- 6.6 Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
  - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - the harm or loss is outweighed by the benefit of bringing the site back into use.
- 6.7 Paragraph 134 states 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.
- 6.8 The Development Plan for Leeds currently comprises the following documents:
- 6.9 The Development Plan for Leeds currently comprises the following documents:
1. The Leeds Core Strategy (Adopted November 2014)
  2. Saved Leeds Unitary Development Plan Policies (Reviewed 2006), included as Appendix 1 of the Core Strategy
  3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
  4. Aire Valley Leeds Area Action Plan (Adopted November 2017)
  5. Any Neighbourhood Plan, once made.
- 6.10 Core Strategy

- 6.11 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant policies in this case are set out below.
- 6.12 Policy CC1: City Centre Development  
The City Centre will be planned to accommodate at least the following:  
(iv) Supporting services and open spaces and improvements to the public realm  
This will be achieved through implementation of outstanding permissions, decision making on planning applications, master-planning, and identification of appropriate sites and mixed use allocations through LDF allocations documents.
- 6.13 Policy P10: Design states that:  
New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.  
New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.
- 6.14 Policy P11: Conservation states that development proposals will be expected to demonstrate a full understanding of historic assets affected. Heritage statements assessing the significance of assets, the impact of proposals and mitigation measures will be required to be submitted by developers to accompany development proposals.
- 6.15 Policy T2: Accessibility Requirements and New Development states that 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:  
(i) In locations where development is otherwise considered acceptable new infrastructure may be required on/off site to ensure that there is adequate provision for access from the highway network, by public transport and for cyclists, pedestrians and people with impaired mobility, which will not create or materially add to problems of safety, environment or efficiency on the highway network.
- 6.16 Leeds Unitary Development Plan Review Retained Policies  
  
Policy BD6 (All alterations)  
Policy BD5 (All new buildings and amenity)  
Policy GP5 (All planning considerations)  
Policy N16 (Extensions to listed buildings)  
Policy N17 (All listed buildings)  
Policy N19 (New buildings and extensions within or adjacent to a conservation area)
- 6.17 Leeds Natural Resources and Waste DPD 2013
- 6.18 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.

## **7.0 KEY ISSUES**

### **7.1 Principle of the use**

7.2 The proposal involves a change of use of the existing A1 retail units to the ground floor of the Howard Assembly Rooms, to form one large A3 restaurant. The majority of the units have been vacant for a number of years with little interest from potential retail tenants. The emerging Site Allocation Plan City Centre Primary Shopping Frontage Area plans show this frontage to have no specific designation. This emerging plan is at stage where it can be given significant weight and as such Officers consider that the proposed change of use would not adversely affect the frontage or the ability of the wider City Centre to operate as a retail hub. Officers consider that the proposed A3 restaurant use could add to the regeneration, vibrancy and vitality of both the daytime and evening economies of New Briggate and the wider City Centre.

### **7.3 Do Members support the principle of the restaurant use?**

### **7.4 Design, Massing, Scale and Layout**

7.5 The principle changes for the Howard Assembly Room would result in the reconfiguration of the existing ground floor entrance lobby to Opera North's areas, such that new routes would be created inside the lobby area leading to the new Assembly room above as well as directly to the restaurant. In addition a new platform lift would be inserted into the lobby area. The proposals would also involve the reconfiguration of some internal first floor rooms including the removal of an existing storage room to create a new anti-space for patrons to utilise. The existing male artist WCs will be repositioned at stage level to allow the removed storage area to be relocated backstage. In addition a new disabled WC and a grand piano storage area would be created at first floor level. A new internal feature door is proposed at the existing main entrance within the building between Grand Theatre and Howard Assembly Room.

7.6 The basement and ground floor to the former retail units within the Grade II\* Listed Opera North building will be altered, with the removal of internal walls and a section of flooring to create a new restaurant with partitioning for WCs, a cloakroom and a dumb waiter.

7.7 Externally the shopfronts to New Briggate would be reordered to create a series of large glazed windows. Some of which will double as openable doors within reinstated original external stone arches.

7.8 It is also proposed to create an attractive, useable glass roofed atrium terrace space in the existing rear service yard, where the restaurant and its bar can spill out onto. This space would also connect through to the Assembly Room and Grand Theatre to allow the patrons of these two venues to use the break out areas. Rising through this atrium to meet the roof it is proposed to site a sculptural metal tree like feature which would address extract ducting requirements for the new restaurant use. Perforated metal cladding will be applied to the most damaged areas of the service yard walls to hide poor brickwork and existing retained pipework and extract plant

7.9 Officers consider that the level of alterations will lead to less than substantial harm to the significance of the designated Grade II\* Listed heritage asset, and as such



the proposals need to be justified in accordance with the considerations of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings. Case law has held that once harm to a listed building is established, considerable weight needs to be attached to that harm. The National Planning Policy Framework (NPPF) advises at paragraph 134 that where proposal would result in less than substantial harm then this harm needs to be weighed against the public benefits of the proposal, including securing its optimum viable use. Due to the view from Officers that there will be less than substantial harm, it is considered that paragraph 134 of the NPPF is applicable for this proposal.

- 7.10 The proposed demolitions would be largely internal and would be to parts of the host Grade II\* Listed Building where the historic fabric has minimal architectural or historic detailing. In addition there are a number of public benefits to the scheme including:
1. Adding to the heritage led regeneration of the Grand Quarter
  2. The reconfiguration of the spaces in the Assembly Room to make them more accessible and flexible for use
  3. Allowing Opera North to make more effective use of their accommodation which in turn will allow them to programme more productions and shows
  4. Bringing former retail units which have been vacant for a number of years back into viable use
  5. New employment opportunities in the proposed restaurant
- 7.11 It is also the case that the proposed alterations have the potential to impact on the character and visual amenity of the Grand Quarter Conservation Area. As such the proposals again need to be justified in accordance with the considerations of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 134 of the National Planning Policy Framework (NPPF). The said character is predominantly Victorian, with a high number of historic buildings still being evident and spaces and streets retaining the dimensions of the urban Victorian environment. However, it is the case that the proposed alterations would be largely internal and where they affect the exterior of the host building this would be to a rear wall facing onto what has historically been a service yard area. As a result Officers consider that the impact on the conservation would be neutral.
- 7.12 The proposals for Premier House would involve a refurbishment of the building, including a recladding of the facades and a two storey rehearsal studio extension to the roof of existing 5 storey building, with a mixture of punched and projecting windows. In addition the proposal would create a ground floor education suite. The new cladding would be a high quality bronze rain screen panelling facing the main Harrison Street and rear service yard façades, with the upper areas of the new extension being brick to match the existing brickwork below. The proposal to introduce an education suite at ground floor level will allow an exploration of where and how many new windows can be introduced to the ground floor of the elevation facing Harrison Street.
- 7.13 Officers consider that the proposed alterations to the Howard Assembly Room, the basement and ground floor vacant retail units and to Premier House would be a suite of well designed, high quality alterations, which would enhance the character and visual amenity of the host Grade II\* Howard Assembly Room and the non-listed Premier House, and would not result in any detriment to the character and appearance of the wider street scene and the Grand Quarter Conservation Area.

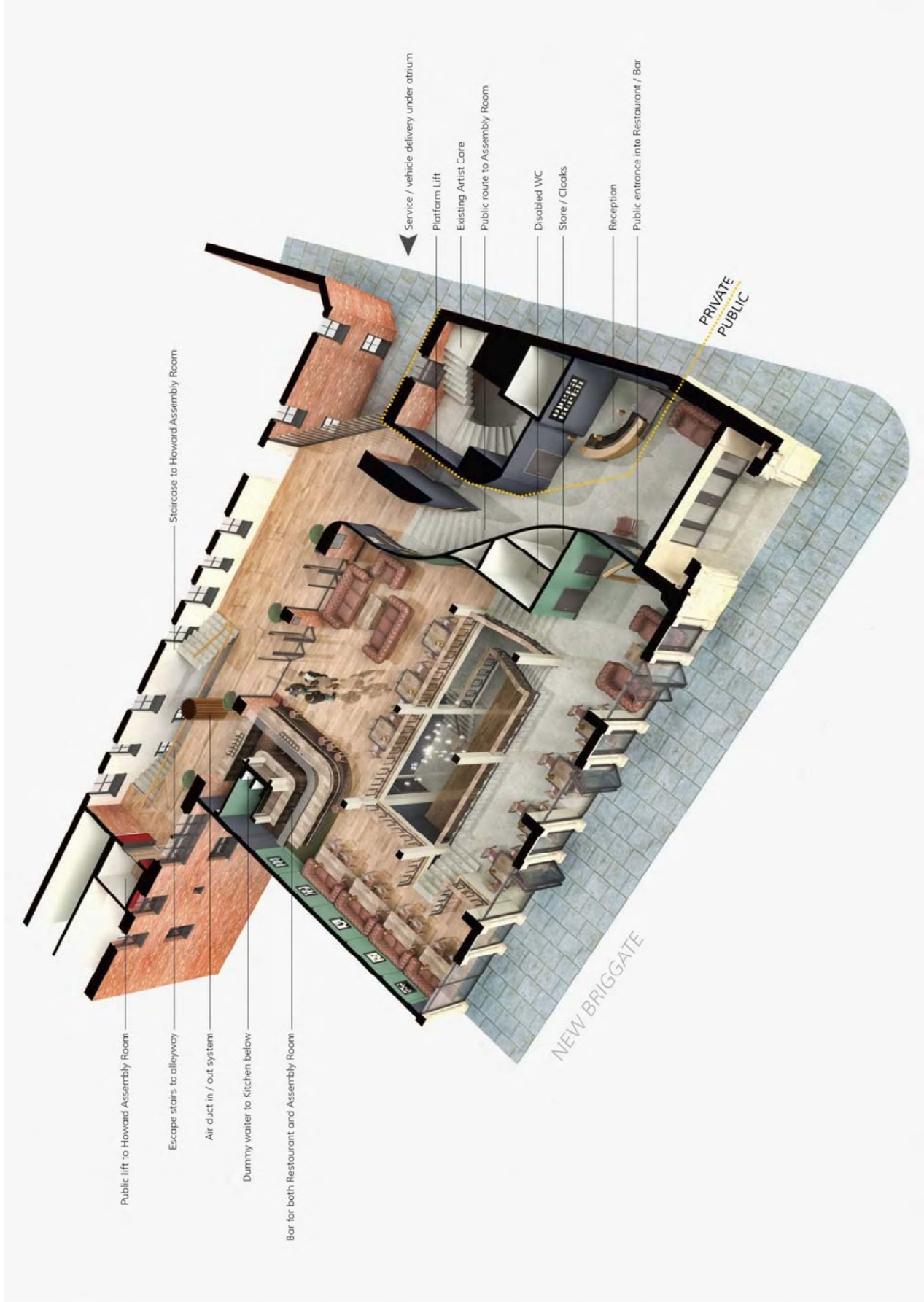
- 7.14 Do Members support the emerging scale, massing and design of the proposals?**
- 7.15 On the basis of the level of information provided in the presentation do Members consider that the proposals can be delegated to Officers to determine the subsequent planning and listed building consent applications?**

## **8.0 CONCLUSION**

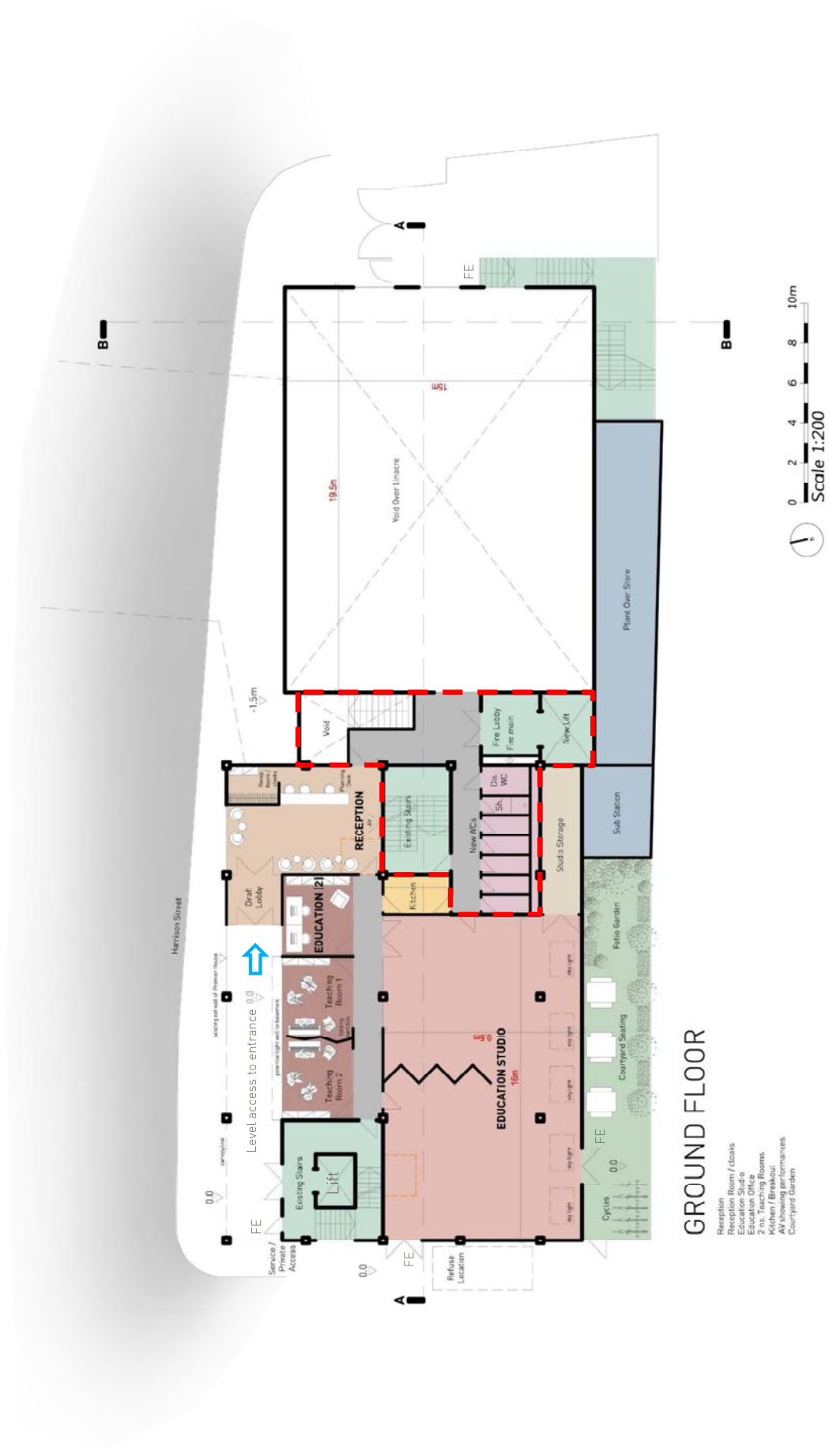
8.1 The key questions asked in the report above are as following:

- 7.3 Do Members support the principle of the restaurant use?**
- 7.14 Do Members support the emerging scale, massing and design of the proposals?**
- 7.15 On the basis of the level of information provided in the presentation do Members consider that the proposals can be delegated to Officers to determine the subsequent planning and listed building consent applications?**

**Background Papers:** PREAPP/17/00353

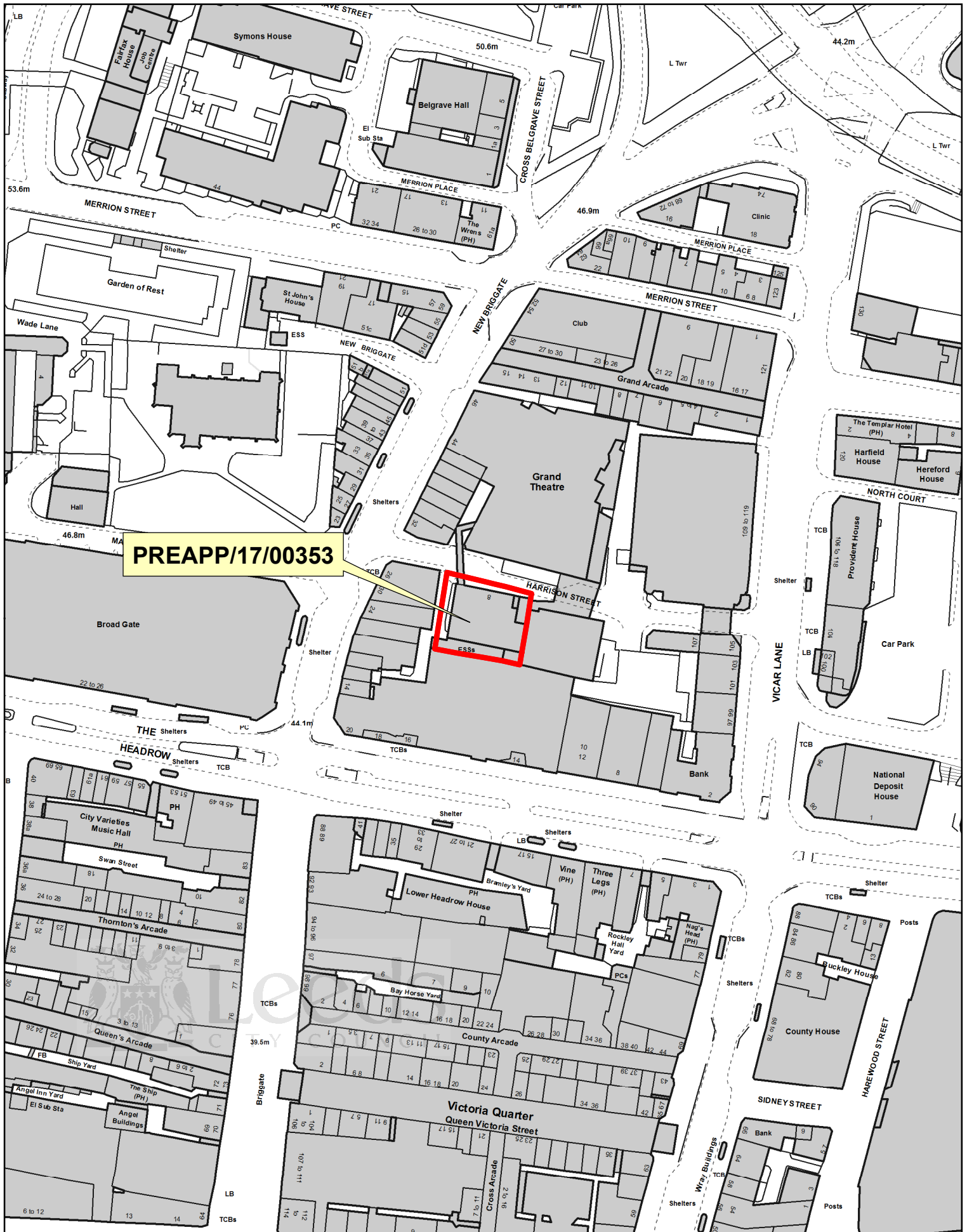


Proposed 3D view of the regenerated retail units on New Briggate



**GROUND FLOOR**

- Reception
- Reception Room / cloak
- Education Office
- Education Office
- 2 no. Teaching Rooms
- Kitchen / Breakout
- AV showing performance
- Courtyard Garden



**PREAPP/17/00353**

# CITY PLANS PANEL



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Originator: Paul Kendall
Tel: 3783999

## Report of the Chief Planning Officer

### CITY PLANS PANEL

**Date:** 29th March 2018

**Subject:** Pre-application reference PREAPP/16/00303 for the erection of 100 apartments in two buildings between 5 and 7 storeys with ground floor car parking located between Melbourne St and Lower Brunswick St, Leeds

**Applicant – Mr Philip Symonds**

<p><b>Electoral Wards Affected:</b></p> <p>City &amp; Hunslet</p>  <p><input type="checkbox"/> Yes    Ward Members consulted</p>
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<p><b>Specific Implications For:</b></p> <p>Equality and Diversity    <input type="checkbox"/></p> <p>Community Cohesion    <input type="checkbox"/></p> <p>Narrowing the Gap    <input type="checkbox"/></p>
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**RECOMMENDATION:** This report is brought to Plans Panel for information. The Developer will present the details of the emerging scheme to allow Members to consider and comment on the proposals at this stage.

### 1.0 INTRODUCTION:

1.1 This presentation is intended to inform Members of the progress made on the emerging proposals for a new residential scheme located between Melbourne St and Lower Brunswick St which are parallel streets that run eastwards, off North St. The proposal was originally considered at pre-application stage in April 2017 but the massing and form were not positively received by Members. The applicant has had further discussions with officers in an attempt to overcome the issues raised by Members. In these circumstances, it was considered appropriate to bring the revised proposal back to Panel for further consideration, prior to submission of a final application.

### 2.0 SITE AND SURROUNDINGS:

2.1 The site is presently occupied by Manston Business Centre, a predominantly vacant terrace of two storey, red brick workshop and office units and associated car parking which it is believed were constructed in the early 1980's.



2.2 The application site extends to some 0.23ha with Melbourne St to the north and Lower Brunswick Street to the south. Brunswick Row runs along the western end of the site with Bridge Street to the east. To the west is a 6 storey, primarily residential, building (80 North Street) and to the east is a 2 storey office complex (Brunswick Court). To the south are further 2/3 storey commercial units and a building occupied by the Salvation Army. To the north is the large gable end elevation of a B1/B2/B8 (industrial and warehouse use) building which is set back from the road. This is of brick and metal cladding with external air-conditioning units. To the west of this is a motor repair workshop.

### **3.0 PROPOSAL:**

3.1 The original proposal was for the demolition of the existing buildings on the site and the erection of a single building split into three adjoining blocks of apartments, stepping down the site from 9 storeys fronting Brunswick Row to the west, to 5 storeys at the Bridge Street end to the east. Following Members comments the new proposal has been reduced in scale to between 6 and 7 storeys and has now been split in to 2 separate buildings with the break-point midway along the elevation, forming two even sized buildings. As previously the main body of the buildings are proposed to be of brick, glass and metal cladding. However, the lower two floors are now to have a colonnade treatment and the elevations treated in a light, potentially masonry, material interspersed by glazing panels and decorative metal screens to allow natural ventilation to parking and refuse storage areas. The top of the building is to be of both transparent and look-a-like glass, contained within grey terracotta framing.

3.2 The scheme contains 100 no. apartments comprising:

- 1 no. studio
- 58 no. 1 bed apartments
- 38 no. 2 bed apartments
- 3 no. 3 bed apartments

The apartments range in size: studio 33 sqm; 1 bed 37-52 sqm; 2 bed 61-68 sqm; 3 bed 74 sqm. It is intended that the scheme would be made available for occupation under the Private Rented Sector (PRS) model.

3.3 Vehicular access is proposed from the eastern end of Lower Brunswick Street with car parking provided in an under-croft parking area providing 3no. disabled parking spaces. Cycle parking spaces are provided in two stores, one in each building. Given the narrowness of the streets in this area, the route between the two buildings is to be used for servicing both blocks and will be a managed space, the concierge having an office overlooking this area.

3.4 The main resident accesses are provided from two entrances on either side of the central route between the buildings. Two end entrances are also included and are set within small landscaped garden areas.

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

4.1 There has been no relevant planning history for this site. However, the scheme as originally proposed was presented to Members on 6<sup>th</sup> April 2017. The minutes of the meeting state the following:



- The site was suitable in principle for residential development.
- There were concerns regarding the emerging scale and design of the development.
- Concern that there was no amenity provision on site and the proposals did not respect the amenity of occupiers or surrounding properties.
- There was some concern regarding the size of studio apartments.
- It was felt that the proposed building was too large and did not enhance the surrounding area.
- The mix of units was considered to be acceptable.
- Car parking provision – there was some concern as to whether 15% was acceptable in this location. The level of parking required more justification

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 The proposals have been the subject of further pre-application discussions since the original April 2017 presentation date. The revised scheme is a response to the original Members comments with discussions focusing initially on scale & massing, then moving on to architectural treatment and car parking provision.

## **6.0 CONSULTATION RESPONSES**

Highways Services: No objection to the principle of residential development here subject to addressing detailed requirements for vehicular parking cycle parking, bin storage and servicing.

Sustainability - Contaminated Land: Phase I Desk Study required to be submitted. Depending on the outcome of the Phase I Desk Study, a Phase II (Site Investigation) Report and Remediation Statement may also be required.

Flood Risk Management: The topography of the area together with the BGS soils data suggest that the site may not be suitable and or feasible for the use of soakaway drainage so that on-site balancing of flows would be necessary. The location of the necessary volume of attenuation should therefore be given appropriate consideration together with the proposed layout of the site. It would therefore be prudent for the developer to make a pre planning enquiry to YW to find out about the capacity of the nearby public surface water sewer as surface water discharge should be directed to this sewer rather than to any of the combined sewers in the area.

## **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).
- Any Neighbourhood Plan, once Adopted.

### **7.2 Core Strategy (CS)**

### 7.2.1 Relevant Core Strategy policies include:

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

Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre itself.

Policy CC1 outlines the planned growth within the City Centre for 10,200 new dwellings, supporting services and open spaces. Part (b) encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.

Policy CC3 states new development will need to provide and improve walking and cycling routes connecting the City Centre with adjoining neighbourhoods.

Policy H3 states that housing development should meet or exceed 65 dwellings per hectare in the City Centre.

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

Policy H5 identifies affordable housing requirements. According to the policy, the affordable housing requirement would be 5% of the total number of units, with 40% for households on lower quartile earnings and 60% for households on lower decile earnings.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhance the district's historic assets in particular, historically and locally important buildings, skylines and views.

EC3 Controls the loss of previous employment land.

Policies T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policy G5 requires residential developments over 0.5 hectares in the City Centre to provide a minimum of 0.41 hectares or open space per 1,000 population. In areas of adequate open space supply or where it can be demonstrated that not all the required on site delivery of open space can be achieved due to site specific issues, contributions towards the City Centre park and new pedestrianisation will take priority

Policy G9 states that development will need to demonstrate biodiversity improvements.

Policies EN1 and EN2 set targets for CO<sup>2</sup> reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.

Policy EN5 identifies requirements to manage flood risk.

### 7.3 Saved Unitary Development Plan Review policies (UDPR)

#### 7.3.1 Relevant Saved Policies include:

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

Policy BD5 states that a satisfactory level of amenity for occupants and surroundings should be provided.

LD1 - Sets out criteria for landscape schemes.

### 7.4 Natural Resources & Waste DPD 2013

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

7.4.2 The site is within the Sand and Gravel and Coal Safe Guarding Areas as identified by policies Minerals 2 and 3 of the Natural Resources and Waste DPD. These policies seek to have the natural assets removed prior to development if viable.

### 7.5 National Planning Policy Framework (NPPF)

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

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

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and achieves standards of amenity for all existing and future occupiers of land and buildings. A safe and suitable access to the site should be provided (para 32). One of the core principles is the reuse of land that has previously been developed. 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).

### 7.6 Relevant Supplementary Planning Guidance includes:

SPD Parking  
SPD Street Design Guide

SPD Travel Plans  
SPD Building for Tomorrow Today: Sustainable Design and Construction  
SPG City Centre Urban Design Strategy  
SPG3 Affordable Housing and the interim affordable housing policy  
SPG Neighbourhoods for Living

#### 7.7 Site Allocations Plan (SAP)

The site is identified in the Publication Draft of the Site Allocations Plan as MX1-12. With the ability to deliver 609 residential units & 3,220 sqm of offices.

#### 7.8 Private Rented Sector Housing and Affordable Housing

With regard to Private Rented Sector (PRS) developments and Affordable Housing provision, on 22 March 2017 Leeds City Council's Executive Board endorsed an approach which recognises that the acceptance of commuted sums from PRS schemes may be appropriate and justified in accordance with Core Strategy Policy H5. Policy H5 is being considered as part of the Core Strategy Selective Review (Feb 2018) in which PRS schemes are proposed to be specifically targeted due to their inability to involve a 3<sup>rd</sup> party in the form of a Registered Provider (RP) of affordable housing. The review sets out that under H5, PRS developments shall make provision of affordable units in the following ways:

- i) on-site, according to national policy advice, currently 20% Affordable Private Rent dwellings at 80% of local market rents administered by a management company with appropriate arrangements for identifying households in need, including city council nomination rights, which apply in perpetuity, or
- ii) on-site, the percentage of affordable housing specified for zones 1-4 and mix of Intermediate and Social Rented types of affordable housing set out in the first paragraphs of this Policy (an increase to 7% of the total number of units is proposed), or
- iii) a commuted sum in lieu of on-site provision of affordable housing of option ii).

#### 7.9 The Leeds Standard and the DCLG Technical 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. The standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard (NDSS) which seek to promote a good standard of internal amenity for all housing types and tenures. A selective review of the Leeds Core Strategy is presently being undertaken (CSSR). The review includes policies to introduce residential space standards. The CSSR publication draft was agreed at the Council's Executive Board meeting on 7th February 2018 for consultation purposes, and therefore some weight can be attached to this emerging policy.

### **8.0 KEY ISSUES**

#### 8.1 Principle of the Proposed Development

The use of the site for residential purposes was previously supported by Members and is in accordance with Core Strategy Policies Spatial Policy 1 (SP1) and H2.

## 8.2 Site layout and design

The proposal is now for 2 buildings which follow the current street pattern, stepping down and acknowledging the slope from Brunswick Row along Melbourne Street/Lower Brunswick Street, terminating on Bridge Street.

- 8.3 The height and massing has been reduced by a maximum of 2 storey in comparison to the original proposal. This is considered to relate better to the scale of the existing buildings to the west and reduces the impact on the street. Images will be presented which show the way that this appears in the street scene and in relation to the existing buildings in the area. The plan reflects the tight urban grain in this area but all elevations now have a colonnade treatment which widens the space available for pedestrians adjacent the public footway which will be a minimum of 2m of public footway width widening to more than double this once the space beneath the colonnade is included. There is also a new publicly accessible space between the buildings and areas of enclosed garden at either end of the development. At roof level both buildings have a roof top terrace amenity area for use by the residents.
- 8.4 It is considered that the changes help to reduce the dominance of the new building within this tight urban grain and ensure the new buildings sit comfortably within the context of wider street views. They provide enhanced pedestrian areas at street level and provide external amenity areas for the future occupants.
- 8.5 The dominant material is brick on all elevations with partially recessed cladding panels and glass, running vertically between the larger brick elements, providing relief and definition to the elevation. The top floors are also recessed to sides and end to create a definite top to the composition. Officers consider that the elevations are well mannered and respectful of the context, which is largely of brick, and accommodate the stepping down given the fall across the length of the site.

### **1. Do Members support the emerging scale and design of the development?**

#### Residential amenity considerations

- 8.6 The 1-bedroom, 2-bedroom and 3-bedroom apartments still meet the minimum space standards set out in the Nationally Described Space Standards.
- 8.7 In respect of the proposed single studio of 31 sqm. The NDSS does not offer guidance on the size of studio flats. Officers are of the opinion that this size of unit can be made to work in terms of accommodating clearly defined bedspace, living, dining and kitchen areas and adequate internal circulation space. In this case it is a product of the location of the stair core and roof set back and is of a size similar to those approved in other city centre sites e.g. Dandara.
- 8.8 The scheme has been designed to maximize the number of units which have a western, southern and eastern aspect. Noise pollution would be considered low in this location as it is some distance from the main roads at North St and Regent St. The standard of amenity for proposed residents is considered acceptable. In view of the proposed distance of approximately 15m to the closest building across Brunswick Row (80 North Street), the relationship and impact on amenity of the occupiers of this building is also considered to be acceptable

### **2. Do Members consider that the levels of amenity within the flats are acceptable?**

### **3. Do Members consider that the proposal respects the amenity of the**

## **occupiers of surrounding properties?**

### 8.9 Affordable Housing and Housing Mix

The Council's policy H5 requires 5% of the total units on a development of this size to be provided as affordable housing, normally on site. The details of how this provision will be made will be discussed with officers as the application progresses. The mix of units is the same as that originally proposed and which Members considered to be acceptable.

### 8.10 Highways/Access matters

Due to its long narrow nature, the site is physically constrained in terms of potential on-site parking provision. However, the site is sustainably located within the city centre and the many amenities offered by the city centre are within easy walking distance. Also there are numerous amenities for proposed residents located along North Street. Therefore, the applicant is proposing 3 no. disabled car parking spaces whilst maximizing cycle storage (1 space per unit). Whilst car parking provision represents a 3% provision across the whole scheme, this site is located adjacent to bus routes and within walking distance of the city bus and railway stations, as well as all of the facilities offered by the city centre itself. Parking policy allows provision of a minimum of zero parking in this location, provided there are no problems identified on the local highway network. In this location there are wide spread on-street parking controls designed to prevent adverse impact and obstruction on the highway. In this location officers therefore consider that this level of provision could be supported and accords with wider sustainability objectives by reducing the reliance on the private motor vehicle, subject to submission of a detailed transport assessment showing no adverse impact on the local highway.

#### **4. Do Members support the approach to parking provision in this highly sustainable city centre location?**

### 8.11 Energy and sustainability

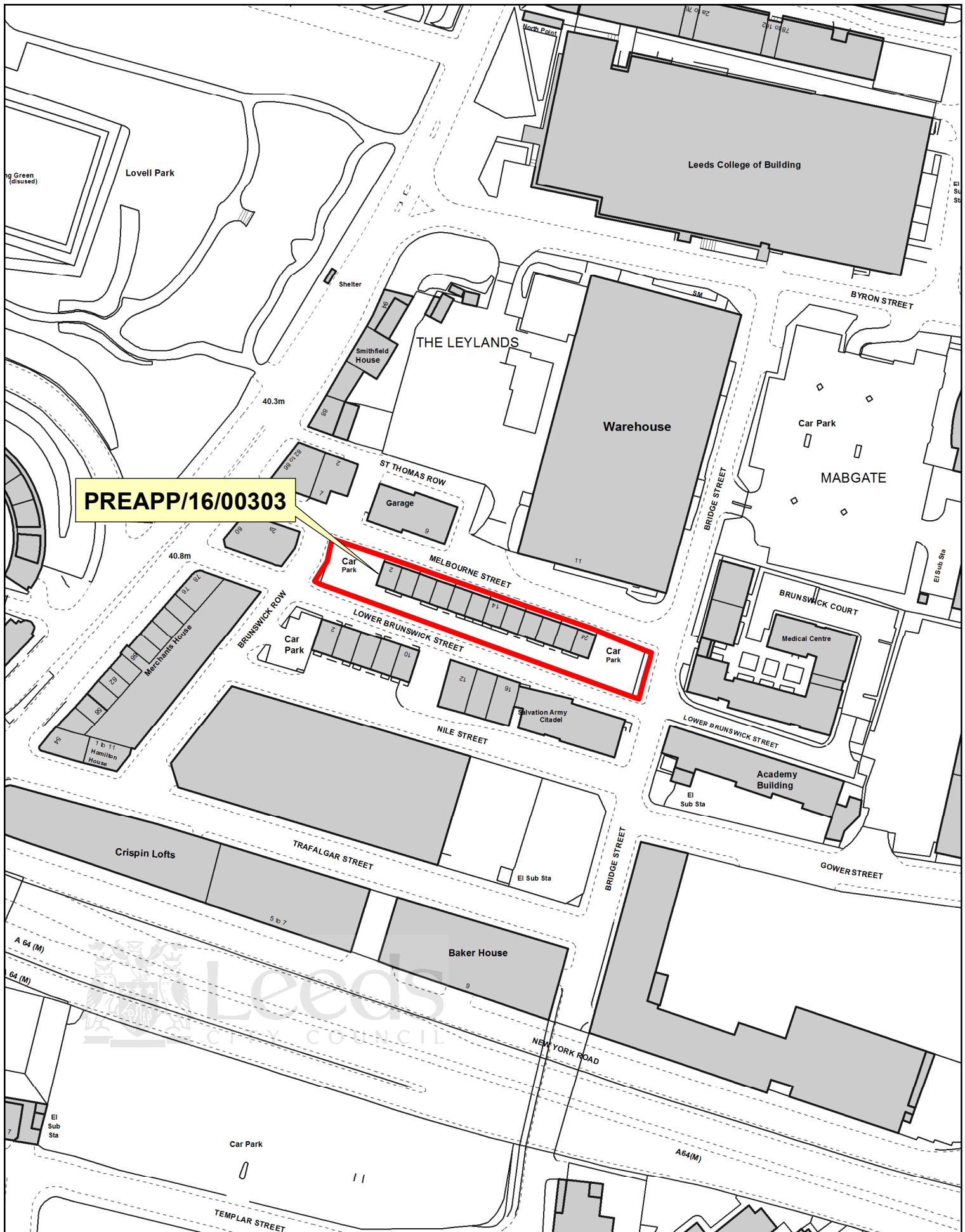
The scheme is proposed to achieve the required reduction in CO2 emissions and low carbon energy source in accordance with Core Strategy Policy EN1 and Policy EN2.

## **9.0 CONCLUSION**

9.1 The key questions asked in the report above are as following:

- 1. Do Members support the emerging scale and design of the development?**
- 2. Do Members consider that the levels of amenity within the flats are acceptable?**
- 3. Do Members consider that the proposal respects the amenity of the occupiers of surrounding properties?**
- 4. Do Members support the approach to parking provision in this highly sustainable city centre location?**

**Background Papers:**  
PREAPP/16/00303



# CITY PLANS PANEL



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Originator: Paul Kendall

Tel: 3788017

## Report of the Chief Planning Officer

### CITY PLANS PANEL

29<sup>th</sup> March 2018

**Pre-application presentation of proposed residential development comprising approximately 750 apartments in buildings of between 8 and 23 storeys, open space areas, a mix of commercial units and car parking spaces on Land at Whitehall Road/Globe Road, Leeds (PREAPP/17/00675)**

**Applicant – Get Living (Leeds)**

#### Electoral Wards Affected:

City and Hunslet

Yes

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

## 1.0 Introduction

1.1 This presentation is intended to inform Members of the emerging proposals for the former Doncaster Monkbridge site to the south of Whitehall Rd fronting onto Globe Road, with a smaller separate part of the site on the opposite side of Globe Road fronting the Leeds Liverpool Canal. The applicant's intention is to submit a full application for all details rather than an outline proposal and the emerging details will be presented to Panel by the applicant to allow Members to comment on the scheme and raise any issues, prior to the intended submission of a planning application.

## 2.0 Site and surroundings

2.1 The application site is almost 2.26 hectares and is currently vacant and cleared. The part of the site to the north east of Globe Road houses a temporary building that formerly acted as a marketing suite but is now vacant.

2.2 The site lies within the south-western edge of the defined Leeds City Centre. It is bounded by Whitehall Road to the north, by the railway line and viaduct to the south and Globe Road and the canal to the north. Most of the site is separated from the river/canal by Globe Road but a small portion abuts the canal side. On the other side of the canal is the Trans-Pennine cycle route and towpath to Granary Wharf and the Station Southern Access. To the north of this there are good connections to Whitehall Road and the existing road bridge leading to Wellington Place where the new Government Office is currently under construction. To the east, Holbeck Urban Village can be reached along Globe Rd

### 3.0 Proposals

3.1 The emerging proposals are for approximately 750 residential units, ground floor commercial units, associated parking and landscaping across a development of 8 buildings up to 23 storeys in height. The residential units would be let as Private Rented Sector (PRS) and the mix is proposed to be 49% 1 bedroom units (368no); 46% 2 bedroom units (345no); and 5% 3 bedroom units (38no.). All of the units would meet the Nationally Described Space Standards (NDSS).

3.2 The pre-applicant 'Get Living (Leeds)' has made the following statement in respect of Affordable Housing, which would be provided on site and be provided on the basis of a discount from market rental levels:

'Get Living seek to meet local affordability and therefore would likely have open market rental values lower than most. They intend to provide discounted market rent pepper potted though the site and are exploring the viability to determine what this could be. The current benchmark values are noted and being reviewed, as is the emerging policy approach/consultation (Core Strategy Selective Review) that seeks *20% of units at 80% of market rent*. We are also looking at the 'value' of the bridge and whether the delivery of this bridge is costed/off-set in lieu of the percentage of affordable units or the percentage discount *below market rate*.'

3.3 The ambition is to create a new neighbourhood that will include large public open spaces, attractive pedestrian routes and a wide variety of resident's amenity/leisure facilities and other commercial uses includes retail, café, restaurants and bars.

3.4 The buildings on the main portion of the site vary in height from 'ground plus 6 storeys' to 'ground plus 22 storeys'. These buildings are proposed to be largely faced in brick with a defined base, middle and top and punched and recessed window openings. The two tallest buildings will be at either end of the site.

3.5 Vehicular access is provided from Globe Road along a one way street that exits onto Whitehall Road. The route will include service lay-by and surface level car parking woven into and under new soft landscaping. Approximately 80 car parking spaces will be provided with significant cycle parking provision included plus car share and car clubs bays. It is proposed to include a 'bike hub' within the scheme that will offer residents the opportunity to hire bikes for both commuting and leisure purposes.

3.6 New public open space is created within the development through a series of connected spaces plus large raised open spaces. Furthermore, it is proposed to calm the traffic on Globe Road through new attractive surfacing and changes in the character of the road and adjacent spaces to make this is a more pedestrian friendly environment. The embankment adjacent to the canal will also be enhanced with new landscaping and pedestrian access points.

3.7 A new 'hub' building is proposed on the smaller portion of the site adjacent to the canal. This hub building would have a flexible use with the focus being on leisure. The development on this part of the site would also retain a landing point for a bridge over the canal. Whereas the bridge is not proposed under this application, the development would assist in its delivery through the provision of the landing point and CIL payment could be put towards this infrastructure improvement. The CIL calculation is currently £325,000.

#### **4.0 Relevant planning history**

4.1 Application 12/03459/FU was approved in December 2013 after consideration by Members at Plans Panel. This was for a multi-level development up to 17 storeys with 609 residential apartments, commercial units (Class A1 to A5, B1, D1 and D2), car parking, associated access, engineering works, landscape and public amenity space. The application was subject to a financial viability appraisal and the District Valuer agreed that the full policy compliant provision of affordable housing and other financial contributions could not be met at the time. The resultant S106 that followed the viability considerations resulted a contribution of £568,000 to be spent on affordable housing, education, public transport and/or public realm improvements as considered appropriate with £100,000 of that contribution set aside to assist in the delivery of a bridge over the canal. 30 units were also required to be provided as assisted purchase units with 20 under First Buy/Help to Buy and 10 as shared ownership. A landing point for the bridge over the canal was also reserved.

4.2 Application 20/499/04/FU proposed a multi-level predominantly residential development up to 31 storeys with 833 flats, commercial units, car parking and landscaping; this was approved 22nd September 2005 after being agreed at Panel 28th April 2005. A subsequent extension of time application, 10/01670/EXT, was approved 17th November 2010.

4.3 Application 07/00018/FU amended 20/499/04/FU by increasing the height of the tallest element to 33 storeys; this was approved 25th April 2007. A subsequent extension of time application, 10/01666/EXT was approved 18th November 2010.

The applications set out in 4.2 and 4.3 above (10/01670/EXT & 10/01666/EXT) were subject to S106 agreements which included the following obligations:

- provision of off-site highway improvement works.
- maintaining public access through the site.
- provision of traffic regulation orders to control parking within the proposed lay-bys.
- provision of affordable housing on site
- improvements to the canalside planting.
- provision of land and a financial contribution towards the provision of a footbridge over the canal.
- Public transport infrastructure contribution
- Car club trial contribution
- Travel Plan Monitoring, including all provisions and penalty measures
- co-operation with local employment / training initiatives.

#### **5.0 History of negotiations and engagement**

- 5.1 Pre-application discussions regarding the current proposals commenced in July 2017. Design meetings have been held involving both the developer's team and officers from Planning, Design and Highways.

## **6.0 Consultation responses**

- 6.1 LCC Highways: The proposal is for one way vehicle access into the site from Globe Road, exiting onto Whitehall Road. The acceptability of this arrangement would be subject to adequate visibility/sightlines being achieved and submission of a detailed Transport Impact Assessment. The level of parking proposed is below that of the previous permission; this level of parking must be justified as meeting the needs of the development, without causing a problem on the local highway network.

It should be expected that Car Club spaces should be provided in the development, along with a contribution for provision of a car/trial membership and use for residents/occupiers. Electric Vehicle Charging, Cycle and Motorcycle parking and disabled parking would be required in line with the LCC Parking SPD. A full Travel Plan would be required, to cover all uses of the development.

Works would be required, including for junction improvements at the Globe Road/Whitehall Road junction, formation of new accesses, closing up of redundant accesses, crossing facilities, footway and cycle route improvements. These would be subject to a S278 agreement.

There are redundant service culverts/tunnels under Whitehall Road & Globe Road, accessed from the site, which are likely to need to be filled in; these cause constraints on abnormal load movements on Whitehall Road. Land will need to be dedicated as highway to provide for footway widening/cycle route improvements and junction improvements in the vicinity of the site. This would include the provision of a cycle/pedestrian bridge over the canal to link with the canal towpath and the bridge over the river from the towpath. Provision for this bridge and links to it from Globe Road should be included in the proposals.

- 6.2 LCC Flood Risk Management: The site is located within Flood Zones 2, 3A(i) and 3A(ii). It is believed that the site will be defended up to the 1 in 100 year Standard of Protection, once the Leeds Flood Alleviation Scheme (LFAS) is complete.

However, even if the site is defended by the LFAS, there will nevertheless be a residual risk of flooding and it would be preferred if retail or other commercial uses were placed at ground floor level with the residential accommodation at first floor level and above. This would help to minimise the impacts of any future flooding. Regarding the surface water, the developer will have to demonstrate whether the existing plots currently benefit from a positive drainage system. If so, a 50% reduction in peak flow will be required, off-site, post development. Green roofs should also be considered.

## 6.3

LCC Contaminated Land Team: The land has been the subject of a past potentially contaminative land use. Based on the available information, a minimum of a Phase 1 Desk Study Report will be required in support of an application. Depending on the outcome of the Phase 1 Desk Study, a Phase 2 (Site Investigation) Report and Remediation Statement may also be required.

## **7.0 Relevant Planning Policy**

### **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).
- Any Neighbourhood Plan, once Adopted.

### **7.2 Core Strategy (CS)**

7.2.1 Relevant Core Strategy policies include:

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

Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre itself.

Policy CC1 outlines the planned growth within the City Centre for 10,200 new dwellings, supporting services and open spaces. Part (b) encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.

Policy CC3 states new development will need to provide and improve walking and cycling routes connecting the City Centre with adjoining neighbourhoods.

Policy H3 states that housing development should meet or exceed 65 dwellings per hectare in the City Centre.

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

Policy H5 identifies affordable housing requirements. According to the policy, the affordable housing requirement would be 5% of the total number of units, with 40% for households on lower quartile earnings and 60% for households on lower decile earnings.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhance the district's historic assets in particular, historically and locally important buildings, skylines and views.

EC3 Controls the loss of previous employment land.

Policies T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policy G5 requires residential developments over 0.5 hectares in the City Centre to provide a minimum of 0.41 hectares or open space per 1,000 population. In areas of adequate open space supply or where it can be demonstrated that not all the required on site delivery of open space can be achieved due to site specific issues, contributions towards the City Centre park and new pedestrianisation will take priority

Policy G9 states that development will need to demonstrate biodiversity improvements.

Policies EN1 and EN2 set targets for CO<sup>2</sup> reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.

Policy EN5 identifies requirements to manage flood risk.

### 7.3 Saved Unitary Development Plan Review policies (UDPR)

#### 7.3.1 Relevant Saved Policies include:

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

Policy BD5 states that a satisfactory level of amenity for occupants and surroundings should be provided.

LD1 - Sets out criteria for landscape schemes.

### 7.4 Natural Resources & Waste DPD 2013

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

7.4.2 The site is within the Sand and Gravel and Coal Safe Guarding Areas as identified by policies Minerals 2 and 3 of the Natural Resources and Waste DPD. These policies seek to have the natural assets removed prior to development if viable.

## 7.5 National Planning Policy Framework (NPPF)

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

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

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and achieves standards of amenity for all existing and future occupiers of land and buildings. A safe and suitable access to the site should be provided (para 32). One of the core principles is the reuse of land that has previously been developed. 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).

## 7.6 Relevant Supplementary Planning Guidance includes:

SPD Tall Buildings Design Guide  
SPD Parking  
SPD Street Design Guide  
SPD Travel Plans  
SPD Building for Tomorrow Today: Sustainable Design and Construction  
SPG City Centre Urban Design Strategy  
SPG3 Affordable Housing and the interim affordable housing policy  
SPG Neighbourhoods for Living

## 7.7 Holbeck South Bank SPD

The Holbeck, South Bank SPD was adopted in June 2016 as an updated revision to the 1999 and 2006 Holbeck Urban Village planning frameworks. As with earlier versions the main aim of the SPD is to create vibrant, sustainable, mixed use communities whilst safeguarding the unique historic character of the area. The whole of Holbeck, South Bank, is designated as a mixed-use area which should include a mixture of working, living, retailing and recreational opportunities. For sites over 0.5ha 20 per cent of the gross site area should be provided as publicly accessible open space. It is intended that the area should meet some of the identified need for city centre housing for people on lower incomes. Housing types such as live/work units and family housing is encouraged. Further improvements to connectivity including along the canal towpath, utilising the disused viaduct and along Hol Beck, are encouraged. At the same time a pedestrian and cycling friendly environment is sought in part by minimising through traffic in the area. Encouragement will also be given to developing with the minimum acceptable parking provision.

The site falls within the Tower Works and Temple Works character areas. Within the Tower Works area the aim is to maximise the visual impact that the listed buildings have on the area both by protecting and opening up new views. New buildings in their immediate vicinity should respect the scale and heights of listed buildings with the overall aim of the listed towers being visually dominant and important views of them protected. It may be appropriate for new buildings to gradually increase in height away from the listed buildings. Buildings should define street frontages and provide pavement widths responding to building scale. New public realm should be given an adequate sense of enclosure by the buildings that define them. Relevant specific proposals for this area include the extension and enhancement of the footpath along the southern side of the canal to Globe Road and the provision of a landing point for a footbridge over the canal on the small triangular area of land which forms part of this site.

## 7.8 Tall Buildings Design Guide SPD (TBDG)

The guide provides design guidance on the location, form and appearance sustainability, micro-climate and public realm of tall buildings, so that they can be successfully integrated into the environment and contribute to the changing skyline. The strategic principles to be taken into account are to:

- Locate tall buildings in the right place, to integrate them into and make them compatible with their surroundings.
- Enhance skylines, views and settings. Protect and preserve areas of special character and interest, principal views across the city and the historic skyline.
- Ensure that new tall buildings have a good relationship with the street, movement patterns and transport facilities, creating high quality public space at the same time.
- Ensure that tall buildings assist in the legibility of the city and contribute strongly to a sense of place.
- Make tall buildings environmentally sustainable and operational.
- Promote the highest design quality for tall buildings and their composition resulting in a distinctive, recognisable, skyline.

It is essential that appropriate risk assessment and quantitative analysis is carried out to demonstrate that tall buildings will not produce harmful wind effects on pedestrians, cyclists or vehicles. The study will also need to demonstrate that appropriate mitigation measures have been applied where comfort and safety criteria are not met.

The TBDG identifies potential opportunity areas for tall buildings taking into account more sensitive areas such as the setting of listed buildings and conservation areas, together with existing infrastructure and tall buildings. The site is an area where tall buildings could be considered appropriate.

## 7.9 Site Allocations Plan (SAP)

The site is identified in the Publication Draft of the Site Allocations Plan as MX1-12. With the ability to deliver 609 residential units & 3,220 sqm of offices.

## 7.10 Private Rented Sector Housing and Affordable Housing

With regard to Private Rented Sector (PRS) developments and Affordable Housing provision, on 22 March 2017 Leeds City Council's Executive Board endorsed an approach which recognises that the acceptance of commuted sums from PRS schemes may be appropriate and justified in accordance with Core Strategy Policy



H5. Policy H5 is being considered as part of the Core Strategy Selective Review (Feb 2018) in which PRS schemes are proposed to be specifically targeted due to their inability to involve a 3<sup>rd</sup> party in the form of a Registered Provider (RP) of affordable housing. The review sets out that under H5, PRS developments shall make provision of affordable units in the following ways:

- i) on-site, according to national policy advice, currently 20% Affordable Private Rent dwellings at 80% of local market rents administered by a management company with appropriate arrangements for identifying households in need, including city council nomination rights, which apply in perpetuity, or
- ii) on-site, the percentage of affordable housing specified for zones 1-4 and mix of Intermediate and Social Rented types of affordable housing set out in the first paragraphs of this Policy (an increase to 7% of the total number of units is proposed), or
- iii) a commuted sum in lieu of on-site provision of affordable housing of option ii).

#### 7.11 The Leeds Standard and the DCLG Technical 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. The standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard (NDSS) which seek to promote a good standard of internal amenity for all housing types and tenures. A selective review of the Leeds Core Strategy is presently being undertaken (CSSR). The review includes policies to introduce residential space standards. The CSSR publication draft was agreed at the Council's Executive Board meeting on 7th February 2018 for consultation purposes, and therefore some weight can be attached to this emerging policy.

### **8.0 Issues**

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

#### 8.1 Principle of the uses

The site is brownfield and has a previous permission for primarily residential use, with the accommodation provided in tall apartment blocks. The site is allocated in the SAP for mixed use including residential use and therefore it is considered that this use is acceptable here.

8.2 A range of supporting uses are proposed for the lower levels and again this general arrangement was proposed by the previous permission. Given the number of residential units, and the requirement to make the ground floors vibrant and attractive, it is again considered that the use of the lower levels of the buildings for the mix of ground floor uses proposed, is acceptable. These would ultimately be the subject of controls regarding hours of use, noise, deliveries, extraction and plant details. The amount of A1 retail would also need to be considered against policies which seek to control the unrestricted growth of out of centre retailing. This also adheres to the advice of Flood Risk Management set out above who would wish to see less sensitive uses located at ground level.

- 8.3 In principle, the emerging proposals align with guidance set out in LDF policies CC1 and Spatial Policy 3 and guidance detailed in the NPPF. Notwithstanding the above, given the last use of the site was for employment related uses, policy EC3 should be addressed when appraising the development in respect of the loss of employment land.
- 8.4 Layout, scale and massing  
The previous scheme incorporated buildings up to 17 storeys in height. Whilst the new proposals range between 8-23 storeys, the site is located within an area where a string of tall buildings are considered appropriate in the Tall Buildings Design Guide and where tall buildings have been consistently approved in the past. It is considered that the site remains appropriate for tall buildings such as those proposed.
- 8.5 The buildings are arranged in a manner which sets the tallest buildings at the ends of the site, with lowest buildings next to these and a mid-range height building in the centre. This creates a rhythm to the composition and offers interesting distance views. The spacing between the buildings has been carefully considered. This is important as it has the following impacts:
- Gives the residents sufficient space about the units to provide an adequate amount of amenity through day-light penetration and reasonable outlook
  - Prevents the run of buildings creating an oppressive linear wall, which could be visually monotonous and relentless
  - Allows a better relationship with the street, connectivity and encouragement for pedestrian accessibility to the proposed public spaces.

Officers consider that the layout and massing of the proposal achieves a balance which would enable all of the above objectives to be achieved.

### **1. Do Members support the emerging heights and footprints of the buildings?**

- 8.6 The buildings are being designed with a definite base, middle and top, being defined by a colonnade, articulated window patterns and termination feature at the top of the building respectively. Materials will assist in defining these zones. This is considered to be a well-mannered style which will provide coherence and consistency of approach across the site without producing a repetitive building appearance. The latest iteration will be presented to Members at Panel.
- 8.7 Public realm and pedestrian connectivity  
The open spaces and routes are set out as a squares and linear spaces which are linked laterally by a set of secondary connectors, either open or through the buildings. Vehicles are kept to the periphery of this area meaning that the main body of the proposal is pedestrian dominated. The scheme tries to break down the barrier which Globe Road provides to the Canal in order to offer a waterfront environment to the buildings which is considered to be a positive feature. This leads to the smaller site fronting the canal and the canal-side 'hub' building and the potential footbridge location.
- 8.8 The proposal is considered to orient itself well to the canal and to the city, given it has a boundary with the elevated railway to the south. The information submitted indicates that these spaces will be of high quality and animated by the mixed uses contained at ground floor level.

We note the developer is proposing to provide a landing point for the footbridge over the Canal. Highways Services colleagues have requested that this bridge be provided. However, the Holbeck, South Bank SPD only requires that a part of this land 'should be reserved as a landing point'. The need for this bridge as a direct result of this proposal would depend on the findings of the full transport assessment and this will be established as part of the application process.

## **2. Subject to further assessment of the need for a footbridge, do Members support the approach to public realm enhancements?**

### Residential amenity and mix

- 8.9 The buildings have been set away from each other by distances of 10 to 15m. In the locations where the buildings are at their closest the windows have been configured to ensure that primary windows are not impacted. This provides a degree of separation which will provide the occupiers with sufficient light and outlook to be considered acceptable.
- 8.10 The current proposals identify 750 residential apartments comprising a mix of one, two and three bed apartments (49% 1 bed, 46% 2 bed, 5% 3 bed) . Policy H4 of the Core Strategy seeks to ensure that new housing is of a range of types and sizes to meet the mix of households expected over the Plan period, taking account of preferences and demand in different parts of the city. With this in mind the Policy is worded to offer flexibility.

Within the scheme overall, 5 % of the units are proposed to have 3 bedrooms with the remainder of the units split evenly between 1 and 2 bedroom. This mix accords with Core Strategy policy H4 with regard to the one and two bedroom dwellings, whereas the percentage of 3 bedroom units is below the percentage sought by policy H4. However, this is consistent with most other schemes approved in the city centre since the Core Strategy was adopted and still ensures that a significant number of three bed dwellings would be delivered, given that the current city centre provision is 1%. The unit sizes are in accordance with the Nationally Described Space Standards.

## **3. Do Members consider that this mix of unit sizes is acceptable?**

- 8.11 The adjacent railway is a known feature and the impact this will have on the nearest residential units to the line will need to be considered and mitigated through appropriate sound insulation measures.
- 8.12 Highways  
The main access is to be taken off Globe Road although this is subject to further analysis of visibility restrictions near to the railway bridge. Capacity will also need to be assessed at the junction with Whitehall Rd. The provision of a bridge across the Canal is again supported and discussions will need to take place with the Canals & Rivers Trust. Cycle, Motorcycle, Electric Vehicle charging and disabled parking levels are all being proposed. A detailed Transport Assessment and Travel Plan will be expected. It is likely that detailed Section 278 works will be required and this includes work around the large culverted drainage channel running underneath Whitehall Road.
- 8.13 Subject to detailed design and a Transport Assessment of junctions, officers support the general approach to car parking, access and servicing. Car park numbers are proposed to be provided for approximately 15% of the units. The applicant is of the

view that the low level of car parking would not discourage interest from future occupiers and will encourage more sustainable forms of travel.

- 8.14 In addition, the site is within 10 minutes' walk of the railway station and bus routes on Whitehall Rd. There would also be significant areas for cycle parking and therefore the site is well located for modes of transport other than the private motor vehicle.

**4. Do Members consider that the level of car parking provision here is acceptable?**

8.15 Wind

The intended height of the buildings is such that wind issues need to be considered in detail in the design of the development. The applicant is fully committed to undertake the necessary assessments and has appointed wind engineers to study the potential impacts. The studies will need to take into account the varying and cumulative impacts that may arise, depending upon the sequence in which the towers are constructed.

8.16 Section 106 Obligations and CIL

At this stage, adopted policies would result in the following necessary Section 106 matters:

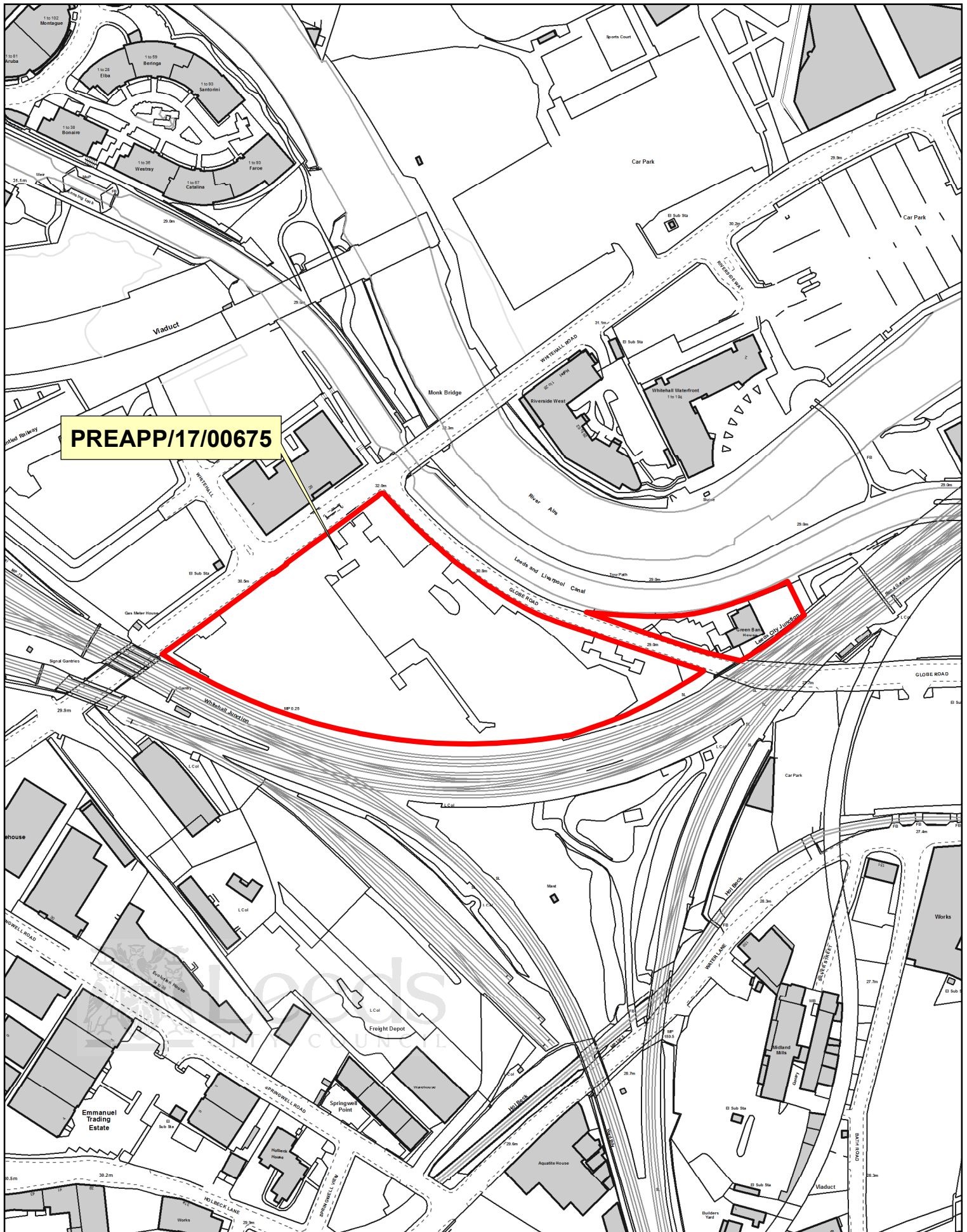
- Affordable Housing provision on site
- Off-site highways improvements and TRO amendments (incl. mechanism for delivery of potential improvement to Globe Rd/Whitehall Rd junction).
- Sustainable travel fund
- Travel plan monitoring fee
- Public access through the site
- Potential contribution to off-site green space (canal footbridge needs to be considered)
- Cooperation with local jobs and skills initiatives
- Management fee

The proposal would be subject to the Community Infrastructure Levy (CIL) with the current figure calculated as £325,000.

9.0 **Conclusion**

9.1 This scheme is a significant regeneration opportunity on a brownfield site. It would bring with it a large number of new homes and opportunities for employment. Members are asked to note the contents of the report and the presentation, and are invited to provide feedback on the issues outlined below:

- 1. Do Members support the emerging heights and footprints of the buildings?**
- 2. Subject to further assessment of the need for a footbridge, do Members support the approach to public realm enhancements?**
- 3. Do Members consider that this mix of unit sizes is acceptable?**
- 4. Do Members consider that the level of car parking provision here is acceptable?**



**PREAPP/17/00675**

# CITY PLANS PANEL



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